



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

Vol. 145

WASHINGTON, MONDAY, OCTOBER 4, 1999

No. 132

House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
October 4, 1999.

I hereby appoint the Honorable THOMAS G. TANCREDO to act as Speaker pro tempore on this day.

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agrees to the amendment of the House to the bill (S. 323) "An Act to redesignate the Black Canyon of the Gunnison National Monument as a national park and establish the Gunnison Gorge National Conservation Area, and for other purposes."

MORNING HOUR DEBATES

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

The Chair recognizes the gentleman from Texas (Mr. BENTSEN) for 5 minutes.

SPORTS MILESTONES FOR HOUSTON

Mr. BENTSEN. Mr. Speaker, I rise today in recognition of two important sports milestones that were achieved yesterday in my congressional district in the City of Houston.

The first milestone was the Houston Astros' clinching the National League Central Division title for the third year in a row. While their 97-win season was impressive, equally impressive was the division race, which lasted until the final day of the regular season. Yesterday, Astros 22-game winner Mike Hampton took the mound on only 3 days' rest and delivered a decisive performance, guiding the Astros to the Central Division title.

Despite a year plagued by injuries, forcing the team to use the disabled list 16 times, the Astros managed to finish the season with the second highest win total in franchise history.

Starting with the loss of outfielder Moises Alou in the off season, this season was undoubtedly a test for Astros players and fans alike. The only Astros position players who did not spend time on the disabled list were first baseman Jeff Bagwell and second baseman Craig Biggio, both of whom who have had career years leading the National League in RBIs and doubles respectively.

The team also weathered the temporary loss of manager Larry Dierker, whose rapid recovery from brain surgery revealed the strength and breadth of his character. But in the end, what drove the Astros to victory was the team performance on the field: great pitching, fielding, defense and timely hitting.

Of particular note was the Astros' amazing pitching staff: Mike Hampton, who set a team record with 22 wins, the best in the National League; Jose Lima, whose animation and love for the game delighted fans and whose commitment to succeed resulted in 21

wins; Shane Reynolds, with 16 impressive, hard-fought wins; and Billy Wagner, the best closer in baseball, with 39 saves; and a bullpen that set a remarkable record for winning every game in which they held a lead after eight innings.

With the steady veteran presence of fan favorites Craig Biggio, Jeff Bagwell, Ken Caminiti, and Carl Everett, the Astros were able to overcome the adversity of injuries and find a way to win 97 games.

A second important Houston sports milestone was also achieved yesterday in the Astrodome, with the end of the 1999 regular season. It is special because, after 35 years, yesterday's division-clinching game was the last Astros regular season game in the place known in Houston as the Dome.

Next year, the Astros will begin play at Enron field, a new ballpark in the heart of downtown Houston. But the Astros' history, for better or worse, has been established in the Astrodome, the Eighth Wonder of the World. The brainchild of Judge Roy Hofheinz, the Astrodome has been the site of 35 years of great sports memories.

The Dome saw Elvin Hays meet Lew Alcindor for a classic college basketball game in 1968. Mohammed Ali fought there, Elvis and Selena performed there, Evel Knievel jumped, Billy Graham preached, and Billie Jean King and Bobby Riggs played a score-settling tennis match.

The Oilers won big games and lost a few there, the University of Houston Cougars called the Dome their home, and the Houston Livestock Show and Rodeo have maintained one of Houston's most important traditions with countless concerts and rodeos that have thrilled millions.

But the Astrodome will always be identified first with the Houston Astros. The Astrodome's opening in 1965 was so special that the New York Yankees traveled to Houston for an exhibition game, which saw the very first

□ 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.



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Dome home run hit by none other than Mickey Mantle, witnessed by President Lyndon B. Johnson, who attended the game with tens of thousands of his fellow Texans, including myself.

The scoreboard, unlike any other in sports, shared color, lights, and Texas pride for all who entered. The team, with their often colorful uniforms, played their hearts out, rain or shine, in the 72-degree comfort of the Dome.

The list of players who wore the Houston Astros uniform is legendary, from Jimmy Wynn to Joe Morgan, Larry Dierker to Rusty Staub, Nolan Ryan to Mike Scott, Art Howe to Dickie Thon, Phil Garner to Ken Caminiti, Don Wilson to Billy Wagner, Glenn Davis to Jeff Bagwell, Bill Doron to Craig Biggio, Craig Reynolds to Doug Rader, Cesar Cedeno to Jose Cruz, Joe Niekro to Alan Ashby, and J.R. Richard to Dave Smith.

There have been many unforgettable moments and unforgettable athletes who have played the game of baseball for the Astros. Now, as the final chapter of the 1999 Astros season is being written in the playoffs, this generation of Houston Astros players will have a chance to bring home the team's first World Series title to the city of Houston.

The next generation of Astros stars will play their games in the new ballpark, in itself a modern marvel. But there is only one Astrodome, and Houston fans and the athletes who performed so greatly there will never forget it or the franchise that proudly played there for the great fans of the city of Houston.

OPPOSE H.R. 782, OLDER AMERICANS ACT

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

Mr. DEFAZIO. Mr. Speaker, I had hoped that today would be a day to celebrate. For 4 years, the Older Americans Act has languished in this House of Representatives. The authorization expired 4 years ago. We have been operating off of a continuing appropriations resolutions for 4 years.

Because of that, there has been no inflation adjustment in many crucial programs for our senior citizens. Because of that, there has been no review and addition to the Older Americans Act of new programs to serve the vital needs of our seniors.

I introduced bipartisan legislation the beginning of the session. We have more than half of the Members of this House of Representatives on that widely agreed-upon legislation.

But now, in rather a bit of a surprise move, the Republican leadership is popping out an Older Americans Act revision to the floor, H.R. 782, under suspension of the rules, no amendments allowed, that is extraordinarily

controversial. Why is it controversial? Well, because in a pique, in a pique, the Republican leadership is very angry with one of the many senior groups which participates in the Older Americans Act employment programs, the National Council of Senior Citizens, who regularly advocate for progressive issues for seniors, for prescription drug coverage and other things. Yes, they ding the Republican leadership and the Republicans a bit.

So in a pique, to get at that one group that they hate, they are going to take and penalize all the other senior groups who actually do 90 percent of the senior employment and arbitrarily change the program.

What are the Republicans, the party of small government, the party of the private sector, the party of charitable nonprofit groups going to do? They are going to rip money away from a very successful program being operated now by dozens of other senior groups and give it to the States.

Well, one might say, what is wrong with that? Well, even in my own State, which is recognized as the leader on senior citizen issues, they are less efficient and less capable. They get fewer people placed for the same amount of money as the private nonprofit senior groups do. They get fewer people through this program. They serve a different clientele.

Actually, the States serve the easier-to-serve clientele, the urban clientele, the more educated clientele than do the disbursed groups like Green Thumb and others who go into rural areas where the States do not have the capability of going.

This is extraordinarily unfortunate that this bill should come forward in this form. It is going to come forward under the suspension of the rules. No amendments allowed. We could have at least had a fair fight over this issue. Given the fact that more than half of the House has cosponsored my legislation, bipartisan legislation, I believe we would have prevailed.

But we will not be allowed to offer an amendment to this bill. There will be 40 minutes of debate. We have waited 4 years. Only the people who are running this House of Representatives after 4 years could deliver a turkey like this, a bill that is going to hurt senior citizens.

Instead of helping them when this should have been a day to celebrate for America's senior citizens, it will be a day that we will look back upon and say how is it now that the Older Americans Act senior employment programs were destroyed, they were destroyed because a few people in the majority were mad at one senior group that gets a tiny fraction of the money under this bill. So they dumped money into State bureaucracies that were incapable of doing the job. That is a sad day.

In addition to that, we find that the administration is very opposed to this. Perhaps they can even get this on to the veto list if they try hard enough.

The Secretary of Labor has said that they find unacceptable the changes that were made to the Senior Community Service Employment program authorized under title 5 of the Older Americans Acts. We believe this change would significantly diminish the effectiveness of the Senior Community Service Employment programs.

So why? Why are they doing this? It is so sad. Again, just to repeat one last time that, because they are angry at one senior citizen group that has advocated against some of their priorities, their misplaced priorities here, they going to penalize all the senior citizen groups, including Green Thumb, which has got one of the most successful employment programs for hard-to-serve rural low-income seniors in this country and provides vital services in thousands of communities across America.

They are going to have millions of dollars ripped out of their budget and delivered to State bureaucracies that will not spend it as efficiently and perhaps will not be able to spend it at all.

I urge people to oppose this bill under the suspension of the rules.

RECESS

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

Accordingly (at 12 o'clock and 42 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order at 2 p.m.

PRAYER

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

O gracious God, in whom we live and move and have our being, we are grateful that Your blessings are over us and Your everlasting arms are beneath us. We know, O God, that Your spirit gives us strength when we are weak, chastens us when we miss the mark, forgives us and makes us whole. We are thankful that we can begin a new week energized by Your faithfulness and comforted by Your many mercies. Bless all Your people, O God, and may Your peace that passes all human understanding be with each one of us now and evermore. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. LAMPSON led the Pledge of Allegiance as follows:

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

RECOGNIZING ANDRE AGASSI FIFTH GRAND SLAM TITLE AND GRAND SLAM FOR CHILDREN

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

Mr. GIBBONS. Mr. Speaker, it is with great pleasure that I come to the floor today to recognize and congratulate a tennis superstar and fellow Nevadan for capturing his fifth Grand Slam title and his second in 1999. It was merely 2 years ago when the sports writers claimed that Andre Agassi was over the hill in world tennis competition. However, after a superb summer which consisted of his winning the French Open title, a second-place finish at Wimbledon, and winning the U.S. Open title, Agassi recaptured the number one ranking and once again the top of the tennis world.

Mr. Speaker, Agassi's unparalleled performances do not end on the court. For the fifth consecutive year Andre Agassi's charitable foundation hosted a Grand Slam for Children that raises money to assist at-risk youth in Las Vegas. With Andre's dedication and tireless efforts, the event raised nearly \$4 million to help these children.

So, to Andre Agassi I congratulate him on his fifth Grand Slam title and also thank him for his outreach and assistance to the children of Nevada. We are indeed proud of him.

STONE COLD PROMOTION OF GARBAGE

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

Mr. TRAFICANT. Mr. Speaker, it is not just about the Virgin Mary splattered with cow manure; it is about common decency. The Brooklyn Museum of Art is displaying a portrait of a pedophile that features the handprints of the children he murdered.

Think about it: on display in New York City, the handprints of America's murdered children.

Beam me up, Mr. Speaker. This is not freedom of expression; this is stone cold promotion of garbage. Congress should be supporting Mayor Giuliani's attempt to stop public funding of this type of trash.

I yield back the handprints of America's murdered children on display in the great City of New York.

CORRECT THE OLDER AMERICANS ACT TO REFLECT HIGHER PERCENTAGE OF SENIORS

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

Mr. MILLER of Florida. Mr. Speaker, I rise to express my concerns about the Older American Act that was supposed to be on the floor today and apparently will be delayed. This is reauthorization of some very, very important programs in this country, and as a Congressman who represents the largest number of seniors in a congressional district in the southwest part of Florida, it is of great concern for me because of programs like Meals on Wheels and other senior programs that need to be authorized, and they are essential programs.

The bill that was being proposed had some really good innovations and ideas, a care-giver program so that we need to expand upon and create a specialized program for it. However, the real problem in that bill was the funding formula. Florida, having the largest number of seniors, should get its proportionate share of money, but it is biased because it is Florida; and that was just plain wrong to say Florida gets less percentage-wise than other States. We have more seniors. The seniors keep moving to Florida, and they have got a program in the bill that says its 1987 census numbers are what we are living with.

Mr. Speaker, people keep moving to Florida, and we have got to keep allowing the money to follow the seniors, and that was the only real problem with that bill. Otherwise it is a very good bill, and I hope it is brought back to the floor with the correction.

THE OLDER AMERICANS ACT NEEDS MORE WORK

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

Mr. DEFAZIO. Mr. Speaker, actually H.R. 782, the reauthorization of the Older Americans Act which we have been awaiting for 4 years, had many other problems; and it is best that it was pulled. This is legislation that is vitally needed so we can better fund and prioritize programs for senior citizens.

But the bill was going to take money from the Older American Employment programs, away from the efficient, the private nonprivate providers and dump it on State bureaucracies that have no track record and in fact where they do have a track record, one that is less effective and less efficient. It also was going to cut congregant meals for seniors under the theory that they should just stay home; it is cheaper to serve them there than to have them come to congregant meal sites, missing out on the vital socialization function and others things that go on there.

It was a bad bill, and it is best that it was pulled. It needs more work before it comes to the floor of the House, and it should come under open rule so amendments can be offered. We have waited 4 years. It should not be under a closed procedure.

PROTECTING THE AMERICAN PEOPLE, PART OF RONALD REAGAN'S DREAM

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

Mr. ROHRBACHER. Mr. Speaker, back in the 1980's I had the honor of being one of Ronald Reagan's speech writers and worked with him closely in developing some of the ideas that were under attack then but nowadays seem to have come to fruition. And it is difficult for me to come here today and to just especially in light of what Edmond Morris has written about the President and is writing about the President, saying about President Reagan, but I think we should all remember that Ronald Reagan had a vision and set America in motion to do things that have put us in an era of prosperity and an era of peace.

I was there when Ronald Reagan, for example, launched the program aimed at developing a missile defense system for the United States of America. Everybody said that it could not be done. He was ridiculed. He wanted a system that, if someone were shooting a missile at us were armed with an atomic bomb, a nuclear warhead, that we could have protected from that, thus saving millions of Americans. And they said it could not be done. They ridiculed him, and of course this weekend I am proud to announce that we have had another successful test of an anti-missile system to protect the American people, part of Ronald Reagan's dream.

DEMOCRATIC CALLOUSNESS

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

Mr. ARMEY. Mr. Speaker, the do-nothing Democrats are at it again.

This morning the Census Bureau announced that the ranks of the uninsured have grown by one million people in this last year. How did the do-nothing Democrats respond to that news? Well, essentially, Mr. Speaker, they told the uninsured to drop dead. That is right. They scheduled a press conference for this afternoon to denounce our access bill for the uninsured. On the very day we learn that 44.3 million Americans went without health insurance last year, the Democrats announce that they are standing in the hospital door to make sure that no Republican gets credit for helping the uninsured.

How callous can they be?

And where are their solutions for the uninsured? Nowhere to be seen.

Meanwhile, they are calling our access bill for the uninsured a poison pill. How dare they.

Now I ask you, Mr. Speaker, what is poisonous about expanding community health centers for the poor? What is poisonous about giving the cashier at the hardware store the same tax deduction for health care that now a corporate CEO gets? What is poisonous about letting every American have a medical savings account? What is poisonous about letting small business band together to buy cheaper coverage for their workers? What is poisonous, Mr. Speaker, about giving hard-working families special relief for providing long-term care for their aging parents?

Mr. Speaker, there are 44.3 million Americans that do not think access to affordable health coverage is a poison pill. The only poison in this debate is the callousness of the do-nothing Democrats. They ought to be ashamed, Mr. Speaker.

REPUBLICANS DO LITTLE OR NOTHING ON ISSUES THAT CONCERN THE AMERICAN PEOPLE

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

Mr. DOGGETT. Mr. Speaker, this term, do-nothing Democrats, is a curious term to me. As best I remember, the Republicans have a majority in this House, the Republicans have a majority in the United States Senate; and yet they have been unable to complete their work. We have begun this new Federal fiscal year without the necessary appropriations acts and they have yet to even present one of the largest of those appropriations acts for our consideration. Likewise, they have produced so far this year, perhaps, the most unique set of legislative accomplishments largely centering on naming a few places and buildings and memorial coins and doing little or nothing on the real issues that concern the American people.

One of those real issues is having a true patients' bill of rights for those in managed health care. With consideration of important consumer legislation delayed this month after month, week after week, we will finally this week have an opportunity to provide Americans some real protection with a genuine patients' bill of rights. That is what Democratic efforts, joined with a handful of Republicans who were willing to buck their leadership to stand up for the rights of ordinary Americans against mismanaged care, can accomplish.

Give us a Democratic majority, and my colleagues will really see what Democrats can do to address health care and other concerns of American Families.

UNDERSTAND THE FACTS ABOUT THE OLDER AMERICANS ACT

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

Mr. GOODLING. First of all, Mr. Speaker, I would tell the gentleman that I just read in the newspaper last week where the minority leader said that the Democrats are determining what the legislation is on the floor of the House, so that is kind of interesting. But that is not why I wanted to speak.

I have heard a lot of people, many, talking about the Older Americans Act, and unfortunately they do not know what they are talking about. The Older Americans Act, which we worked on for 6 months, the gentleman from California (Mr. MCKEON) and the gentleman from California (Mr. MARTINEZ) and the gentleman from Nebraska (Mr. BARRETT), as a matter of fact does more than it has ever done before in an authorization as far as employment programs are concerned, as far as States are concerned. If my colleagues only understood the way the legislation is now and has been for years, says that 45 percent of all of the money will stay in Washington, 55 percent will go back to the State. That is not the way it has been appropriated. It has been appropriate 78 and 22. But that is not the way it is authorized. We improved that, and we said just reverse, 55 percent will stay here, 45 percent will go back.

So be sure to understand the facts about what it was we wanted to present which we will not present during this session of Congress again.

NEVER AGAIN

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

Mr. SENSENBRENNER. Mr. Speaker, my good friend from Texas (Mr. DOGGETT) has a very short memory. He tells the House and the American people to give us a Democratic majority and we will show them what we can do. Mr. Speaker, I remember the last time there was a Democratic majority and the Speaker from Texas, and the House passed no appropriations bills at all by the 30th of September, and all 13 appropriation bills ended up being put in one huge massive and continuing resolution that the President of the United States, Ronald Reagan, plunked on that desk there, stack after stack after stack, and said no way will I ever sign one of those continuing resolutions again.

Now that is what happened the last time there was a Democratic majority, and I hope that we never have that happen again under either a Republican or Democratic majority.

□ 1415

EARNING THE RESPECT OF AMERICA

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

Mr. LAMPSON. Mr. Speaker, perhaps the best thing to do, to sum up all of this, is let us get past the partisan rhetoric, get down to business, and do our jobs, and maybe then America will respect what we are doing here.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Any rollcall votes on postponed questions will be taken after debate has concluded on all motions to suspend the rules, but not before 6 p.m. today.

COMMERCIAL SPACE TRANSPORTATION COMPETITIVENESS ACT OF 1999

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2607) to promote the development of the commercial space transportation industry, to authorize appropriations for the Office of the Associate Administrator for Commercial Space Transportation, to authorize appropriations for the Office of Space Commercialization, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2607

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Commercial Space Transportation Competitiveness Act of 1999".

SEC. 2. FINDINGS.

The Congress finds that—

(1) a robust United States space transportation industry is vital to the Nation's economic well-being and national security;

(2) a 5-year extension of the excess third party claims payment provision of chapter 701 of title 49, United States Code, (Commercial Space Launch Activities) is necessary at this time to protect the private sector from uninsurable levels of liability;

(3) enactment of this extension will have a beneficial impact on the international competitiveness of the United States space transportation industry;

(4) space transportation may eventually move into more airplane-style operations;

(5) during the next 3 years the Federal Government and the private sector should analyze and determine whether a more appropriate and effective liability risk-sharing regime can be achieved and, if so, develop and propose the new regime to Congress at least 2 years prior to the expiration of the extension contained in this Act;

(6) the areas of responsibility of the Office of the Associate Administrator for Commercial Space Transportation have significantly increased as a result of—

(A) the rapidly expanding commercial space transportation industry and associated government licensing requirements;

(B) regulatory activity as a result of the emerging commercial reusable launch vehicle industry; and

(C) the increased regulatory activity associated with commercial operation of launch and reentry sites; and

(7) the Office of the Associate Administrator for Commercial Space Transportation should engage in only those promotional activities which directly support its regulatory mission.

SEC. 3. OFFICE OF COMMERCIAL SPACE TRANSPORTATION.

(a) AMENDMENT.—Section 70119 of title 49, United States Code, is amended to read as follows:

“§ 70119. Office of Commercial Space Transportation

“There are authorized to be appropriated to the Secretary of Transportation to the activities of the Office of the Associate Administrator for Commercial Space Transportation—

“(1) \$6,275,000 for fiscal year 1999;

“(2) \$7,000,000 for fiscal year 2000;

“(3) \$8,300,000 for fiscal year 2001; and

“(4) \$9,840,000 for fiscal year 2002.”.

(b) TABLE OF SECTIONS AMENDMENT.—The item relating to section 70119 in the table of sections of chapter 701 of title 49, United States Code, is amended to read as follows:

“70119. Office of Commercial Space Transportation.”.

SEC. 4. OFFICE OF SPACE COMMERCIALIZATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Commerce for the activities of the Office of Space Commercialization—

(1) \$530,000 for fiscal year 2000;

(2) \$550,000 for fiscal year 2001; and

(3) \$570,000 for fiscal year 2002.

(b) REPORT TO CONGRESS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Commerce shall transmit to the Congress a report on the Office of Space Commercialization detailing the activities of the Office, the materials produced by the Office, the extent to which the Office has fulfilled the functions established for it by the Congress, and the extent to which the Office has participated in inter-agency efforts.

SEC. 5. COMMERCIAL SPACE TRANSPORTATION INDEMNIFICATION EXTENSION.

Section 70113(f) of title 49, United States Code, is amended by striking “December 31, 1999” and inserting “December 31, 2004”.

SEC. 6. LIABILITY REGIME FOR COMMERCIAL SPACE TRANSPORTATION.

(a) REPORT REQUIREMENT.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Transportation shall transmit to the Congress a report on the liability risk-sharing regime in the United States for commercial space transportation.

(b) CONTENTS.—The report required by this section shall—

(1) analyze the adequacy, propriety, and effectiveness of, and the need for, the current liability risk-sharing regime in the United States for commercial space transportation;

(2) examine the current liability and liability risk-sharing regimes in other countries with space transportation capabilities;

(3) examine whether it is appropriate for all space transportation activities to be deemed “ultrahazardous activities” for which a strict liability standard may be ap-

plied and, if not, what liability regime should attach to space transportation activities, whether ultrahazardous activities or not;

(4) examine how relevant international treaties affect the Federal Government’s liability for commercial space launches and whether the current domestic liability risk-sharing regime meets or exceeds the requirements of those treaties;

(5) examine whether and when the commercial space transportation liability regime could be conformed to the approach of the airline liability regime; and

(6) include recommendations on whether the commercial space transportation liability regime should be modified and, if so, what modifications are appropriate and what actions are required to accomplish those modifications.

(c) SECTIONS.—The report required by this section shall include—

(1) a section containing the views of—

(A) the Office of the Associate Administrator for Commercial Space Transportation;

(B) the National Aeronautics and Space Administration;

(C) the Department of Defense;

(D) the Office of Space Commercialization; and

(E) any other interested Federal agency, on the issues described in subsection (b);

(2) a section containing the views of United States commercial space transportation providers on the issues described in subsection (b);

(3) a section containing the views of United States commercial space transportation customers on the issues described in subsection (b);

(4) a section containing the views of the insurance industry on the issues described in subsection (b); and

(5) a section containing views obtained from public comment received as a result of notice in Commerce Business Daily, the Federal Register, and appropriate Federal agency Internet websites on the issues described in subsection (b).

The Secretary of Transportation shall enter into appropriate arrangements for a non-Federal entity or entities to provide the sections of the report described in paragraphs (2), (3), and (4).

SEC. 7. STUDY OF APPROPRIATIONS IMPACT ON SPACE COMMERCIALIZATION.

Within 90 days after the later of the date of enactment of this Act or the date of enactment of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000, the Comptroller General, in consultation with the Administrator of the National Aeronautics and Space Administration and United States commercial space industry providers and customers, shall transmit to the Congress a report on the impact of that appropriations Act on the future development of the United States commercial space industry.

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

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2607, as amended.

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

There was no objection.

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

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

Mr. Speaker, H.R. 2607, the Commercial Space Transportation Competitiveness Act of 1999, provides a 5-year extension for what is commonly referred to as indemnification. This extension is necessary to protect space transportation companies from uninsurable levels of liability and to enhance the international competitiveness of the American companies. The current indemnification provision expires at the end of this year, so we need to move quickly in order to get this extension enacted before the end of the year.

H.R. 2607 also includes a reporting provision on whether the current risk-sharing regime should be modified. The report calls for separate sections from the Federal Government, the U.S. space transportation providers and customers, the insurance industry and the general public. This report will provide the basis for Congressional hearings and public debate in the future and should provide the framework for the new regime in plenty of time before this extension expires in 2004.

The bill also includes authorizations for the Office of Commercial Space Transportation and the Office of Space Commercialization, and requires a report on the objectives, activities and plans of the Office of Space Commercialization.

In short, this is a straightforward bill. It only contains, one, the indemnification extension; two, a report on how indemnification might be structured in the future; three, authorizations for two small commercial space offices; and, four, a section requiring a GAO report.

I strongly support this bill, and urge my colleagues to vote in favor of it.

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

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

Mr. Speaker, I want to rise in support of H.R. 2607. As the gentleman from Wisconsin (Chairman SENSENBRENNER) has very eloquently stated, this bill addresses a clear need of the U.S. commercial space industry.

A central feature of the bill is a 5-year extension of the commercial space launch indemnification authority that has existed in law since 1988. That authority has established a risk-sharing regime between the launch industry and the Federal Government. That indemnification authority has helped to level the international playing field with non-U.S. space launch companies whose governments have provided them with similar risk-sharing arrangements. The provisions have not cost the U.S. taxpayer a single dollar since they went into force a decade ago.

The indemnification authority has been renewed once since its initial establishment, and H.R. 2607 would extend that authority for another 5 years. I believe that extension of the indemnification authority is in our Nation's best interests, and I urge Members to vote to suspend the rules and pass the bill.

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

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

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

Mr. ROHRBACHER. Mr. Speaker, I thank the gentleman from Wisconsin, my friend and chairman of the Committee on Science, for discharging H.R. 2607 and bringing it to the floor today.

Mr. Speaker, this legislation is just one more thing that this Congress is doing to respond to the Cox Committee's report and strengthen America's space transportation industry. This bill authorizes two important offices which regulate and promote this industry and renews commercial launch indemnification authority for 5 years beyond its expiration at the end of this year.

America's space transportation industry is still in its childhood as far as maturity goes. It is becoming very dynamic. We are now experiencing and witnessing many reusable launch as well as expendable launch vehicles under development that in the future will serve America well.

In the future, I would hope that the government could shoulder less risk so that the industry is fully motivated to invest in more reliable and safe and reusable launch vehicles. In fact, as the reusables that are under development now and the expendables that are under development now come into fruition, as they are put into practice and they are put into service for the American people, we expect these space transportation systems to be developed and to be further improved so that indemnification will not quite be the issue that it is at this stage in America's space program.

Furthermore, this legislation sets in place an independent process to advise the Congress on how the government and the private sector should share the risk in space transportation activities in the future. So we are preparing for that day when this type of indemnification may no longer be necessary.

In particular, we are asking launch companies, their customers and their insurers as well, to serve and to give us input into how and when we might carefully change the current regime. By renewing the current regime for 5 years and giving industry the opportunity to shape the future, I believe we are serving the taxpayers well and giving America's space transportation companies a stable business environment so they can become more competitive and so that they can develop

these new space transportation technologies that will keep America the number one power in commercial space as well as the number one power in some of the space projects that are being developed for dual use with the Defense Department and NASA as well as in the private sector.

Mr. Speaker, I again thank the gentleman from Wisconsin, the chairman of the committee, for discharging this bill, and for supporting it, and for the leadership he has provided for America's space industry.

Mr. GORDON. Mr. Speaker, I want to speak in support of H.R. 2607. This bill has as its central element a provision that would extend the launch indemnification authority that was established in the Commercial Space Launch Act, as amended. That authority established a predictable, well understood risk-sharing regime that has helped the growth of the U.S. commercial space launch industry over the intervening decade. The provision of limited indemnification has long been a cornerstone of our nation's approach to preserving a healthy and competitive launch industry.

However, under the existing statute, these provisions will expire at the end of the current calendar year unless renewed. H.R. 2607 would extend those provisions for another five years. At our hearings this year, there has been a broad consensus on the need to renew the indemnification authority. I hope that we will do so today.

In addition to the indemnification extension, the bill contains a number of other provisions that I am less enthusiastic about. For example, one finding of the bill would limit the Department of Transportation's ability to engage in non-regulatory activities that have done much to advance the state of the U.S. launch industry.

In addition, there are funding levels in the bill for the Department of Transportation's Office of Commercial Space Transportation that may not be commensurate with the regulatory responsibilities that Congress has levied upon that Office. However, since I am confident that those concerns can be addressed in Conference, I did not see any reason to prevent the bill from being considered on the suspension calendar. In my opinion, it is important that we move this bill forward and ensure that the launch indemnification authority is renewed in a timely manner.

Mr. HALL of Texas. Mr. Speaker, I rise in support of H.R. 2607.

The U.S. commercial space launch industry currently leads the worlds, and we can all be proud of that.

At the same time, U.S. companies face tough competition from overseas launch providers.

And each of those non-U.S. companies have the support of their countries in sharing the risks associated with launching payloads into space.

One of the important ways that we have been able to keep the commercial playing field level is through the indemnification provisions contained in the Commercial Space Launch Act, as amended.

Unfortunately, those provisions are set to expire at the end of this year if they aren't renewed.

H.R. 2607 will extend the indemnification provisions for another five years.

I think that these provisions are critical to the continued health of the U.S. commercial space launch industry, and I urge my colleagues to support H.R. 2607.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I support H.R. 2607, the Commercial Space Transportation Competitiveness Act of 1999. This act will further support the development of America's commercial space transportation industry by bolstering our ability to compete in the international arena.

The commercial launch industry has grown tremendously during the last decade. Our nation's companies hold close to 50 percent of the world market share, and most important, our launch vehicles have a strong reliability record. With the incredible leaps that we have experienced in the technology field, the use of commercial satellites has increasingly become more and more important. In addition both NASA and the Department of Defense are increasingly making use of commercial launch services. Most notable experts predict continued growth in the industry.

As a Member of the House Science Committee, I attended the hearings that examined this bill and the barriers to commercial space launches. During those hearings, the space transportation industry expressed the opinion that we could do more. This bill begins to address these concerns and shows the industry that Congress has not lost focus on the bigger picture.

The measure most often mentioned by the industry was the extension of the commercial space launch indemnification provision. Begun in 1988 by an amendment to the Commercial Space Launch Act, this measure significantly lowered the barriers to growth in the commercial space transportation industry. These amendments in the wake of the Challenger disaster put forth a risk-sharing regime. This indemnification between the Federal government and the commercial industry was designed to help transition and foster growth within the commercial industry.

H.R. 2607 will provide for the extension of the Commercial Space Transportation Indemnification Extension. In addition, this act is asking the Transportation Department to examine and make a determination regarding a better risk-sharing regime.

This bill is an important step but we need to continue to answer the questions of how the federal government can continue to facilitate growth in the commercial industry five to ten years from now. As technology continues to advance many of our constituents and the industries in our districts will want affordable access to space and in order to further open the space frontier America needs to have a strong commercial space transportation industry.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 2607, as amended.

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

A motion to reconsider was laid on the table.

STANISLAUS COUNTY,
CALIFORNIA, LAND CONVEYANCE

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 356) to provide for the conveyance of certain property from the United States to Stanislaus County, California, as amended.

The Clerk read as follows:

H.R. 356

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

SECTION 1. CONVEYANCE OF PROPERTY.

As soon as practicable after the date of the enactment of this Act, the Administrator of the National Aeronautics and Space Administration (in this Act referred to as "NASA") shall convey to Stanislaus County, California, all right, title, and interest of the United States in and to the property described in section 2.

SEC. 2. PROPERTY DESCRIBED.

The property to be conveyed pursuant to section 1 is—

(1) the approximately 1528 acres of land in Stanislaus County, California, known as the NASA Ames Research Center, Crows Landing Facility (formerly known as the Naval Auxiliary Landing Field, Crows Landing);

(2) all improvements on the land described in paragraph (1); and

(3) any other Federal property that is—

(A) under the jurisdiction of NASA;

(B) located on the land described in paragraph (1); and

(C) designated by NASA to be transferred to Stanislaus County, California.

SEC. 3. TERMS.

(a) **CONSIDERATION.**—The conveyance required by section 1 shall be without consideration other than that required by this section.

(b) **ENVIRONMENTAL REMEDIATION.**—(1) The conveyance required by section 1 shall not relieve any Federal agency of any responsibility under law, policy, or Federal inter-agency agreement for any environmental remediation of soil, groundwater, or surface water.

(2) Any remediation of contamination, other than that described in paragraph (1), within or related to structures or fixtures on the property described in section 2 shall be subject to negotiation to the extent permitted by law.

(c) **RETAINED RIGHT OF USE.**—NASA shall retain the right to use for aviation activities, without consideration and on other terms and conditions mutually acceptable to NASA and Stanislaus County, California, the property described in section 2.

(d) **RELINQUISHMENT OF LEGISLATIVE JURISDICTION.**—NASA shall relinquish, to the State of California, legislative jurisdiction over the property conveyed pursuant to section 1—

(1) by filing a notice of relinquishment with the Governor of California, which shall take effect upon acceptance thereof; or

(2) in any other manner prescribed by the laws of California.

(e) **ADDITIONAL TERMS.**—The Administrator of NASA may negotiate additional terms to protect the interests of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Texas (Mr. LAMPSON) each will control 20 minutes. The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all

Members may have 5 legislative days within which to revise and extend their remarks on H.R. 356, as amended.

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

There was no objection.

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

Mr. Speaker, H.R. 356 requires NASA to convey property at the Ames Research Center to Stanislaus, California. NASA retains the right to use the property for aviation activities on mutually acceptable terms. The conveyance does not relieve any Federal agency of its responsibility for any environmental remediation of soil, groundwater, or surface water.

NASA relinquishes legislative jurisdiction over the property to the State of California. Any additional terms may be negotiated by the NASA Administrator to protect the interests of the United States.

The bill is sponsored by the gentleman from California (Mr. CONDIT). Last Congress, the Committee on Science supported this bill; and the House passed it. I urge my colleagues to support this bill.

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

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

Mr. Speaker, I want to speak in support of H.R. 356. This bill was introduced by the gentleman from California (Mr. CONDIT). It has been favorably reported by the Subcommittee on Space.

Basically, the bill would convey a piece of excess property currently owned by NASA to Stanislaus County, California. The property was previously owned by the Navy and then transferred to NASA. NASA currently has no use for the property. This bill does, however, make provision for NASA to retain the right to use the property for aviation activities under terms and conditions mutually acceptable to NASA and to the county. In addition, it should be noted that the conveyance does not relieve the Federal Government of any responsibility for any environmental remediation.

This is a straightforward piece of legislation. I urge my colleagues to suspend the rules and pass the bill.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 356, as amended.

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

A motion to reconsider was laid on the table.

RAIL PASSENGER DISASTER
FAMILY ASSISTANCE ACT OF 1999

Mr. PETRI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2681) to establish a program, coordinated by the National Transportation Safety Board, of assistance to families of passengers involved in rail passenger accidents.

The Clerk read as follows:

H.R. 2681

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Rail Passenger Disaster Family Assistance Act of 1999".

SEC. 2. ASSISTANCE BY NATIONAL TRANSPORTATION SAFETY BOARD TO FAMILIES OF PASSENGERS INVOLVED IN RAIL PASSENGER ACCIDENTS.

(a) **IN GENERAL.**—Subchapter III of chapter 11 of title 49, United States Code, is amended by adding at the end the following:

"§ 1137. Assistance to families of passengers involved in rail passenger accidents

"(a) **IN GENERAL.**—As soon as practicable after being notified of a rail passenger accident within the United States involving a rail passenger carrier and resulting in a major loss of life, the Chairman of the National Transportation Safety Board shall—

"(1) designate and publicize the name and phone number of a director of family support services who shall be an employee of the Board and shall be responsible for acting as a point of contact within the Federal Government for the families of passengers involved in the accident and a liaison between the rail passenger carrier and the families; and

"(2) designate an independent nonprofit organization, with experience in disasters and posttrauma communication with families, which shall have primary responsibility for coordinating the emotional care and support of the families of passengers involved in the accident.

"(b) **RESPONSIBILITIES OF THE BOARD.**—The Board shall have primary Federal responsibility for—

"(1) facilitating the recovery and identification of fatally injured passengers involved in an accident described in subsection (a); and

"(2) communicating with the families of passengers involved in the accident as to the roles of—

"(A) the organization designated for an accident under subsection (a)(2);

"(B) government agencies; and

"(C) the rail passenger carrier involved, with respect to the accident and the post-accident activities.

"(c) **RESPONSIBILITIES OF DESIGNATED ORGANIZATION.**—The organization designated for an accident under subsection (a)(2) shall have the following responsibilities with respect to the families of passengers involved in the accident:

"(1) To provide mental health and counseling services, in coordination with the disaster response team of the rail passenger carrier involved.

"(2) To take such actions as may be necessary to provide an environment in which the families may grieve in private.

"(3) To meet with the families who have traveled to the location of the accident, to contact the families unable to travel to such location, and to contact all affected families periodically thereafter until such time as the organization, in consultation with the director of family support services designated for the accident under subsection

(a)(1), determines that further assistance is no longer needed.

“(4) To arrange a suitable memorial service, in consultation with the families.

“(d) PASSENGER LISTS.—

“(1) REQUESTS FOR PASSENGER LISTS.—

“(A) REQUESTS BY DIRECTOR OF FAMILY SUPPORT SERVICES.—It shall be the responsibility of the director of family support services designated for an accident under subsection (a)(1) to request, as soon as practicable, from the rail passenger carrier involved in the accident a list, which is based on the best available information at the time of the request, of the names of the passengers that were aboard the rail passenger carrier's train involved in the accident. A rail passenger carrier shall use reasonable efforts, with respect to its unreserved trains, and passengers not holding reservations on its other trains, to ascertain the names of passengers aboard a train involved in an accident.

“(B) REQUESTS BY DESIGNATED ORGANIZATION.—The organization designated for an accident under subsection (a)(2) may request from the rail passenger carrier involved in the accident a list described in subparagraph (A).

“(2) USE OF INFORMATION.—The director of family support services and the organization may not release to any person information on a list obtained under paragraph (1) but may provide information on the list about a passenger to the family of the passenger to the extent that the director of family support services or the organization considers appropriate.

“(e) CONTINUING RESPONSIBILITIES OF THE BOARD.—In the course of its investigation of an accident described in subsection (a), the Board shall, to the maximum extent practicable, ensure that the families of passengers involved in the accident—

“(1) are briefed, prior to any public briefing, about the accident and any other findings from the investigation; and

“(2) are individually informed of and allowed to attend any public hearings and meetings of the Board about the accident.

“(f) USE OF RAIL PASSENGER CARRIER RESOURCES.—To the extent practicable, the organization designated for an accident under subsection (a)(2) shall coordinate its activities with the rail passenger carrier involved in the accident to facilitate the reasonable use of the resources of the carrier.

“(g) PROHIBITED ACTIONS.—

“(1) ACTIONS TO IMPEDE THE BOARD.—No person (including a State or political subdivision) may impede the ability of the Board (including the director of family support services designated for an accident under subsection (a)(1)), or an organization designated for an accident under subsection (a)(2), to carry out its responsibilities under this section or the ability of the families of passengers involved in the accident to have contact with one another.

“(2) UNSOLICITED COMMUNICATIONS.—No unsolicited communication concerning a potential action for personal injury or wrongful death may be made by an attorney (including any associate, agent, employee, or other representative of an attorney) or any potential party to the litigation to an individual (other than an employee of the rail passenger carrier) injured in the accident, or to a relative of an individual involved in the accident, before the 45th day following the date of the accident.

“(3) PROHIBITION ON ACTIONS TO PREVENT MENTAL HEALTH AND COUNSELING SERVICES.—No State or political subdivision may prevent the employees, agents, or volunteers of an organization designated for an accident under subsection (a)(2) from providing mental health and counseling services under subsection (c)(1) in the 30-day period beginning

on the date of the accident. The director of family support services designated for the accident under subsection (a)(1) may extend such period for not to exceed an additional 30 days if the director determines that the extension is necessary to meet the needs of the families and if State and local authorities are notified of the determination.

“(h) DEFINITIONS.—In this section, the following definitions apply:

“(1) RAIL PASSENGER ACCIDENT.—The term ‘rail passenger accident’ means any rail passenger disaster occurring in the provision of—

“(A) interstate intercity rail passenger transportation (as such term is defined in section 24102); or

“(B) interstate or intrastate high-speed rail (as such term is defined in section 26105) transportation, regardless of its cause or suspected cause.

“(2) RAIL PASSENGER CARRIER.—The term ‘rail passenger carrier’ means a rail carrier providing—

“(A) interstate intercity rail passenger transportation (as such term is defined in section 24102); or

“(B) interstate or intrastate high-speed rail (as such term is defined in section 26105) transportation, except that such term shall not include a tourist, historic, scenic, or excursion rail carrier.

“(3) PASSENGER.—The term ‘passenger’ includes—

“(A) an employee of a rail passenger carrier aboard a train;

“(B) any other person aboard the train without regard to whether the person paid for the transportation, occupied a seat, or held a reservation for the rail transportation; and

“(C) any other person injured or killed in the accident.

“(i) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section may be construed as limiting the actions that a rail passenger carrier may take, or the obligations that a rail passenger carrier may have, in providing assistance to the families of passengers involved in a rail passenger accident.”

(b) CONFORMING AMENDMENT.—The table of sections for such chapter is amended by inserting after the item relating to section 1136 the following:

“1137. Assistance to families of passengers involved in rail passenger accidents.”

SEC. 3. RAIL PASSENGER CARRIER PLANS TO ADDRESS NEEDS OF FAMILIES OF PASSENGERS INVOLVED IN RAIL PASSENGER ACCIDENTS.

(a) IN GENERAL.—Part C of subtitle V of title 49, United States Code, is amended by adding at the end the following new chapter:

“CHAPTER 251—FAMILY ASSISTANCE

“Sec.

“25101. Plans to address needs of families of passengers involved in rail passenger accidents.

“§ 25101. Plans to address needs of families of passengers involved in rail passenger accidents

“(a) SUBMISSION OF PLANS.—Not later than 6 months after the date of the enactment of this section, each rail passenger carrier shall submit to the Secretary of Transportation and the Chairman of the National Transportation Safety Board a plan for addressing the needs of the families of passengers involved in any rail passenger accident involving a train of the rail passenger carrier and resulting in a major loss of life.

“(b) CONTENTS OF PLANS.—A plan to be submitted by a rail passenger carrier under subsection (a) shall include, at a minimum, the following:

“(1) A plan for publicizing a reliable, toll-free telephone number, and for providing staff, to handle calls from the families of the passengers.

“(2) A process for notifying the families of the passengers, before providing any public notice of the names of the passengers, either by utilizing the services of the organization designated for the accident under section 1137(a)(2) of this title or the services of other suitably trained individuals.

“(3) An assurance that the notice described in paragraph (2) will be provided to the family of a passenger as soon as the rail passenger carrier has verified that the passenger was aboard the train (whether or not the names of all of the passengers have been verified) and, to the extent practicable, in person.

“(4) An assurance that the rail passenger carrier will provide to the director of family support services designated for the accident under section 1137(a)(1) of this title, and to the organization designated for the accident under section 1137(a)(2) of this title, immediately upon request, a list (which is based on the best available information at the time of the request) of the names of the passengers aboard the train (whether or not such names have been verified), and will periodically update the list. The plan shall include a procedure, with respect to unreserved trains and passengers not holding reservations on other trains, for the rail passenger carrier to use reasonable efforts to ascertain the names of passengers aboard a train involved in an accident.

“(5) An assurance that the family of each passenger will be consulted about the disposition of all remains and personal effects of the passenger within the control of the rail passenger carrier.

“(6) An assurance that if requested by the family of a passenger, any possession of the passenger within the control of the rail passenger carrier (regardless of its condition) will be returned to the family unless the possession is needed for the accident investigation or any criminal investigation.

“(7) An assurance that any unclaimed possession of a passenger within the control of the rail passenger carrier will be retained by the rail passenger carrier for at least 18 months.

“(8) An assurance that the family of each passenger or other person killed in the accident will be consulted about construction by the rail passenger carrier of any monument to the passengers, including any inscription on the monument.

“(9) An assurance that the treatment of the families of nonrevenue passengers will be the same as the treatment of the families of revenue passengers.

“(10) An assurance that the rail passenger carrier will work with any organization designated under section 1137(a)(2) of this title on an ongoing basis to ensure that families of passengers receive an appropriate level of services and assistance following each accident.

“(11) An assurance that the rail passenger carrier will provide reasonable compensation to any organization designated under section 1137(a)(2) of this title for services provided by the organization.

“(12) An assurance that the rail passenger carrier will assist the family of a passenger in traveling to the location of the accident and provide for the physical care of the family while the family is staying at such location.

“(13) An assurance that the rail passenger carrier will commit sufficient resources to carry out the plan.

“(14) An assurance that the rail passenger carrier will provide adequate training to the employees and agents of the carrier to meet

the needs of survivors and family members following an accident.

“(15) An assurance that, upon request of the family of a passenger, the rail passenger carrier will inform the family of whether the passenger’s name appeared on any preliminary passenger manifest for the train involved in the accident.

“(c) LIMITATION ON LIABILITY.—A rail passenger carrier shall not be liable for damages in any action brought in a Federal or State court arising out of the performance of the rail passenger carrier in preparing or providing a passenger list, or in providing information concerning a train reservation, pursuant to a plan submitted by the rail passenger carrier under subsection (b), unless such liability was caused by conduct of the rail passenger carrier which was grossly negligent or which constituted intentional misconduct.

“(d) DEFINITIONS.—In this section—

“(1) the terms ‘rail passenger accident’ and ‘rail passenger carrier’ have the meanings such terms have in section 1137 of this title; and

“(2) the term ‘passenger’ means a person aboard a rail passenger carrier’s train that is involved in a rail passenger accident.

“(e) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section may be construed as limiting the actions that a rail passenger carrier may take, or the obligations that a rail passenger carrier may have, in providing assistance to the families of passengers involved in a rail passenger accident.”.

(b) CONFORMING AMENDMENT.—The table of chapters for subtitle V of title 49, United States Code, is amended by adding after the item relating to chapter 249 the following new item:

“251. FAMILY ASSISTANCE 25101”.

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

The Chair recognizes the gentleman from Wisconsin (Mr. PETRI).

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

Mr. Speaker, I rise in support of the bill before us, H.R. 2681, the Rail Passenger Disaster Family Assistance Act. This is a bipartisan measure, and it is the product of diligent efforts by our committee chairman, the gentleman from Pennsylvania (Mr. SHUSTER) the committee’s ranking member, the gentleman from Minnesota (Mr. OBERSTAR), and the Subcommittee on Ground Transportation’s ranking member, the gentleman from West Virginia (Mr. RAHALL). I commend all of these gentlemen.

Mr. Speaker, this bipartisan bill is closely patterned on similar aviation legislation which the Congress enacted after the TWA 800 crash in 1996. This bill sets up a basic procedural framework for giving timely information to rail accident victims and their families and for dealing sensitively with the families.

The bill puts the National Transportation Safety Board in the role of the central coordinator, but relies heavily on private nonprofit organizations to handle much of the direct dealings with victims and with their families.

□ 1430

Legislation is not based on any particular deficiencies in Amtrak’s dealing with accident victims. In fact, Amtrak already has begun to adopt many of the procedures contained in this bill. Rather, we want to have in place a set of proven procedures for any and all future providers of interstate intercity rail services and of high-speed rail service.

The 1997 Amtrak Reform and Accountability Act ended Amtrak’s former statutory monopoly of intercity rail passenger service, and allowed the States to choose alternative operators.

Since that law was enacted, a number of States have begun efforts to launch new conventional or high-speed rail passenger service. Therefore, we need to be prepared for a future of multiple rail passenger service providers.

This is highly effective and cost-conscious legislation. It builds on proven experience under the counterpart aviation law, and like that law, relies heavily on private, nonprofit organizations with a minimum of costs to our government.

The NTSB, for example, already has staff in place who deal with accident situations and relations with victims and with their families.

Mr. Speaker, I urge that this legislation be approved, and I reserve the balance of my time.

The SPEAKER pro tempore (Mr. MILLER of Florida). The gentleman from West Virginia (Mr. RAHALL) is recognized to control the 20 minutes of time for the minority party.

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

Mr. Speaker, the gentleman from Wisconsin (Mr. PETRI) has explained the nature of the pending measure. I would simply note that it is an important one because it recognizes the human pain and suffering associated with severe injury and loss of life that unfortunately does occur at times in passenger rail service, so I urge the adoption of the pending measure.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. PETRI) that the House suspend the rules and pass the bill, H.R. 2681.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. PETRI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2681, the bill just passed.

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

There was no objection.

CONGRATULATING THE AMERICAN PUBLIC TRANSIT ASSOCIATION FOR 25 YEARS OF COMMENDABLE SERVICE TO THE TRANSIT INDUSTRY AND THE NATION

Mr. PETRI. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 171) congratulating the American Public Transit Association for 25 years of commendable service to the transit industry and the Nation.

The Clerk read as follows:

H. CON. RES. 171

Whereas public transportation is a fundamental public service and an integral component of the Nation’s surface transportation infrastructure;

Whereas public transportation service results in productive jobs for the Nation’s workers and provides broad support for business and economic growth;

Whereas public transportation provides safe and efficient mobility for millions of people in the United States each day;

Whereas the American Public Transit Association was established in 1974 to promote and advance knowledge in all matters relating to public transportation; and

Whereas, during a period of remarkable resurgence in public transportation, the American Public Transit Association has provided a quarter of a century of service to the Nation as the professional association representing the transit industry: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress congratulates the American Public Transit Association for 25 years of commendable service to the transit industry and the Nation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. PETRI) and the gentleman from West Virginia (Mr. RAHALL) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. PETRI).

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

Mr. Speaker, I am pleased to have this opportunity today to bring this concurrent resolution to the floor of our House. House Concurrent Resolution 171 congratulates the American Public Transit Association on its upcoming 25th anniversary.

APTA was formed on October 17, 1974, when the American Transit Association and the Institute for Rapid Transit were merged. Today APTA has over 1,200 members, including bus, rapid transit, and commuter rail systems, as well as transit suppliers, government agencies, State Departments of Transportation, academic institutions, and trade publications.

In 1997, there were 8.6 billion transit trips in the United States. Ninety percent of these trips occurred on transit systems that are APTA members. APTA has been a strong advocate for transit issues in our Nation’s capital, as well as a resource for information

and education for its member organizations.

I am pleased to have this opportunity to recognize APTA's efforts today.

Mr. Speaker, I urge my colleagues to support House Concurrent Resolution 171, and I reserve the balance of my time.

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

Mr. Speaker, as we congratulate APTA on its 25 years of service, I would note that while the large transit systems such as Washington Metro and BART often attract the most attention, the backbone of public transportation in this country is still the providers in small communities and rural areas.

On a daily basis in small communities across our country, many Americans rely on their local bus systems, such as what we have in Huntington, West Virginia, for their transportation needs. Indeed, the Tri-State Transit Authority is a shining example of what makes transit so important in this country, and is one of the reasons why we are commending APTA today.

I would also be remiss if I did not note that another reason why we should be honoring public transportation today is the strong presence of the Amalgamated Transit Union. This organization represents the vast majority of transit workers who daily operate the trains and buses which get people to and from work in a safe manner and their leisure pursuits, as well, and their contribution to public transportation is also being commended today.

I urge the adoption of the pending resolution, Mr. Speaker.

Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota (Mr. OBERSTAR), the ranking member of the Committee on Transportation and Infrastructure.

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

I want to congratulate the subcommittee on moving this legislation, and express my appreciation to the gentleman from Pennsylvania (Mr. SHUSTER), for moving the bill, the gentleman from Wisconsin (Chairman PETRI), and the ranking member, the gentleman from West Virginia (Mr. RAHALL), for their support in recognizing the American Public Transit Association on its silver anniversary year.

Mr. Speaker, it may seem unusual to be recognizing an organization of this nature on the House floor. Yet, there is nothing more important for the growth, strength, and quality of life in urban America than public transit.

I can remember very vividly as a junior staff member at the time in July, 1964, when President Johnson, on July 9, to be exact, signed into law the Urban Mass Transportation Act of that year. It was seen as an historic piece of legislation. It was the first time that the Federal Government had actually recognized the role of public transportation, transit, as it was called, or be-

ginning to be called at that time, and this small step forward was seen as an important landmark for urban America.

Not that transit had just been discovered by the Federal Government in 1964. In fact, the first transit system was actually a ferry, the Boston ferry, in the 1600s. I think the exact time was 1630 when it began its operations. The longest continually operating transit system in America is the St. Charles Line in New Orleans.

In fact, the St. Charles Line began in 1835, and runs in front of my wife's family home in New Orleans, which is also the site of the annual Mardi Gras festival. The St. Charles Line continues to operate today with upgrades and with improvements and with each of the cars filled with travelers, without which people would not be able to get to work, people would not be able to hold jobs, people would not be able to have affordable transportation in this city that is so clogged with traffic because of the nature of the city streets and the nature of the layout of the community.

Over the years our committee, then the Committee on Public Works and Transportation, now the Committee on Transportation and Infrastructure, has continued to support and widen the role and widen the public support for transit.

Last year Americans made 8.7 billion trips on transit. About a fourth of those took place in New York City. The New York City transit system carries 2.2 billion passengers a year. Without transit in New York and Northern New Jersey, the area would need 10,400 miles of four-lane highway, which of course is impossible in New York City, it could not be done. And even then, if we could build all that highway, we would still be able to carry only one-third of the passengers that are carried by transit in New York City.

So let us recognize here not just the 25th anniversary of APTA, formed 10 years after President Johnson signed UMTA, the Urban Mass Transportation Act, into law, but let us recognize in so doing the extraordinarily critical role that urban transit systems play in the lifeblood of America's great metropolitan areas: affordable, high-quality alternative transportation choices for commuters, for people visiting cities, reducing congestion and improving travel time for motorists, reducing air pollution, enhancing the quality of life in neighborhoods.

Here in our Nation's Capitol, the Metro system has meant vast improvement in air quality and in access for welfare-to-work, for people who live in poor neighborhoods to get to the jobs that are necessary for their livelihood.

We could do better. We could do as the metro system does in Paris, which moves far greater numbers of people, and of course, that is a 9 million population metropolitan area. But the Paris metro system, for less than half the cost of monthly transit in Washington,

D.C., moves three or four times as many people on a daily basis.

We can do better, and in TEA-21 our committee, with the support of the gentleman from Pennsylvania (Mr. SHUSTER), made the investments necessary to carry America into the 21st century, to balance transportation. There is an 80-20 split. Eighty percent of the bill goes to highways, 20 percent to transit, and we continue the growth of investment in transit systems as well as in commuter rail, in light rail systems.

In celebrating the 25th anniversary of the American Public Transit Association, we are also celebrating the progress that we have made in improving transit systems, making them more affordable, making them higher quality, making them available to more people, and in the welfare-to-work provisions of TEA-21, we passed another historic milestone.

It is not enough to say we have ended welfare. It is more important to say we have also provided access to jobs for people. My daughter, Annie, works at Jubilee Jobs in the Adams Morgan area of Washington, where she places people who have fallen through the welfare net, who are living in homeless shelters, who come into Jubilee Jobs in their location in Adams Morgan needing work. The biggest problem is not finding the job, but marrying the person and the job with a means to get to work. The job is meaningless if you do not have money in your pocket, if you do not have a way to get to work. We provided that linkage in the welfare-to-work provisions of TEA-21.

We have made a great start on the 21st century. APTA has helped us get there. This legislation, TEA-21, has moved us forward, and with this resolution today we recognize not only the 25th anniversary of APTA, but we recognize the enormous contributions that public transit is making in the quality of life of all Americans, particularly those neediest among us who have to rely on public transportation systems to get to their work.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. PETRI) that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 171.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. PETRI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Concurrent Resolution 171.

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

There was no objection.

□ 1445

EXTENDING CHAPTER 12 OF THE BANKRUPTCY CODE FOR 9 MONTHS

Mr. GEKAS. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1606) to extend for 9 additional months the period for which chapter 2 of title 11, United States Code, is reenacted.

The Clerk read as follows:

S. 1606

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

SECTION 1. AMENDMENTS.

Section 149 of title I of division C of Public Law 105-277, as amended by Public Law 106-5, is amended—

(1) by striking "October 1, 1999" each place it appears and inserting "July 1, 2000"; and

(2) in subsection (a)—

(A) by striking "March 31, 1999" and inserting "September 30, 1999"; and

(B) by striking "April 1, 1999" and inserting "October 1, 1999".

SEC. 2. EFFECTIVE DATE.

The amendments made by section 1 shall take effect on October 1, 1999.

The SPEAKER pro tempore (Mr. MILLER of Florida). Pursuant to the rule, the gentleman from Pennsylvania (Mr. GEKAS) and the gentlewoman from Wisconsin (Ms. BALDWIN) each will control 20 minutes.

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

GENERAL LEAVE

Mr. GEKAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the Senate bill, S. 1606.

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

There was no objection.

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

Mr. Speaker, the record is complete on the necessity for the passage of this bill because only last week we gave the rationale for the need for quick action on this piece of legislation.

On October 1, the authority for family farmers to file for bankruptcy under Chapter 12, a separate and unique set of provisions to accommodate the special and unique needs of farmers in distress, ran out of authority.

It had been extended over a period of time in temporary chunks of time because, in reality, the bankruptcy reform movement has encompassed Chapter 12, the special provisions, and included in them a comprehensive bankruptcy reform in which this special set of provisions, as I have stated, will become permanent. We would not have to ever return to the well of the

House to seek an extension of these benefits.

Now, we are in a position where the Senate acted in a little different way from the way we had on the number of months of extension. The current form, the one that is before us now, the Senate version extends that period from October 1 for 9 months. That is why we are here.

The bill that we passed was less than 9 months. The Senate made it 9 months. We will concur in the Senate amendment and, thus, ask for passage of this legislation.

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

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

Mr. Speaker, it feels like *deja vu* all over again. Just 1 week ago, I was on the floor reluctantly supporting a 3-month extension of the Chapter 12 bankruptcy title for family farmers. I did not particularly like last week's bill because it would have allowed Chapter 12 to expire so soon, on January 1, the year 2000.

I knew that Congress would have to come back again this session before we adjourned for the year to ensure that the bankruptcy protection in the form of Chapter 12 was continued. But I supported it because, otherwise, Chapter 12 would have expired on October 1, last Friday.

Well, guess what? Chapter 12 did expire last Friday. That means that, if a family farmer in my State of Wisconsin or, for that matter, anywhere in the United States needs the protection of Chapter 12 today, they do not have it. The law has expired.

The other body realized that a 3-month extension that this House approved was not prudent and passed a 9-month extension that we have before us today.

So once again, I come to the floor wishing we were doing a little more to provide a safety net for our family farmers. While this bill provides a 9-month extension of Chapter 12 bankruptcy protection for family farmers, it still does not give our family farmers a permanent law on which they can rely to protect their farm in the most dire economic circumstances.

I ask the Republican leadership to stop holding family farmers hostage to negotiations with the other body on other matters. The family farmers I represent need the help of this Congress more than the bankers and the credit card corporations on whose behalf we delay making Chapter 12 a permanent part of our Federal code.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. GEKAS) that the House suspend the rules and pass the Senate bill, S. 1606.

The question was taken; and (two-thirds having voted in favor thereof)

the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

U.S. HOLOCAUST ASSETS COMMISSION EXTENSION ACT OF 1999

Mr. LAZIO. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 2401) to amend the U.S. Holocaust Assets Commission Act of 1998 to extend the period by which the final report is due and to authorize additional funding.

The Clerk read as follows:

H.R. 2401

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "U.S. Holocaust Assets Commission Extension Act of 1999".

SEC. 2. AMENDMENTS TO THE U.S. HOLOCAUST ASSETS COMMISSION ACT OF 1998.

(a) EXTENSION OF TIME FOR FINAL REPORT.—Section 3(d)(1) of the U.S. Holocaust Assets Commission Act of 1998 (22 U.S.C. 1621 nt.) is amended by striking "December 31, 1999" and inserting "December 31, 2000".

(b) REAUTHORIZATION OF APPROPRIATIONS.—Section 9 of the U.S. Holocaust Assets Commission Act of 1998 (22 U.S.C. 1621 nt.) is amended—

(1) by striking "\$3,500,000" and inserting "\$6,000,000"; and

(2) by striking "1999, and 2000," and inserting "1999, 2000, and 2001,".

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

The Chair recognizes the gentleman from New York (Mr. LAZIO).

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

Mr. Speaker, I rise today to offer the U.S. Holocaust Assets Commission Extension Act of 1999. This bill amends the U.S. Holocaust Assets Commission Act of 1998 to extend the life of the commission for 1 year and authorize it to receive additional funding. As a member of the commission, I can say with confidence that this is a bill that ought to be passed unanimously.

Mr. Speaker, the horrors of the Holocaust are well known, 6 million Jews murdered, along with millions of others deemed undesirable by Adolph Hitler and his followers. What many do not now, however, is that the Holocaust was also the single largest organized theft in history. The Nazis stole, plundered, and looted billions of dollars of assets. A half century later, we are still looking for full accounting.

Though we can never right all the monstrous wrongs that took place during the Holocaust, we have an obligation to find out what happened. We have an obligation to do what we can to bring a measure of justice to the victims of the Holocaust and their families.

In some cases, justice can, indeed, be done. This past summer, for example,

"The Seamstress," a painting by Lesser Ury, was turned over to Michael Loewenthal, whose grandparents were murdered during the Holocaust.

It turns out that a friend of Mr. Loewenthal's spotted the painting hanging in a museum in Linz, Austria, and realized it had once been part of the Loewenthal family collection. When Mr. Loewenthal learned of the painting's location, he contacted the New York State Holocaust Claims Restitution Office in New York City, which initiated negotiations on behalf of the Loewenthal family. Eventually the Linz City Council voted unanimously to return the painting.

When he received the painting in July, Mr. Loewenthal was overjoyed. He called the returned painting "absolutely fantastic, the only link that I have to my grandparents."

But for every story like this one, Mr. Speaker, there are hundreds of thousands of stories without happy endings. In recognition of this sad fact, 17 nations have established Holocaust historical commissions to investigate the extent to which its property was handled, or mishandled, by their countries.

I am proud to say that the United States has been one of the leaders of this movement. As part of this effort, Congress created the Presidential Advisory Commission on Holocaust Assets in the United States, a commission on which I serve.

This commission was given two tasks: one, to find out what happened to the assets of Holocaust victims that came into the possession of our Government; and, two, to issue a report to the President recommending action necessary to do justice.

While this mission might sound simple, it is anything but. The commission has found more than 75 separate United States Government agencies through which assets of Holocaust victims may have passed, many more entities than was generally thought. The records of each of these offices must first be located and then scoured page by page at the National Archives and other record centers across the United States.

Additionally, the Federal Government is in the process of declassifying millions of pages of World War II era information that may shine additional light on policies and procedures at that time. In total, the Commission will need to examine more than 45 million pages of documents if it is to carry out its mandate.

□ 1500

Members of the Holocaust Assets Commission were named only last November, and the Commission began its work just 10 months ago. Given the enormous volume of material that needs to be examined, and the tremendous importance of being thorough, the Commission needs another year to accomplish its tasks. And I think by citing the sheer volume, Mr. Speaker, of materials that have to be evaluated, we can understand why. This is why my-

self and my colleagues on the Commission, including the gentleman from New York (Mr. GILMAN); the gentleman from Connecticut (Mr. MALONEY); and the gentleman from California (Mr. SHERMAN) introduced the Holocaust Assets Commission Extension Act along with the gentleman from Iowa (Mr. LEACH), the chairman of the Committee on Banking and Financial Services and a man who has led the way on this issue; and as well, my friend, the gentleman from New York (Mr. LAFALCE), the ranking member on the full panel. This measure simply extends the sunset date of the Commission to December 2000 and authorizes it to receive additional funding.

The effort to create the Holocaust Assets Commission last year was a bipartisan one, and the effort to extend its life is as well. There are no partisan differences when it comes to honoring the memories of victims of the Holocaust and pursuing justice in their names. It is in that spirit that I urge every Member of this House to vote for this bill and, thereby, help the Holocaust Assets Commission complete its important work.

Mr. Speaker, Holocaust survivors are aging and dying, and if we are ever to do justice to them and the memory of the millions who perished at the hands of the Nazis, we must act quickly. In this case, justice delayed is, in fact, justice denied. And with the end of the Cold War, as we have the opportunity to look at the immediate post-World War II period with fresh perspective, we know that additional work needs to be done quickly.

We know that in Europe banks sat on dormant accounts for five decades. We know that insurance companies failed to honor policies held by Holocaust victims. We know that unscrupulous art dealers sold paintings that were exorted from Jews who feared for their lives. We know that gold from Holocaust victims was resmelted, often becoming the basis for financial dealings between large corporate entities. And now each one of these contemptible practices demands a full investigation, daunting as the task may be.

The noted poet and philosopher George Santayana observed that, "Those who cannot remember the past are condemned to repeat it." But the truth must be established before it can be remembered. That is why we created the United States Holocaust Assets Commission, and that is why the life of the Commission must be extended. Given the necessary time and funds, I am confident that the United States Holocaust Assets Commission will establish that America is doing all it can to return all manner of assets to their rightful owners. In so doing, we will confirm our leadership in the international effort to obtain justice for the victims of the Holocaust and their families.

Finally, once again, Mr. Speaker, I want to applaud the efforts of the full panel chairman, the gentleman from

Iowa (Mr. LEACH), for conducting hearings and his tenacity in seeking justice.

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

Mr. LAFALCE. I yield myself such time as I may consume.

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

Mr. LAFALCE. Mr. Speaker, I rise today in support of H.R. 2401, a bill that would extend the life of a commission charged with the important responsibility of recommending to the President the appropriate course of action on the recovery of Holocaust-era assets to their rightful heirs.

We have had a number of committee hearings and have learned from those hearings that the more we exhume the horrors of the Holocaust, the more we learn about the need to do more to redress the wrongs of the past. The harder we work to provide restitution to aggrieved victims of that period, the more legitimacy we add to victims' claims and the further along we move in the path toward preventing these horrible events from ever occurring again.

The bill we take up today extends the life of the United States Holocaust Assets Commission and authorizes additional needed resources to complete the daunting tasks the Commission is currently undertaking. As we have learned from our committee hearings, the challenges of achieving just compensation for Holocaust victims are significant.

For one thing, no amount of money can undo the injustices and horrors suffered by Holocaust victims. But in the ongoing effort to achieve justice and to render accountable those who committed crimes against humanity, we have become aware of very difficult legal and logistical challenges in bringing about a meaningful process to compensate those victims. For example, existing documentation is often sketchy, misleading, incomplete, or anecdotal, which makes it difficult to arrive at a full and complete historical record. But, Mr. Speaker, the need to reach meaningful conclusions as to how best to compensate Holocaust victims fully justifies the extension of the Commission's life and the authorization for additional funds.

Let me also point out that under the very able leadership of Deputy Treasury Secretary Stuart Eizenstat worldwide Jewish organizations, the German government, and a group of German companies will meet this week in Washington in an effort to agree on a just level of compensation for victims of forced labor during the Holocaust. The chairman of the Committee on Banking and Financial Services, the gentleman from Iowa (Mr. LEACH), and I recently wrote German Chancellor's special representative on these matters to urge just compensation and utmost generosity and expeditiousness, particularly given the advanced age of so

many victims of forced labor. We are united in full support of Mr. Eizenstat on this process, and we want everyone who will be coming to the table this Wednesday to know and understand that. And I hope it will yield the best results for victims.

Mr. Speaker, the difficulties faced in the process of compensating victims of forced labor only exemplifies the importance of our full support for organizations such as the U.S. Holocaust Assets Commission. I therefore urge each and every one of my colleagues to support H.R. 2401.

Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota (Mr. VENTO).

Mr. VENTO. Mr. Speaker, I rise in support of this 1-year extension of the Holocaust Assets Commission and the important work that it is engaged in.

I think of the events that have occurred in this century, and certainly the Holocaust stands out as one of the most shameful in human history and certainly in this century. As the philosopher said, it demonstrates man's inhumanity to man.

And clearly, with the Commission's work and the cooperation that has been achieved on a global basis, I think that the attempt here to try and restore the property, the gold, the financial assets and arts and cultural property, and, of course, the new issue that has arisen, the whole issue of slave labor by these individuals that were subjected to such horrific treatment during that era in our history is being addressed.

I think these are very complex issues and clearly the responsibility lies with that face of industry as well as with the countries that are involved, but it obviously has roots that move well beyond Germany and into other countries where financial arrangements and indifference, to some extent, permitted this to work in all of its horror.

So I think that the additional year that is provided here will help us. It has been said before, but it can be said again, that we cannot put this behind us until it is all in front of us. And clearly those that have the most experience and who experienced these tragic circumstances, we are losing them. But the living history that they have provided and the insights, I think, are very much honored by the effort of this Commission and the global effort to try to rectify in some small way the trespasses that occurred in this century of human history.

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

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

Once again I would ask, based on the bipartisan support that we have for 2401, and in the interest of justice, that we move this ahead with the approval on the part of the House.

Mr. GILMAN. Mr. Speaker, I rise in strong support to suspend the rules and pass H.R. 2401, amending the U.S. Holocaust Assets

Commission Act of 1998 extending the period by which the final report is due and to authorize additional funding. I have strongly supported efforts to compensate Holocaust survivors since Edgar Bronfman and Israel Singer of the World Jewish Restitution Organization first informed me of the issue of unclaimed communal property in Eastern Europe in 1995.

Since then, our State Department and organizations such as the World Jewish Restitution Organization, an umbrella group for a number of major Jewish organizations both here in the U.S. and abroad, have worked to further that goal. Under their leadership, progress has been made; however that progress has been slow due to the complexity of the issues among many different governments, companies, banks, and individuals.

I was a cosponsor of the U.S. Holocaust Assets Commission Act of 1998, which was a landmark in efforts to make progress in the area of compensation for Holocaust victims.

It is unfortunate that, though the legislation which created the U.S. Holocaust Assets Commission was signed into law by President Clinton back in July of 1998, the first meeting of this Commission did not take place until March of 1999, nine months later. At that first meeting I expressed my belief that the December 31st reporting deadline provided insufficient time to tackle the various issues required by the legislation, and that extending the life of the Commission was an absolute necessity.

We in the Congress must recognize the grave responsibility which our nation has to the Holocaust survivors and their families, many of whom are American citizens, and treat the issue of Holocaust era assets as a high priority, encouraging other governments to do the same. In order to do this, it is necessary to allow additional time for the Commission to conduct essential research on the collection and disposition of these Holocaust-era assets.

Accordingly, I urge my colleagues to support this legislation.

Mr. BENTSEN. Mr. Speaker, I rise today in strong support of H.R. 2401, legislation that would extend the authorization for the Presidential Advisory Commission on Holocaust Assets through December 21, 2000. As a cosponsor of this bill, I am pleased that Congress will be acting in time to ensure that this important Commission has both the resources and additional time it needs to complete its investigation and present a report to Congress.

Under current law, the authorization for this Commission would expire on December 31, 1999. Imposition of this deadline would mean that the Commission has sufficient time to comply with all of its archival information and prepare a report to Congress on the disposition of Holocaust assets that came into the possession of the U.S. government. This bill would provide \$2.5 million in additional federal funding to ensure that this investigative work continues.

The House Banking Committee created this Commission as part of our ongoing effort to help Holocaust victims and their families to recover their assets which were lost during the Holocaust. I believe we must ensure that the U.S. government has properly reimbursed these victims and their families for any assets which they may have received. For many of these victims, the search for truth has already taken too long and this report to Congress

may help to clear up one area of concern. In my district, there are many Holocaust victims and their families who would benefit from these recovered assets and who are seeking redress for past actions.

Just recently, the House Banking Committee held another hearing on Holocaust issues. At this hearing, the U.S. Department of Treasury Deputy Secretary Stuart Eizenstat, a member of this Commission, testified about the progress being made in securing information from government agencies. Treasury Deputy Secretary Eizenstat stated that the Commission recently released a map of the 75 total federal agencies which had some knowledge of Holocaust assets. This map shows how much information will have to be reviewed before a report to Congress can be completed and I believe that this legislation will help provide the necessary time and resources to meet this challenge. Deputy Secretary Eizenstat also strongly expressed the Clinton Administration's view that we should approve this legislation in a timely manner to ensure that the Commission's work continues without delay.

I urge my colleagues to support H.R. 2401, legislation to ensure that the Holocaust Assets Commission completes its valuable investigation.

Mr. LANTOS. Mr. Speaker, I rise in strong support of H.R. 2401, legislation to extend the life of the U.S. Holocaust Assets Commission and to authorize additional funds necessary for the Commission. I want to commend our colleague from New York, Mr. LAZIO, the author of this legislation, as well as Chairman of the Banking Committee, Congressman JIM LEACH of Iowa, who introduced the original legislation establishing the U.S. Holocaust Assets Commission, which this body adopted in April of 1998.

Mr. Speaker, this legislation is important and necessary. Because of delays that are normal in starting any new organization as well as the enormous amount of information that the Commission must review, the Commission requires another year to complete its tasks. This legislation provides an extension of time and authorizes the additional funding necessary for the Commission to complete its work.

Mr. Speaker, my colleagues know well the horrors of the Holocaust—six million news brutally and systematically murdered, hundreds of thousands of others slaughtered because they were deemed "inferior" by the Nazis. What is less well known is that the Nazis, as part of this horrendous effort, also stole and looted billions of dollars of assets from many of these same victims. Over half a century after these atrocities were brought to an end, we still do not have a full accounting of these plundered assets.

Under the outstanding leadership of Deputy Secretary of Treasury, Stuart Eizenstat, the United States has been the leading nation in establishing which Holocaust-era assets may have been plundered and in establishing policies for dealing with such assets. I want to pay tribute to Ambassador Eizenstat for his careful and thoughtful attention to these issues.

Mr. Speaker, resolving the issue of Holocaust-era assets is a moral issue. This is a final opportunity to bring a small measure of justice to Holocaust survivors, who lost families and their way of life over half a century ago. These victims are getting older, and their

numbers are constantly diminishing. This is our last brief opportunity to help them.

I urge my colleagues to join in supporting this important legislation.

Ms. SCHAKOWSKY. Mr. Speaker, I rise today in strong support of H.R. 2401, The U.S. Holocaust Assets Commission Extension Act of which I am a proud cosponsor. Last year Congress passed legislation creating the Presidential Advisory Commission on Holocaust Assets in the United States. The creation of the Commission made clear the Congress' belief that knowledge of the whereabouts of Holocaust assets in the possession of the U.S. Government should be documented and those assets should be dealt with in a just and prompt manner.

At a time when Holocaust survivors are aging and the U.S. Government is engaged in reparations negotiations on several fronts, we should certainly remain committed to a timely and thorough resolution of Holocaust assets issues in which the U.S. Government may be involved. H.R. 2401 will ensure that the President's Advisory Commission on Holocaust Assets in the United States is given the time and resources necessary to complete its work. While a timely resolution is indeed of the utmost importance, it is reasonable to grant a year-long extension of the Commission. This one-year extension will facilitate a thorough and fair assessment of the United States' efforts to return Holocaust era assets of which our government is in possession.

While we are actively pursuing reparations internationally on behalf of Holocaust victims and survivors, we also need to look carefully at the role of the United States. The United States has been a strong leader on Holocaust claims issues. We should also set an example of what it means to conduct transparent self-evaluation.

Passage of H.R. 2401, and the subsequent extensions of the President's Advisory Commission on Holocaust Assets in the United States, will allow the U.S. to continue to play a leadership role. Hopefully, in the year to come we will witness some measure of justice for Holocaust survivors and family members of Holocaust victims.

I commend the work the Commission has done to date as well as the sponsors of this legislation. I urge all members to vote in support of H.R. 2401.

Ms. JACKSON-LEE of Texas. Mr. Speaker, today I rise in support of the U.S. Holocaust Assets Commission Extension Act of 1999, which amends the U.S. Holocaust Assets Commission Act of 1998 to extend the life of the Commission for one year and authorize it to receive \$2.5 million in additional funding.

I applaud Representatives RICK LAZIO, BENJAMIN GILMAN, JIM MALONEY and BRAD SHERMAN for their leadership on this issue. These four gentlemen are members of the Holocaust Assets Commission and original cosponsors of this important bill. In addition, Banking Committee Chairman JIM LEACH and Banking Committee Ranking Member JOHN LAFALCE are also original cosponsors of the bill.

Seventeen nations have established Holocaust historical commissions to investigate the extent to which the assets of victims of the Holocaust were handled, or mishandled, by their countries. As part of this effort Congress passed legislation last year creating the Presidential Advisory Commission on Holocaust Assets in the United States. H.R. 2401 extends

by one year (from December 31, 1999 to December 31, 2000) the deadline for the Commission to issue its final report to the President. The bill also authorizes the Commission to receive an additional \$2.5 million to cover expenses for the additional year.

Congress established the Holocaust Assets Commission (P.L. 105-186) last year to (1) study and develop a historical record of the collection and disposition of specified assets of Holocaust victims if they came into the possession or control of the federal government, including the Board of Governors of the Federal Reserve System or any Federal Reserve bank, at any time after January 30, 1933; (2) coordinate its activities with those of private and governmental entities; (3) review research conducted by other entities regarding such assets in the U.S.; and (4) report its recommendations to the President.

Members of the Holocaust Assets Commission were named only last November, and the Commission began its work just ten months ago. The Commission requested an additional year to complete its work due to the unexpected volume and complexity of the material it needs to examine.

The effort to create the Holocaust Assets Commission last year was a bipartisan one, and the effort to extend its life has been as well. Accordingly, I urge my colleagues to support this measure.

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

The SPEAKER pro tempore (Mr. MILLER of Florida). The question is on the motion offered by the gentleman from New York (Mr. LAZIO) that the House suspend the rules and pass the bill, H.R. 2401.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. LAZIO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2401, the bill just passed.

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

There was no objection.

CONCERNING PARTICIPATION OF TAIWAN IN WORLD HEALTH ORGANIZATION (WHO)

Mr. BEREUTER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1794) concerning the participation of Taiwan in the World Health Organization (WHO), as amended.

The Clerk read as follows:

H.R. 1794

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

SECTION 1. CONCERNING THE PARTICIPATION OF TAIWAN IN THE WORLD HEALTH ORGANIZATION (WHO).

(a) FINDINGS.—The Congress makes the following findings:

(1) Good health is a basic right for every citizen of the world and access to the highest standards of health information and services is necessary to help guarantee this right.

(2) Direct and unobstructed participation in international health cooperation forums and programs is therefore crucial, especially with today's greater potential for the cross-border spread of various infectious diseases such as AIDS.

(3) The World Health Organization (WHO) set forth in the first chapter of its charter the objective of attaining the highest possible level of health for all people.

(4) In 1977, the World Health Organization established "Health For All By The Year 2000" as its overriding priority and reaffirmed that central vision with the initiation of its "Health For All" renewal process in 1995.

(5) Taiwan's population of 21,000,000 people is larger than that of 3/4 of the member states already in the World Health Organization.

(6) Taiwan's achievements in the field of health are substantial, including one of the highest life expectancy levels in Asia, maternal and infant mortality rates comparable to those of western countries, the eradication of such infectious diseases as cholera, smallpox, and the plague, and the first to be rid of polio and provide children with free hepatitis B vaccinations.

(7) The World Health Organization was unable to assist Taiwan with an outbreak of enterovirus 71 which killed 70 Taiwanese children and infected more than 1,100 Taiwanese children in 1998.

(8) In recent years Taiwan has expressed a willingness to assist financially or technically in WHO-supported international aid and health activities, but has ultimately been unable to render such assistance.

(9) The World Health Organization allows observers to participate in the activities of the organization.

(10) The United States, in the 1994 Taiwan Policy Review, declared its intention to support Taiwan's participation in appropriate international organizations.

(11) In light of all of the benefits that Taiwan's participation in the World Health Organization could bring to the state of health not only in Taiwan, but also regionally and globally, Taiwan and its 21,000,000 people should have appropriate and meaningful participation in the World Health Organization.

(b) REPORT.—Not later than January 1, 2000, the Secretary of State shall submit a report to the Congress on the efforts of the Secretary to fulfill the commitment made in the 1994 Taiwan Policy Review to more actively support Taiwan's participation in international organizations, in particular the World Health Organization (WHO).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nebraska (Mr. BEREUTER) and the gentleman from Ohio (Mr. BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from Nebraska (Mr. BEREUTER).

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

Mr. Speaker, this Member rises in support of H.R. 1794, a resolution calling for Taiwan's participation in the World Health Organization, WHO. This is a bipartisan resolution, Mr. Speaker, which was approved unanimously by the Subcommittee on Asia and the Pacific of the Committee on International Relations on June 23, 1999. This Member congratulates the distinguished gentleman from Ohio (Mr.

BROWN) for bringing this matter before this body, and I was pleased to join him as a cosponsor.

The WHO is a nonpolitical United Nations affiliated agency with 191 participating entities. It seeks to provide the highest possible level of health for all people. There is strong support for the people of Taiwan being afforded the opportunity to participate in a meaningful way in the WHO and take advantage of the information and services that this international organization offers. Given the fact that international travel makes the transmission of communicable diseases much more prevalent, it is illogical to deny WHO services to Taiwan's population of more than 20 million people.

The threat of communicable disease transmission has become much more apparent to Americans in the past week with the outbreak in New York of a rare and very deadly form of African encephalitis. It is speculated this disease was brought to the United States in an aircraft or on a cargo vessel. This outbreak demonstrates just how porous America's borders have become. In such a world of easy transit, it defies logic to exclude 20 million people from this international disease prevention organization.

In addition, Mr. Speaker, there is no doubt that Taiwan can offer much in terms of medical and pharmaceutical expertise. Their longevity rate is nearly the highest in Asia. Specialists from Taiwan have unique skills in a number of areas where we in the West lack the expertise. The potential for cooperation is obvious.

Mr. Speaker, H.R. 1794 speaks only of "appropriate and meaningful participation in the WHO." No one, I think, can responsibly argue with that position.

H.R. 1794 also requires that the executive branch report on its effort to promote such participation. There is no desire in this body to force the executive branch to telegraph its best strategies to those who seek to deny Taiwan's appropriate treatment, and reporting requirement need not make such revelation. However, given the strong views held by many in this body, it is entirely appropriate to ask that the administration report to the Congress on its activities.

Mr. Speaker, this Member urges adoption of H.R. 1794.

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

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1794. In addition, I would like to thank my numerous colleagues, especially the gentleman from Nebraska (Mr. BEREUTER), who have given their support to this bill, also including the gentleman from California (Mr. COX), the gentleman from Ohio (Mr. CHABOT), and others.

Two weeks ago, Mr. Speaker, Taiwan was struck by a devastating earthquake. It is not hard for us to

empathize with the thousands of Taiwanese people who found themselves trapped under rubble, praying that someone would come to their rescue; that someone would respond to their cries for help; or for us to imagine how we might react if our family members were trapped under these buildings.

Yet, in the aftermath of this disaster, unlike the immediate offers of help to the victims of the earthquakes in Greece and Turkey, international relief efforts were actually dragged out and postponed while scores of Taiwanese were fighting for their lives.

□ 1515

And we know why they were forced to wait for help, even though they themselves, the Taiwanese as a people, have provided hundreds of millions of dollars in assistance to victims of wars and famines and disaster all over the world. That is because even in Taiwan's darkest hour, the United Nations first had to receive permission from the People's Republic of China before they could help Taiwan.

That is the reality of the One China policy. No matter how dire the situation, the human rights and the Taiwanese people take a back seat to Cold War geopolitics that frankly no longer serve any useful purpose. Unless we start doing something about it, unless we start to stick up for what is right, unless we start helping Taiwan instead of hindering it, then we will wind up letting China's dictators think they can continue to deny their people and the Taiwanese people their fundamental human rights.

Today we are taking a step in the right direction, because regardless of the One China policy, access to first-rate medical care is a fundamental human right. I said it before, and I will say it again. Children cry the same tears whether they are in Lorain, Ohio, or Taipei, Taiwan. Denying them access to the latest medical innovations that can ease those tears is just as criminal as violating their other basic rights.

H.R. 1794 is a step in the right direction and recognizes that human suffering obviously transcends politics. For the first time ever, Congress is requiring the State Department to find a role for Taiwan in the most beneficial of all international institutions, the World Health Organization, an outfit that is dedicated to eradicating disease and improving the health of people around the world regardless of the conditions imposed on them by any of the world's governments.

Its achievements in this regard are nothing short of remarkable. In this past century, smallpox claimed hundreds of millions of lives, killing more people than every war and epidemic put together. Because of the tireless efforts of the World Health Organization, this scourge has been totally eradicated.

In 1980, only 5 percent of the world's children were vaccinated against pre-

ventable diseases. Today, the WHO has vaccinated more than 80 percent of the kids in the world, saving the lives of three million children each year. These diseases include polio, a virus unparalleled in its cruelty and suffering. The WHO has eradicated it from the Western Hemisphere. Similarly, measles, a killer of a quarter of a million children worldwide each year, is targeted for eradication by 2001.

Infectious disease and sickness are not limited to political borders, and the results of Taiwan's exclusion from the WHO have been tragic. Young children and older citizens who are particularly vulnerable to a host of emerging infectious diseases, such as the Asian Bird Flu, are without the knowledge and expertise shared among the member nations of the WHO.

With increased travel and trade among many members of our global village, these diseases do not stop at national borders. So why should we erect boundaries to shared information which would help improve the health of Taiwanese children?

Mr. Speaker, denial of Taiwanese participation in the WHO is an unjustifiable violation of its people's fundamental human rights. Good health is a basic right for every citizen of the world, and Taiwan's admission to the WHO would help foster that right for its people.

I call on all of my colleagues to support H.R. 1794 and Taiwan's right to participate in the World Health Organization.

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

Mr. BEREUTER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Mr. Speaker, I rise in strong support of H.R. 1794.

Mr. Speaker, I am pleased to join my friend from Ohio (Mr. BROWN) in sponsoring this legislation, and I am hopeful that we will garner the overwhelming support of the House.

As my colleague has stated, H.R. 1724 requires the Secretary of State to report to Congress on the efforts of the State Department to fulfill the commitments made in the 1994 Taiwan Policy Review to more actively support Taiwan's participation in international organizations, in particular the World Health Organization.

The people of Taiwan have a great deal to offer the international community. It is terribly unfortunate that even though Taiwan's achievements in the medical field are certainly substantial and it has expressed a repeated willingness to assist both financially and technically in World Health Organization activities, it has not been allowed to do so. Passage of H.R. 1794 will, hopefully, prompt our Government to promote that effort.

It is simply a travesty that during times of crisis, such as the 1998 entovirus outbreak in Taiwan, the World Health Organization has been unable to help. That virus killed 70

Taiwanese children and infected more than a thousand.

Only 2 weeks ago, the tragic earthquake in Taiwan that claimed more than 2,000 lives occurred. Sadly, we learned in published reports that the Communist Government of the People's Republic of China, whose belligerent insistence that Taiwan be denied a role in international organizations, demanded that any aid for Taiwan provided by the United Nations and the Red Cross receive prior approval from the dictators in Beijing.

Mr. Speaker, in times of national emergency, Taiwan is deserving of assistance from the international community. The absurd policy denying or delaying that assistance must be changed.

I want to again thank and commend my colleague from Ohio (Mr. BROWN) and also the gentleman from Nebraska (Mr. BEREUTER) for their work on this very important legislation, and I urge my colleagues to support it.

Mr. BROWN of Ohio. Mr. Speaker, I yield 2 minutes to my friend, the gentleman from Guam (Mr. UNDERWOOD).

Mr. UNDERWOOD. Mr. Speaker, I thank the gentleman from Ohio (Mr. BROWN) for yielding me the time.

I certainly rise in congratulations of both gentlemen from Ohio in drafting H.R. 1794.

This measure is concerned with Taiwan's participation in the World Health Organization. Public health is a basic right and concern of all people no matter what their political status or their political standing in the world.

The mission of the World Health Organization is to promote, maintain, and advocate on public health issues globally, who includes as one of its objectives the goal of attaining the highest possible level of health for all people. And Taiwan in many respects has one of the more advanced scientific and medical establishments in Asia, as those of us in Guam, which is 3½ hours flying time from Taiwan, know well.

Yet, because Taiwan has been prohibited from full participation in international organizations associated with the U.N., many opportunities are lost to help the people of Taiwan. And in turn, the world may lose out from their experiences and expertise.

Indeed, tragically because of these political obstacles, WHO was unable to assist the government of Taiwan during a serious viral outbreak in 1998. This is why it is altogether appropriate that we support this resolution. Since common sense dictates that good health transcends politics and history, Taiwan should be permitted to participate in a meaningful way with the WHO. This can be done without violating U.S. foreign policy that supports the One China policy. Without compromising that policy, the U.S. Government could support Taiwan's participation in the WHO in the name of saving lives and promoting universal public health.

I urge all of my colleagues to support this measure.

Mr. BEREUTER. Mr. Speaker, I reserve the balance of my time in order to close.

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

Mr. BEREUTER. Mr. Speaker, I urge my colleagues to favorably consider and vote for the resolution.

Mr. ORTIZ. Mr. Speaker, I rise today to ask for the support of the House in passing H.R. 1749, the resolution to support Taiwan for membership in the World Health Organization.

Let us begin by asserting a simple truth: disease and disaster know no borders. This resolution will be progress made possible by a policy the United States adopted in 1994, which encouraged Taiwan's participation in various international organizations.

When I was in Taiwan in August, I met and spoke personally with the country's surgeon general. We talked about the virtues of Taiwan's admission to the WHO, and that was prior to the devastating earthquake which killed and injured so many people. The international response to Taiwan in this hour of need was slowed by the fact that Taiwan was not a member country of the WHO.

Taiwan's progression on matters related to health care is legendary in Asia. They have the highest life expectancy levels in Asia; they have implemented successful vaccination programs; and their maternal and infant mortality rates are comparable to those of Western nations. It was also the first Asian nation to eliminate polio and it was the first country worldwide to inoculate its children (for free) for hepatitis B.

Taiwan has a world class economy and their health care system is quite advanced. Their membership in the WHO would be just as beneficial (or more so) to the other member nations as it would be for themselves.

This bill requires the State Department to find a role for Taiwan in one of the most important international organizations, the World Health Organization. The WHO is dedicated to eradicating disease and improving the health of people worldwide.

So, let me end where I began * * * infectious disease and disasters are not limited by political borders, and Taiwan's exclusion from WHO is tragic. Taiwan's young people and the elderly population, who are particularly vulnerable to many emerging diseases, such as the Asian Bird Flu, simply should not be without the knowledge and expertise shared by the member nations of WHO.

Please join me in passing this resolution.

Mr. GILMAN. Mr. Speaker, I am pleased to rise in support of H.R. 1794 concerning Taiwan's participation in the World Health Organization (WHO).

I want to commend the gentleman from Ohio, Mr. BROWN, for introducing, advocating this measure and for his perseverance on this issue.

I also thank the gentleman from Nebraska, Mr. BEREUTER, chairman of the Subcommittee on Asia and the Pacific, for helping to bring the measure before us today.

We all agree that good health is the basic human right of people everywhere. That right, though, can only be guaranteed if all people have unfettered access to all available resources regarding health care.

The World Health Organization, a United Nations body which has 191 participating enti-

ties, is one of those important resources. But today, regrettably, Taiwan, a nation of 21 million people, has been denied a share in that basic human right. This is wrong and it is high time we correct that wrong.

There are opportunities for Taiwan to pursue observer status in the WHO which would allow the people of Taiwan to participate in a substantive manner in the scientific and health activities of this important health organization.

It is time for the Clinton administration to do the right thing, to take affirmative action, and to seek appropriate participation for Taiwan in the WHO.

Accordingly, I call upon the administration to pursue all initiatives in the WHO which will allow these 21 million people to share in the health benefits that the WHO can provide.

I am proud to be a cosponsor of this bill and I urge my colleagues to fully support this measure.

Mr. LANTOS. Mr. Speaker, I rise today in strong support of H.R. 1794 concerning the participation of Taiwan in the World Health Organization (WHO). I want to pay tribute to our distinguished colleague from Ohio, Mr. SHERROD BROWN, for introducing this important bill. I also want to express my thanks for their support of this legislation the Chairman of the Asia Subcommittee, Congressman DOUG BEREUTER of Nebraska, as well as the Chairman of the International Relations Committee, Congressman BENJAMIN A. GILMAN of New York, and the Ranking Democratic Member of the Committee, Congressman SAM GEJDENSON of Connecticut.

The time is long overdue for Taiwan to participate in the World Health Organization, Mr. Speaker. Taiwan, with its population approaching 22 million people, is larger than three-quarters of the countries which are members of the World Health Organization. Taiwan has a large, highly-educated and well-trained medical community. Many of these, I should add, are individuals who have been trained in the finest medical institutions here in the United States. Furthermore, Taiwan is a country with extensive economic, social and cultural links with the rest of the world. It has the resources to make an important contribution to the activities of the World Health Organization. It is unfortunate and counterproductive to continue to exclude Taiwan from participation in the work of the World Health Organization.

Mr. Speaker, some five years ago, in the 1994 Taiwan Policy Review, the Department of State agreed more actively to support the participation of Taiwan in international organizations, and in particular its participation in the World Health Organization. Our legislation will help focus our government's efforts to encourage this laudable goal.

Mr. Speaker, I urge my colleagues to join me in supporting this important piece of legislation.

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

The SPEAKER pro tempore (Mr. MILLER of Florida). The question is on the motion offered by the gentleman from Nebraska (Mr. BEREUTER) that the House suspend the rules and pass the bill, H.R. 1794, as amended.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BEREUTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 1794.

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

There was no objection.

CONDEMNING KIDNAPPING AND MURDER BY THE REVOLUTIONARY ARMED FORCES OF COLOMBIA OF THREE UNITED STATES CITIZENS

Mr. BEREUTER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 181) condemning the kidnapping and murder by the Revolutionary Armed Forces of Colombia (FARC) of 3 United States citizens, Ingrid Washinawatok, Terence Freitas, and Lahe'ena'e Gay.

The Clerk read as follows:

H. RES. 181

Whereas Ingrid Washinawatok, a member of the Menominee Indian Nation of Wisconsin, Terence Freitas of California, and Lahe'ena'e Gay of Hawaii, were United States citizens involved in an effort to help the U'wa people of northeastern Colombia;

Whereas Ms. Washinawatok, Mr. Freitas, and Ms. Gay were kidnapped on February 25, 1999 by the Revolutionary Armed Forces of Colombia (FARC), a group designated a foreign-based terrorist organization by the United States Department of State;

Whereas the FARC brutally murdered these 3 innocent United States civilians, whose bodies were discovered March 4, 1999;

Whereas this Congress will not tolerate violent acts against United States citizens abroad;

Whereas the FARC has a reprehensible history of committing atrocities against both Colombian and United States citizens, including over 1,000 Colombians abducted each year and 4 United States civilians who were seized for a month in 1998;

Whereas it is incumbent upon the Government of Colombia to quickly and effectively investigate, arrest, and extradite to the United States those responsible for the murders of Ms. Washinawatok, Mr. Freitas, and Ms. Gay; and

Whereas the United States Federal Bureau of Investigation (FBI) is empowered to investigate terrorist acts committed against United States citizens abroad: Now, therefore, be it

Resolved, That the House of Representatives—

(1) decries the murders of Ingrid Washinawatok, Terence Freitas, and Lahe'ena'e Gay;

(2) strongly condemns the Revolutionary Armed Forces of Colombia (FARC);

(3) calls on the Government of Colombia to find, arrest, and extradite to the United States for trial those responsible for the deaths of these United States citizens; and

(4) emphasizes the importance of this investigation to the United States Federal Bureau of Investigation (FBI) and urges the FBI to use any and every available resource to see that those who are responsible for the

deaths of these United States citizens are swiftly brought to justice.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nebraska (Mr. BEREUTER) and the gentleman from Florida (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Nebraska (Mr. BEREUTER).

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

GENERAL LEAVE

Mr. BEREUTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H. Res. 181.

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

There was no objection.

Mr. BEREUTER. Mr. Speaker, the distinguished gentleman from Wisconsin (Mr. GREEN) and a bipartisan group of cosponsors brought this important resolution before the House.

In early March, three Americans were in Colombia trying to help an indigenous group when they were brutally murdered by the Revolutionary Armed Forces of Colombia (FARC). The FARC, designated by the State Department as a foreign-based terrorist group, killed these people in cold blood. These senseless deaths have brought the total of innocent American lives taken in Colombia by the FARC and the National Liberation Army to 15.

This resolution will put the House of Representatives on record as condemning this heinous crime and calling for those responsible to be swiftly brought to justice. I urge my colleagues to unanimously support H. Res. 181.

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

Mr. DAVIS of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Guam (Mr. UNDERWOOD).

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

Mr. Speaker, I rise in strong support of this resolution to condemn the slaying of these three individuals, three Americans.

We should be mindful that we should not tolerate the murder of U.S. citizens anywhere in the world. But we should also take this opportunity to remind ourselves of the work of these three individuals, Ingrid Washinawatok, Terence Freitas, and Lahe'ena'e Gay of Hawaii.

These three individuals were involved in the work of helping indigenous groups in Colombia. It is entirely appropriate that we draw attention to the efforts on behalf of native groups around the world in this, the international decade of the world's indigenous peoples.

While we take the time and the effort to call upon the Colombian Government to exert all effort to make sure

that the perpetrators of these heinous crimes be brought to justice, we should also take the time to understand that the work of helping indigenous peoples throughout the world continues on and that we need to support their work.

We need to support their work not only individually. And as our hearts go out to the families of these three individuals, we should also remind ourselves and call upon the State Department to continue to support resolutions and actions in support of indigenous groups, particularly in our own State Department's work in the United Nations as declarations are pursued there and in the organization of American States.

Again, I rise in very strong support of this resolution.

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

Mr. BEREUTER. Mr. Speaker, it is my pleasure to yield such time as he may consume to the gentleman from Wisconsin (Mr. GREEN), the author of the resolution.

Mr. GREEN of Wisconsin. Mr. Speaker, I thank the gentleman from Nebraska (Mr. BEREUTER) for yielding me time. I also want to extend my thanks to the gentleman from New York (Chairman GILMAN) for his work on this resolution. I appreciate their support very much.

Mr. Speaker, I rise to speak in support of H. Res. 181, decrying the murder of these three U.S. citizens in Colombia, particularly Ms. Ingrid Washinawatok, a member of the Menominee Indian Nation in my own congressional district in northeastern Wisconsin. Ingrid deserves our gratitude and admiration.

In these times when so many people offer little more than words and wishes, Ingrid walked the walk. She backed up her words and beliefs with constructive action. Time after time, Ingrid put her life on the line for what she believed in, often operating in dangerous, treacherous environments all around the world. She sacrificed throughout her life; and, in the end, she sacrificed her life itself.

She was only 42 years old when she died at the hands of terrorists in Colombia. At the time that she was kidnapped, she and her two companions, as was mentioned by my colleague from Guam, were involved in an effort to better the lives of the U'wa people in northeastern Colombia through education.

She had a vision, a vision of a better world, and she devoted her life to turning that vision into reality. But her work in Colombia was only the latest example of her devotion to that great vision. She traveled throughout the globe and tried to leave, she and her companions, each place that she worked just a little bit better than when she had first arrived.

She is survived by her family and friends both in Wisconsin and in New York. But I think we all will miss her

and mourn her, her and her companions, because with their passing, we all lose something.

Mr. Speaker, H.R. 181 uses the force of this Congress to decry the murders of Ingrid and Mr. Freitas and Ms. Gay. It was members of FARC who kidnapped these three U.S. citizens. It was members of FARC who killed them just 2 days later.

□ 1530

These actions were reprehensible and they were intolerable. We must send a message today to FARC and other groups who would commit brutal crimes just as this that U.S. citizenship means something, and that the U.S. will not stand for acts of aggression against its citizens anywhere in the world.

This resolution also strongly condemns FARC itself for its actions. FARC is a recognized terrorist organization. It has a horrifying history of atrocities, of thuggery.

Finally, this resolution calls upon the government of Colombia and our own FBI to expedite and intensify their efforts to find and arrest those responsible. We must find them, if citizenship is going to mean anything, and they must be extradited to the U.S. for a trial.

Again, I want to thank the gentleman from New York (Mr. GILMAN), the gentleman from Nebraska (Mr. BE-REUTER) and the members of the Committee on International Relations for their support, their work, and their assistance on this.

I urge my colleagues to support this resolution to honor the memories of these Americans, to make sure that justice is done, and to protect our citizens abroad in the future.

Mr. DAVIS of Florida. Mr. Speaker, I yield 2 minutes to the gentlewoman from Hawaii (Mrs. MINK).

(Mrs. MINK of Hawaii asked and was given permission to revise and extend her remarks.)

Mrs. MINK of Hawaii. I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in very strong support of this resolution, and I thank the sponsors of this resolution for allowing the House to deliberate on its contents. This resolution condemns the brutal, senseless killings in Colombia of three dedicated activists, one of whom was from my district. Lahe'ena'e Gay was from the big island. We mourn her death, her brutal, senseless murder, as well as that of Ingrid Washinawatok and Terence Freitas.

My constituent, Lahe'ena'e Gay, was the founder of Pacific Cultural Conservancy International, and she devoted her life to preserving the cultural identity and integrity of indigenous peoples. She and her two colleagues were on a mission to northeastern Colombia to assess whether they might be able to assist the U'wa people in preserving their heritage in the face of outside influences, development and exploitation.

As we all know when we read to our horror on March 4 that the bodies of Ms. Gay, Ms. Washinawatok and Mr. Freitas were found, they had been kidnapped from Bogota and bound and gagged and shot to death and dumped across the border into Venezuela. We have been advised that this was the action of the Revolutionary Armed Forces of Colombia, FARC as they are known.

It was terribly disturbing to me, especially not only because Ms. Gay was from my constituency but I had just returned from a trip with my subcommittee, chaired by the gentleman from Florida (Mr. MICA), to visit Colombia and to hear such reassuring words about the progress of the government there regaining control of the country and doing something about the drug trade. And then to come back and learn that this terrible act had been done is truly a crushing defeat of the progress that we had been told had been achieved.

So I am pleased that the House has this time this afternoon to consider this resolution and to condemn the actions of these terrorists in Colombia.

Mr. DAVIS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would just like to close before the gentleman from Nebraska does by pointing out what has already been said here today, that the murder of these three American citizens was senseless, brutal and really unforgivable. The FARC has yet to cooperate with Colombian authorities and U.S. officials to help resolve this case. If the FARC is going to persist in its claims to be a credible player in the peace process in Colombia, they need to begin by taking responsibility for their actions, by helping those who are accountable for these atrocities to be brought to justice, and to help send a message to put an end to this type of barbaric behavior in the future. We strongly condemn the actions of the FARC and recommend for the sake of the families of those unfortunate individuals involved as well as for the sake of peace in Colombia that the perpetrators be brought to justice. I strongly urge support of the resolution.

Mr. RYAN of Wisconsin. Mr. Speaker, today the House considered H. Res. 181, to condemn the murder of Americans by the Revolutionary Armed Forces of Colombia. These victims of the escalating violence in Colombia were from Wisconsin, and I would like to thank my colleague MARK GREEN for introducing this important resolution. I would also like to bring to your attention another situation in Colombia that hit close to home.

This month, we are upon the one-year anniversary of the alleged assassination of Colombian citizen Maria Hoyos. Maria was a close friend of Dr. Frederick and Ronnie Wood and their family that live in the district I serve. Mr. Wood told me about Maria's October 28, 1998, assassination and questioned how the United States could let Colombia, a nation in our own backyard, fall through the cracks of our worldwide effort at helping countries grow both economically and democratically.

Maria del Pilar Vallejo de Hoyos came to Kenosha, Wisconsin, for the first time over twenty years ago as an exchange student. She stayed in the Woods' home and has been like a sister to the Woods' three daughters and a general member of the family. Maria returned to Wisconsin several times over the years and kept in touch. During Maria's last trip to Kenosha, her son, Guillermo, was the ring bearer at one of the Woods' daughter's wedding. In Colombia, she had completed law school and had been elected at different times to the Manizales City Council and the Caldas State Assembly.

In Colombia, President Andres Pastrana has tried unsuccessfully to negotiate peace between the Marxist rebels (the Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army (ELN)). But the rebels' power and influence in Colombia has grown substantially by collaborating with Colombia's drug-traffickers and the money they provide. This is a symbiotic relationship—the Marxist rebels supply protection for the drug lords in return for the money to arm themselves against the Colombian government.

Alarming, drug trade in Colombia amounts to between 25 and 35 percent of the country's total exports. From this bounty, the rebel guerrillas have been able to support their war against the Pastrana government. Some estimates put the FARC and ELN control over Colombian territory at 50 percent with significant influence over more than half of the country's municipalities.

I am not willing to continue the Administration's policy of throwing more money at Colombia if it is not utilized properly through a well-designed anti-drug strategy. However, both the Administration and Congress have been remiss in their haphazard guidelines for certification, decertification, and national interest waivers in the anti-drug war.

Since 1990, Colombia has received almost \$1 billion in U.S. anti-drug aid, yet cocaine and heroin production has continued its steady increase. In fact, a June GAO report concluded that Colombia's future cocaine production could jump 50 percent. On top of no relief in sight from future drug production, the country is suffering through its worst recession since the 1930s. The economy is predicted to shrink further by 3.5% in 1999, and the central bank recently allowed the Colombian peso to float, creating instability of the peso against the U.S. dollar. The growing strength of the Marxist rebels and drug trade combined with Colombia's faltering economy and growing income inequalities is a lethal combination.

I would like to thank the Speaker for the hard work he has put in to shaping U.S. policy toward Colombia. Through the efforts of Speaker HASTERT and other Members, Congress has developed direct ties with the Colombian government and has eclipsed the Clinton Administration's efforts to combat the narco-democracy engulfing Colombia. I strongly support the efforts of Speaker HASTERT and Government Reform Chairman DAN BURTON, who feel passionately about the war on drugs and the effect it is having on the Colombian people.

Both Congress and the Clinton Administration need to look more closely at the problem brewing in Colombia before it threatens Western Hemisphere stability. As I have found out through Dr. Fred Wood in Kenosha, the growing violence in Colombia has already reached

my district, and I want to ensure that other up-standing Colombian citizens do not meet Maria Hoyos fate while trying to maintain a legitimate democracy in Colombia.

Mr. GILMAN. Mr. Speaker, Representative MARK GREEN of Wisconsin and a bipartisan group of co-sponsors brought this important resolution before our Committee.

In early March, three Americans were in Colombia trying to help an indigenous group when they were brutally murdered by the Revolutionary Armed Forces of Colombia. The FARC—designated by the State Department as a foreign-based terrorist group—killed these people in cold blood. These senseless deaths have brought the toll of innocent American lives taken in Colombia by the FARC and the National Liberation Army to 15. As of today, 12 Americans are being held hostage by these terrorist groups. Moreover, we still do not know the fate of the longest held captives, Mark Rich, David Mankins and Rich Tenenoff, kidnapped by the FARC in 1993.

I have written to Secretary of State Madeleine Albright to ask that the perpetrators of the murder of the three innocent Americans who are the subject of the resolution before us today be included under the Department of State's Counter-terrorism Reward Program. I recently sponsored legislation that increased the reward under this program to \$5 million. I hope that widely publicizing this reward in Colombia will speed the arrest and conviction of those responsible for this reprehensible crime.

Accordingly, I urge my colleagues to unanimously support H. Res. 181.

Mr. BERMAN. Mr. Speaker, I rise in strong support of H. Res. 181, which condemns the Revolutionary Armed Forces of Colombia—known as FARC—for the kidnapping and brutal murder of three American citizens earlier this year.

These individuals—including Terence Freitas, whose mother lives in my congressional district—were in Colombia only to provide assistance to the indigenous U'wa people in the northeast part of the country.

Although the FARC has admitted that their guerillas abducted and killed the Americans, they have refused to cooperate with Colombian or United States authorities to resolve the case.

This important resolution condemns the senseless murders and demands that those responsible for this heinous crime are swiftly brought to justice.

As we condemn atrocities committed by the FARC, we must also condemn the numerous extrajudicial killings carried out by Colombian paramilitary forces. The cycle of violence that has consumed Colombia and claimed the lives of these three innocent Americans will end only when all sides agree to lay down their arms and work together to achieve a lasting peace.

I urge my colleagues to support the resolution.

Ms. LEE. Mr. Speaker, I rise this afternoon to speak about the disturbing situation in Colombia and the kidnapping and murder of three U.S. citizens, Terence Freitas, Ingrid Washinawatok and Lahe'ena'e Gay.

As a long-standing advocate for human rights and nonviolence, the conflict and violence in Colombia is incredibly alarming to me. Terence Freitas, an activist and student at the University of California-Berkeley, was a constituent of mine. Ingrid, Lahe'ena'e and Ter-

ence were traveling in Colombia as guests of the U'wa, a traditional indigenous community that is nonviolently fighting to protect their land from United States and Colombian petroleum developers.

Last week, along with other members of the House International Relations Committee, I had the opportunity to meet with Colombian President Pastrana. We learned a great deal about his new \$7.5 billion plan for "peace", economic redevelopment, and counter-drug efforts. It is my understanding that the Clinton administration is expected to ask Congress to fund \$1.5 billion of the plan, and that the administration's proposal may call for over half of the funds to support equipment and training for the Colombian police and military.

I am very concerned about this initiative. At more than \$500 million annually, this would nearly double the amount that our Nation provided to Colombia's security forces in 1999.

Some of you may have seen the poignant letter of May 22 written by the mother of Terence Freitas to the editor of the Washington Post. In the letter, Ms. Freitas writes that she has "watched in disbelief that some have used the murder of her son . . . and his two companions to justify an increase in military aid to Colombian armed forces." Ms. Freitas writes that she is distressed that the ideals that her son "lived and died for—nonviolence, indigenous sovereignty and justice" have been diminished by those who support militarization in Colombia.

I am a cosponsor of this resolution because I believe that those responsible for the murders of Terence, Lahe'ena'e, and Ingrid need to be arrested and brought to trial.

At the same time, as we speak out deploring their murders today on the House floor, I also believe that it is crucial to address our Nation's future policy toward Colombia. Any plan, with a focus on increased funding for training the Colombian police and military, is dangerously narrow and counterproductive.

In order to truly advance the peace process in Colombia and create stability for all communities in the country, we must attack the root causes for drug trade and violence of the FARC. This requires a more comprehensive policy approach to fund the elements of President Pastrana's plan that support economic development, human rights and an end corruption in the justice system in Colombia.

I challenge all of us to examine the proposal of the Colombia Government with this perspective. Ms. Freitas explains that Terence "clearly understood that the U.S. military and training assistance to Colombia would bring more violence from all sides. She leaves us with the following message, which I would like to convey to all of my colleagues:

"If our Congressional Representatives hear any 'wake-up call' following the execution of my son, I urge it to be this: Remember your high standards of justice and peace by refusing to further U.S. military aid to Colombia. Doing the hard work of peace takes a lot more guts than empowering more men with guns."

STATEMENT OF CONGRESSWOMAN SHEILA JACKSON-LEE CONDEMN COLONIAN KILLINGS
(H. RES. 181)

OCTOBER 4, 1999

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H. Res. 181. This resolution expresses the sense of the House of Representatives which condemns the murders of Ingrid Washinawatok, Terence Freitas, and Lahe'ena'e Gay.

On Feb. 25 of this year, three U.S. citizens—Ingrid Washinawatok, a member of the Menominee Indian Nation of Wisconsin, Terence Freitas of California, and Lahe'ena'e Gay of Hawaii—were kidnapped by the Revolutionary Armed Forces of Colombia (FARC), a terrorist and drug trafficking group fighting the government of Colombia. The three were involved in an effort to help the U'wa people of northeastern Colombia. The FARC brutally murdered the three Americans a week later.

The resolution strongly condemns the Revolutionary Armed Forces of Colombia (FARC); notes the FARC has a reprehensible history of committing atrocities against both Colombian and U.S. citizens; states that Congress will not tolerate violent acts against U.S. citizens abroad.

These American activists were involved in humanitarian efforts to assist the U'wa people of northeastern Colombia. Prior to their kidnapping, they spend 2 weeks on the U'wa reservation trying to assist in developing education program using traditional culture, language, and religion. The death of Ingrid Washinawatok marks the first time that a Native North American woman died while performing human rights work among native people in South America.

FARC, a terrorist organization that has communist ties, has a history of committing atrocities against both Colombian and U.S. citizens. Established in 1966, it is the largest, best-trained, and best-equipped guerilla organization in Colombia. The goal of FARC is to overthrow the Colombian Government and its ruling class. Following the murders, FARC guaranteed that the perpetrators would be punished but refused to turn over the murderers to Colombian or United States officials.

H. Res. 181 strongly condemns the actions of FARC and calls for the government of Colombia to arrest and extradite those responsible for the deaths of the three individuals. Moreover, the bill urges the Federal Bureau of Investigation to use every available resource to see that those individuals responsible for the murders are brought to justice.

I urge my colleagues to support this resolution.

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

Mr. BEREUTER. Mr. Speaker, I strongly urge unanimous support for H. Res. 181.

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

The SPEAKER pro tempore (Mr. MILLER of Florida). The question is on the motion offered by the gentleman from Nebraska (Mr. BEREUTER) that the House suspend the rules and agree to the resolution, House Resolution 181.

The question was taken.

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

The yeas and nays were ordered.

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

EXPRESSING CONCERN OVER INTERFERENCE WITH POLITICAL FREEDOM IN PERU

Mr. BEREUTER. Mr. Speaker, I move to suspend the rules and agree to the

resolution (H. Res. 57) expressing concern over interference with freedom of the press and the independence of judicial and electoral institutions in Peru, as amended.

The Clerk read as follows:

H. RES. 57

Whereas interference with freedom of the press and the independence of judicial and electoral institutions in Peru contributes to an erosion of democracy and the rule of law in Peru;

Whereas freedom of the press in Peru is under assault, and the Department of State's Peru Country Report on Human Rights Practices for 1998, found that "[t]he Government infringed on press freedom [. . . and] [j]ournalists faced increased harassment and intimidation";

Whereas the Department of State's Peru Country Report on Human Rights Practices for 1997, found that "[i]ncidents of harassment of media representatives increased to such an extent as to create the perception of an organized campaign of intimidation on the part of the Government, specifically, on the part of the armed forces and intelligence services";

Whereas the Organization of American States' Special Rapporteur on Freedom of Expression has called on the Government of Peru to cease all official harassment of journalists and to investigate and prosecute all abuses of freedom of speech and of the press;

Whereas Freedom House now classifies Peru as the only country in the Western Hemisphere, other than Cuba, where the press is "not free";

Whereas the Department of State's Peru Country Report on Human Rights Practices for 1997 states that Channel 2 television station reporters in Peru "revealed torture by Army Intelligence Service officers [and] the systematic wiretapping of journalists, government officials, and opposition politicians";

Whereas on July 13, 1997, the Government of Peru revoked the Peruvian citizenship of the Israeli-born owner of the Channel 2 television station, Baruch Ivcher, effectively removing him from control of Channel 2, leading the Department of State to conclude that "the Government's action in this case was widely interpreted as an attempt to prevent the station from broadcasting any more negative stories about the regime";

Whereas the Government of Peru has issued an INTERPOL warrant for Baruch Ivcher's arrest and brought criminal proceedings against him, against members of his immediate family, and against his former associates to secure lengthy prison sentences against them;

Whereas the Inter-American Commission on Human Rights found human rights violations against Baruch Ivcher by the Government of Peru in this case and on March 31, 1999, submitted the case to the Inter-American Court of Human Rights;

Whereas persecution of journalists in Peru is so grave that several Peruvian journalists have sought political asylum in the United States;

Whereas actions related to efforts to authorize President Alberto Fujimori to seek a third term in office have raised questions about the independence of the National Election Board in Peru;

Whereas the independence of Peru's judiciary has been brought into question since the dismissal of 3 Constitutional Tribunal magistrates on May 29, 1997, and by continuing control of judicial matters by the executive branch; and

Whereas the Inter-American Commission on Human Rights has called on the Govern-

ment of Peru to reinstate the 3 dismissed magistrates, enabling the Constitutional Tribunal to rule on constitutional issues, to fully restore the National Council of the Judiciary's power to nominate and dismiss judges and prosecutors, and to cease the recurring practice of overruling, transferring, or removing judges whose decisions did not coincide with the views of the Government of Peru: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) the erosion of the independence of judicial and electoral branches of the Government of Peru, the interference with freedom of the press, and the blatant intimidation of journalists in Peru constitute a threat to democracy in that country and are matters for concern by the United States as a member of the Inter-American community;

(2) the United States Government and other members of the Inter-American community should review the forthcoming report of an independent investigation conducted recently by the Inter-American Commission on Human Rights of the Organization of American States on the condition of and threats to democracy, freedom of the press, and judicial independence in Peru; and

(3) representatives of the United States in Peru and to international organizations, including the Organization of American States, the World Bank, the Inter-American Development Bank, and the International Monetary Fund, should make clear the concern of the United States concerning threats to democracy and violations of the rule of law in Peru.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nebraska (Mr. BEREUTER) and the gentleman from Florida (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Nebraska (Mr. BEREUTER).

GENERAL LEAVE

Mr. BEREUTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this measure.

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

There was no objection.

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

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

Mr. BEREUTER. Mr. Speaker, the gentleman from New York (Mr. GILMAN) and the gentleman from Connecticut (Mr. GEJDENSON) of the Committee on International Relations joined in introducing this resolution to underscore Congress' concern about the harassment of journalists and over signs that the independence of Peru's judiciary is being substantially undermined.

The Committee to Protect Journalists, CPJ, has documented "attacks that confirm our suspicion of a coordinated government campaign to discredit and undermine the independent media in Peru."

The continuing actions taken by the government of Peru against Baruch Ivcher, the Israeli-born owner of television station Channel 2, have become emblematic of government interference

with freedom of expression in Peru. These acts of intimidation were precipitated by Channel 2's exposés of abuses, including alleged torture and murder, by Peru's intelligence service.

The Committee to Protect Journalists asserts that the government of Peru "has continued to hound Mr. Ivcher, initiating legal action against him, harassing his family, and mounting an orchestrated misinformation campaign to discredit him."

Mr. Speaker, just today, a small opposition newspaper, "Referendum," stopped publishing amid allegations that the government of Peru applied pressure to force the newspaper out of business. Several members of this newspaper's editorial board used to work for Channel 2.

This resolution will put the House of Representatives on record expressing bipartisan concern over the erosion of the independence of the judicial and electoral branches of Peru's government and the intimidation of journalists in Peru. These concerns have also been heightened by Peru's effective withdrawal from the Inter-American Court of Human Rights.

Mr. Speaker, I urge my colleagues to support H. Res. 57.

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

Mr. DAVIS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I join the gentleman from Nebraska (Mr. BEREUTER) in strongly supporting this resolution. It basically details two matters of significant concern as far as the history of democracy in Peru as well as that part of the world.

The first, as the gentleman from Nebraska has alluded to, is the disregard by President Fujimori for the independence of the judiciary and the failure to recognize some separation of powers in terms of upholding the constitutional prohibition against three terms of consecutive service by the President. The second is a clear case of abuse with respect to the freedom of the press which I agree should be seriously investigated by outside credible authorities. These are but two examples of threats to democracy in a country that is in a position to be a partner and an agent in cooperation with the United States in Latin America. But actions like this really threaten that relationship. And so it is important that we pass this resolution to send an appropriate message to Peru that they need to reverse these actions and get back to a more proper course toward democracy.

Mr. GILMAN. Mr. Speaker, Representative Lee Hamilton and I initially introduced this resolution in the 105th Congress to express our concern over interference with freedom of the press and the independence of judicial and electoral institutions in Peru. I am pleased that the Ranking Minority Member of our International Relations Committee, the gentleman from Connecticut, Mr. GEJDENSON joined me in reintroducing this resolution.

The Committee to Protect Journalists, which has repeatedly expressed concern to the Peruvian government for the safety of journalists covering the military and the National Intelligence Service, wrote to me earlier this year to strongly urge that I reintroduce this resolution. The Committee to protect Journalists informed me "Not only have we failed to receive an official response to any of our protest letters, but we continue to document attacks that confirm our suspicion of a coordinated government campaign to discredit and undermine the independent media in Peru."

I have been one of Peru's strongest supporters in Congress. There is no question that Peru has made it back from the brink of the abyss. Not so many years ago, Peru was a terrorized nation.

Peru has become a good partner in our war against drugs. The drop of coca prices in Peru to historically low levels provided a real opportunity to help farmers grow legitimate crops. I was pleased to encourage our European allies to join us in seizing this opportunity to promote meaningful alternative development in Peru.

Nonetheless, I continue to be alarmed with regard to the harassment of journalists and signs that the independence of Peru's judiciary is being substantially undermined.

The continuing actions taken by the government of Peru against Baruch Ivcher, the Israeli-born owner of television station Channel 2, have become emblematic of government interference with freedom of expression in Peru. These acts of intimidation were precipitated by Channel 2's exposés of abuses—including alleged torture and murder—by Peru's intelligence service.

The Government of Peru, which revoked Mr. Ivcher's Peruvian citizenship, issued him a new Peruvian passport. Nonetheless, the government of Peru has continued to pursue highly questionable legal proceedings against Mr. Ivcher and his family and against former associates. Recently, the former general manager of Channel 2, was sentenced to four years in prison. The Committee to Protect Journalists asserts that the government of Peru "... has continued to hound Mr. Ivcher—initiating legal action against him, harassing his family, and mounting an orchestrated misinformation campaign to discredit him."

Just today, a small opposition newspaper, Referendum, stopped publishing amid allegations that the government of Peru applied pressure to force the newspaper out of business. Several members of this newspaper's editorial board used to work for Channel 2.

This resolution will put the House of Representatives on record expressing bipartisan concern over the erosion of the independence of judicial and electoral branches of Peru's government and the intimidation of journalists in Peru. These concerns have only been heightened by Peru's effective withdrawal from the Inter-American Court of Human Rights. These are matters of concern to United States and all nations of the Hemisphere.

Peru's good efforts in our shared fight against drugs deserve our recognition and strong support. However, the United States should not turn a blind eye to interference with freedom of the press and the independence of judicial and electoral institutions of Peru.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to support H. Res. 57, expressing the sense of Congress that the erosion of the independence of the judicial and electoral

branches of the government of Peru, along with the intimidation of journalists within the country, are major concerns of the United States. I also support the United States pursuit of an independent investigation and report by the Inter-American Commission on Human Rights of the Organization of American States on threats to freedom and judicial independence in Peru.

The Constitution in Peru provides for freedom of speech and of the press. It provides for a judicial system free from the executive branch. Today, human rights reporting have provided an assessment of Peru that is causing concern. For although, the Constitution of Peru provides for these fundamental rights and privileges, recent actions are demonstrating the Government of Peru is limiting these rights.

The press in Peru represents a wide spectrum of opinion, ranging from left-leaning opposition views to those favoring the Government. In the greater Lima area alone, there are 16 daily newspapers, 7 television stations, 68 radio stations, and 2 commercial cable systems. The Government owns one daily newspaper, one television network, and two radio stations, none of which is particularly influential. However, in order to avoid provoking government retribution, the Peruvian press practices a degree of self-censorship.

Government accusations of treason against investigative journalists, the ordeal of Baruch Ivcher who lost control of his television station, harassment of media representatives increased to such a degree that it appears to be an organized campaign of intimidation on the part of the Government, are areas of concern for democratic institutions. A full report, by an independent counsel, is justified to understand the extent of the problem.

The Constitution provides also for an independent judiciary; however, documents allege in practice the judicial system is inefficient, often corrupt, and easily manipulated by the executive branch. As a result, public confidence in the judiciary is low.

There is a three-tier court structure: lower courts, superior courts, and the Supreme Court. A Constitutional Tribunal rules on the constitutionality of congressional legislation and government actions; a National judiciary Council tests, nominates, confirms, evaluates, and disciplines judges and prosecutors; and a Judicial Academy trains judges and prosecutors. The Government moved to limit the independence of the Constitutional Tribunal almost from its inception in 1995 and continued such efforts in subsequent years. By year's end, the Peruvian Congress still had not taken any steps to replace the three judges ousted from the Constitutional Tribunal after they voted against the interpretation allowing President Fujimori a third term. An action that seems to be punitive just due to its subject matter. This effectively paralyzed the Court's ability to rule on any constitutional issues for lack of a quorum.

The Peruvian Government cites its efforts to revamp its judicial system. It is commendable that administrative and technical progress is occurring in the area of caseload reduction and computerization but little has been done to restore the judiciary's independence from the executive. Of the country's 1,531 judges, less than half, only 574 have permanent appointments, having been independently selected. The remaining 957, including 19 of the

33 judges of the Supreme Court, have provisional or temporary status only. Critics charge that, since these judges lack tenure, they are much more susceptible to outside pressures, further crippling the judicial process.

Increased economic and social stability has resulted in a substantial increase in U.S. investment and tourism in Peru in recent years. In 1997, approximately 140,000 U.S. citizens visited Peru for business, tourism and study. About 10,000 Americans reside in Peru and over 20,000 U.S. companies are represented in the country. U.S. relations improved with Peru after the 1992 auto-coup when the country undertook steps to restore democratic institutions and to address human rights problems related to counter-terrorism efforts.

I urge my colleagues to support with me this effort designed to continue U.S. promotion of the strengthening of democratic institutions and human rights safeguards in Peru.

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

Mr. BEREUTER. Mr. Speaker, I urge strong support of H. Res. 57.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nebraska (Mr. BEREUTER) that the House suspend the rules and agree to the resolution, House Resolution 57, as amended.

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

The title of the resolution was amended so as to read: "Resolution expressing concern over erosion of democracy and the rule of law in Peru, including interference with freedom of the press and independence of judicial and electoral institutions."

A motion to reconsider was laid on the table.

ABRAHAM LINCOLN BICENTENNIAL COMMISSION ACT

Mrs. BIGGERT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1451) to establish the Abraham Lincoln Bicentennial Commission, as amended.

The Clerk read as follows:

H.R. 1451

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Abraham Lincoln Bicentennial Commission Act".

SEC. 2. FINDINGS.

The Congress makes the following findings: (1) Abraham Lincoln, the 16th President, was one of the Nation's most prominent leaders, demonstrating true courage during the Civil War, one of the greatest crises in the Nation's history.

(2) Born of humble roots in Hardin County, Kentucky, on February 12, 1809, Abraham Lincoln rose to the Presidency through a legacy of honesty, integrity, intelligence, and commitment to the United States.

(3) With the belief that all men were created equal, Abraham Lincoln led the effort to free all slaves in the United States.

(4) Abraham Lincoln had a generous heart, with malice toward none and with charity for all.

(5) Abraham Lincoln gave the ultimate sacrifice for the country he loved, dying from an assassin's bullet on April 15, 1865.

(6) All Americans could benefit from studying the life of Abraham Lincoln, for his life is a model for accomplishing the "American Dream" through honesty, integrity, loyalty, and a lifetime of education.

(7) The Year 2009 will be the bicentennial anniversary of the birth of Abraham Lincoln, and a commission should be established to study and recommend to the Congress activities that are fitting and proper to celebrate that anniversary in a manner that appropriately honors Abraham Lincoln.

SEC. 3. ESTABLISHMENT.

There is established a commission to be known as the Abraham Lincoln Bicentennial Commission (in this Act referred to as the "Commission").

SEC. 4. DUTIES.

The Commission shall have the following duties:

(1) To study activities that may be carried out by the Federal Government to determine whether they are fitting and proper to honor Abraham Lincoln on the occasion of the bicentennial anniversary of his birth, including—

(A) the minting of an Abraham Lincoln bicentennial penny;

(B) the issuance of an Abraham Lincoln bicentennial postage stamp;

(C) the convening of a joint meeting or joint session of the Congress for ceremonies and activities relating to Abraham Lincoln;

(D) a redesignation of the Lincoln Memorial, or other activity with respect to the Memorial; and

(E) the acquisition and preservation of artifacts associated with Abraham Lincoln.

(2) To recommend to the Congress the activities that the Commission considers most fitting and proper to honor Abraham Lincoln on such occasion, and the entity or entities in the Federal Government that the Commission considers most appropriate to carry out such activities.

SEC. 5. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—The Commission shall be composed of 15 members appointed as follows:

(1) 3 members, each of whom shall be a qualified citizen described in subsection (b), appointed by the President.

(2) 2 members, each of whom shall be a qualified citizen described in subsection (b), appointed by the President on the recommendation of the Governor of Illinois.

(3) 2 members, each of whom shall be a qualified citizen described in subsection (b), appointed by the President on the recommendation of the Governor of Indiana.

(4) 2 members, each of whom shall be a qualified citizen described in subsection (b), appointed by the President on the recommendation of the Governor of Kentucky.

(5) 2 members, each of whom shall be Members of the House of Representatives from the State of Illinois, appointed by the Speaker of the House of Representatives.

(6) 1 member, who shall be a Senator from the State of Illinois, appointed by the Majority Leader of the Senate.

(7) 1 member, who shall be a Senator, appointed by the Majority Leader of the Senate.

(8) 1 member, who shall be a Member of the House of Representatives, appointed by the Minority Leader of the House of Representatives.

(9) 1 member, who shall be a Senator, appointed by the Minority Leader of the Senate.

(b) QUALIFIED CITIZEN.—A qualified citizen described in this subsection is a private citizen of the United States with—

(1) a demonstrated dedication to educating others about the importance of historical figures and events; and

(2) substantial knowledge and appreciation of Abraham Lincoln.

(c) TIME OF APPOINTMENT.—Each initial appointment of a member of the Commission shall be made before the expiration of the 120-day period beginning on the date of the enactment of this Act.

(d) CONTINUATION OF MEMBERSHIP.—If a member was appointed to the Commission as a Member of Congress and the member ceases to be a Member of Congress, that member may continue as a member for not longer than the 30-day period beginning on the date that member ceases to be a Member of Congress.

(e) TERMS.—Each member shall be appointed for the life of the Commission.

(f) VACANCIES.—A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(g) BASIC PAY.—Members shall serve without pay.

(h) TRAVEL EXPENSES.—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(i) QUORUM.—5 members of the Commission shall constitute a quorum but a lesser number may hold hearings.

(j) CHAIRPERSON.—The Chairperson shall be designated by the President from among the members of the Commission appointed under section 5(a)(1). The term of office of the Chairperson shall be for the life of the Commission.

(k) MEETINGS.—The Commission shall meet at the call of the Chairperson. Periodically, the Commission shall hold its meeting in Springfield, Illinois.

SEC. 6. DIRECTOR AND STAFF.

(a) DIRECTOR.—The Commission may appoint and fix the pay of a Director and any additional personnel as the Commission considers appropriate.

(b) APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—

(1) DIRECTOR.—The Director of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates.

(2) STAFF.—The staff of the Commission shall be appointed subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and shall be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates.

SEC. 7. POWERS.

(a) HEARINGS AND SESSIONS.—The Commission may, for the purpose of carrying out this Act, hold hearings, sit and act at times and places, take testimony, and receive evidence as the Commission considers appropriate.

(b) POWERS OF MEMBERS AND AGENTS.—Any member or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take by this section.

(c) OBTAINING OFFICIAL DATA.—The Commission may secure directly from any department or agency of the United States information necessary to enable it to carry out this Act. Upon request of the Chairperson of the Commission, the head of that depart-

ment or agency shall furnish that information to the Commission.

(d) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(e) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out its responsibilities under this Act.

SEC. 8. REPORTS.

(a) INTERIM REPORTS.—The Commission may submit to the Congress interim reports as the Commission considers appropriate.

(b) FINAL REPORT.—The Commission shall transmit a final report to the Congress not later than the expiration of the 4-year period beginning on the date of the formation of the Commission. The final report shall contain—

(1) a detailed statement of the findings and conclusions of the Commission;

(2) the recommendations of the Commission; and

(3) any other information the Commission considers appropriate.

SEC. 9. TERMINATION.

The Commission shall terminate 120 days after submitting its final report pursuant to section 8.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this Act.

SEC. 11. BUDGET ACT COMPLIANCE.

Any spending authority (as defined in subparagraphs (A) and (C) of section 401(c)(2) of the Congressional Budget Act of 1974 (2 U.S.C. 651(c)(2)(A) and (C))) under this Act shall be effective only to such extent and in such amounts as are provided in appropriation Acts.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Illinois (Mrs. BIGGERT) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Illinois (Mrs. BIGGERT).

GENERAL LEAVE

Mrs. BIGGERT. 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. 1451.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 1451, the Abraham Lincoln Bicentennial Commission Act, sponsored by the gentleman from Illinois (Mr. LAHOOD).

H.R. 1451 authorizes a 15-member commission to begin national planning for the celebration of the 200th anniversary of the birth of our Nation's 16th President, Abraham Lincoln. This commission would be authorized for 4 years and is charged with developing and reporting to Congress recommendations on activities that appropriately honor this great man and his accomplishments.

Let me borrow from a line from Lincoln's Gettysburg Address and say that it is altogether fitting and proper that we should do this. It goes without saying that Abraham Lincoln was one of

our greatest, if not the greatest, Presidents of the United States. Lincoln led our country through its most challenging time, the Civil War. He was a man who sought to unite rather than to divide, urging a nation battered by war to "bind up its wounds." Perhaps most importantly, he was a man who stood on principle and believed in the greatness of this Nation and its people.

Abraham Lincoln's every word and action were based on the founding principle of our Nation, that all are created equal, and none can be denied their natural rights by government or unjust laws. This principle, which forms the basis for our Declaration of Independence and the moral foundation for our Constitution, lives on today and continues to serve this country well.

Mr. Speaker, Abraham Lincoln described the nobility of our experimental form of government more eloquently than any other national leader. He did so in a matter of moments on the battlefield at Gettysburg.

The Gettysburg Address was a reaffirmation of the principle that no person can rightfully govern others without their consent. It was also a testimony to the greatness of our form of government and to the American people.

Through his famous debates with Stephen Douglas, Lincoln reminded the citizens of my home State of Illinois, as well as those residing in other parts of the country, that there are limits to any form of government, even the democratic principle of majority rule.

Lincoln opposed the doctrine of what was then called "popular sovereignty." In contrast to Douglas, Lincoln recognized that a too narrow interpretation of the doctrine of majority rule could lead to the misguided conclusion if one man would enslave another, no third person should intervene.

Lincoln also recognized that a house divided against itself cannot stand. He stood tall, fighting for what provided the American people a new birth of freedom.

Just before an assassin ended his life, Lincoln outlined the approach to Reconstruction that would proceed, "With malice toward none, with charity toward all." His spirit defines the best of the American experiment and appeals to the better angels of our nature.

As we approach the new millennium, it is entirely fitting that Congress adopt this commission bill now. The principles that our declaration established and that Lincoln led us to sustain are truly timeless. Congress authorized a similar commission nearly 100 years ago. It was the recommendations of that commission that created the Lincoln Memorial which stands so prominently today in our Nation's Capital.

□ 1545

This same commission also approved the placing of Lincoln's image on a stamp and made the day of Lincoln's birth a national holiday.

H.R. 1451 carries the spirit of this commission. The commission called for on this bill will provide recommendations that will help this body recognize Lincoln's birth as well as the greatness of the man well into the next millennium.

Let me add that the manager's amendment we are considering today amends the bill that was unanimously approved by the Committee on Government Reform. It authorizes four additional members of the commission, adding two each from Kentucky and Indiana. Given that Abraham Lincoln was born in Harding County, Kentucky, on February 12, 1809, and spent formative years in Indiana, this is an appropriate change, and I urge its adoption.

This manager's amendment has also been modified to address concerns about the authority to accept gifts, bequests, and donations that have been included in the bill marked up by the Committee on Government Reform. The Committee on Ways and Means expressed concerns about that provision, and we have deleted such authority since it is not necessary to the commission's authority to make recommendations for further action.

I am proud to offer this legislation, and I am proud that the gentleman from Illinois (Mr. LAHOOD) gave me the chance to manage this bill and to be a cosponsor of the bill, and I encourage the support of all Members.

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

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

I, too, want to take a moment to thank the gentleman from Illinois (Mr. LAHOOD) for sponsoring this very important legislation. I think it is very important that we take time to recognize those people who came upon this Earth, saw it, saw the problems with it and tried to change it to make it better; and so I thank him, and I want to thank our ranking member of our committee and the gentlewoman from Illinois (Mrs. BIGGERT), the entire Illinois delegation, and certainly the chairman of the committee and the chairman of the subcommittee.

Mr. Speaker, the legislation before us today establishes a bicentennial commission to celebrate the life and accomplishments of this Nation's 16th President, Abraham Lincoln. In many respects Abraham Lincoln was an ordinary man who throughout his life did many extraordinary things.

Mr. Lincoln was poor and struggled to educate himself. He encountered numerous business setbacks and challenges. A captain in the Black Hawk War, Lincoln practiced law and spent 8 years in the Illinois legislature. In 1836, Lincoln was elected to Congress and served two terms. Lincoln took 5 years off from politics to focus on his law practice. When he returned to the political arena in 1854, he took an unpopular stance. He opposed the Kansas Nebraska Act which threatened to extend slavery to other States.

Lincoln was elected President in 1860 when the United States was no longer united. Believing that secession was illegal, he was prepared to use force to defend the Union and did so. The Civil War began in 1861 and would last 4 years, costing the lives of over 500,000 Americans.

On November 16, 1863, in the midst of the war on a battlefield near Gettysburg, Pennsylvania, President Lincoln presented to the people his vision for our Nation, conceived in liberty where everyone is created equal. This speech known as the Gettysburg address shaped the destiny of the United States of America, that government of the people and by the people should be for all people regardless of race, or color, or gender. For this, Mr. Speaker, Mr. Lincoln lost his life in the balcony of the Ford's Theatre in 1865 right here in Washington, D.C.

The bicentennial commission will recommend to Congress what activities and actions should be taken to celebrate the life of this great man. The commission's recommendations to this body should reflect how a man of humble roots rose to the Presidency of the United States and the diversity and uniqueness of this great Nation. It should send a message to all of our young people that they can, too, start in humble beginnings; but it will not matter where they were born or who they were born to, it is what they do with the life that they have been given.

Again, I commend the gentleman from Illinois (Mr. LAHOOD) and the gentlewoman from Illinois (Mrs. BIGGERT) for working with me and the Democratic Illinois delegation to formulate bipartisan language that would expand the membership of the commission to allow the House minority leader and the Senate minority leader to each appoint one Member of Congress to the commission. That is so important because I think that is the way Lincoln would have wanted it. The commission's bipartisan membership will further honor the memory and works of Abraham Lincoln.

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

Mrs. BIGGERT. Mr. Speaker, I yield 4 minutes to the gentleman from Illinois (Mr. LAHOOD), my friend and colleague and sponsor of this important legislation.

Mr. LAHOOD. Mr. Speaker, I thank the gentlewoman from Illinois (Mrs. BIGGERT) for yielding this time to me, and I also thank the gentleman from Maryland (Mr. CUMMINGS) for his remarks that he made in the committee which were very eloquent last week about President Lincoln.

Mr. Speaker, I am here today to celebrate the life and legacy of President Abraham Lincoln by asking for my colleagues' support for H.R. 1451, the Abraham Lincoln Bicentennial Commission Act of 1999. The bill will establish a commission, the purpose of

which would be to make recommendations to Congress for a national program to honor President Abraham Lincoln in the year 2009, the bicentennial celebration of his birth. For decades historians have acknowledged him as one of our country's greatest Presidents. As our 16th President, Lincoln served the country during a most precarious era. While most of the country looked to divide, President Lincoln fought for unity and eventually saved the Union.

With the belief that all men are created equal, President Lincoln led the charge to free all slaves in America. Without the determination and wisdom of President Lincoln, our country, as we know it, may not exist today.

President Lincoln also serves as a national symbol of the American dream. Born of humble roots in Hardin County, Kentucky, on February 12, 1809, Abraham Lincoln rose to the Presidency through a legacy of honesty, integrity, intelligence, and commitment to the United States of America. In 1909, America celebrated the centennial of President Lincoln's birth in a manner deserving of the accomplishments. Congress approved placing the image of President Lincoln on a first-class stamp for the first time, made President Lincoln's birth a national holiday, and passed legislation leading to the construction of the Lincoln Memorial here in Washington, D.C.

Further, President Theodore Roosevelt approved placing the image of President Lincoln on the penny.

As in 1909, the Congress again should honor President Lincoln in 2009 by establishing the Abraham Lincoln Bicentennial Commission. Through this commission, Congress will be able to demonstrate its appreciation for Abraham Lincoln's accomplishments and ultimate sacrifice for our country.

This commission will identify and recommend to Congress appropriate actions to carry out this mission and through the recommendations of this commission and subsequent acts of Congress, the American people will benefit by learning about the life of President Lincoln, and as an Illinoisan, I am proud of the fact that President Lincoln considered Illinois his home for virtually all of his adult life.

In 1837 Lincoln moved to Springfield, Illinois, which is an area that I represent along with the gentleman from Illinois (Mr. SHIMKUS) where he established a law office and quickly earned a reputation as an outstanding trial lawyer. He served in the State legislature from 1834 to 1842 and was elected to this House of Representatives in 1846 as a member of the Whig party, and 9 of the 14 counties that I currently represent were once represented by Abraham Lincoln.

Lincoln joined the Republican party in 1856 and ran for the U.S. Senate from Illinois against Stephen Douglas in 1858. As a candidate for that office, Lincoln rose from relative obscurity to become a nationally known political figure.

Throughout the campaign, Lincoln stated that the U.S. could not survive as half slave and half free States. In a famous campaign speech on June 17, Lincoln declared, I quote, "a House divided against itself cannot stand," end quote. Additionally, the famous Lincoln-Douglas debates drew the attention of the entire Nation. Although Lincoln ultimately lost that campaign, he returned only 2 years later to run for the Presidency. Lincoln was elected the 16th President on November 6, 1860, defeating the previous Senate opponent, Stephen A. Douglas. In one of the most famous acts President Lincoln enacted, the emancipation proclamation went into effect on January 1, 1863.

After discussing this issue with Representative RON LEWIS of Kentucky, we both agree that the commission should strongly consider Hodgenville, Kentucky, the birthplace of Abraham Lincoln, as the site for its inaugural meeting.

Abraham Lincoln is remembered for his vital role as the leader in preserving the Union and beginning the process that led to the end of slavery in the United States. He also is remembered for his character, his speeches, his letters, and a man of humble origin whose determination and preservation led him to the Nation's highest office.

I would like to acknowledge the assistance of the, as I mentioned earlier, to the gentleman from Maryland (Mr. CUMMINGS), to the gentlewoman from Illinois (Mrs. BIGGERT), also Chuck Schierer and Peter Kovlar, who originally brought this idea of a Lincoln commission to me, and their research was invaluable to this important project.

I ask all colleagues to join me in honoring the memory of President Abraham Lincoln by supporting the Abraham Lincoln Bicentennial Commission Act of 1999.

Mr. CUMMINGS. Mr. Speaker, I continue to reserve the balance of my time.

Mrs. BIGGERT. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. LEWIS).

Mr. LEWIS of Kentucky. Mr. Speaker, I rise today to support the Abraham Lincoln Bicentennial Commission Act. Abraham Lincoln is rightly considered one of America's greatest Presidents. He occupied the White House through 4 of our country's darkest years and was faced with the prospect of uniting our country torn asunder by civil war. Through his leadership and perseverance, Mr. Speaker, our country and system of government was preserved.

While it is impossible to overlook his contributions to America from the White House, there is much more to the story of Abraham Lincoln that endears in the hearts and minds of his countrymen. Lincoln was born to humble roots in Hodgenville, Kentucky, located within my district. He was largely self-educated, yet became one of our country's greatest statesmen with his

eloquent use of the English language. He clung to the highest ethical standards throughout his political career, earning the nickname Honest Abe. He was fiercely devoted to his family, and he put the interests of his country above his own, which ultimately led to his assassination. He was born into obscurity but earned the gratitude and love of his countrymen.

Lincoln's story is one of America, and it serves as an inspiration to all of us. It is a story all posterity needs to learn, and it is incumbent on the Federal Government to use all available resources to preserve his legacy.

To borrow a quote from one of his most famous addresses, "It is altogether fitting and proper that we should do this."

I urge my colleagues to support the Abraham Lincoln Bicentennial Commission Act. As Edwin Stanton said upon the President's death, "Now he belongs to the ages." We have an opportunity today to make sure President Lincoln remains a man for the ages by passing this legislation.

Mr. Speaker, it is my hope that this commission will be able to conduct one of its meetings in Hodgenville, Kentucky, the birthplace of Abraham Lincoln.

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

Mr. Speaker, finally, I think that, as my colleagues know, when we think about the life of Abraham Lincoln, his words of the Gettysburg Address were just so profound; and I just repeat them, just a part of them, at this moment, for I think they still live in our hearts, and he simply said, and this is important, he said, "It is for the living rather to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us, that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion, that we here highly resolve that these dead shall not have died in vain, that this Nation under God shall have a new birth of freedom, and that government of the people, by the people, for the people shall not perish from the Earth."

With that, Mr. Speaker, I urge all of our colleagues to support this legislation.

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

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

H.R. 1451 provides a means to begin this national period of reflection and recognition. I thank my colleagues for their eloquent and elegant words on behalf of Abraham Lincoln. I appreciated working with the gentleman from Illinois (Mr. LAHOOD), with the gentleman from Maryland (Mr. CUMMINGS) from the minority, and my colleagues from Kentucky and Indiana to strengthen this legislation.

□ 1600

I am proud to have brought this legislation to the floor, and I ask for the full support of all Members.

Mr. SOUDER. Mr. Speaker, Abraham Lincoln spent his formative years in Indiana, and as a Hoosier I would like to rise in strong support of this bill providing for commemoration of the bicentennial of his birth.

I would like to begin by thanking the bill's sponsor, the gentleman from Illinois, Mr. LAHOOD, and the gentlelady from Illinois, Mrs. BIGGERT for their willingness to work with me to include representation from the states of Indiana and Kentucky on the Commission to be formed by this bill. Both states played significant roles in the life and development of Abraham Lincoln, and I very much appreciate their recognition of this history and openness to including citizen members from each of these states on the Commission.

The commission will celebrate the bicentennial of President Lincoln's birth in 1809, which took place in Hodgenville, Kentucky. At the age of 7, young Abe Lincoln moved to Southern Indiana, and the family moved to Illinois in 1830. As the National Park Service points out at the Lincoln Boyhood National Memorial, he spent fourteen of the most formative years of his life and grew from youth to manhood in the State of Indiana. His mother, Nancy Hanks Lincoln, is buried at the site. And even today, what is probably the largest private Lincoln Museum in America is in Fort Wayne, Indiana, in my district.

Thomas Lincoln moved the family to an 80 acre farm in Perry County, Indiana after the crops had failed in Kentucky due to unusually cold weather. He bought the land at what even then was the bargain price of three dollars an acre. Just days before, Indiana had become the 19th state in the union. The land was still wild and untamed. President Lincoln later recalled that he had "never passed through a harder experience" than traveling through the woods and brush between the ferry landing on the Ohio river and his Indiana homesite. This observation speaks volumes about the nature of the Hoosier frontier.

The family quickly settled into the log cabin with which we are all so familiar from our earliest history lessons. Tom Lincoln worked as a cask maker. Abe Lincoln worked hard during the days clearing the land, working with the crops, and reading over and over from his three books: the Bible, Dilworth's Speller, and Aesop's Fables. He also wrote poems. Shortly after the death of Nancy Hanks Lincoln, young Abe attended a new one room schoolhouse. When his father remarried, his new stepmother Sally Bush Johnston brought four new books, including an elocution book. W. Fred Conway pointed out in his book "Young Abe Lincoln: His Teenage Years in Indiana" that the future president after reading the book occasionally "would disappear into the woods, mount a stump, and practice making speeches to the other children."

Abraham Lincoln also received his first exposure to politics and the issues that would later dominate his presidency while in Indiana. One of his first jobs was at a general store and meat market, which was owned by William Jones, whose father owned slaves in violation of the Indiana State Constitution. This was Lincoln's first introduction to slavery. In addition, he exchanged news and stories with customers and passersby, with the store even-

tually becoming a center of the community due largely to Young Abe's popularity. Once he was asked what he expected to make of himself, and replied that he would "be President of the United States."

Mr. Speaker, Indiana takes pride in its contributions to the life of President Lincoln, and we greatly look forward to the work of the Commission in honoring him and reminding Americans of his legacy. I urge my colleagues to support this bill.

Ms. SCHAKOWSKY. Mr. Speaker, I rise today in strong support of H.R. 1451, the Abraham Lincoln Bicentennial Commission Act. On behalf of my constituents in the 9th Congressional District of Illinois. I am a proud cosponsor of H.R. 1451, legislation which seeks to further honor the life of a most honorable individual, the sixteenth President of the United States and an American Hero, Abraham Lincoln.

H.R. 1451, would establish a commission to study and recommend to Congress ways to celebrate the 200th anniversary of President Lincoln's birth. The bicentennial of President Lincoln's birth will be February 12, 2009. Although 2009 is a long way off, planning a celebration of the life, achievements and contributions made by President Lincoln to the United States is a task that deserves adequate time and resources.

The values taught by Abraham Lincoln's leadership are celebrated today at the Lincoln Memorial in Washington, DC. Coming from the State of Illinois, which is also known as the "Land of Lincoln," I was particularly moved when shortly after being sworn into service in Congress, I visited the Lincoln Memorial. I look forward to the Memorial's rededication in 2009.

Authorizing further commemorations of his life and the issuance of a memorial stamp and minting of a bicentennial coin, and other activities are appropriate ways to celebrate the life of this shining example of American value.

President Lincoln lost his life at the early age of 56, when he was shot and killed by an assassin. Although President Lincoln's life was taken at a young age, the values and lessons he taught through his policies and his eternal words of wisdom will remain with us forever.

I look forward to reviewing the recommendations of the Abraham Lincoln Bicentennial Commission and to celebrating with the people of Illinois and the entire nation the bicentennial of his birth in 2009. I urge all members to vote in support of H.R. 1451.

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

The SPEAKER pro tempore (Mr. MILLER of Florida). The question is on the motion offered by the gentlewoman from Illinois (Mrs. BIGGERT) that the House suspend the rules and pass the bill, H.R. 1451, as amended.

The question was taken.

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

The yeas and nays were ordered.

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

EXPRESSING THE SENSE OF CONGRESS REGARDING BROOKLYN MUSEUM OF ART EXHIBIT FEATURING WORKS OF A SACRILEGIOUS NATURE

Mr. DEMINT. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 191) expressing the sense of Congress that the Brooklyn Museum of Art should not receive Federal funds unless it cancels its upcoming exhibit feature works of a sacrilegious nature, as amended.

The Clerk read as follows:

H. CON. RES. 191

Whereas on October 2, 1999, the Brooklyn Museum of Art opened an exhibit entitled "Sensation: Young British Artists from the Saatchi Collection";

Whereas this art exhibit features a desecrated image of the Virgin Mary;

Whereas the venerable John Cardinal O'Connor considers the exhibit an attack on the Catholic faith, and is an affront to more than a billion Catholics worldwide;

Whereas the exhibit includes works which are grotesque, immoral, and sacrilegious, such as one that glorifies criminal behavior with a portrait of a convicted child murderer fashioned from small hand prints;

Whereas the Brooklyn Museum of Art's advertisement acknowledges that the exhibit "may cause shock, vomiting, confusion, panic, euphoria, and anxiety";

Whereas the Brooklyn Museum of Art refuses to close the exhibit, despite strong public opposition to the show from religious leaders, government officials, and the general population;

Whereas the American taxpayer, through the National Endowment for the Arts and the National Endowment for the Humanities, provides funding to the Brooklyn Museum of Art; and

Whereas the American taxpayer should not be required to subsidize art that desecrates religion and religious beliefs: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring). That it is the sense of Congress that the Brooklyn Museum of Art should not receive Federal funds unless it closes its exhibit featuring works of a sacrilegious nature.

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

The Chair recognizes the gentleman from South Carolina (Mr. DEMINT).

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

Mr. Speaker, I am grateful to have this opportunity to bring House Concurrent Resolution 191 to the floor. This resolution was submitted by my distinguished colleague, the gentleman from New York (Mr. SWEENEY).

Mr. Speaker, this past weekend, the Brooklyn Museum of Art opened a controversial new art exhibit, despite strong objections from civic and religious leaders. As many know, the exhibit includes a desecrated portrait of the Virgin Mary, decaying animals, and a depiction of a child molester.

These are just a few of the offensive items in an exhibit recognized and celebrated for its shock value, an "over the edge" flaunting of decay, defamation, and death.

It is a show intended to "cause shock, vomiting, confusion, panic, euphoria, and anxiety," and those are the words of the Brooklyn Museum.

Mr. Speaker, beauty may be in the eye of the beholder, but I believe most American taxpayers do not have the stomach to support the display of this type of exhibit. No matter what we think of this exhibit, we can all agree that the American taxpayers should not be forced to subsidize any exhibit that denigrates the beliefs and values that they hold most dear.

Ten years ago, after the NEA funded Andres Serrano's defilement of the crucifix, Congress directed the chair of the National Endowment of the Arts to take into account "general standards of decency and respect" in awarding Federal grant money to artists. Many artists protested that this was a violation of free speech rights.

In June of 1998, however, the Supreme Court upheld the constitutionality of the decency clause. It was upheld because the court recognized that the right of free expression does not include the right to force others to pay for your expression.

Mr. Speaker, the Brooklyn Museum is a great institution celebrating and displaying great works of art for over 176 years. It has been a gift to our children, encouraging them to explore the depths of their own creativity and imagination. If there was ever a time when we needed to encourage our children to honor beauty, it is now. If there was ever a time to teach our children about great works of art, of great painters, sculptures, and designers, it is now. But the Brooklyn Museum's current exhibit is so extreme that children are not allowed to view it unless they are accompanied by a parent.

It seems to me that our public art institutions should be a safe haven for our children, a place that honors the highest standards of beauty, not the lowest common denominator of human depravity.

Hard working Americans help support the Brooklyn Museum of Art through the National Endowment of the Arts, the National Endowment of the Humanities, and the Institute of Museum and Library Services. In the past 3 years, taxpayers have paid over \$1 million to help fund the Brooklyn Museum.

In a time when our communities are desperate for more art classes, local art museums, and children's workshops, the Brooklyn Museum exhibit seems inconsistent with our priorities to foster a greater appreciation of the arts. This debate is about whether or not taxpayers should subsidize the housing and promotion of objectionable exhibits. American taxpayers have paid for the brick and mortar of the Brooklyn Museum, a museum that should reflect the best of the American people.

This exhibit, sponsored and hosted by the museum, clearly does not reflect the values we hold dear. This resolution will protect American taxpayers

from funding the Brooklyn Museum showcase of a denigrating exhibit.

Mr. Speaker, I urge the adoption of this important resolution.

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

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

Mr. Speaker, I rise in opposition to H. Con. Res. 191, which expresses the sense of Congress that the Brooklyn Museum of Art should not receive Federal funds unless it cancels its recently opened exhibit entitled "Sensation."

First and foremost, I would like to express my utter disbelief that we are wasting valuable floor time on this resolution as the first session of the 106th Congress draws to a close, and we have not yet considered important issues such as healthcare reform, increasing the minimum wage, and preserving Social Security.

Moreover, Mr. Speaker, we are 4 days into fiscal year 2000, with 11 of the 13 annual appropriations bills still not enacted. If the Republicans cause the Federal Government to shutdown in 2 weeks, the Brooklyn Museum of Art will not get any Federal funding anyway. But aside from the Republican leadership's complete disregard for effective time management, I am greatly concerned that this resolution condones and encourages censorship and sends a message that it is acceptable for city officials to make funding decisions based on their individual likes and dislikes.

Hitler's dislike of avant-garde artists of his time, Picasso and Matisse, led to the banishment of their works from Germany for 8 long years.

Mr. Speaker, the Supreme Court has ruled on a number of occasions that the government cannot penalize individual artists because their work is disagreeable. We know that this resolution is really about the Republican leadership's continued attack on all Federal funding of the arts.

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

Mr. DEMINT. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. SWEENEY).

Mr. SWEENEY. Mr. Speaker, I thank the gentleman for yielding me time, my good friend and class president.

Mr. Speaker, let me start and say I introduced this resolution at an important time in our Nation's history. We have, as we all know, violence pervasive throughout all sorts of elements in our society. We are in a period of great moral turmoil in many respects.

Those who argue against the proposition that I propose today say that this is censorship, and they liken it to what Hitler did in Nazi Germany. We say that is nonsense. It is nonsense because we are talking about some fundamental questions centering around the role of the Federal Government in funding of works of art, or so-called works of art, that attack real core beliefs of the American people, many Americans, and beliefs that we hold near and dear to our hearts.

The questions I asked in this resolution are simple: Should the American taxpayer be required to send their hard-earned tax dollars to a museum, or other institution, that exhibits works of art, the likes of which feature a portrait of the Virgin Mary desecrated with elephant dung? Should taxpayers' dollars be used to glorify a convicted child murderer? Should Americans that work 40, 50, 60 hours a week, be forced to turn over a portion of their paychecks so that individuals can express themselves in a manner that so offends so many?

Mr. Speaker, the resolution that I introduce today answers a resounding "no" to those questions.

Just this past Saturday, the Brooklyn Museum of Art opened that art show featuring the aforementioned exhibits; and, as a result, the museum has come under fire from many sources, many individuals, who share, as I do, the belief that this is just wrong.

The venerable Cardinal O'Connor of New York City called the Exhibit "an attack on religion itself, and, in a special way, on the Catholic church."

Coinciding with the exhibit's opening, hundreds of people, with no other vehicle to express their frustration, took to the steps of the museum to say that public funding of such exhibits that promote hate, bigotry, and Catholic bashing is wrong. I wholeheartedly agree with them. That is why we have gone forward with this resolution.

Since 1997, the Brooklyn Museum of Art has received nearly \$1 million through the National Endowment of the Arts and the National Endowment for Humanities. When taxpayers decide to support the arts, I doubt these are the kinds of exhibits they have in mind.

Our resolution gives a voice to millions of Americans who are disgusted because they are being forced to fund this offensive exhibit. Furthermore, I believe that most of my constituents would join me in saying that this exhibit goes too far and is devoid of culturally redeeming value, by any standard.

Mr. Speaker, as I said, the proposition before us is quite simple. However, there is a vocal minority that wants to confuse the debate by suggesting our resolution is an attack on the First Amendment.

The "Sensation" exhibit, as it is titled, does not belong in a publicly supported institution. That is the simple premise at work here. This is not to say it does not belong anywhere. If there is an audience for this type of exhibit, and I would suspect there is a substantial audience in some quarters for this, let them find a private outlet for which to express that sense.

While these so-called artists have a right to create their art and galleries have a right to display it, the First Amendment does not guarantee that the American people must subsidize it.

In the words of David A. Strauss, a specialist in constitutional law at the University of Chicago, "it is clear the government is entitled to make some decisions on what it will fund and what it will not fund."

Not only are we entitled to do so, my constituents demand that I do so here today.

I agree with Jonathan Yardley in today's edition of the Washington Post when he writes, "the museum has a right to present such works as it cares to, but has a weighty responsibility, the handmaiden of public funding, to exercise that right with sobriety and care. The support of taxpayers is not license to thumb one's nose at taxpayers. The religious and moral sensibilities of ordinary people are not frivolous; they deserve, and should command, the respect and consideration of those who slop at the public trough."

Mr. Speaker, we know that Congress is not a body of art critics. However, "Sensation" is clearly an example of going too far. It does not take a Ph.D. in art history to know that a portrait of the Virgin Mary being desecrated upon is offensive to Catholics.

Mr. Speaker, our Federal tax dollars should not be spent on images that glorify sacrilegious, immoral, and criminal behavior. They should be used to defend, not offend. Further, if we subsidize the expression of art, let that expression carry a message of education, not desecration.

Last week, the Senate adopted a similar measure overwhelmingly, and I urge my colleagues in this body to follow the Senate's lead. Tell your constituents you will account for their tax dollars.

Mr. CLAY. Mr. Speaker, I yield 4 minutes to the gentleman from New York (Mr. RANGEL).

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

Mr. RANGEL. Mr. Speaker, I hope this issue does not come down to Republicans and Democrats, even though normally on things like that, that is the way the votes go.

I just cannot believe that people can make a decision on what should be funded as art when they have never even seen what they are talking about. I just do not believe, just because it was a foreigner that did it and thought he was doing something correctly, that we would be so upset that we would attack an entire museum, with all of its exhibits in it, just because inadvertently someone was upset.

□ 1615

Now, I was raised as an altar boy, and I am familiar with the Blessed Trinity, and the fact that Jesus was born of Mary and Joseph. While there was the immaculate conception, there were still pictures of the Virgin Mary, and of course, Jesus, in every church and cathedral that I have had a chance to attend.

Now, from what I have seen on television, this was an abstract drawing of an overweight African-type cartoon that, with all of my catechism and training, it never would have entered my mind that this was supposed to be the mother of our Lord and Savior, Jesus Christ, notwithstanding what the artist had put on the bottom of it.

It never seemed to me that my mayor would be embracing anything like this, with or without the dung, as being what we think the Virgin Mary would look like, since basically we are talking about what a European Virgin Mary would look like as opposed to what an African Virgin Mary would look like.

I can understand how people of different cultures would clash, but are we suggesting that every time there is something that we find grotesque or different or odd, or something that we are ignorant about and we do not understand, that we come to the floor and say, cut the funding?

Am I supposed to check every library that got a Federal dollar and find some book that I do not understand, Ph.D. or not, and come here and say, I am offended by this, and just because we do not understand it, cut it out?

The city council of New York City has someone appointed from the city of New York sitting on this board. They are supposed to decide what exhibits they have and what exhibits they do not have. Clearly, if the mayor wanted to make the Brooklyn Museum a big hit, he sure did. There were lines out in the street. I could not find my way to the Brooklyn Museum of Art before the mayor announced what he did.

So if we do not like this grotesque thing, we ought to charge it up to Mayor Giuliani for giving it all this free publicity. There are lines wrapped around the building. They have to get more private funds now because people know where it is.

If the National Endowment has thought it was a pretty decent museum, for God's sakes, we do not want to say, because somebody may have made a mistake or someone did not understand what they were doing, that we in the Congress are so sophisticated, so smart, so creative, that we can say, hey, do not fund it.

I do not think we would want to do that, and certainly the way the polls look, I do not think the mayor, well, whether he did it for political reasons or not is subjective, but I do not think that he will be the beneficiary of doing it for Catholics, because Catholics really do not believe that politicians set the criteria about what we like and what we do not like, certainly not from the mayor's point of view.

So I hope we would reconsider this and not have a party vote on it. I think there are a lot of other things we do not understand that are worse than this.

Mr. DEMINT. Mr. Speaker, I yield 3 minutes to the gentlewoman from New Jersey (Mrs. ROUKEMA), a member of the committee.

Mrs. ROUKEMA. I thank my colleague for yielding time to me, Mr. Speaker.

I want to rise in strong support of what the gentleman from South Carolina (Mr. DEMINT) and the gentleman from New York (Mr. SWEENEY) are doing here.

Someone mentioned their disbelief. My disbelief is that we even have to come here today to state the case. I say that as a member of the committee of jurisdiction who has fought long and hard, and my Democrat members will remember me as the Republican that worked long and hard to preserve the Federal funding for the Humanities and the National Endowment for the Arts and Public Broadcasting System. I did it gratefully and happily and persistently.

But this is not the first time that we have had this particular discussion. I was also a member of the committee when we had this in the 1990s, as well as the Mapplethorpe and the Serrano situation, which has already been referenced here, and the obscene art controversy raised at that time.

So in 1990, when we reauthorized the NEA to ensure, and I quote, this is the language of the statute, "Artistic excellence and artistic merit are the criteria by which grant applications are judged, taking into consideration general standards of decency and respect for the diverse beliefs and values of the American public."

That is exactly what we put in place at the time, and there were cries that went up that, oh, no, this decency language, the decency clause, will not be constitutional. As Members may remember, Karen Findlay challenged and brought it as a First Amendment case before the Supreme Court.

But in June of 1998, the Supreme Court upheld that in the Karen Findlay case, remember, she smeared chocolate on herself, her naked body, but in the Karen Findlay case, the Supreme Court upheld the constitutionality of the decency clause. So I do not want to hear anymore questions about whether or not it is constitutional for Congress to make a determination under the decency clause as to whether or not this money can be given in grants to artistic entities, such as a museum.

I know what Members are going to say, well, this was not a precise grant, et cetera. But money is fungible. Everybody understands that money is fungible. But there is no way that we should be endorsing or having taxpayers pay for something that violates any religious beliefs or even aggrandizes pedophiles and child murderers.

I thank the Members for this opportunity. The Congress must go on record in opposition to the Brooklyn Museum of Art, and stating that no funds should ever be used under these circumstances again.

Mr. CLAY. I yield myself 30 seconds, Mr. Speaker.

Let us clear the record. First of all, there are no funds from the National

Endowment for the Arts that are provided for this exhibition. We ought to stop talking about Federal funds supporting this exhibition.

Secondly, we have people making the suggestion that this exhibition ought to be given someplace else other than in the art museum. Where should art be on display, other than in an art museum?

Then we say this is not censorship. Censorship to me is what we decide is acceptable and what is not acceptable in terms of art, even with our limited, and some of us with unlimited or no knowledge of art, deciding what it is, what is art.

Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Speaker, the issue before the House today is censorship. The issue is whether or not the Members of the House of Representatives or the mayor of New York City is going to determine what passes for art, and what people can see and cannot see in the art museums of the city of New York or the United States of America. That is what it is about, clear and simple.

Those people who are proponents of censorship, they do not want anyone to label them as would-be censors, so they couch their censorship in language of Federal funding or public funding or taxpayers' money, or words of that ilk. They seek to hide behind that, when really what they are trying to do is determine what people will see and will not see, and they want to make that determination in accordance with their own taste or lack of taste, their own knowledge or lack of knowledge, as the case may be.

Yes, the Brooklyn Museum does benefit from some public funds under certain circumstances and at certain times. That is not unusual. Every art museum, every proponent of the arts, every culture throughout the history of civilization on this planet has had public subsidization of some kind. The arts do not flourish without public subsidies of some kind, so we, as an enlightened society, make measures whereby we provide for public subsidies of the arts.

But we do not tell museums what they can display. We do not tell authors what they can write. We do not tell sculptors what they can sculpt. We leave that up to the artist, and we leave the success or failure of those works, whether they are written or on canvas or in some plastic medium, we leave the success or failure of those artistic works up to the final arbiters, the general public.

Interestingly enough, in this particular case, the general public seems to be saying, we have an interest in seeing what is on display at the Brooklyn Museum. I think the mayor of New York City may have had something to do with that interest in giving this display all the publicity that he has.

Whether he did or so intentionally or not, I don't know. Only he knows that.

But whether he did so intentionally or not, he has provided this exhibit with more publicity than any art exhibit that the Brooklyn Museum of Art has had in recent memory. As a result of that, thousands of people are lined up in the streets around the Brooklyn Museum wanting to see this exhibit. That tells me that there is a great deal of public interest in this exhibit, and since there is a great deal of public interest, the public ought to determine whether or not it is there for people to see.

Let us not think that we here in the Congress or any mayor of any city or anybody of any common council can determine what the public ought to see or ought to read or ought to believe. That is up to them in a democratic society, not up to the Members of this House.

Mr. DEMINT. Mr. Speaker, I yield 3½ minutes to the gentleman from New York (Mr. FOSSELLA), a cosponsor of this resolution.

Mrs. ROUKEMA. Mr. Speaker, will the gentleman yield?

Mr. FOSSELLA. I yield to the gentleman from New Jersey.

Mrs. ROUKEMA. I want to get back to this question about whether or not we are subsidizing, Mr. Speaker, whether or not we are paying for this. This is being misrepresented in the debate.

Money is fungible, and no, there is not a precise grant. But it is absolutely a subsidy, a subsidy last year that was more than \$160,000, much more than that, to the Brooklyn Museum, and this year it is projected that it will be well over \$250,000.

Do not tell me, it stretches credibility, to think that that money has not subsidized this particular exhibit.

Mr. FOSSELLA. Mr. Speaker, reclaiming my time, I thank the gentleman from South Carolina for yielding time to me. I also thank the gentleman from New York (Mr. SWEENEY), the sponsor of this legislation.

Mr. Speaker, this is the First Amendment: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances."

Nowhere in the First Amendment does it say that the United States taxpayer has to subsidize so-called art that desecrates one's religion. This is the issue.

There are others who want to say it is censorship, others who want to say that we are determining what art is. That is not true. The issue is, how do we appropriately use taxpayer money?

What we are saying, and I think we have the vast majority of support of the American people, both Democrats and Republicans in this body already sponsoring this resolution, we are saying that unless the Brooklyn Museum takes this exhibit away that desecrates

an image that is sacred to a lot of Christians across the country, that glorifies a child molester, that they should not receive taxpayer money. It is very simple.

If they want to take this exhibit and put it somewhere else, in somebody's house, in somebody's apartment, or so many of the other private museums around the country, then so be it, and there will not be a problem. But this museum receives public money from both the city of New York, the State of New York, and from the Federal Government.

Do we not think there are more appropriate uses for taxpayer money than to desecrate religion? Is that such a stretch, that the NEA itself imposes standards on its exhibits, but we cannot; that the average American sitting at home who believes strongly in his faith or her faith says, wait a minute, I am working every single day, and the government is taking a little bit of my money and is going to fund this, are they not entitled to their opinion?

For those who say, this is democracy, now, we are a Republic.

□ 1630

We are supposed to speak for those folks. But we are speaking for them. There were hundreds, if not thousands, of people there on Saturday with me and so many others saying this is wrong. It is not a question of gray. Let us move on. Is this not over? It is wrong. It is wrong to use taxpayer money to fund this.

The Brooklyn Museum Board of Directors had every opportunity before the exhibit opened to take some of the more offensive works out. They decided not to. Incensed and in reflection upon their arrogance, I do not believe they deserve another dime of taxpayer money. They want to stick it to so many people across this country, so many New Yorkers, so be it. Let them do it on their own dime, not ours.

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

Mr. Speaker, I do not know how many hundreds were there to say that it was wrong, but I know that 10,000 went and paid \$9-and-something to go see if it was wrong.

Mr. Speaker, I yield 2½ minutes to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. Mr. Speaker, "Congress shall make no law respecting an establishment of religion." The gentleman from New York (Mr. FOSSELLA) just quoted the First Amendment to us.

What does this resolution do? It says that the sense of Congress is that the Brooklyn Museum of Art should not receive Federal funds unless it closes its exhibit featuring "works of a sacrilegious nature." I repeat, "sacrilegious nature." How do we determine what is sacrilegious except by determining what offends a religion?

Remember, the First Amendment does not say there shall not be an establishment of religion. It says Congress shall make no law "respecting an

establishment of religion." Does this resolution respect an establishment of religion? Let us read some of the clauses:

"Whereas the American taxpayer should not be required to subsidize art that desecrates religion and religious beliefs." It says the reason for this resolution is because the Brooklyn Museum exhibit is a desecration of religion. It says that this art exhibit features a "desecrated image of the Virgin Mary"; "desecrated" is a religious-content word. It says that John Cardinal O'Connor considers the exhibit an attack on the Catholic faith. The Catholic faith is, indeed, one of several established religions.

The point is that this is not really a debate on censorship. I agree with the gentleman from South Carolina (Mr. DEMINT) and the author that Congress has the right to choose whether to fund art or not. Indeed, I happen to have voted against funding the NEA every time it has come up. The reason is that, when we fund art, we immediately get into First Amendment problems because government is funding one position and not another.

So I am not arguing that we do not have the right to stop funding. I entirely agree with the gentleman from Staten Island, New York (Mr. FOSSELLA), that we should not be funding art that offends people. I do not think we should be funding art at all.

We can stop funding all art. We can stop funding all art that offends people. The one thing we cannot do is make a distinction on whether that art offends religion or not. So I wish this had been written differently. I wish I had a chance to weigh in earlier on.

I want to close with the recognition of the excellent good faith of the gentleman from New York (Mr. SWEENEY), my high regard for him, and my high regard of all my colleagues who have sponsored this resolution.

But our oath of office is to uphold and defend the Constitution. That is the one thing we swear to do. We do not swear to be popular. Lord knows my position is not going to be popular in my district or in the State of California. But I swore to uphold and defend the Constitution. The Constitution says we cannot pass any law respecting an establishment of religion. That is what this resolution does. I must vote no.

Mr. DEMINT. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. RILEY).

Mr. RILEY. Mr. Speaker, there is a storm brewing in Brooklyn right now, and at the heart of the matter is whether the Government should force taxpayers to fund a museum where art is or can be considered to be anything, from splattering elephant dung on the painting of the Virgin Mary to cutting a pig in half.

Now I am not an art critic, and I may not know good art from bad, but I know when something is offensive when I see it. This Sensation Exhibit in

the Brooklyn Museum of Art is the personification of offensive.

Mr. Speaker, I am a staunch advocate of protecting First Amendment rights, of freedom of expression. I believe the people in this country should be able to create art that depicts whatever they please. That is the American way; and we, as citizens, should respect that right. But I have got to ask, Mr. Speaker, where in the Constitution does it say that American taxpayers have to like it as well as pay for it?

The answer to that question is quite simple. The Constitution does not say that. The Constitution makes no mention of the right to Government funding for anyone's artistic concepts. There is no right to Government funding for any offensive material or, for that fact, no material at all.

If one wants to create a display of offensive art, fine, but pay for it oneself. Do not ask me and other taxpayers to fund it. It is not right. And it does not make sense.

Mr. Speaker, I commend Mayor Giuliani for taking the stand that he has on the Sensation Exhibit, and I urge all my colleagues to take the same stand by passing this resolution today.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BENTSEN).

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

Mr. BENTSEN. Mr. Speaker, I thank the gentleman from Missouri for yielding me this time.

Mr. Speaker, I do not know that I like much of the art that is in the Saatchi collection in the Brooklyn Museum. The reviews I read I do not think were quite flattering. But this is, once again, the law of unintended consequences.

A few years ago, one of our colleagues in the other body did not like a show that was going to be at the Corcoran Gallery not far from here, made a big deal about it, and made the show bigger than it ever would have been.

Now people are lining up around the Brooklyn Museum of Art to get in. So what my colleagues are trying to accomplish they are actually enhancing, and I think they have failed at that.

But the other problem is that my colleagues are heading down a road they do not want to go. Because surely somebody can go down the street to the National Gallery and find a Botticelli or something else they think is offensive and think we should not fund. But where do we stop from there?

But what is even worse is, yet again, this House has found it upon itself to get involved in the politics of New York and New York City. Quite frankly, I do not care about the politics of New York. I do not know why the gentleman from Alabama (Mr. RILEY) cares about the politics of New York. Let the people of New York do it.

Why is the party of States rights, the party of returning power to the local

governments and the States trying to decide whether the city of New York, this does not even have anything to do with the NEA, this show does not have anything to do with the NEA, it is whether the city of New York ought to fund the Brooklyn Museum of Art on this show.

We really should not care, unless we want to become that paternalistic to tell the people what to do. I certainly do not want the people of New York telling the people of Houston, Texas, or Pasadena, Texas, what to do. But that is the next thing we will get. Some animal rights person will come up and say, The Pasadena rodeo is cruel to animals, and we should not allow any funding for it. It is a really dangerous path that my colleagues are heading down.

There is so much other business the House should be involved in. We have not even passed our budget for this year, but we certainly have time to deal with whether the city of New York ought to fund a show at the Brooklyn Art Museum.

Do we not have time to work on our budget instead of working on stuff like this?

Mr. DEMINT. Mr. Speaker, I reserve the balance of my time for closing.

Mr. CLAY. Mr. Speaker, may I inquire as to how much time we have remaining.

The SPEAKER pro tempore (Mr. GIBBONS). The gentleman from Missouri (Mr. CLAY) has 6 minutes remaining. The gentleman from South Carolina (Mr. DEMINT) has 2½ minutes remaining.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. ENGEL).

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

Mr. Speaker, I am not from Brooklyn. I am from the Bronx, just a little bit away. But I am from New York City, and I know politics when I see it. This House has not done its business this year. We have not passed the budget. There are so many things that we have not done.

What are we wasting our time on? We are wasting our time on politics. This is all about who will be the next Senator of the State of New York.

The Republican leadership ought to get its act together. They ought to pass the budget. They ought to make sure there are votes to pass the budget instead of trying to vote on these knee-jerk issues so that they can play to their right wing base. That is what this is all about.

Once we start going down this slippery slope of Government telling museums what they can or cannot do, where does it end? Sure this exhibit is offensive. Sure this exhibit is disgusting. But I do not think that we in Government ought to sit and judge as censors and say that we will not pay for this museum or that museum or whatever it is because we are offended. That is not what we should be doing.

Let us do our business. The Republican leadership wants to put their smoke screen up because they have not done their job. The American people know that they have not done their job.

So let us not talk about not giving Federal funds to the Brooklyn Museum. There are no Federal funds that go into this exhibit. There are Federal funds that go to the Brooklyn Museum for other things, targeted things, specific things. This is all about politics.

Mayor Giuliani gets up, and he starts talking again and again. If he had kept his mouth quiet, nobody would even know about this exhibit. He has given it more publicity than it ever could have gotten. But, again, he wants to move to the right, play to the Republican base, maybe get the conservative party line in New York. That is what this is all about.

So this Congress, again, should do the job that the American people elected us to do. We ought to pass the budget. We ought to do things on time. We ought not to talk about these knee-jerk base kind of gut reactions.

The Republicans want to play to their corps. They want to get their members enthused. They want to show that one person can out-right wing the other person. That is really a disgrace. Let us pass the budget and not waste our time on this nonsense.

Mr. DEMINT. Mr. Speaker, I yield 1 minute to the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. It is incredible, Mr. Speaker, that here we are talking about attacking the people who criticize this junk as if they contributed to this, as if they brought it about.

It is not Mayor Giuliani. It is no one on this side of the aisle. It is no one who attacked this stuff that caused this to happen. It is the bizarre, idiotic attitude of people who believe that they want to push the envelope as far as they possibly can in order to prompt this kind of thing.

No, it does not need to be here. It does not have to be on the floor of the House of Representatives. That is absolutely true. If no idiot would have brought this stuff forward in the first place and try to pass it off as art, we would not be here. But here we are because, of course, there is money that is going into this and because I have to tell taxpayers that they, in fact, must contribute to this kind of junk. It is nothing but junk.

But it goes to show my colleagues how difficult it is to actually identify what is art and what is not. We should not be contributing anything to, quote, "the arts" because somebody will stand up at some point in time and say that this garbage is art; and, therefore, it should be funded. We should not be funding any of this, Mr. Speaker.

Mr. CLAY. Mr. Speaker, I yield myself 5 seconds to try and decide whether or not I agree with the last speaker. I guess if I could understand what he said, I might agree with him. Stuff? Idiots? Junk? Et cetera?

Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Ms. SLAUGHTER).

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman from Missouri for yielding to me.

Mr. Speaker, I represent Rochester, New York; and we have always known that people in New York City do strange things, but we have always tolerated them with some bemusement.

The mayor of New York now has embarked on his 18th First Amendment case, having lost all of them; and Congress today is going to try to join him in that exercise, which is going to be found blatantly unconstitutional.

I find more than a sense of irony that today we had H. Res. 57, where the House of Representatives expressed its great concern over interference with freedom of the press, but not in the United States, in Peru. So now we are all going to work this afternoon to see what we can do to interfere in Brooklyn.

Beauty has always been in the eye of the beholder. If the mayor does not want to go, he should not go. As a matter of fact, other people and the reviews of this show tell us that people are lining up around the building, standing in the rain to get in to see what has aggravated Giuliani so much this time.

Nobody as far as I know has fainted, been nauseated, or had to be removed to the hospital, which were some of the things that we were told might happen with this show.

My colleagues, I think a majority of Americans that we represent, God bless their judgment, think that it is time to really close the door on the tactics that make the arts and humanities political hostages every time we find something that we can pounce on.

The benefits that we receive for our economy and for our children and for our communities by arts and humanities are indisputable and far outweigh the small financial investment that we are making; however, we make no investment in this show in Brooklyn.

□ 1645

Now, the sooner we get around to accepting that fact, maybe we can get around to passing a budget and do something to stop having to shut down the Federal Government. I think it is unthinkable that we can work at this ploy just to aim solely at influencing the New York State senatorial election.

I want to say something for this museum. For more than a century, the Brooklyn Museum of Art has provided so many benefits, not only to the people of New York but to Americans all across the country. It strikes me as dreadful that the mayor not only wants to stop this show, he wants to evict this show, he wants to tear down the building and salt the ground. This Brooklyn Museum and what it has done for the Brooklyn's Children Museum through the Brooklyn Public Library is incalculable.

For Heaven's sake, let us not mess with this thing and please get back to the business of the United States.

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

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

Mr. Speaker, Thomas Jefferson said, "To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves and abhors is sinful and tyrannical." I think it is something we should remember in this debate.

I need to remind my colleagues on the other side that New York can do whatever it wants with its funds. We are trying to save Americans from using their money to pay for pornographic art.

It is interesting that in the religious arguments we have heard about the laws we make in this room that we hear arguments from the other side of the aisle that there should be no religious displays in the public sector. We take away all mangers from the public square, any religious materials from government schools, yet it is okay to have religion displayed in public facilities as long as it is perverted and pornographic. I think we have a double standard.

We talk about censorship. We try to censor all religious materials from our culture, yet we call it censorship if we try to take away pornographic and perverted art.

To sit here and say this is not relevant at a time when we look across America and wonder about the loss of values, the loss of the value of life, the violence that we see and then say that the denigration of everything sacred is not important to this institution is forgetting a lot about what made this institution and this whole country. We see a total disregard for all that is sacred.

I am thankful for the sponsors of this resolution and all who have spoken for it. It reminds us and all Americans that we do not need to sponsor from this organization this type of perversion.

Mr. NADLER. Mr. Speaker, this resolution is foolish both in substance and in principle. Foolish in substance because the Brooklyn Museum receives little federal money, just a few grants for educational projects and touring exhibitions. Foolish in principle because it is not the place of this Congress to bar a cultural institution from receiving federal money just because we may not like one exhibit it has chosen to display.

First, let's take a look at the substance of this debate. The Brooklyn Museum of Art, a well-respected institution that serves about half a million people each year is presenting an exhibition that has received acclaim internationally. This exhibit features the works of some of Britain's most popular artists. In fact, this exhibition drew the highest attendance of any contemporary art exhibit in London in 50 years. The most controversial pieces in the show are by Chris Ofili, a young British artist of Nigerian ancestry, who has won the Turner

Prize, a prestigious award given to the most talented young British artists, and whose pieces have sold for tens of thousands of dollars. Whatever you may think of the subject matter, this is a serious exhibition of work by serious artists, displayed in a respected museum.

Supporters of this resolution will claim that they believe in the right of these artists to show their work, but that American taxpayers should not have to pay for an exhibit like this. Well, let me point out very clearly, that the taxpayers are not paying for this exhibition. No federal money went to show this exhibit. Not a dime. The Brooklyn Museum receives federal money, but the money it receives goes directly to pay for educational initiatives and touring exhibitions. Do we want to cut off these worthy programs because we don't like one piece of art that the Museum has chosen to display? That would make no sense.

So this resolution is foolish in substance.

But this resolution is foolish, and I would say dangerous, in principle. What have we come to when the United States Congress is condemning an individual for exercising his right to free expression? I thought our book burning days were over. What's next? Will we be closing down our public libraries because they contain books that we don't like? I don't like every book in the library, but I'm glad they're there. Will we attack the libraries for having a copy of *Mein Kampf*, Hitler's autobiography, which offends people's sensibilities? Where does it end?

This exhibit is shocking. It's outrageous. Art has been called a lot worse since the beginning of time. But that's the point of art. It's meant to provoke debate and discussion. Good art makes us confront our own cultural norms. Does this exhibit fit my own artistic tastes? Maybe not. But will I defend the right of artists to express themselves and the right of the museum to bring various kinds of artistic expression to the public? You bet.

But, this is not about one exhibit. This is about whether you support free expression and creativity or not. If you support the first amendment, you find yourself fighting to the end to defend the rights of people you find offensive. We would set a very dangerous precedent here if we vote for this resolution. For the United States Congress to single out one museum and one artist as sacrilegious and then to hold the museum hostage to the tastes of the Gentlemen from New York as a condition of receiving federal funds is outrageous. Politicians should not be deciding what is art. We've debated in this House many times whether the federal government should be subsidizing art. I believe we should, and there are many who disagree. But if we do decide to subsidize art, as we have for over 35 years, we must do so without interfering in the content. If every arts institution must suddenly worry that their exhibitions will not satisfy the 435 art critics in the House of Representatives, it will create a chilling effect in the cultural world.

Frankly, I'm disappointed in my colleagues from New York who are supporting this resolution. New York is the capital of the art world, where we have a tradition of respecting the free expression of artists. If you don't like this exhibit, protest it, boycott the museum. Best of all, stay home and don't see it. But you don't need a Congressional Resolution to express personal outrage. It is improper and out-

rageous and it should be defeated. I urge my colleagues to vote against it.

Mr. PACKARD. Mr. Speaker, I would like to strongly urge my colleagues to support the sense of Congress resolution which prohibits Federal funding of the Brooklyn Museum of Art unless they discontinue the exhibit which features works of a sacrilegious nature. Thomas Jefferson once said, "to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves and abhors is sinful and tyrannical".

Art is certainly in the eye of the beholder. It is not the role of Congress to determine what is art, but it is the role of Congress to determine what taxpayer money will fund. The First Amendment protects the government from silencing voices that we may not agree with, but it does not require us to subsidize them.

Mr. Speaker, again I urge my colleagues to join me in expressing a sense of Congress that while we support everyone's right to express themselves artistically, we are not obligated to support them financially.

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

The SPEAKER pro tempore (Mr. GIBBONS). The question is on the motion offered by the gentleman from South Carolina (Mr. DEMINT) that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 191, as amended.

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

The title of the concurrent resolution was amended so as to read: "Concurrent resolution expressing the sense of Congress that the Brooklyn Museum of Art should not receive Federal funds unless it closes its exhibit featuring works of a sacrilegious nature."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DEMINT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Concurrent Resolution 191.

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

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 2684, DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2000

Mr. WALSH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2684) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30,

2000, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

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

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. MOLLOHAN

Mr. MOLLOHAN. Mr. Speaker, I offer a motion to instruct.

The Clerk read as follows:

Mr. MOLLOHAN moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 2684, be instructed to agree with the higher funding levels recommended in the Senate amendment for the Department of Housing and Urban Development; for the Science, Aeronautics and Technology and Mission Support accounts of the National Aeronautics and Space Administration; and for the National Science Foundation.

The SPEAKER pro tempore. The gentleman from West Virginia (Mr. MOLLOHAN) will be recognized for 30 minutes, and the gentleman from New York (Mr. WALSH) will be recognized for 30 minutes.

The Chair recognizes the gentleman from West Virginia (Mr. MOLLOHAN).

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

Mr. Speaker, my motion instructs the House conferees to agree to the Senate's funding levels in three areas: The overall budget for HUD; NASA's Science, Aeronautics, and Technology and Mission Support Accounts; and the overall budget for the National Science Foundation.

In each case, the Senate funding levels are higher than those for the House in this VA-HUD appropriations bill. I am moving to instruct conferees to adopt the higher numbers for these programs because these are all areas in which the House bill made excessive cuts. For HUD and NASA, the House-passed bill reduced appropriations substantially below the current year's level, as well as substantially below the request. For NSF, the House bill cut funding a bit below the fiscal year 1999 level and well below the President's request. In each case, the House-passed levels would do serious damage to important programs and are completely unwarranted at a time when the economy and the budget are in the best shape they have been for decades.

When we considered the VA-HUD bill on the floor this year, many Members, Republicans as well as Democrats, raised serious concerns about the cuts being made, especially in HUD, NASA, and the National Science Foundation. The managers of the bill, myself included, promised to do all we could to bring about more adequate funding for these accounts in conference. This motion represents a step toward that result. Its adoption by the House would strengthen our position in trying to assure at least minimally adequate funding for high priority items.

With respect to HUD, disregarding the various one-time offsets and rescissions that have no programmatic effect, the House-passed bill cuts appropriations \$935 million below the fiscal year 1999 level and about \$2 billion below the President's request. It cuts public housing programs \$515 million below the current year level and cuts total CDBG funding \$250 million below the current year. It provides no funding whatsoever to expand the number of families assisted through Section 8 housing vouchers in contrast to the \$283 million provided for that purpose in the current year, and it makes cuts in a number of other important programs as well.

The Senate's total for HUD is about \$1.1 billion above the House total, although it remains about \$1 billion below the President's request. The Senate provided \$50 million more than the House for homeless assistance, \$300 million more for Community Development Block Grants, and a bit more for public housing operating subsidies. On Section 8, the Senate level is about \$500 million above the House, although our first priority in Section 8 has to be taking care of existing contracts and vouchers. I hope that, within the Senate total, we would be able to find funds to provide at least some incremental vouchers.

There are still millions of low-income families unable to afford decent housing. Indeed, the current economic boom may be making the problem worse by driving up rents. We can afford the very modest increases in total HUD funding proposed by the Senate.

As for NASA, Mr. Speaker, the House bill makes deep cuts there as well. Total NASA funding in the House-passed bill is \$925 million, almost \$1 billion below the budget request and \$1 billion below fiscal year 1999. Some of the deepest cuts come in space science programs, such as the work on developing new technologies in the next generation of space-based observatories and planetary probes. Other deep cuts come in earth sciences programs, which use space-based observations and technologies to help better understand our own earth and make better use of the earth's resources.

The Senate-passed levels for NASA are at the budget request, thereby providing \$925 million more than the House bill. During the House floor debate, Member after Member, Democrats and Republicans alike, rose to express dismay about various cuts in NASA and to urge higher funding than provided in the House bill. Adopting this motion and instructing conferees to adopt the higher Senate number would take an important step toward restoring the funding for NASA that so many Members have advocated.

The final part of my motion to instruct deals with the funding level for the National Science Foundation. The House recommendation did not even bring total funding for the foundation up to the 1999 level, much less anything

approaching the budget request. The House bill level is \$34 million below last year and \$285 million below that request. The Senate bill provided a total funding level for the foundation of \$3.9 billion, identical to the budget estimate.

Let us face it, science and research is not cheap. It costs a lot of money to achieve and maintain world leadership in math, biology, information technology, and computer sciences, among other disciplines. But it may cost even more not to strive for this leadership. The information technology sector of our economy amounts to more than \$700 billion today. We cannot afford to let our dominant position in these fields slip due to short-sighted and misguided budget policies.

The administration's budget request for the National Science Foundation included \$146 million as a part of a six-agency, multi-year initiative called Information Technology for the 21st Century, or I.T.-Squared. The House-passed funding level included only \$35 million for the NSF, the lead agency in that effort. If we recede to the higher Senate level, we should be able to provide more for this critical program intended to keep this Nation on the cutting edge of developments in information processing.

Higher funding is necessary if we are to respond to the recommendations of the President's Information Technology Advisory Committee, which recently concluded that our long-term research on information technology has been dangerously inadequate. In the words of the director of the NSF, we are able and ready to do 21st century science and engineering, but we cannot do it on a 20th century budget.

Mr. Speaker, I urge approval of this motion to instruct.

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

Mr. WALSH. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentleman for his thoughts and comments on the bill. And I wish to again thank him for his help in moving the bill through the House.

As we now prepare for our conference with the Senate, we have made a lot of headway. And I would like to give credit to the staff, because the leadership has asked us to move expeditiously, and we are. And I think staff has us at a point now where we will be able to sit down with the Senate and begin and soon thereafter conclude the conference Wednesday morning.

So the instructions that the minority side has offered, I think, are constructive. I think they are helpful. When we had the debate in the House, we were far below the President's request and we were far below last year's enacted level in NASA, National Science Foundation, and in some areas of HUD. So as chairman of the Subcommittee on VA, HUD and Independent Agencies of the Committee on Appropriations, I would see these as constructive.

We had a very difficult time in the House, because our allocation was

much lower than in the Senate. But leadership, I think wisely, has allowed us to go in to this conference at the Senate's spending level, which still keeps us below last year's enacted level, keeps us within the caps and our overall discretionary spending level. And so if we are wise and we work together, I think we can resolve these issues by meeting the priorities that were discussed.

And I think we will probably hear more on NASA, on HUD and National Science Foundation from other Members here.

□ 1700

But I quite honestly could not agree more with the gentleman from West Virginia (Mr. MOLLOHAN). The challenge is obviously getting everyone to agree on how much to increase spending in each of those areas, what the priorities are, without basically telling those Departments where the legislative branch wants to spend money. So I take the motion as constructive.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to speak on this motion to instruct conferees for the VA-HUD & Independent Agencies Appropriations bill for Fiscal Year 2000. This bill fails because it does not provide adequate funding for housing needs and it once again targets NASA for a reduction in funding.

While the total included in the House bill for HUD looks like a substantial increase over the fiscal year 1999 appropriations level, dissenters to the House version can point to the reductions in HUD programs below the prior year's level that are spread throughout the bill.

The bill provides a total of \$26.1 billion for HUD programs and activities—\$2.0 billion (8 percent) more than fiscal year 1999 funding (under official budget scorekeeping standards), but \$2.0 billion (7 percent) less than requested by the President. On a programmatic level, however, (i.e., looking at the amount of budget authority actually provided for individual housing programs), the bill provides \$945 million less for HUD housing programs than was available in fiscal year 1999.

Compared to current funding, the bill increases funding for one major HUD program, subsidized Section 8 rental housing contracts (2 percent)—but decreases funding for public housing modernization (15 percent), revitalizing severely distressed public housing (8 percent), drug elimination grants (6 percent), lead paint hazard reduction (13 percent), housing for persons with AIDS (4 percent), the Community Development Block Grant program (6 percent), "Brownfields" redevelopment (20 percent), Fair Housing activities (6 percent), housing for the homeless (1 percent), and the HOME program (1 percent).

In addition this bill would take the dream of exploring space and crush it beneath the weight of political posturing. This bill would tell our children, "Forget about space. You will never reach it."

And our children's dreams are not the only casualties. Jobs are at stake. As a Representative for the City of Houston, I cannot stand by and watch my Houstonians lose their jobs because of these cuts. The Johnson Space Center in Houston provides work for over 15,000

people. The workforce consists of approximately 3,000 NASA Federal civil service employees. In addition to these employees are over 12,000 contractor employees.

NASA has predicted the effects of the cuts on the Johnson Space Center, and the picture is not pleasant. NASA predicts that an estimated 100 contractors would have to be laid off, contractors composed of many employees and workers; clinic operations would be reduced; and public affairs, particularly community outreach, would be drastically reduced. Also, NASA would likely institute a 21 day furlough to offset the effects of the cuts, and this furlough will place many families in dire straits. Also, the Johnson Space Center would have to eliminate its employee Safety and Total Health program.

The entire \$100 million reduction in the International Space Station would be attributed to the space center and would cause reductions in the Crew Return Vehicle program. This would result in a 1 to 2 year production slip and would require America to completely rely upon Russia for crew returns. This is a humiliating situation. We pride ourselves in being the world leader in space exploration, yet, what does it tell our international neighbors when we do not even have enough funding to bring our astronauts home?

The cuts would not only effect Houston; they would effect the rest of the country. NASA's Goddard Space Flight Center would need to cut over 2,500 jobs. Such layoffs would effect both Maryland and Virginia.

The \$100 million reduction in NASA's research and development would result in an immediate reduction in the workforce of 1,100 employees for fiscal year 2001. This would also require a hiring freeze, and NASA would not be able to maintain the necessary skills to implement future NASA missions.

Negative effects will also occur across our Nation. Clearly, States such as Texas, Florida, and Alabama will see substantial cuts to the workforce, but given today's widespread interstate commerce, it is easy to imagine that these costs to the NASA program will hit home throughout America. And NASA warns that the country may not see the total effects of this devastation to our country's future scientists and engineers for many years.

NASA contractors and employees represent both big and small businesses, and their very livelihood are at stake—especially those in small business. They can ill afford the flood of layoffs that would certainly result from this bill.

Dan Goldin, head of NASA, has already anticipated the devastating effects of the NASA cuts. He predicts a 3 week furlough for all NASA employees. This would create program interruptions and would result in greater costs. Ladies and gentlemen, we are falling, if not tumbling, down a slippery slope. This bill would reduce jobs for engineers and would increase NASA's costs, a result that will only result in more layoffs as costs exceed NASA's fiscal abilities.

We are at a dangerous crossroads. This bill gives our engineers and our science academics a vote of no confidence. It tells them that we will not reward Americans who spend their lifetimes studying and researching on behalf of space exploration. I urge my colleagues to join me in my effort to stop the bleeding.

Over the past 6 years, NASA has led the Federal Government in streamlining the Agency's budget and institution, resulting in ap-

proximately \$35 billion in budget savings relative to earlier outyear estimates. During the same period, NASA reinvented itself, reducing personnel by almost one-third, while continuing to increase productivity. The massive cuts recommended by the Committee would destroy the balance in the civil space program that has been achieved between science and human space flight in recent years.

In particular, the Committee's recommendation falls \$250 million short of NASA's request for its Human Space Flight department. This greatly concerns me because this budget item provides for human space flight activities, including the development of the international space station and the operation of the space shuttle.

I firmly believe that a viable, cost-effective International Space Station has been devised. We already have many of the space station's components in orbit. Already the space station is 77-feet long and weighs over 77,000 pounds. We have tangible results from the money we have spent on this program.

Just this past summer, we had a historic docking of the space shuttle Discovery with the International Space Station. The entire world rejoiced as Mission Commander Kent Rominger guided the Discovery as the shuttle connected with our international outpost for the first time. The shuttle crew attached a crane and transferred over two tons of supplies to the space station.

History has been made, yet, we seek to withdraw funding for the two vital components, the space station and the space shuttle, that made this moment possible. We cannot lose sight of the big picture. With another 45 space missions necessary to complete the space station, it would be a grave error of judgment to impede on the progress of this significant step toward further space exploration.

Given NASA's recognition of a need for increased funding for Shuttle safety upgrades, it is NASA's assessment that the impact of a \$150 million cut in shuttle funding would be a reduction in shuttle flight rate, specifically impacting ISS assembly. Slowing the progress of the ISS assembly would defer full research capabilities and would result in cost increases.

Both the International Space Station and the space shuttle have a long, glorious history of international relations. We can recall the images of our space shuttle docking with the Russian Mir space station. Our Nations have made such a connection nine times in recent years. This connection transcended scientific discovery: it signified the true end of the Cold War and represented an important step toward international harmony.

The International Space Station, designed and built by 16 nations from across the globe, also represents a great international endeavor. Astronauts have already delivered the American-made Unity chamber and have connected it to the Russian-built Zarya control module. Countless people from various countries have spent their time and efforts on the space station.

To under-fund this project is to turn our backs on our international neighbors. Space exploration and scientific discovery is universal, and it is imperative that we continue to move forward.

I also denounce the cuts made by the Appropriations Committee to NASA's science, aeronautics, and technology. This bill cuts funding for this program \$678 million below the 1999 level.

By cutting this portion of the NASA budget, we will be unable to develop new methodologies, better observing instruments, and improved techniques for translating raw data into useful end products. It also cancels our "Pathfinder" generation of earth probes.

Reducing funding for NASA's science, aeronautics, and technology hinders the work of our space sciences, our earth sciences, our academic programs, and many other vitally important programs. But under-funding this item by \$449 million, the Appropriations Committee will severely impede upon the progress of these NASA projects.

I ask my colleagues that represent the House of Representatives during conference to restore the \$924 million to the NASA budget and to provide adequate funding to the HUD portion of this appropriation.

Ms. SCHAKOWSKY. Mr. Speaker, I rise in support of the Motion to Instruct Conferees to accept the other body's funding level for HUD, which provides more money for important housing and economic development programs than the House bill and is much closer to the President's request. There are 5.3 million people in this country who suffer worst case housing needs. In Chicago, nearly 35,000 people are on the waiting list for affordable public housing. This is not the time to cut much needed housing aid to people on fixed- and low-incomes.

But the House would cut HUD funding. My district, alone, would lose \$4.5 million in critical aid that the President requested in his HUD budget proposal. That's 386 jobs that would not be created and 256 homes that would not be built if we enact the House HUD budget. Across the country, the cuts would total 156,000 fewer homes and 97,000 fewer jobs. We can do better.

The other body provides \$500 million more for the Section 8 program, which provides rent subsidies for seniors, persons with disabilities and low-income families. It provides \$64 million more for housing for seniors and persons with disabilities and for Housing Opportunities for Persons With AIDS (HOPWA). There is \$300 million more the Community Development Block Grant Program, which local governments used to create jobs back home.

Considering the importance of housing to the American family and the desperate need for that housing, it is incumbent upon us to take whatever opportunities are available to increase HUD funding. The other body's VA-HUD bill presents that opportunity. I urge my colleagues to vote for the Motion to Instruct Conferees to accept the other body's HUD funding level.

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

Mr. WALSH. Mr. Speaker, we have no further requests for time. I accept the motion of the gentleman to instruct conferees, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MILLER of Florida). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from West Virginia (Mr. MOLLOHAN).

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

Mr. MOLLOHAN. Mr. Speaker, on that I demand the yeas and nays. The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

APPOINTMENT OF CONFEREES ON H.R. 2466, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

Mr. REGULA. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2466) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

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

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. DICKS

Mr. DICKS. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. DICKS moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 2466, be instructed: (1) to insist on disagreement with the provisions of Section 336 of the Senate amendment and insist on the provisions of Section 334 of the House bill; (2) to agree with the higher funding levels recommended in the Senate amendment for the National Endowment for the Arts and the National Endowment for the Humanities; and (3) to disagree with the provisions in the Senate amendment which will undermine efforts to protect and restore our cultural and natural resources.

The SPEAKER pro tempore. Under the rule, the gentleman from Washington (Mr. DICKS) will be recognized for 30 minutes, and the gentleman from Ohio (Mr. REGULA) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Washington (Mr. DICKS).

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

Mr. Speaker, the first part of my motion deals with the issues of the number of millsites allowed under the interpretation of the provisions of the Mining Law of 1872.

Members will recall that this matter has been a contentious issue twice this year, both on the 1999 emergency supplemental appropriations bill and on the 2000 Interior appropriations bill. Both the House and Senate versions of the Interior bill contain provisions relating to the permissible level for millsites for mining activities on Federal lands.

The House provision was included as a floor amendment offered by the gentleman from West Virginia (Mr. RAHALL) for himself and for the gentleman from Connecticut (Mr. SHAYS) and for the gentleman from Washington (Mr. INSLEE).

The amendment was adopted by a vote of 273-151. That amendment upheld the opinion of the Department of Interior that the correct interpretation of the 1872 Mining Law is that only one 5-acre millsite for mine and tailings is allowed for each claim or patent for mining activities on Federal land. The Senate provision is 180 degress on the other side of the issue.

The Senate provision sets aside the Department of the Interior's legal ruling and directs that the Interior and Agriculture Departments cannot limit the number or size of areas for mine waste. Furthermore, their provision is not just applicable for fiscal year 2000. The language of the amendment applies for any fiscal year.

Mr. Speaker, the Senate provision has no place in the Interior appropriations bill. If the supporters of that provision want to amend the 1872 Mining Law, let them do it through the normal legislative process. The law allows mining operations on Federal land to proceed after payment of only \$2.50 to \$5 per acre. That may have made sense 125 years ago when the Nation was settling the West, but it certainly makes no sense today.

Practically the only provision yielding any environmental protection at all in the 1872 law is the provision that only one 5-acre millsite per claim is allowed. To weaken that provision may benefit the mining industry, but it is bad public policy and will almost certainly result in the veto of the Interior Appropriations act.

Unfortunately, during extended debate on this issue, some have resorted to ad hominem attacks on the Solicitor of the Department of Interior. Most often, such attacks are resorted to when the preponderance of evidence does not support the position of the persons making the attacks. And that is precisely the situation here.

While there may have been some confusion due to administrative guidance issued in the past, as courts have stated, administrative practice cannot supersede the plain words of the statute. And here is what the law says from, 30 U.S.C., 42, page 804 of the 1994 edition of the United States Code:

Where nonmineral land not contiguous to the vein or lode is used or occupied by the proprietor of such vein or lode for mining or milling purposes, such nonadjacent surface ground may be embraced and included in an application for a patent for such vein or lode, and the same may be patented therewith, subject to the same preliminary requirements as to survey and notice as are applicable to veins or lodes; but no location made on or after May 10, 1872, of such nonadjacent land shall exceed five acres.

I urge my colleagues to do the right thing for the environment and for our publicly owned lands and reaffirm their support for the Rahall amendment.

The second part of the motion merely instructs the House conferees to agree with the slightly higher funding levels that the other body recommended for the National Endowment for the Arts and the Humanities. For each Endow-

ment, the Senate recommendation is \$5 million higher than the amount contained in the House bill. Both of these important organizations have received virtually flat funding for the past 4 years. And that flat funding level has been approximately 40 percent below the amounts provided prior to 1995.

Both organizations, but especially the National Endowment for the Arts, have substantially changed their operations and procedures in response to Congressional criticism. The message has been received, and it is time to move on. Both organizations have an impact far beyond just the level of funding provided. They both level their Federal funding with State, local, and private resources so that the impact of each appropriated dollar is magnified.

We have had the debate on the merits of these agencies time and time again during the past 5 years. Every time the House has been permitted to speak its will on the NEA and the NEH, the result has been supported. During consideration of this year's Interior bill on the House floor, an amendment to reduce the funding level for the National Endowment for the Arts by just \$2 million was defeated by a vote of 124-300.

I realize an amendment to increase NEA and NEH funding by \$10 million each was nearly defeated, but this was solely due to concern about the proposed offsets. The Senate was able to find additional funding for the Endowments without the objectionable offsets, and I believe the House conferees should go along with their recommendations.

The final part of this motion concerns the several new provisions added during Senate consideration of the bill that are generally regarded as assisting the special interest to the detriment of our public land. I will not itemize all the provisions. That has been done repeatedly by the administration, the press, and concerned individuals and groups. I believe if most of these provisions are included in a bill sent to the President, a veto will result and we will have to negotiate the measure again.

I urge my colleagues to avoid that unnecessary confrontation by stripping the anti-environmental provisions out of the bill in the conference.

I hope my colleagues will demonstrate their support for the environment and for the Endowments of the Arts and Humanities. Support the motion to instruct the Interior conferees.

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

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

Mr. Speaker, I would just briefly address a few of the points made by the gentleman from Washington (Mr. DICKS).

First of all, on the matter of amending the Mining Act of 1872, that is a policy change; and I think that correctly it should be done by the Congress in the normal legislative process. I do not believe that a Solicitor General should exercise a privilege of

amending a policy matter that has been adopted by the Congress. That would, to me, be bad public policy.

I think, obviously, something we need to address is the Mining Act. 1872 is a long time ago and many things have changed since then, but it should be done in an orderly way rather than to delegate legislative responsibility to the Solicitor General.

I might mention on the matter of the arts, since there has been a rather lively discussion prior to this on the Brooklyn Museum of Art, and that is that we maintain in this bill the Congressional reforms: 15 percent cap on the amount of funds any one State can receive; State grant programs and State set-asides are increased 40 percent of total grants; anti-obscenity requirements for grants, and this is supported by the Supreme Court decision in 1998, as was stated in the previous debate, puts six Members of Congress on the National Council on the Arts, three from the House, three from the Senate; reduce the presidentially appointed council to 14 from 26; prohibited grants to individuals except for literature fellowships or National Heritage fellowship or American Jazz Masters fellowship; prohibited subgranting of four full seasonal support grants; allows NEA and NEH to solicit and invest private funds to support the agencies; provided a grant priority for projects in underserved populations; provided a grant priority for education, understanding, and appreciation of the arts; and provided emphasis for grants to community music programs.

These changes were incorporated in prior Interior bills limiting the NEA. I think they worked extremely well, and that has been evident by the fact that we have not had some of the problems that were prevalent in the past. I think these conditions are an important element in congressional responsibility or congressional oversight, as my colleagues may choose to define it.

That is one of the issues, of course, in the Brooklyn Museum of Art, and that is what oversight does Government have on the way in which funds are expended. We have tried to do a responsible piece of work on this issue, and I think it has been a great help in keeping support for the NEA and the NEH, and particularly the NEA, in our bill.

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

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

Mr. Speaker, I do want to commend the chairman. I had the privilege of working with him a few years ago in drafting language that, as he suggested, was tested by the Supreme Court of the United States. That rule tried to emphasize quality in making these grant awards. Because, obviously, the National Endowment for the Arts and Humanities, neither one of them can fund every single grant application that comes in.

□ 1715

We worked on language that talked about funding those applications that

had the highest quality, that represented the finest in the arts. I believe that a lot of the success in recent years of both the Endowment for the Arts and Humanities is because we did give some guidance. I think the gentleman from Ohio deserves a great deal of credit for his leadership on this issue.

Mr. Speaker, I yield 5 minutes to the distinguished gentlewoman from New York (Ms. SLAUGHTER), the chairman of the Arts Caucus who has been a real leader on these issues.

Ms. SLAUGHTER. Mr. Speaker, first I want to commend the gentleman from Ohio (Mr. REGULA) and the gentleman from Washington (Mr. DICKS) for their extraordinary work and how wonderful it is to work with both of them.

The first thing I want to say today is we have just had the resolution on the Brooklyn Museum of Art. I want to put everybody's minds at rest, there is no NEA money in that exhibition.

Mr. Speaker, I rise in support of the motion to instruct conferees on the fiscal year 2000 Interior appropriations bill. As most of my colleagues will attest, I have long stood at the well of this Chamber to advocate for the strongest level of support possible for the arts and humanities.

For the past 4 years, this body has passed up the opportunity to benefit millions of Americans by choosing to level-fund the National Endowment for the Arts and for the Humanities. Year after year, I have joined with other members in a bipartisan way, members of the Congressional Arts Caucus, to show our support for our Nation's cultural institutions, and to fight back against the political rhetoric and campaigns of misinformation that have long been used against these vital agencies.

So today I say with great enthusiasm that we are finally beginning to reap the benefits of these efforts. This motion to instruct provides badly needed relief to the NEA and the NEH by directing the conferees to accept the \$5 million funding increases that were responsibly added to this bill by the other body. These small increases will permit the NEA to broaden its reach to all Americans through its Challenge America initiative. It will give the Endowment the resources to undertake the job that we in Congress have asked of it, to make more grants to small and medium-sized communities that have not been the beneficiaries of Federal arts funding in the past. From the fields of rural America to the streets of our inner cities, the NEA has a plan to expose all Americans to the arts and this money would help them to do exactly that.

In addition, the NEH plays an equally important role in our society. It is at the forefront of efforts to improve and promote education in the humanities. NEH funding is well spent to ensure that teachers, restricted by scarce funding, are well-trained in history, civics, literature and social studies.

Through the use of computers, educational software and the Internet, the NEH is also using its Teaching with Technology initiative to bring the humanities to life in the information age.

Mr. Speaker, a majority of Americans and a majority of this House support the arts and humanities. In addition, these institutions are supported by such entities as the United States Conference of Mayors, the National Association of Counties, and by such corporations as CBS, Coca-Cola, Mobil, Westinghouse and Boeing, to name just a few. These organizations support the arts because they provide economic benefits to our communities. Last year, the \$98 million allocated to the NEA provided the leadership and backbone for a \$37 billion industry. For the price of one-hundredth of 1 percent of the Federal budget, we helped create a system that supports 1.3 million full-time jobs in States, cities, towns and villages across the country, providing \$3.4 billion back to the Federal Treasury in income taxes. I think that is a good investment.

As we head into a new millennium, these modest increases will allow the NEA and the NEH to spread the wonderful work that they do to every city, town and village in America. Federal support for the arts and humanities is an incredibly worthwhile investment and these increases would take a small but important step toward revitalizing two agencies that we have neglected for too many years.

I urge all of my colleagues to vote in favor of the motion to instruct.

Mr. REGULA. Mr. Speaker, I yield 5 minutes to the gentleman from Nevada (Mr. GIBBONS).

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

Mr. GIBBONS. Mr. Speaker, I want to thank the chairman of the committee for yielding me this time here to address some of these issues.

I am not sure whether we are here arguing about the mill site provision on the basis of science or emotion. I rise in strong opposition to the motion to instruct conferees because this amendment, this provision on the mill site is nothing but a rider which we constantly hear, it is a rider on an appropriations bill, it is legislating on an appropriations bill, and it is not necessary. Members start talking about the sound science, as I hear from the previous speakers who are in support of this motion, on the basis that it is needed to protect our land and protect our environment. I refer them directly to the publication which was just printed, in fact it was released September 29, 1999, from the National Research Council titled "Hard Rock Mining on Federal Lands." The number one issue in this 200-page report that was paid for and authorized to study this issue says that the existing array of Federal and State laws regulating mining in general are effective in protecting the environment.

There is no reason that we have to sit here and talk about restricting mill sites to protect the environment. I would agree with my colleague from Washington that the 1872 law says that it is a five-acre mill site. That is for one reason, because we permit and we stake out or locate mill sites in five-acre increments. But when we restrict this five acres to a 20-acre claim, it does not allow for the administration, the milling, as well as the overburden and tailings that come from a 20-acre mine. You cannot take 20 acres of overburden rock, move them off of 20 acres and stack them on five acres and put your administration there, put your mill site there, as well as the tailings that are off of this mine.

So I would suggest that this is really a poor interpretation of the current mining practices that have not been challenged even by this administration until this recent Solicitor General's opinion that was put in simply to stop the Crown Jewel mine in Washington State.

For the past practices of this industry, the administration through the Bureau of Land Management has permitted numerous mill site applications per mining claim, not restricting them to numbers but only to five acres in size and increment, so that you could get more than one 5-acre mill site per mining claim. This is necessary because of the current practices of mining. Unlike underground mining which is in my colleague's State of West Virginia here, most of the mining out West is done in open pit style mining where it takes a great deal of overburden, removes that off of the ore deposit and then mines the ore body. It takes a requirement of acreage larger than five acres to put an overburden that comes from a 20-acre mill site.

What we would be doing here in effect by passing this motion to instruct conferees and restricting them to a five-acre limitation would be to effectively and retroactively go back and shut down these mines. I think that is in the wrong direction that we would be taking this industry, and so I would suggest to my colleagues that we oppose this, because there is no real need for this provision.

We are able to go back through the permitting process, through all of the environmental agencies, through all of the agencies that oversee mining and actually look and review the requirements for more than a single five-acre mill site with some of these mines. And in doing that process, we have then protected the environment. We have looked at it from all angles. But to restrict them on an arbitrary basis that you only get five acres is totally unfounded in the science and is supported by this recent publication here that we have in our hands today.

Mr. Speaker, I want to thank the gentleman from Ohio for his leadership in this area. I do rise in opposition to this motion to instruct.

Mr. Speaker, I rise to oppose the Motion to Instruct Conferees on H.R. 2466, the FY 2000

Interior Appropriations Act. This motion will allow the Solicitor of the Department of the Interior to amend the existing mining law without congressional authorization.

In March of this year, the Solicitor at the Department of the Interior reinterpreted a long-standing provision of law and then relied on his new interpretation to stop a proposed gold mine in Washington State.

This proposed mine (Crown Jewel) had gone through a comprehensive environmental review by Federal and State regulators, which was upheld by a federal district court. They had met every environmental standard required and secured over 50 permits. The mine qualified for their Federal permit after spending \$80 million and waiting over 7 years. The local Bureau of Land Management and Forest Service officials informed the mine sponsors that they qualified for the permit and they should come to their office to receive it. It was then that the Solicitor in Washington D.C. intervened and used his novel interpretation of the law to reject the project.

This Motion is cleverly designed to codify this administrative reinterpretation. This interpretation has been implemented without any congressional oversight or rulemaking which would be open to public review and comment. This was a calculated effort to give broad discretion to the Solicitor to stop mining projects that met all environmental standards yet were still opposed by special interest groups. The Motion should be defeated and the Solicitor should be required to seek a congressional change to the law of enter a formal rulemaking giving the impacted parties an opportunity to comment on the change.

If allowed to stand, the Interior Department's ruling will render the Mining Law virtually meaningless and shut down all hard rock mining operations and projects representing thousands of jobs and billions of dollars of investment throughout the West.

This Motion would destroy the domestic mining industry and with the price of gold at a new 30-year low, the second largest industry in Nevada will cease to exist. Pay attention Congress, mining will no longer exist in Nevada.

If the Secretary or his solicitor has problems with the United States mining law then he should take these problems to Congress, to be debated in the light of day, before the American public. Laws are not made by unelected bureaucrats. Bureaucrats administer the laws Congress approves whether or not they agree with those laws. It is the duty of government in a democracy to deal honestly with its citizens and not to cheat them.

As the Wall Street Journal stated, "if the Solicitor's millsite opinion is allowed to stand, investment in the U.S. will be as risky as third world nations." The International Union of Operating Engineers opposed the Rahall amendment on the basis that if passed it will force the continued loss of high paying U.S. direct and indirect blue-collar jobs in every congressional district. The Constitution gives the people control over the laws that govern them by requiring that statutes be affirmed personally by legislators and a president elected by the people.

Majorities in the House and Senate must enact laws and constituents can refuse to reelect a legislator who has voted for a bad law. Many Americans no longer believe that they have a government by and for the people.

They see government unresponsive to their concerns, beyond their control and view regulators as a class apart, serving themselves in the complete guise of serving the public.

When regulators take it upon themselves to legislate through the regulatory process the people lose control over the laws that govern them. No defensible claim can be made that regulators possess superior knowledge of what constitutes the public good. Nor to take it upon themselves to create laws they want because of congressional gridlock—the value laden word for a decision not to make law. The so-called gridlock that the policy elites view as to unconscionable was and is no problem for people who believe in the separation of powers doctrine contained in the Constitution which holds that laws indeed should not be made unless the broad support exists to get those laws through the Article I process of the Constitution, i.e., "All legislative powers herein granted shall be vested in Congress."

Let us debate the merits of the proposal, do not destroy the lives of hundreds of thousands of miners just to appease special interest groups whose entire agenda is to rid our public lands of mining. If you have problems with mining on our public lands come and see me, together we can make positive changes but do not destroy the lives of my constituents today by supporting this Motion!

Without mining none of us would have been able to get to work today, we would not have a house over our heads—because without mining we have nothing. Give our mining families a chance to earn a living, to work to provide the very necessities that you require. Oppose the devastating riders in the Motion to Instruct Conferees and uphold your constitutional oath to your constituents.

Mr. DICKS. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from West Virginia (Mr. RAHALL) who was the author of this amendment to the Interior appropriations bill and who is an expert on this subject here in the House of Representatives.

Mr. RAHALL. Mr. Speaker, I thank the distinguished ranking minority member for yielding me the time and commend him for the motion that he has brought. I support all three points of his motion to instruct but would like to narrow my remarks to the mill site provisions portion of these instructions.

As has been referred to, Mr. Speaker, the House overwhelmingly in a bipartisan vote on July 14 adopted my amendment offered along with the gentleman from Washington (Mr. INSLEE) and the gentleman from Connecticut (Mr. SHAYS) to uphold the Interior Department's lawfully constructed position on the ratio of mill sites which may be located in association with mining claims on western Federal lands. This amendment was adopted 273-151, so a vote today in support of this motion to instruct would be consistent with the vote of last July 14.

This issue is about protecting the American taxpayers and the environment against abuses which occur under that Mining Law of 1872 under which there is overwhelming support for some type of reform. Simply put, if Members

voted "aye" on July 14, they vote "aye" today as well. As for the 151 Members who voted "no" at that time, perhaps they will see the light, have the opportunity to make amends, and today is the opportunity to do the right thing.

We have had debate on this issue during the course of many years. Since our last debate, however, on July 14, new information has come to light. Under a directive that was included in the supplemental appropriation enacted last May, the Interior Department has now completed a report on the number of pending plans of operation and patent applications, which under the Solicitor's opinion, contain a ratio of mill sites to mining claims in excess of legal requirements. The results of this report clearly illustrate that the Solicitor's opinion will not lead to the end of all hard rock mining on western Federal lands as some would have us believe.

In response to the gentleman from Nevada who just said that what we are doing by these instructions is retroactively going back and shutting down mines, that statement is certainly not substantiated by the facts of what I am about to present to the body. There are 338 pending plans of operations affecting BLM, National Forest System and National Park System lands. Three hundred thirty-eight pending plans of operations. Twenty-seven were found to include a ratio of mill sites to mining claims in excess of the legal requirement. Twenty-seven of those 338 would be affected by these instructions. That is only about 8 percent.

Pending patent applications that could be affected, here the Department found that of the 304 grandfathered patent applications, only 20, that is about 7 percent, are estimated to have excess mill sites. It is clear, then, that the vast majority of the hard rock mining industry in this respect has chosen to abide by the legal requirements of the law. The vast majority of the hard rock mining industry abides by the legal requirements of the law. So I find it difficult to believe that the Congress would now penalize this majority of law-abiding operations and award the contrary minority as they relate to the mill site to mining claim ratio by rejecting the Solicitor's opinion.

So let us go along with these instructions, with the vote we had last July 14, an "aye" vote to instruct the conferees to uphold the House position as well as the majority law-abiding portions of the hard rock mining industry.

Mr. DICKS. Mr. Speaker, I yield 4 minutes to the gentleman from Wisconsin (Mr. OBEY), the distinguished ranking member of the Committee on Appropriations.

Mr. OBEY. I thank the gentleman for yielding me this time.

Mr. Speaker, we have many times in this Congress seen committee chairs of authorizing committees complain about the fact that the Committee on Appropriations has added amendment

after amendment to appropriations bills which they feel are legislative amendments rather than appropriating amendments and therefore do not belong on appropriations bills.

Just last week we were treated to the concerns that one chairman of an authorizing committee had on two appropriations bills that were on the floor. Because of that, I find it ironic that in this case what we are trying to do today is to tell the other body that they should strip from the Interior and HUD appropriation bills a whole range of amendments that do not belong on the bill.

Three years ago on the HUD bill, we had a fight over 13 anti-environmental riders that were added to that bill, and it took three votes before we finally were able to strip those off. Now we have well over a dozen major anti-environmental riders added by the other body, if we take the administration's count, and well over that number if we take other outside observers' count.

□ 1730

In many instances the people who have been offering these amendments are authorizing committee chairs who cannot get those amendments added to authorizing legislation and so are now trying to use the appropriations bills as vehicles to accomplish their own ends.

So we see the spectacle of amendments being added to satisfy the mining industry, amendments being added to satisfy the logging industry, amendments are offered to satisfy the grazing interests, and we see amendments being offered to satisfy the oil industry.

The problem is that in each instance those amendments are against the public interests. They may be perfect, a perfect fit with private interests, but they are certainly the antithesis of what we would do if what we were doing is focusing on the public interests; and to me what the gentleman is simply suggesting is that enough is enough, we ought to instruct the conferees to eliminate these nonappropriation provisions. It seems to me, if we do that, we will be protecting the taxpayers' interests as well as the public interest; and once in a while just for the heck of it that is what we ought to be seen as doing.

Mr. REGULA. Mr. Speaker, I yield 3 minutes to the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Speaker, I rise today in opposition to the motion to instruct, specifically on the issues regarding the NEA and the NEH. I will not deal with the issue of mining and the policy issues, but the increase in funding for NEA and NEH. I rise because we just debated an issue similar to this, of course, just a few minutes ago, about a half hour ago I suppose.

And I rose on that occasion to support an amendment that would clearly identify the sense of the Congress about the expenditure of tax money on

an, I guess I will have to say, an art exhibit, although it is certainly hard to qualify it as such, in New York City, in Brooklyn. And the gentleman opposing us on that indicated that he really did not understand the gist of my point, so I am happy to once again stand up here and get a few more minutes, a bit longer time, to say what I want to say about this and explain my concern about it and do so a little slower because I have a little more time to do it. Maybe it will be better understood.

But the fact is that the problem we see both in Brooklyn, the problem with increasing money to the NEA, is endemic to this whole question of whether or not we should be asking taxpayers of the United States to fund any project of art because we are always going to have these kinds of debates because there will always be people who will push the kind of stuff that we are talking about in Brooklyn and will do other kinds of things in order to get the attention of either the Congress or any other appropriating body that is giving money to the arts in order to eliminate any sort of criteria whatsoever in the decision-making process as to what should be publicly funded, because they do not want it, they do not want that kind of restriction. So they are always going to be pushing the envelope and will always be here talking about whether or not it is appropriate.

My point is that I agree that I wish we were not here doing that because I wish we were not appropriating money for the arts, period. It is not the responsibility of the Government to determine what is and what is not art.

We can certainly, and there was a robust debate about what exactly is and is not art in Brooklyn, and I wish we were not here doing it; but as long as we are going to tax Americans for this purpose, as long as we are going to take money out of their pockets and distribute it to individuals, then we are going to be here determining what is what, what is and what is not art, what should be and what should not be funded. And that is why I certainly rise in opposition to any increase whatsoever in appropriations to the NEA, and I certainly would rise, if I had the opportunity, to strike all funding for it for this very reason. It always creates this kind of confrontation, and it should not. We should not be funding it.

Mr. DICKS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Washington (Mr. INSLEE) who has been a leading defender and protector of the environment in Washington State and throughout the country.

Mr. INSLEE. Mr. Speaker, I will speak in strong support of this motion, and I think this motion supports two values that we ought to hold, and the first is the value of respect, respect for the law, and the second value is respect for this House and our interests in protecting the public interests, not the special interests; but first, respect for the law.

We have got to understand that all this motion does is simply say that we are going to respect, we are going to follow, we are going to honor the pre-existing and existent law of the United States of America today. And I would like to refer my colleagues to 30 U.S.C., Section 42, in the language specifically previously adopted by Congress, not by some bureaucrat, not by some middle-level agency official. By the United States Congress the law specifically says that such patents and mining claims on nonadjacent land shall not exceed 5 acres, shall not exceed 5 acres. It is the law today, and we are not amending the law, we are preventing an amendment of law in the appropriations process.

Now it is beyond my imagination when the U.S. Congress says, If you're going to have a place to put your cyanide-laced rock on the public's land, you can only do it, but it won't exceed 5 acres, how folks can turn around and say, Well, sure, you can only do it 5 acres, but you can do it as many times as you want on 5 acres.

That does not wash. We should have respect for the law and pass this amendment.

But secondly, I think there is maybe a more important issue here, and that is respect for this House and this Houses's obligation to protect the general public interest.

As my colleagues know, it has been a sad fact that this other chamber, which we dearly respect, has sent us over anti-environmental riders after anti-environmental riders, and those riders protect the special interests, not the general public interest; and if we ask why there has been such an interest in some of our States in independent politics and reform-minded politics, it is because the other chamber has sent us sometimes fleas on the backs of some of these laws, and we have got to delouse some of these appropriation bills. We ought to start right here with this motion.

We should stand up for our vote and the 273 Members that stood up for the general interest and pass this motion.

Mr. DICKS. Mr. Speaker, I yield myself 15 seconds.

I want to compliment the gentleman from Washington (Mr. INSLEE) for following the Udall rule, that when all else fails, read the statute. The gentleman clearly has done that, and the statute is pretty clear; and I urge the other side to take a look at it at their leisure.

Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. MORAN), a member of our subcommittee, a valued member of our subcommittee.

Mr. MORAN of Virginia. I thank the gentleman from Washington, our very valued ranking member on our subcommittee, and I want to thank the chairman of our Subcommittee on Interior for his very fine work; and I am just up here to support this instruction because I know it is wholly consistent with what our chairman would want, as

would all the enlightened Members of this body. Sometimes the Senate gets away with things, and we just have to try to set them straight.

So I support this because not only would I like to see a little extra money for the National Endowment for the Arts and Humanities, but certainly we ought not allow mining operators to claim at taxpayer expense as much acreage as the operators deem necessary for these waste piles that pose significant environmental problems. So the gentleman from West Virginia (Mr. RAHALL) won that issue on a 273 to 151 vote; we certainly ought to stand firm on it.

But perhaps the most important thing that we could do in conference would be to prevent the Senate from adding any number, a host of anti-environmental riders that they slipped in. They slipped them in without public review, overriding existing environmental protections, limited tribal sovereignty, and imposed unjustified micro-management restrictions on agency activities.

To think that this bill permanently extends expiring grazing permits nationwide on Bureau of Land Management lands without the environmental review required by current law, it delays the forest plans until final planning regulation of the public, thus preventing new science and sustainable forest practices from being incorporated into expiring forest plans.

It has a limitation on tribal self-determination; there is a permanent prohibition on grizzly bear reintroduction on Federal lands in Idaho and Montana that overturns a recent Federal Circuit Court of Appeals decision requiring Federal land management agencies to conduct wildlife surveys before amending land management plans; there is a limitation on the receipt of fair market value for oil from Federal lands; it delays for the fourth time the publication of final rules to establish fair market value.

Mr. Speaker, that alone costs the taxpayers \$68 million, and the Senate just slips it in. There is a limitation on energy efficiency regulations in the Federal Government. These have been praised by everyone, and yet this Senate provision stops us from implementing that Federal energy efficiency regulation. There is delays for the Columbia Basin ecosystem plan, the Columbia River Gorge plan, mineral development in the Mark Twain National Forest that overrides Federal land managers' ability to act responsibly there.

There is a host of environmental riders. They are all anti-environmental riders. None of them should have been slipped in. We would not have allowed them on the House floor; we should not allow them in the conference.

Mr. DICKS. Mr. Speaker, I yield 2 minutes to the gentleman from Maine (Mr. BALDACCI), a very valued Member of this House.

Mr. BALDACCI. Mr. Speaker, I thank the ranking member for yielding me

the time and his leadership on the committee, and in these efforts I request that we do vote yes on the Dicks motion to instruct the Interior conferees.

I would just like to take a moment to underline the importance of the arts and the humanities. There are a lot of parts of America and rural America and rural Maine that cannot afford some of the luxuries in major urban areas and throughout this country, and to have an organization like the National Endowment for the Arts and Humanities to be able to provide resources to rural communities so that he can have an advantage of the arts programs.

Arts education is shown to increase the SAT scores of young people by 50 to 60 points, and what people are finding out, that the arts are not just a side dish or an appetizer; but they are part of the main course and the main course of people throughout this country.

I would like to further underscore the importance of this instruction of conferees as it pertains to mining waste and on Federal lands and also in rejection of these anti-environmental riders that have been put forth.

We must approve this, must approve this now.

Mr. DICKS. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Speaker, I rise in strong support of this motion, and I applaud the gentleman from Washington (Mr. DICKS) for offering it and for his successful efforts here in the House and then keeping the anti-environmental riders out of the House version of this bill.

I would like to speak about one specific rider that would prohibit the past in the Senate, that would prohibit the Department of Interior from implementing new rules to require oil companies to pay market price royalties to the American taxpayer on oil they drill on publicly owned Federal lands. Now they keep two sets of books, one that they pay each other market price, but when it comes to paying the Nation's school teachers, Indian tribes, Land and Water Conservation Fund, they want to pay less. Interior says this costs the American public \$66 million a year, and I say let us let the money that is rightfully due America's schoolchildren and the public school system, let us let them pay the market price and not hurt the schoolchildren and pay themselves more. It is unfair; it is wrong.

Vote against the oil companies and for schoolchildren.

□ 1745

Mr. DICKEY. Mr. Speaker, I yield 2½ minutes to the gentleman from California (Mr. GEORGE MILLER), who has been one of the leaders on environmental issues in the House and a former chairman of the Committee on Resources.

Mr. GEORGE MILLER of California. Mr. Speaker, I thank the gentleman for

yielding me this time and appreciate his bringing this motion to the floor.

Mr. Speaker, we should clearly adopt the House position as reflected in the July vote earlier this year on the Rahall-Shays-Inslee amendment to the bill. House Members voted 273 to 151 in support of the amendment.

Mr. Speaker, those opposed would suggest somehow the solicitor in the Department of Interior simply woke up one day and tried to redefine an 1872 mining law to limit the number of acres that mining operations can claim as waste disposal. Nothing can be further from the truth.

The fact of the matter is that the law and the record on the law is replete with example after example, dealing from 1872 to 1891 to 1903 to 1940 to 1955 to 1960 to 1970 to 1974, time and again, time and again, in the writings of both people from the mining industry, from the government, and from interested parties, time and again the law is very clear on its face that the solicitor in his 1977 analysis is quite correct on mill-site provisions; and, in fact, that they were not to be allowed to be given additional land.

The reason they should not is that is we should not sponsor without very careful consideration the expansion of mill waste. This country is spending hundreds of millions of dollars, and is yet to spend additional hundreds of millions of dollars, cleaning up after the waste product of mines that have been developed across the country.

No longer is this some miner and his pick and shovel and his mule going out across the country. These are some of the biggest earth movers on the face of the earth that move hundreds and hundreds of tons of earth to get a single ounce, a single ounce, of gold. The mining that is done with the cyanide heap leaching must be carefully controlled, and those leach piles are there for the foreseeable future. Before we make a decision that they can simply spread those across all of the claims, this law ought to be upheld and we ought to continue to support the Rahall-Shays-Inslee amendment.

Mr. Speaker, I thank the gentleman for bringing this proposal to the House and ask for strong support of it.

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

Mr. Speaker, I just have one comment: The ranking minority member talked about the Congressional reforms, and I want to compliment Mr. Ivy and Mr. Ferris. I think they have tried to live up to these standards in the administration of their two agencies.

I would say to the gentleman from Maine (Mr. BALDACC), you mentioned about the areas of lesser population, and we did recognize that in these standards, to get grants into the smaller communities across this country.

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

MODIFICATION TO MOTION OFFERED BY MR. DICKS

Mr. DICKS. Mr. Speaker, I ask unanimous consent that the first section number in my motion read "section 335", not "section 336."

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

There was no objection.

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

Mr. Speaker, I want to thank the Members who spoke today. I think this was a spirited debate. I know the chairman and I both want to see us get a bill in a timely way that the President of the United States can sign. That means we are going to deal with these riders.

Mr. Speaker, I understand how strongly people feel about these issues. I have had problems with these in my own State. But I do believe that unless we narrow these dramatically, we are going to have a hard time getting this bill enacted.

I also rise in strong support of the National Endowment of the Arts and Humanities. I believe that they deserve this extra support. By the way, this very controversial project in Brooklyn has not received any funding from the National Endowment for the Arts. The museum has received support on other projects, but one of the things that the chairman, and I supported him on this, insisted on was a very specific description of what the money from the endowment is going to be used for. The money is not being used for this controversial project in New York. That shows that the reforms that we have put into place, in fact, are working.

Mr. UDALL of Colorado. Mr. Speaker, I rise in support of this motion to instruct conferees, and ask unanimous consent to revise and extend my remarks.

By adopting this motion, the House will be giving its conferees a simple instruction—to do the right thing.

It is the right thing to reject the attempt of the other body to use the appropriations process to rewrite the mining laws in a piecemeal and unbalanced way, for the special benefit of certain interests. We do need to revise the 1872 mining law. But we shouldn't do it in a backdoor way that addresses only one aspect of the law and not the larger issues, including the basic question of whether the American people are receiving an adequate return for the development of minerals from our public lands.

It is also the right thing to adequately support the arts and humanities that are so important to the cultural life of our nation.

And it definitely is the right thing to reject attempts to use the appropriations process to undermine the protection of our environment.

So, I urge the adoption of this motion to instruct the conferees.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise to speak on the motion to instruct conferees for the Interior Appropriations Bill. Earlier this summer, I offered my general support of H.R. 2466. H.R. 2466 appropriates a total of \$14.1 billion in FY 2000 for Interior Appropriations. It is an overall fair and balanced

bill and though it falls short of the administration's request it takes care of the national parks, Native Americans, cultural institutions, and museums. This bill is truly about preserving the legacy of this great land for America's children.

However, I want to voice my disappointment in the Appropriations Committee's funding recommendation for the National Endowment for the Arts (NEA) and the National Endowment for Humanities (NEH). I do appreciate the fact that the Committee tagged \$98,000,000 for the National Endowment for the Arts. However, I still find the recommendation insufficient. The Administration requested \$150,000,000, a full \$52,000,000 more than the Appropriations' recommendation. This number is unsatisfactory given the importance of the arts. The NEA remains the single largest source of funding for the nonprofit arts in the United States, and this agency provides quality programs for families and children. Insufficient funding to the NEA results in collateral damage to praiseworthy arts, as well as to theaters such as the Alley Theater in Houston, Texas.

The Committee also underfunds the National Endowment for the Humanities at \$110,700,000. At \$39,300,000 below the Administration's request, the agency cannot continue to support education, research, document and artifact preservation, and public service to the humanities.

We spent much of this afternoon discussing federal funding for art. This debate was a waste of our time and a waste of our taxpayers time. We have a long tradition of support for the arts, beginning in 1817. The very art that adorns the U.S. Capitol came from federal funding. The private sector simply cannot provide adequate funding for our arts endeavor if enough federal funding is not established. Underfunding the arts would result in the loss of programs that have national purposes such as touring theater and dance companies, travelling museum exhibitions, and radio and television productions.

The NEA, in particular, also seeks to provide a new program, Challenge America, that establishes arts education, youth-at-risk programs, and community arts partnerships. Inner-city areas, especially minority groups and their children, would greatly benefit from this program, but the program is based upon the \$150 million Administration request. Art is something that all can enjoy, and by providing adequate federal funding we can increase access to the arts for those who desire it the most.

I will note that the committee justly prioritized the needs of America's national parks, Native Americans, cultural institutions, and museums in this appropriations bill. I am pleased that this bill remains free of the environmental riders, which has plagued this process in the past.

This bill continues the Recreational Fee Demonstration Program allowing public lands to keep 100% of the fees. This will result in over \$400 million of added revenue over the life of the demo program spent at collections sites. This revenue will address maintenance backlogs at several of America's historical locations.

One of America's greatest treasures is its cultural gifts provided to our nation by the diverse American melting pot. This bill begins

continues our efforts at preservation and education by providing \$26 million to the Smithsonian and \$3.5 million to our National Gallery.

In addition Mr. Chairman this bill address America's commitment to the Native American population. American Indian program increases include an additional \$28.7 million for the Office of Special Trustee to begin to fix the long-standing problems with the management of Indian trust funds. It also provides an additional \$13 million for operation of Indian schools and Tribal Community Colleges.

Mr. Chairman, I would like to address my colleagues concerning the Department of Energy's Oil/Gas R&D Program. This program oversees some 600 active research and development projects. Many of these projects are high risk and long range in scope and many are beyond the capabilities of the private sector. Without the government's commitment to sharing the risk it would be impossible for private companies to invest.

This program is the catalyst for the government's partnership with private industry. An investment in Fossil Energy R&D is truly an investment in America's future. This program has become the convenient whipping post when it is clear that this program is necessary to protect America's energy security.

I am also disappointed with the funding of the arts and humanities. I do appreciate the fact that the Committee tagged \$98,000,000 for the National Endowment for the arts. Obviously, this amount of funding is a vast improvement over the \$0 recommended prior to Committee recommendation. However, I still find the recommendation insufficient. The Administration requested \$136,000,000, a full \$38,000,000 more than the Appropriations recommendation. This number is unsatisfactory given the important of the arts. The NEA remains the single largest source of funding for the nonprofit arts in the United States, and this agency provides quality programs for families and children. Insufficient funding to the NEA results in collateral damage to praiseworthy arts, as well as to theaters such as the Alley Theater in Houston, Texas.

The Committee also underfunds the National Endowment for Humanities at \$96,800,000. At \$25,200,000 below the Administration's request, the agency cannot continue to support education, research, document and artifact preservation, and public service to the humanities.

I encourage my colleague to support H.R. 2466 a balanced appropriations bill for America's treasure.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Washington (Mr. DICKS).

The question was taken.

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

The yeas and nays were ordered.

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

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6 p.m. today.

Accordingly (at 5 o'clock and 50 minutes p.m.), the House stood in recess until approximately 6 p.m.)

□ 1800

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PEASE) at 6 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on each motion to suspend the rules and motion to instruct conferees on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order:

House Resolution 181, by the yeas and nays;

H.R. 1451, by the yeas and nays; Motion to instruct conferees on H.R. 2684, by the yeas and nays; and

Motion to instruct conferees on H.R. 2466, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

CONDEMNING KIDNAPPING AND MURDER BY THE REVOLUTIONARY ARMED FORCES OF COLOMBIA (FARC) OF THREE UNITED STATES CITIZENS

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, House Resolution 181.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nebraska (Mr. BE-REUTER) that the House suspend the rules and agree to the resolution, House Resolution 181, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 413, nays 0, not voting 20, as follows:

[Roll No. 470]

YEAS—413

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armev
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia

Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Berreuter
Berry
Biggert
Bilbray
Bilirakis

Bishop
Blagojevich
Blunt
Boehert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)

Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deusch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Evans
Everett
Ewing
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodling
Gordon
Goss
Graham
Granger

Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchev
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
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
McDermott
McGovern

McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
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
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascarell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg

Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump

NOT VOTING—20

Berkley
Berman
Bliley
Blumenauer
Brown (FL)
Chenoweth-Hage
Doyle

□ 1823

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. FOWLER. Mr. Speaker, on rollcall No. 470, I missed the vote due to medical reasons. Had I been present, I would have voted "yes."

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PEASE). Pursuant to clause 8 of rule XX, the Chair announces that it will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on each additional motion on which the Chair has postponed further proceedings.

ABRAHAM LINCOLN BICENTENNIAL COMMISSION ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 1451, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Illinois (Mrs. BIGGERT) that the House suspend the rules and pass the bill, H.R. 1451, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 411, nays 2, not voting 20, as follows:

[Roll No. 471]
YEAS—411

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Army
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Blunt
Boehler
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell

Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Routkema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryan (KS)
Sabo
Salmon
Sanders
Sandlin
Sawyer
Saxton
Schaffer

Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadeegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Rush
Ryan (WI)
Ryan (KS)
Sabo
Salmon
Sanders
Sandlin
Sawyer
Saxton
Schaffer

Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Trafigant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walsh
Walden
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—2

Paul
Sanford

NOT VOTING—20

Berkley
Berman
Bliley
Blumenauer
Brown (FL)
Calvert
Chenoweth-Hage

Doyle
Etheridge
Farr
Fowler
Kennedy
McKinney
Meeks (NY)

Neal
Sanchez
Scarborough
Talent
Taylor (NC)
Towns

□ 1832

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. FOWLER. Mr. Speaker, on rollcall No. 471, I missed the vote due to medical reasons. Had I been present, I would have voted "yes."

PERSONAL EXPLANATION

Mr. KENNEDY of Rhode Island. Mr. Speaker, on rollcalls No. 470 and 471, I was unavoidably detained. Had I been present, I would have voted "yea."

APPOINTMENT OF CONFEREES ON H.R. 2684, DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2000

MOTION TO INSTRUCT CONFEREES OFFERED BY MR. MOLLOHAN

The SPEAKER pro tempore (Mr. PEASE). The pending business is the question of agreeing to the motion to instruct on the bill (H.R. 2684) making

appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2000, and for other purposes, offered by the gentleman from West Virginia (Mr. MOLLOHAN), on which the yeas and nays were ordered.

The Clerk read the title of the bill. The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from West Virginia (Mr. MOLLOHAN).

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 306, nays 113, not voting 14, as follows:

[Roll No. 472]
YEAS—306

Abercrombie	Edwards	Kind (WI)
Ackerman	Ehlers	Klecicka
Aderholt	Emerson	Klink
Allen	Engel	Knollenberg
Andrews	English	Kolbe
Bachus	Eshoo	Kucinich
Baird	Evans	Kuykendall
Baker	Everett	LaFalce
Baldacci	Ewing	Lampson
Baldwin	Fattah	Lantos
Ballenger	Filner	Larson
Barcia	Fletcher	LaTourette
Barrett (WI)	Foley	Lazio
Bartlett	Forbes	Leach
Bass	Ford	Lee
Bateman	Fowler	Levin
Becerra	Frank (MA)	Lewis (CA)
Bentsen	Franks (NJ)	Lewis (GA)
Bereuter	Frelinghuysen	Lewis (KY)
Berkley	Frost	Lipinski
Berry	Galleghy	LoBiondo
Biggert	Ganske	Lofgren
Bilbray	Gejdenson	Lowe
Bishop	Gekas	Lucas (KY)
Blagojevich	Gephardt	Lucas (OK)
Blunt	Gibbons	Luther
Boehlert	Gilchrest	Maloney (CT)
Bonior	Gillmor	Maloney (NY)
Bono	Gilman	Markey
Borski	Gonzalez	Martinez
Boswell	Gordon	Mascara
Boucher	Goss	Matsui
Boyd	Graham	McCarthy (MO)
Brady (PA)	Granger	McCarthy (NY)
Brady (TX)	Green (TX)	McColum
Brown (OH)	Greenwood	McCrery
Callahan	Gutierrez	McDermott
Calvert	Hall (OH)	McGovern
Canady	Hall (TX)	McHugh
Capps	Hansen	McIntyre
Capuano	Hastings (FL)	McNulty
Cardin	Hastings (WA)	Meehan
Carson	Hayworth	Meek (FL)
Clay	Herger	Menendez
Clayton	Hilliard	Millender-
Clement	Hinchee	McDonald
Clyburn	Hinojosa	Miller, Gary
Conyers	Hobson	Miller, George
Cook	Hoefel	Minge
Cooksey	Holden	Mink
Costello	Holt	Moakley
Coyne	Hoolley	Mollohan
Cramer	Horn	Moore
Crowley	Houghton	Moran (VA)
Cummings	Hoyer	Morella
Danner	Inslee	Murtha
Davis (FL)	Isakson	Nadler
Davis (IL)	Jackson (IL)	Napolitano
Davis (VA)	Jackson-Lee	Nethercutt
Deal	(TX)	Ney
DeFazio	Jefferson	Northup
DeGette	Jenkins	Norwood
Delahunt	John	Oberstar
DeLauro	Johnson (CT)	Obey
Deutsch	Johnson, E. B.	Olver
Diaz-Balart	Jones (OH)	Ortiz
Dicks	Kanjorski	Owens
Dingell	Kaptur	Pallone
Dixon	Kelly	Pascrell
Doggett	Kennedy	Pastor
Dooley	Kildee	Payne
Dreier	Kilpatrick	Pelosi

Peterson (PA)	Phelps	Shakowsky	Thurman
Pickering	Pickett	Scott	Tierney
Pomeroy	Porter	Sensenbrenner	Trafficant
Portman	Price (NC)	Serrano	Udall (CO)
Quinn	Rahall	Shaw	Udall (NM)
Rangel	Regula	Sherman	Velázquez
Reyes	Reynolds	Shows	Vento
Riley	Rivers	Sisisky	Visclosky
Rodriguez	Rogan	Skeen	Walsh
Rogers	Ros-Lehtinen	Skelton	Wamp
Ros-Lehtinen	Rothman	Slaughter	Waters
Rothman	Roukema	Smith (MI)	Watkins
Roybal-Allard	Rush	Smith (NJ)	Watt (NC)
Sabo	Salmon	Smith (TX)	Watts (OK)
Salmon	Sanchez	Smith (WA)	Waxman
Sanchez	Sanders	Snyder	Weiner
Sandlin	Sandlin	Spence	Weldon (FL)
Sawyer	Saxton	Spratt	Weldon (PA)
Saxton		Stabenow	Weller
		Stark	Wexler
		Stenholm	Weygand
		Strickland	Whitfield
		Stump	Wicker
		Stupak	Wilson
		Talent	Wise
		Tanner	Wolf
		Tauscher	Woolsey
		Taylor (MS)	Wu
		Thomas	Wynn
		Thompson (CA)	Young (AK)
		Thompson (MS)	

NAYS—113

Archer	Green (WI)
Armey	Gutknecht
Barr	Hayes
Barrett (NE)	Hefley
Barton	Hill (IN)
Bilirakis	Hill (MT)
Boehner	Hilleary
Bonilla	Hoekstra
Bryant	Hostettler
Lee	Hulshof
Burr	Hunter
Burton	Hutchinson
Buyer	Hyde
Camp	Istook
Campbell	Cannon
Cann	Johnson, Sam
Castle	Jones (NC)
Chabot	Kasich
Chambliss	King (NY)
Coble	Kingston
Coburn	LaHood
Collins	Largent
Combest	Latham
Condit	Linder
Cox	Manzullo
Crane	McInnis
Cubin	McIntosh
Cunningham	McKeon
DeLay	Metcalfe
DeMint	Mica
Dickey	Miller (FL)
Doolittle	Moran (KS)
Duignan	Myrick
Dunn	Nussle
Ehrlich	Ose
Fossella	Oxley
Goode	Packard
Goodlatte	Paul
Goodling	Pease

NOT VOTING—14

Berman	Doyle	Neal
Bliley	Etheridge	Scarborough
Blumenauer	Farr	Taylor (NC)
Brown (FL)	McKinney	Towns
Chenoweth-Hage	Meeks (NY)	

□ 1841

Messrs. KASICH, PACKARD, and BARTON of Texas changed their vote from “yea” to “nay.”

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. WALSH, DELAY, HOBSON, KNOLLENBERG, FRELINGHUYSEN, WICKER, Mrs. NORTHUP, Messrs. SUNUNU, YOUNG of Florida, and MOLLOHAN, Ms. KAPTUR,

Mrs. MEEK of Florida, and Messrs. PRICE of North Carolina, CRAMER and OBEY.

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 2466, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

MOTION TO INSTRUCT OFFERED BY MR. DICKS

The SPEAKER pro tempore. The pending business is the question of agreeing to the motion to instruct on the bill (H.R. 2466) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, offered by the gentleman from Washington (Mr. DICKS), on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Washington (Mr. DICKS).

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 218, nays 199, not voting 16, as follows:

[Roll No. 473]
YEAS—218

Abercrombie	Evans	Lazio
Ackerman	Fattah	Leach
Allen	Filner	Lee
Andrews	Foley	Levin
Baird	Forbes	Lewis (GA)
Baldacci	Ford	Lipinski
Baldwin	Fowler	LoBiondo
Barcia	Frank (MA)	Lofgren
Barrett (WI)	Franks (NJ)	Lowe
Bass	Frelinghuysen	Luther
Becerra	Frost	Maloney (CT)
Bentsen	Gejdenson	Maloney (NY)
Berkley	Gephardt	Markey
Biggert	Gilman	Martinez
Bilbray	Gonzalez	Mascara
Bishop	Gordon	Matsui
Blagojevich	Green (TX)	McCarthy (MO)
Boehlert	Greenwood	McCarthy (NY)
Bonior	Gutierrez	McDermott
Borski	Hall (OH)	McGovern
Boswell	Hastings (FL)	McHugh
Boucher	Hill (IN)	McIntyre
Boyd	Hilliard	McNulty
Brady (PA)	Hinchee	Meehan
Brown (OH)	Hinojosa	Meek (FL)
Capps	Hoefel	Menendez
Capuano	Holden	Millender-
Cardin	Holt	McDonald
Carson	Hoolley	Miller, George
Castle	Horn	Minge
Clay	Houghton	Mink
Clayton	Hoyer	Moakley
Clement	Inslee	Mollohan
Clyburn	Jackson (IL)	Moore
Conyers	Jackson-Lee	Moran (VA)
Costello	(TX)	Morella
Coyne	Jefferson	Murtha
Cramer	Johnson (CT)	Nadler
Crowley	Johnson, E. B.	Napolitano
Cummings	Jones (OH)	Oberstar
Danner	Kanjorski	Obey
Davis (FL)	Kaptur	Olver
Davis (IL)	Kelly	Ortiz
Davis (VA)	Kennedy	Owens
DeFazio	Kildee	Pallone
DeGette	Kilpatrick	Pascrell
Delahunt	Kind (WI)	Pastor
DeLauro	Klecicka	Payne
Deutsch	Klink	Pelosi
Dicks	Kucinich	Peterson (MN)
Dixon	Kuykendall	Phelps
Doggett	LaFalce	Pickett
Dooley	LaHood	Pomeroy
Edwards	Lampson	Porter
Engel	Lantos	Price (NC)
Eshoo	Larson	Quinn

Rahall	Shays	Udall (NM)
Ramstad	Sherman	Upton
Rangel	Sisisky	Velazquez
Reyes	Slaughter	Vento
Rivers	Smith (NJ)	Visclosky
Rodriguez	Smith (WA)	Waters
Roemer		Watt (NC)
Rothman	Spratt	Waxman
Roukema	Stabenow	Weiner
Roybal-Allard	Stark	Wexler
Rush	Strickland	Weygand
Sabo	Stupak	Wise
Sanchez	Tauscher	Wolf
Sanders	Thompson (CA)	Woolsey
Sawyer	Thompson (MS)	Wu
Schakowsky	Thurman	Wynn
Scott	Tierney	
Serrano	Udall (CO)	

NAYS—199

Aderholt	Goodling	Portman
Archer	Goss	Pryce (OH)
Armey	Graham	Radanovich
Bachus	Granger	Regula
Baker	Green (WI)	Reynolds
Ballenger	Gutknecht	Riley
Barr	Hall (TX)	Rogan
Barrett (NE)	Hansen	Rogers
Bartlett	Hastings (WA)	Rohrabacher
Barton	Hayes	Ros-Lehtinen
Bateman	Hayworth	Royce
Bereuter	Hefley	Ryan (WI)
Berry	Herger	Ryun (KS)
Bilirakis	Hill (MT)	Salmon
Blunt	Hilleary	Sandlin
Boehner	Hobson	Sanford
Bonilla	Hoekstra	Saxton
Bono	Hostettler	Schaffer
Brady (TX)	Hulshof	Sensenbrenner
Bryant	Hunter	Sessions
Burr	Hutchinson	Shadegg
Burton	Hyde	Shaw
Buyer	Isakson	Sherwood
Callahan	Istook	Shimkus
Calvert	Jenkins	Shows
Camp	John	Shuster
Campbell	Johnson, Sam	Simpson
Canady	Jones (NC)	Skeen
Cannon	Kasich	Skelton
Chabot	King (NY)	Smith (MI)
Chambliss	Kingston	Smith (TX)
Coble	Knollenberg	Souder
Coburn	Kolbe	Spence
Collins	Largent	Stearns
Combest	Latham	Stenholm
Condit	LaTourette	Stump
Cook	Lewis (CA)	Sununu
Cooksey	Lewis (KY)	Sweeney
Cox	Linder	Talent
Crane	Lucas (KY)	Tancredo
Cubin	Lucas (OK)	Tanner
Cunningham	Manzullo	Tauzin
Deal	McCollum	Taylor (MS)
DeLay	McCrery	Terry
DeMint	McInnis	Thomas
Diaz-Balart	McIntosh	Thornberry
Dickey	McKeon	Thune
Doolittle	Metcalf	Tiahrt
Dreier	Mica	Toomey
Duncan	Miller (FL)	Traficant
Dunn	Miller, Gary	Turner
Ehlers	Moran (KS)	Vitter
Ehrlich	Myrick	Walden
Emerson	Nethercutt	Walsh
English	Ney	Wamp
Everett	Northup	Watkins
Ewing	Norwood	Watts (OK)
Fletcher	Nussle	Weldon (FL)
Fossella	Ose	Weldon (PA)
Gallely	Packard	Weller
Ganske	Paul	Whitfield
Gekas	Pease	Wicker
Gibbons	Peterson (PA)	Wilson
Gilchrest	Petri	Young (AK)
Gillmor	Pickering	Young (FL)
Goode	Pitts	
Goodlatte	Pombo	

NOT VOTING—16

Berman	Doyle	Oxley
Bliley	Etheridge	Scarborough
Blumenauer	Farr	Taylor (NC)
Brown (FL)	McKinney	Towns
Chenoweth-Hage	Meeks (NY)	
Dingell	Neal	

□ 1850

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore (Mr. PEASE). Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 6 o'clock and 50 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 2015

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PEASE) at 8 o'clock and 15 minutes p.m.

APPOINTMENT OF CONFEREES ON H.R. 2466, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

Messrs. REGULA, KOLBE, SKEEN, TAYLOR of North Carolina, NETHERCUTT, WAMP, KINGSTON, PETERSON of Pennsylvania, YOUNG of Florida, DICKS, MURTHA, MORAN of Virginia, CRAMER, HINCHEY, and Mr. OBEY.

There was no objection.

APPOINTMENT AS MEMBERS OF BOARD OF DIRECTORS OF OFFICE OF COMPLIANCE

The SPEAKER pro tempore. Without objection, and pursuant to Section 301 of Public Law 104-1, the Chair announces on behalf of the Speaker and Minority Leader of the House of Representatives and the majority and minority leaders of the United States Senate their joint appointment of each of the following individuals to a 5-year term to the board of directors to the Office of Compliance:

Mr. Alan V. Friedman, California;
Ms. Susan S. Robfogel, New York;
Ms. Barbara Childs Wallace, Mississippi.

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agrees to the report of the Committee of Conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2084) "An Act making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2000, and for other purposes."

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of Jan-

uary 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. LIPINSKI) is recognized for 5 minutes.

(Mr. LIPINSKI addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

LOCAL ACCESS TO SATELLITE RECEPTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado (Mr. MCINNIS) is recognized for 5 minutes.

Mr. MCINNIS. Mr. Speaker, as my colleagues know, my district is a rural district in the State of Colorado, the Third Congressional District of Colorado. That congressional district actually is geographically larger than the State of Florida.

I can tell my colleagues, it is very important out there in the rural areas of Colorado, as it is through most of the rural areas in the United States, that we have TV reception. We have become very dependent of late upon satellite reception. As many of my colleagues know, for the last 11 or so years, local access has been banned through satellite.

Well, we are about to change that. We passed a bill out of the House. The Senate has passed a bill. I have good news tonight for those of my colleagues who have constituents who use satellite service for local access. Things are about to change.

The conference committee I think is making good progress. I hope that, in the next 3 to 4 weeks, the satellite users, including many of my constituents in the State of Colorado, will once again have an opportunity for local access.

EXHIBIT AT BROOKLYN MUSEUM OF ART

Mr. MCINNIS. The second point I wish to address this evening, Mr. Speaker, is the art exhibit in New York City, the Brooklyn Art Museum. I made some comments about that last week. I am amazed how over the weekend the media has been very successful in tying the exhibit, and I will tell my colleagues exactly what it is, a portrait of the Virgin Mary with crap thrown all over it, to be quite blunt with you. They have made this controversy in New York City as if it is a controversy between the freedom of speech under the Constitutional amendment and people who were offended by the art.

That is not the controversy at all. The controversy in New York City in that museum is that the taxpayers of the United States of America are being asked to pay for this art exhibit at the Brooklyn Museum.

Now, do my colleagues think it is appropriate for someone who is a taxpayer, who is a hard-working American, who is a Catholic to go out and take their taxpayer money to pay for a portrait to be exhibited of the Virgin Mary with crap thrown all over it? Of course it is not. It is as offensive to the Catholics as it is displaying a Nazi symbol by taxpayer dollars would be to the Jewish community, or as it would be of putting a portrait of Martin Luther King with crap thrown all over it to the black community.

It is out of place. It is unjustified. And it is totally, totally inappropriate for the use of taxpayers' dollars for that kind of art.

Now, that is not an issue of the first amendment. Nobody has said that they cannot display that type of art, although, frankly, I think they are somewhat sick in the mind when they do. But no one has said that they are banned from displaying that type of art.

Instead, what we have said is they should not use taxpayers' dollars to fund that kind of art. This museum, with a great deal of pride, had their first showing this weekend; and today they announced with great excitement, and I hope it makes my liberal Democrats happy, they announced with great excitement how successful that show is.

Well, in their hearts, they know it is wrong. They know it is wrong to do what they have done with taxpayer dollars. And in the end, we will win. We will keep the rights under the First Amendment and we will disallow taxpayer dollars from being used for that kind of art exhibit in New York City.

I hope my colleagues reconsider, but I know that their egos probably will not. So I hope that all my colleagues and their constituents remember that they do not have to and they should not be forced to pay with taxpayer dollars an art exhibit such as the one displaying the Virgin Mary with crap thrown all over it. Our country is greater than that, and our country stands for a lot more than that.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 764, CHILD ABUSE PREVENTION AND ENFORCEMENT ACT OF 1999

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 106-363) on the resolution (H. Res. 321) providing for consideration of the bill (H.R. 764) to reduce the incidence of child abuse and neglect, and for other purposes, which was referred to the House Calendar and ordered to be printed.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WATERS) is recognized for 5 minutes.

(Ms. WATERS addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

COMMUNICATION FROM THE COMMITTEE ON THE BUDGET: REVISIONS TO ALLOCATION FOR HOUSE COMMITTEE ON APPROPRIATIONS PURSUANT TO HOUSE REPORT 106-288

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. KASICH) is recognized for 5 minutes.

Mr. KASICH. Mr. Speaker, pursuant to Sec. 314 of the Congressional Budget Act, I hereby submit for printing in the CONGRESSIONAL RECORD revisions to the allocation for the House Committee on Appropriations pursuant to House Report 106-288 to reflect \$8,699,000,000 in additional new budget authority and \$8,282,000,000 in additional outlays for emergencies. This will increase the allocation to the House Committee on Appropriations to \$551,899,000,000 in budget authority and \$590,760,000,000 in outlays for fiscal year 2000.

As reported to the House, H.R. 1906, the conference report accompanying the bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for fiscal year 2000, includes \$8,699,000,000 in budget authority and \$8,282,000,000 in outlays for emergencies.

These adjustments shall apply while the legislation is under consideration and shall take effect upon final enactment of the legislation.

Questions may be directed to Art Sauer or Jim Bates at x6-7270.

HEALTH CARE REFORM: TREAT THE CAUSE, NOT THE SYMPTOM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

Mr. PAUL. Mr. Speaker, as an M.D. I know that when I advise on medical legislation that I may be tempted to allow my emotional experience as a physician to influence my views. But, nevertheless, I am acting the role as legislator and politician.

The M.D. degree grants no wisdom as to the correct solution to our managed-care mess. The most efficient manner to deliver medical services, as it is with all goods and services, is determined by the degree the market is allowed to operate. Economic principles determine efficiencies of markets, even the medical care market, not our emotional experiences dealing with managed care.

Contrary to the claims of many advocates of increased government regulation of health care, the problems with the health care system do not represent market failure. Rather, they represent the failure of government policies which have destroyed the health care market.

In today's system, it appears on the surface that the interest of the patient is in conflict with the rights of the insurance companies and the Health Maintenance Organizations. In a free market, this cannot happen. Everyone's rights are equal and agreements on delivering services of any kind are

entered into voluntarily, thus satisfying both sides.

Only true competition assures that the consumer gets the best deal at the best price possible by putting pressure on the providers. Once one side is given a legislative advantage in an artificial system, as it is in managed care, trying to balance government-dictated advantages between patient and HMOs is impossible. The differences cannot be reconciled by more government mandates, which will only make the problem worse. Because we are trying to patch up an unworkable system, the impasse in Congress should not be a surprise.

No one can take a back seat to me regarding the disdain I hold for the HMO's role in managed care. This entire unnecessary level of corporatism that rakes off profits and undermines care is a creature of government interference in health care. These non-market institutions and government could have only gained control over medical care through a collusion through organized medicine, politicians, and the HMO profiteers in an effort to provide universal health care. No one suggests that we should have universal food, housing, TV, computer and automobile programs; and yet, many of the poor do much better getting these services through the marketplace as prices are driven down through competition.

We all should become suspicious when it is declared we need a new Bill of Rights, such as a taxpayers' bill of rights, or now a patients' bill of rights. Why do more Members not ask why the original Bill of Rights is not adequate in protecting all rights and enabling the market to provide all services? If over the last 50 years we had had a lot more respect for property rights, voluntary contracts, State jurisdiction, and respect for free markets, we would not have the mess we are facing today in providing medical care.

The power of special interests influencing government policy has brought us to this managed-care monster. If we pursued a course of more government management in an effort to balance things, we are destined to make the system much worse. If government mismanagement in an area that the Government should not be managing at all is the problem, another level of bureaucracy, no matter how well intended, cannot be helpful. The law of unintended consequences will prevail and the principle of government control over providing a service will be further entrenched in the Nation's psyche. The choice in actuality is government-provided medical care and its inevitable mismanagement or medical care provided by a market economy.

Partial government involvement is not possible. It inevitably leads to total government control. Plans for all the so-called patients' bill of rights are 100 percent endorsement of a principle of government management and will greatly expand government involvement even if the intention is to limit government management of the health

care system to the extent necessary to curtail the abuses of the HMO.

The patients' bill of rights concept is based on the same principles that have given us the mess we have today. Doctors are unhappy. HMOs are being attacked for the wrong reasons. And the patients have become a political football over which all sides demagogue.

The problems started early on when the medical profession, combined with the tax code provisions making it more advantageous for individuals to obtain first-dollar health care coverage from third parties rather than pay for health care services out of their own pockets, influenced the insurance industry into paying for medical services instead of sticking with the insurance principle of paying for major illnesses and accidents for which actuarial estimates could be made.

A younger, healthier and growing population was easily able to afford the fees required to generously care for the sick. Doctors, patients and insurance companies all loved the benefits until the generous third-party payment system was discovered to be closer to a Ponzi scheme than true insurance. The elderly started living longer, and medical care became more sophisticated, demands increased because benefits were generous and insurance costs were moderate until the demographics changed with fewer young people working to accommodate a growing elderly population—just as we see the problem developing with Social Security. At the same time governments at all levels became much more involved in mandating health care for more and more groups.

Even with the distortions introduced by the tax code, the markets could have still sorted this all out, but in the 1960s government entered the process and applied post office principles to the delivery of medical care with predictable results. The more the government got involved the greater the distortion. Initially there was little resistance since payments were generous and services were rarely restricted. Doctors like being paid adequately for services than in the past were done at discount or for free. Medical centers, always willing to receive charity patients for teaching purposes in the past liked this newfound largesse by being paid by the government for their services. This in itself added huge costs to the nation's medical bill and the incentive for patients to economize was eroded. Stories of emergency room abuse are notorious since "no one can be turned away."

Artificial and generous payments of any service, especially medical, produces a well-known cycle. The increased benefits at little or no cost to the patient leads to an increase in demand and removes the incentive to economize. Higher demands raises prices for doctor fees, labs, and hospitals; and as long as the payments are high the patients and doctors don't complain. Then it is discovered the insurance companies, HMOs, and government can't afford to pay the bills and demand price controls. Thus, third-party payments leads to rationing of care; limiting choice of doctors, deciding on lab tests, length of stay in the hospital, and choosing the particular disease and conditions that can be treated as HMOs and the government, who are the payers, start making key medical decisions. Because

HMOs make mistakes and their budgets are limited however, doesn't justify introducing the notion that politicians are better able to make these decisions than the HMOs. Forcing HMOs and insurance companies to do as the politicians say regardless of the insurance policy agreed upon will lead to higher costs, less availability of services and calls for another round of government intervention.

For anyone understanding economics, the results are predictable: Quality of medical care will decline, services will be hard to find, and the three groups, patients, doctors and HMOs will blame each other for the problems, pitting patients against HMOs and government, doctors against the HMOs, the HMOs against the patient, the HMOs against the doctor and the result will be the destruction of the cherished doctor-patient relationship. That's where we are today and unless we recognize the nature of the problem Congress will make things worse. More government meddling surely will not help.

Of course, in a truly free market, HMOs and pre-paid care could and would exist—there would be no prohibition against it. The Kaiser system was not exactly a creature of the government as is the current unnatural HMO-government-created chaos we have today. The current HMO mess is a result of our government interference through the ERISA laws, tax laws, labor laws, and the incentive by many in this country to socialize medicine "American style", that is the inclusion of a corporate level of management to rake off profits while draining care from the patients. The more government assumed the role of paying for services the more pressure there has been to managed care.

The contest now, unfortunately, is not between free market health care and nationalized health care but rather between those who believe they speak for the patient and those believing they must protect the rights of corporations to manage their affairs as prudently as possible. Since the system is artificial there is no right side of this argument and only political forces between the special interests are at work. This is the fundamental reason why a resolution that is fair to both sides has been so difficult. Only the free market protects the rights of all persons involved and it is only this system that can provide the best care for the greatest number. Equality in medical care services can be achieved only by lowering standards for everyone. Veterans hospital and Medicaid patients have notoriously suffered from poor care compared to private patients, yet, rather than debating introducing consumer control and competition into those programs, we're debating how fast to move toward a system where the quality of medicine for everyone will be achieved at the lowest standards.

Since the problem with our medical system has not been correctly identified in Washington the odds of any benefits coming from the current debates are remote. It looks like we will make things worse by politicians believing they can manage care better than the HMO's when both sides are incapable of such a feat.

Excessive litigation has significantly contributed to the ongoing medical care crisis. Greedy trial lawyers are certainly part of problem but there is more to it than that. Our legislative bodies throughout the country are greatly influenced by trial lawyers and this has been significant. But nevertheless people do

sue, and juries make awards that qualify as "cruel and unusual punishment" for some who were barely involved in the care of the patient now suing. The welfare ethic of "something for nothing" developed over the past 30 to 40 years has played a role in this serious problem. This has allowed judges and juries to sympathize with unfortunate outcomes, not related to malpractice and to place the responsibility on those most able to pay rather than on the ones most responsible. This distorted view of dispensing justice must someday be addressed or it will continue to contribute to the deterioration of medical care. Difficult medical cases will not be undertaken if outcome is the only determining factor in deciding lawsuits. Federal legislation prohibiting state tort law reform cannot be the answer. Certainly contractual arrangements between patients and doctors allowing specified damage clauses and agreeing on arbitration panels would be a big help. State-level "loser pays" laws, which discourage frivolous and nuisance lawsuits, would also be a help.

In addition to a welfare mentality many have developed a lottery jackpot mentality and hope for a big win through a "lucky" lawsuit. Fraudulent lawsuits against insurance companies now are an epidemic, with individuals feigning injuries in order to receive compensation. To find moral solutions to our problems in a nation devoid of moral standards is difficult. But the litigation epidemic could be ended if we accepted the principle of the right of contract. Doctors and hospitals could sign agreements with patients to settle complaints before they happen. Limits could be set and arbitration boards could be agreed upon prior to the fact. Limiting liability to actual negligence was once automatically accepted by our society and only recently has this changed to receiving huge awards for pain and suffering, emotional distress and huge punitive damages unrelated to actual malpractice or negligence. Legalizing contracts between patients and doctors and hospitals would be a big help in keeping down the defensive medical costs that fuel the legal cost of medical care.

Because the market in medicine has been grossly distorted by government and artificially managed care, it is the only industry where computer technology adds to the cost of the service instead of lowering it as it does in every other industry. Managed care cannot work. Government management of the computer industry was not required to produce great services at great prices for the masses of people. Whether it is services in the computer industry or health care all services are best delivered in the economy ruled by market forces, voluntary contracts and the absence of government interference.

Mixing the concept of rights with the delivery of services is dangerous. The whole notion that patient's "rights" can be enhanced by more edicts by the federal government is preposterous. Providing free medication to one segment of the population for political gain without mentioning the cost is passed on to another segment is dishonest. Besides, it only compounds the problem, further separating medical services from any market force and yielding to the force of the tax man and the bureaucrat. No place in history have we seen medical care standards improve with nationalizing its delivery system. Yet, the only debate here in Washington is how fast should we proceed with the government takeover. People

have no more right to medical care than they have a right to steal your car because they are in need of it. If there was no evidence that freedom did not enhance everyone's well being I could understand the desire to help others through coercive means. But delivering medical care through government coercion means not only diminishing the quality of care, it undermines the principles of liberty. Fortunately, a system that strives to provide maximum freedom for its citizens, also supports the highest achievable standard of living for the greatest number, and that includes the best medical care.

Instead of the continual demagoguery of the issue for political benefits on both sides of the debate, we ought to consider getting rid of the laws that created this medical management crisis.

The ERISA law requiring businesses to provide particular programs for their employees should be repealed. The tax codes should give equal tax treatment to everyone whether working for a large corporation, small business, or is self employed. Standards should be set by insurance companies, doctors, patients, and HMOs working out differences through voluntary contracts. For years it was known that some insurance policies excluded certain care and this was known up front and was considered an acceptable provision since it allowed certain patients to receive discounts. The federal government should defer to state governments to deal with the litigation crisis and the need for contract legislation between patients and medical providers. Health care providers should be free to combine their efforts to negotiate effectively with HMOs and insurance companies without running afoul of federal anti-trust laws—or being subject to regulation by the National Labor Relations Board (NLRB). Congress should also remove all federally-imposed roadblocks to making pharmaceuticals available to physicians and patients. Government regulations are a major reason why many Americans find it difficult to afford prescription medicines. It is time to end the days when Americans suffer because the Food and Drug Administration (FDA) prevented them from getting access to medicines that were available and affordable in other parts of the world!

The most important thing Congress can do is to get market forces operating immediately by making Medical Savings Accounts (MSAs) generously available to everyone desiring one. Patient motivation to save and shop would be a major force to reduce cost, as physicians would once again negotiate fees downward with patients—unlike today where the government reimbursement is never too high and hospital and MD bills are always at maximum levels allowed. MSAs would help satisfy the American's people's desire to control their own health care and provide incentives for consumers to take more responsibility for their care.

There is nothing wrong with charity hospitals and possibly the churches once again providing care for the needy rather than through government paid programs which only maximizes costs. States can continue to introduce competition by allowing various trained individuals to provide the services that once were only provided by licensed MDs. We don't have to continue down the path of socialized medical care, especially in America where free markets have provided so much for so many.

We should have more faith in freedom and more fear of the politician and bureaucrat who think all can be made well by simply passing a Patient's Bill of Rights.

□ 2030

CONGRATULATIONS TO HOUSTON ASTROS AS THEY BID FAREWELL TO THE ASTRODOME, THE EIGHTH WONDER OF THE WORLD

The SPEAKER pro tempore (Mr. PEASE). Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, we have very serious matters to attend to in the United States Congress, but I thought with all the joy that we experienced in Texas in the Eighth Wonder of the World yesterday, the Astrodome in Houston, Texas, that I wanted to share the excitement, the history with my colleagues.

I want to pay special tribute to the Astros team that overcame all kinds of injuries and trials and tribulations to win their division. Then I would like to pay tribute to Larry Dierker who suffered a debilitating illness early on in the season, yet he came back to lead his team to victory and I might say, this might be the year that the Astros go straight on into the World Series.

This is the final sunset on the Astrodome. Born in 1965, noted as the Eighth Wonder of the World, the largest indoor stadium. We call it the "mosquito-ridden-free" stadium in Houston, Texas. No sun, no heat, no rain, but good baseball and good fun. We have enjoyed the 35 years that we have had the pleasure to utilize the Astrodome and all of the hard workers who have made the pleasure of the fans their first priority.

We appreciate Drayton McLane who came in and bought the Astros and made sure that they stayed in Houston. I want to say to all the old-timers, though I will not call them that, those who had season tickets for 35 years, we thank you, too, for you were committed, you were loyal, and you were strong. Through the ups and downs of our Astros, you stood fast. All the joy that was given to the young people, the children who would come to the baseball game and enjoy the time with their parents.

Baseball tickets traditionally have been the most reasonable tickets of all sports in America. It is America's pastime, yes, along with so many other sports like basketball and soccer now and football, but one thing about baseball, you could always see family members coming together with their young children. I am reminded of the time that I would go with my aunt and uncle. It was a very special time to go to a baseball game.

So my hat is off to the Astros and the Astro family, to Houston and all of those, including Judge Roy Hofheinz, the mayor of the City of Houston who had the vision in 1965 to build this

enormous entity that most people thought, how in the world could you build something with a price tag of \$31 million? I think most of us would like to build stadiums today for \$31 million.

Mr. Speaker, this is just a simple tribute to all those hardworking souls that made the Astros games so much fun and made the Astrodome the Eighth Wonder of the World where so many people enjoyed the opportunity to be there, not only for baseball but so many other activities and conventions and meetings. We are just grateful for the facility, and I guess what you would say is, it is off into the sunset.

But do not worry, the Astrodome will be there for others to enjoy for many years to go as we move downtown to the new Astros stadium called Enron Field located in my district, the 18th Congressional District. Hats off to the Astros, congratulations, and I will see you in the World Series.

TRIBUTE TO FIRST RESPONDERS, THE NATION'S FIREFIGHTERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. SMITH) is recognized for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, back in 1992, Congress passed legislation to allow and establish a national memorial for fallen firefighters. Yesterday up in Emmitsburg, Maryland, we had such a ceremony. This past year, 95 firefighters in the United States lost their lives in the line of duty. I think this Congress, this Nation, owes these individuals, the Americans that have fallen in the line of duty before them and certainly every first responder in this country, a debt of gratitude, a vote of thanks. Protecting public safety and public property is a brave calling. We certainly should as a Congress thank those individuals for the great job they did. Yesterday up in Emmitsburg it was a day of remembrance but it was also a day of celebration, because these individuals contributed so much in the spirit of honor and duty. I am a strong believer that everyone should be a supporter of their community, should try in some way to make their individual communities a little bit better by contributing, by being in public service, by being on the fund-raising committee, contributing an effort to help others when they need help.

It seems to me that cynicism has just spread too far across this country and there are too many that now consider duty and honor to be just words, relics of the past. But these men and women, our first responders, our police, and firemen especially in yesterday's dedication, they believed in duty, they believed in commitment, they believed in community. And certainly these qualities in first responders across the Nation deserve more support from this Congress.

Now, we call them first responders because, and I will give a couple of examples. When we turned on our television last spring to the terrifying situation at Columbine High School, who did we see on that television set? It was the first responders that got there first. The firefighters were there first. Whether it is wildfires or earthquakes or tornadoes or fires of unimaginable danger and stress, or when it is a beloved kitten going up a tree or when you need help for a fund-raising in the community, it is these firefighters that are there, they are willing to make the difference, they are willing to give their time and the effort.

We have got 32,000 fire departments in the United States. We have got 103 million first responders. Eighty percent of those first responders are volunteers, volunteers that go and risk their lives to protect lives and safety and support their community. I think they embody the beliefs of the founders of our country who were deeply committed to the idea that the individual had an obligation to the community, that our country needed its domestic defenders, our firefighters, our first responders, every bit as much as it needed a national defense.

Our thanks certainly should go out not only to these firefighters but their loved ones who experienced the tremendous effort, the sacrifice that these firefighters have made for their communities. Stories where firefighters made the difference are in almost every home and every community. They are certainly in my home where the firefighters came to my farm and saved not only property but the lives of a lot of my cattle on that farm. As far as I am concerned, they are the champions we can never fully thank, and speeches like this speech tonight or speeches up in Emmitsburg never are going to be adequate enough to thank those individuals that made that kind of sacrifice.

If there is any lesson that we can take, Mr. Speaker, as Americans from those in our communities that contribute so much, to make sure that we also make an effort to their memory to try to do our duty in helping others, in helping our community, in trying to do something to make our communities better and help the lives of the people that we know a little better, that is what we should do.

NORTH CAROLINA RECOVERS FROM HURRICANE FLOYD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mrs. CLAYTON) is recognized for 5 minutes.

Mrs. CLAYTON. Among all the death, destruction and despair that has been visited upon the people of North Carolina as a result of Hurricane Floyd, there are many bright spots. This evening, I would like to acknowledge some of those who have given of themselves and their resources to this vital cause.

There are many deserving people who have helped North Carolina in the aftermath of Hurricane Floyd. I want to thank President Clinton for adding \$20.3 million in low-income energy assistance funds to his original extended relief package of \$528 million. Thank you, Mr. President. I wish to thank my colleagues, Representatives from the neighboring States, who have banded together to support the victims of this disaster. A special thank you to the director of FEMA, Mr. Witt; and to our governor, Mr. James Hunt, of North Carolina and their staffs for working around the clock to rescue and relieve North Carolina residents.

Some 52,000 citizens have called FEMA now seeking assistance, and Governor Hunt has had to deal with many more. Thank you, Mr. Witt and Governor Hunt, for your dedication to those in need.

I wish to take a minute to thank the Red Cross and the Salvation Army for their special help. The Red Cross opened many shelters. The Salvation Army provided mobile kitchens. And we appreciate the efforts of FEMA to provide meals ready to eat, ice, blankets, water and emergency generators. We also appreciate the hundreds of individuals in local communities, neighbors and citizens who have helped and are helping out continuously. And we appreciate the outpouring of support and resources from across the Nation. Truckloads from Baltimore, busloads from Washington, D.C.; students from North Carolina colleges, churches from far and wide, citizens of every hue, every stripe, every background, all Americans, helping out.

I know of heroic rescue efforts of people, farm animals and pets conducted by neighbors, local fire departments as the gentleman from Michigan (Mr. SMITH) just mentioned, state police officers and their staffs. I wish to commend them all for their dedicated service.

A ray of sunshine was seen in North Carolina today. Today, October 4, 1999, schools reopened for thousands of North Carolina students. This is a big step forward in the long, painful attempt to return to normalcy after Hurricane Floyd. Tarboro High School in devastated Tarboro opened school today and about 60 percent of the students looked forward to attending school. I am grateful to all who have made the small routine tasks like attending school become a reality after so many days of fear and flooding. I am very grateful for those North Carolina children of our great Nation who strived hard to reestablish their daily routines and attend school today, perhaps under continuing family hardships.

I am very thankful for the county school teachers, principals, and maintenance workers that made reopening schools in North Carolina one of their top priorities. I am appreciative of the State emergency workers who worked with Federal agencies, FEMA, and my

district office staff in Greenville and Norlina, many of them affected by the hurricane themselves but who put the welfare of others first. These public servants have worked long and hard hours to help clean up the communities and find food and shelter for the needy, and worked long hours to keep North Carolina afloat when it looked as though it was sinking.

I am especially thankful for the deep-spirited North Carolina people who have shared with me in letters and phone calls and private visits their willingness to share with their neighbors. Some folks have said they look forward to rebuilding their communities with hard work and the cooperation of others. Even a disaster of this magnitude will not hold North Carolina back.

Again, I sincerely thank all for so much outpouring of goods, donated food, clothes, contributions and, most of all, the volunteerism of time through the local community churches, their congregations in North Carolina and every other State in the United States. All have been terrific. I have never been so proud of my State's people or to be an American as now during this time of crisis.

Most of all, I want to thank all who have helped, for giving us hope to rebuild North Carolina, places like Princeville, Tarboro, Kinston, Goldsboro, Pinetops and Greenville back into the great places they were. Thank you all.

Yet much more help is needed and support. That is why, Mr. Speaker, I intend to join with Members of Congress from other impacted States to try to send a legislative package for further relief to the President for signing. As a part of that package, we need to update the laws so that small farmers and small businesspersons can be treated on an equal footing with other families. We will also need more resources, and that will also be a part of the legislative package.

Tomorrow, we will consider a resolution offering our colleagues an opportunity to go on record as willing to help and provide the necessary resources to make a difference. The people of North Carolina are resilient, and we will bounce back from the situation. But we will need the help of all Americans.

The winds will go, the rain will go, the rivers will crest, the cleanup will begin, and the restoration and rebuilding will take place. The spirit of North Carolina will return, Mr. Speaker, with your help and the help of our Colleagues.

□ 2045

THE IMPORTANCE OF INCREASING FUNDING FOR HIV/AIDS RE- SEARCH, TREATMENT AND PRE- VENTION IN MINORITY COMMU- NITIES

The SPEAKER pro tempore (Mr. PEASE). Under the Speaker's announced policy of January 6, 1999, the

gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) is recognized for 30 minutes as the designee of the minority leader.

Mrs. CHRISTENSEN. Mr. Speaker, I have often said on previous occasions when I have come to the floor that one of the greatest challenges facing this Nation is closing the gap in health care between our white population and our communities of color. It is this that the Congressional Black Caucus and the Health Brain Trust would address through its HIV state of emergency because, you see, HIV/AIDS, although it is very important to the welfare of our communities, is only the tip of the iceberg.

The underlying problem is really the two-tiered health care delivery system that does not address the barriers to health but exists for African Americans, Hispanics, Asian/Pacific Islanders, Native Americans, and Native Hawaiians and Alaskans. Although the White House and the Department have been listening and have begun to respond to the call of the caucus to action, Mr. Speaker, we still have a long way to go, primarily because this body, the Congress, has not become fully engaged in the process.

That is why we are here this evening, my colleagues and I, to raise the level of awareness to the disparities in health care, to provide information on the breadth of the gaps and to enlist our colleagues' assistance and support for our efforts to have health care and community development dollars be applied to this very grave problem which threatens the promise of this Nation in the next century.

Mr. Speaker, I am joined here by several of my colleagues, and I would like to begin by yielding to the gentlewoman from the 17th Congressional District of Florida (Mrs. MEEK).

Mrs. MEEK of Florida. I thank my colleague, and I am pleased to join with the gentlewoman from the Virgin Islands. She has nobly shown in her endeavor as chairlady of the Congressional Black Caucus' Health Task Force that she has the unique ability to mobilize and to organize and push us forward into the new millennium. It is a time for such leadership, as the gentlewoman from the Virgin Islands has shown us, and I am thankful for her leadership. She is calling us here today to push very strongly for the full funding of the Congressional Black Caucus' emergency public health initiative on HIV/AIDS for the fiscal year 2000.

Mr. Speaker, we cannot talk enough about this initiative; it is so needed. If we do not take care of the health care needs of the minorities, the health care needs of the majority will certainly be under strain, as it already is. The \$349 million the Congressional Black Caucus has requested is targeted proportionately to African Americans, Hispanics, Latinos, Asian/Pacific Islanders and Native American communities based on epidemiological data released by the Center of Disease Control. So

the CBC is trying its very best to target the funds where the real need is.

Mr. Speaker, these dollars will build upon the success of the 156 million requested for HIV/AIDS prevention in minority communities in fiscal year 1999. We thank the Congress for that allocation, but it is not enough. Although welcome, it is not nearly enough to combat the devastating effects of the AIDS epidemic in our community. African Americans and other minorities continue to suffer dramatically higher rates of disease and death, long-term rates of illnesses from treatable diseases than other segments of the general population; again, I quote, putting the money where the real need is so that it will overcome the disparities in our health system.

Our Nation spends over \$7 billion for HIV treatment and prevention and control; but listen to this, Mr. Speaker: but only \$156 million is specifically targeted to minority communities. I repeat that. We spend over \$7 billion in this country for HIV treatment and prevention and control, but only \$156 million is specifically targeted to minority communities which now account for more than 48 percent of those infected by the disease. That is a mere 2 percent of impact. Surely steps must be taken and effective measures must be put into place to ensure that resources follow the trend of the disease across all segments of the U.S. population.

That is why my colleague, the gentlewoman from the Virgin Islands, called this special order. Man's inhumanity to man is based on the color of one's skin is untrue. Man's inhumanity to man is not based on the color of one's skin, and any kind of treatment in this country cannot ignore the fact that we are all in this situation together. A minimum of \$349 million should be appropriated in fiscal year 2000 to address this health emergency in communities of color. This is a health emergency.

I want to thank the rest of my colleagues here, but I want to end by saying, we cannot continue to suffer these dramatic increases and this higher rate of mortality from death and disease and long-term rates of illnesses from diseases that are treatable. These diseases are treatable, and we cannot continue this disfunction different from other segments of the population. As we prepare now our wonderful Nation to enter the new millennium, this negative health status must not continue, must not continue, and we cannot continue to ignore it.

Man's inhumanity to man, I spoke of before, but we must cease because of the color of one's skin. These diseases, they are no respecter of persons. So we must spend the amount of money it takes to be sure it is treated. The Secretary of Health and Human Services must begin to implement the recommendations stemming from the Institution of Medicine's body of cancer studies in communities of color.

The Office of Minority Health must be funded. \$5 million or more must be appropriated for demonstration projects to ensure that minority seniors understand how to navigate the complicated health system. Clearly, Mr. Speaker, clearly my colleagues in the Congress, the time has come for us to act. Epidemiological data is there. All we need is a thrust by this Congress to free the proportion of African Americans who suffer now in the United States three times in proportion to African Americans in the population.

Of the 48,266 AIDS cases reported in 1998, African Americans accounted for a very high and alarming statistic. Forty-five percent of the total cases, 40 percent of the cases in men, 62 percent of the cases in women, 62 percent of the cases in children. So the Americans reported with AIDS through December 1998, 30 percent were black and 18 percent were Hispanic Latino.

Mr. Speaker and to the Congress, the time to act is now.

Mrs. CHRISTENSEN. Mr. Speaker, I want to thank the gentlewoman from Florida (Mrs. MEEK) for her work both in her home State and in the Nation, not only HIV/AIDS, but other important issues of health care for African Americans and other people of color and also for doing the annual legislative conference of the caucus reminding us that AIDS knows no age barriers and that seniors are also affected by this dread disease.

Mr. Speaker, I yield to the gentleman from the Seventh Congressional District of Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, I rise today to commend my colleague from the Virgin Islands for, first of all, organizing this important special order to discuss the importance of increasing funding for HIV/AIDS research, treatment and prevention in minority communities. Her performance has been stellar as she has led the Congressional Black Caucus Brain Trust and as she continues to lead us towards finding a way to make sure that there is equity in health care services and treatment for all of America.

I have joined with my colleagues in the Congressional Black Caucus in urging a minimum of \$349 million in HIV/AIDS to address the pending health crisis in communities of color. Today we are experiencing vast economic prosperity. These are said to be the best of economic times since the 1970's. Unfortunately, as our prosperity has increased, so too have our disparities in health care.

It is, to quote a phrase from Dickens, the best of times and the worst of times. Economic prosperity is up, but so too is the number of uninsured in America, rising from 43 million to a total of 44 million today. In communities of color we see vast disparities and gaps in health care. African Americans represent 13 percent of the population but account for 49 percent of

AIDS deaths and 48 percent of AIDS cases in 1998. One in 50 African American men and one in 160 African American women are infected with HIV. In 1997, 45 percent of the AIDS cases diagnosed that year were among African Americans as compared to 33 percent among whites. AIDS is the leading cause of death for all United States males between the ages of 25 and 44 and for African American males between the ages of 15 and 44.

These are valuable years not only in the lives of these individuals but for all of America. When we do not act to provide for research, treatment, education and prevention strategies, America loses. America loses young, vibrant taxpayers. America loses great minds and workers. If we do not address this epidemic, it can have dramatic consequences on our economy and our ability to compete globally.

While deaths from HIV/AIDS diseases have been reduced over the last 3 years due to advances in drug therapies, we have not seen a dramatic reduction in communities of color. The Centers For Disease Control reported that the AIDS death rate dropped 30 percent for whites, the majority of whom had access to new drug therapies, but found only 10 percent for African Americans and 16 percent for all Hispanics. It is no doubt that the \$156 million provided by the Congress last year has assisted in our efforts; however, more resources are needed.

In Chicago we have witnessed a rise in the number of HIV cases. For example, reported cases of HIV/AIDS among African Americans in Chicago increased from 46 percent in 1990 to 68 percent in 1997. AIDS is the major cause of death for African American men in Chicago ages 15 to 24, the second leading cause of death for Chicago's African American men ages 5 to 34, and the third leading cause of death for African Americans in Chicago males aged 35 to 44.

In addition, the proportion of AIDS cases in Chicago occurring among women tripled from 7 percent in 1998 to 22 percent in 1997. African American women represent about 39 percent of the Chicago's women, and they account for almost 70 percent of the cumulative AIDS cases among women in that city.

This is truly an emergency, and it warrants the attention and resources of the Federal Government. As we head into the new millennium, it is essential that we increase not only aid but also education and information. It is essential that we provide resources so that people can understand transmission and be educated which becomes a real factor in reducing the advent and onset of this terrible illness.

Mrs. CHRISTENSEN. Mr. Speaker, I want to thank the gentleman from Illinois for his support on the Health Brain Trust of the Congressional Black Caucus and for his work especially with the community health centers across this Nation. As my colleagues know, Mr. Speaker, community health

centers are where most of the people of color, the communities that we are talking about this evening, receive their care; and I want to thank the gentleman from Illinois (Mr. DAVIS) for his hard work and seeing that these health centers are adequately funded to provide those services.

Next, Mr. Speaker, I yield to my colleague from the 37th District of California (Ms. MILLENDER-MCDONALD).

□ 2100

Ms. MILLENDER-MCDONALD. Mr. Speaker, let me first thank the gentleman from the Virgin Islands (Mrs. CHRISTENSEN) for her steadfast commitment and leadership to this very critical, but important, issue in the African American community, the Latino community, the Asian community, and all communities of color. She has not only shown leadership in this area, but in all areas on health issues as they relate to people of color. She has brought about an inclusion, and that is evident, of the 39 African American Members of Congress who have joined forces with her in this fight to raise the issue of funding in our community.

African Americans and other minorities continue to suffer a drastically higher rate of death and disease and longer term rates of illnesses from treatable diseases than other segments of the U.S. population. As our Nation prepares to enter the new millennium, this negative health status must not continue to be ignored.

As the Nation spends over \$7 billion for HIV-AIDS treatment, prevention and control, only \$156 million is targeted to address HIV-AIDS in communities of color, a mere 2 percent. Surely steps must be taken and effective measures put in place to ensure that resources follow the trend of the disease across all segments of this population. We are asking for a minimum of \$349 million to appropriate in fiscal year 2000 to address this health emergency in communities of color.

Mr. Speaker, I started an AIDS walk in the Southern California area because of the devastation of this disease, both domestically, and, now, internationally, in Africa, Brazil, Asia and Latin America.

In looking at it from the domestic side of things, according to the Centers for Disease Control, as of June 1997, 32.4 percent of all males age 13 and older are African Americans, and 14.8 percent are Hispanic. Of all females age 13 and older, 24.2 percent are Caucasians, 58.4 percent are African Americans, and 16.4 percent are Latinos or Hispanics. Of all children under the age of 13 years old, 60.8 percent are African Americans and 19.5 percent are Hispanic.

You can see this very devastating disease, Mr. Speaker, has impacted the minority women and children tremendously, with this being the leading cause of death among African American women ages 25 to 44, right in those reproductive years. We can ill afford to let this continue, Mr. Speaker. We

must raise the awareness of this devastating domestically.

With African Americans making up 13 percent of the U.S. population and Hispanics making up 11 percent of the U.S. population, these percentages signal an alarming and inhumane quandary for all Americans. We, the Members of Congress, are in a position to impact the lives of America's families struggling to lead healthy, productive lives. We can serve an integral role in educating parents, teens, and members of our communities on HIV, how it is transmitted, what treatment options exist for those who are living with HIV, the need to obtain HIV testing, and the clarification of rampant myths associated with the disease that for so long has been exclusively associated with homosexual white males.

Now, HIV, as I have just read to you, is devastating domestically, but this disease is also devastating Africa by large numbers. Presently, there are nearly 23 million adults and children living with HIV/AIDS on that great continent. According to UNESCO, AIDS is now Africa's leading cause of death. Please hear me, Mr. Speaker, and those in the outer communities. It is the leading cause of death here domestically among African American women ages 25 to 44, and it is the leading cause of death on the continent of Africa.

With prevalence rates reaching 25 percent of all adults in some countries, the epidemic is decimating the pool of skilled workers, managers, and professionals who make up the human capital to grow Africa's democracies and economies.

While the HIV/AIDS disease continues to devastate women domestically and throughout Africa, and finding a cure seems far into the future, we cannot afford to give up. The Congressional Black Caucus will not give up. We are calling on all Americans of good will not to give up. We are calling on our African sisters and brothers not to give up.

There are many things that we can do as world citizens to help address the myriad problems associated with the HIV/AIDS epidemic. Education programs in the workplace, schools, and churches can help create new attitudes toward gender and AIDS transmission. Women's health services that include treatment, testing and counseling, prevention and support services, can greatly empower women as they combat this disease while caring for their children.

Mr. Speaker, we must support the cause of a comprehensive program for African American, Latino and Asian women and the entire minority population in testing, education in schools and the workplace, peer education, and counseling.

Research is also essential if we are to conquer this disease. We want to encourage more investment in scientific research that will make tests for earlier detection simple and affordable,

develop new technologies for prevention, and promote women's health rights and human rights vis-a-vis HIV/AIDS and related issues.

Mr. Speaker, I am calling tonight on all of us to join forces with the Members of the Congressional Black Caucus, led by the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) to not only address this critical devastating disease but help us in the funding to try and find a cure.

Mrs. CHRISTENSEN. Mr. Speaker, I thank the gentlewoman, and I also want to thank you because you have been a leader on the issue of HIV/AIDS before I got to the Congress, not only for the Nation, but what I understand has been called the most diverse district or one of the most diverse districts in the country. Having started the annual AIDS walk that is now being replicated across the country, I want to thank you for that. I thank you for joining us this evening.

Next I would like to yield, Mr. Speaker, to my colleague the gentlewoman from the 18th Congressional District of Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) for her leadership, and I thank her for organizing this special order. I particularly am gratified for the opportunity to join my colleagues on a message to the American people of the enormity of the crisis of HIV/AIDS in the minority community.

In particular let me also emphasize that, albeit we are here on the floor of the House and we may sound as if we are working studiously to secure the passage or secure the funding, I hope our tone does not in any way diminish the enormity of the problem and the crisis and the urgency.

I would like to additionally thank the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) for her leadership on the Health Brain Trust here in the Congressional Black Caucus. Among the many issues she discussed, there was a great focus on HIV/AIDS, as well as many other health issues in the African American community. But the emphasis is not only the African American community, but the emphasis is also on the enormous, again I use that term, because they are so extensive, disparities in healthcare for the minority community.

Dr. King wrote a book some years ago that said, "If not now, then when?" I would offer to say that the reason why we are here on the floor of the House is to ask that same question: If not now, when? How many more have to die? How many more statistical horror stories do we have to hear about HIV/AIDS before we can have the United States Congress consider the \$349 million that is being supported by the Congressional Black Caucus at the leadership of the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) in asking for this money to help us in this crisis of HIV/AIDS?

It has been noted, Mr. Speaker, but I think it is important to note again, 48,266 cases were reported in 1998, and, for your ears, African Americans accounted for 45 percent of total cases; 40 percent of cases in men, 62 percent of cases in women, and 62 percent of cases in children.

Mr. Speaker, 62 percent of our children are HIV infected and probably more affected. I have worked in my community on the HIV question for a number of years, remembering my visit to the United States Congress in 1990 with my mayor to support the passage of the Ryan White treatment legislation, when Houston, Texas, the fourth largest city in the Nation, was then 13th on the list in the United States of America of HIV cases.

So this problem or this issue has been growing and it has been developing and it has, yes, been spreading. As with the crisis now in New York City with St. Louis encephalitis, or whatever else this virus may be called, HIV/AIDS does not stop at the border of any State or city.

So I have seen in the City of Houston this growth mushroom. In fact, a few weeks ago I held a grant meeting with many of my minority HIV organizations. Part of the emphasis was the outreach to explain to them that they should be dutiful and studious in seeking grants to help educate our communities. What I was overwhelmed with was the enormous challenge, again, that these groups were facing, the numbers of cases that they were having, and the amount of money that they needed.

This whole situation with women in their childbearing stages, twenty-five to 44 being HIV infected. It is a direct link to our children being born with this deadly disease. In many instances, the treatment or the outreach would be the door or the divide that would protect that woman during her childbearing stages becoming susceptible to HIV/AIDS and, therefore, carrying it to her child. More information, more treatment, more access to information, more education.

Of Americans reported with AIDS through December 1998, 37 percent were black and 18 percent Hispanic. In 1998, the annual AIDS incidence rate among African American adults in adolescence was eight times that of whites. African American women accounted for 70 percent of all reported cases of HIV infection among all women in 1998.

Mr. Speaker, let me share with you why this may be a more difficult challenge than most would like to think. The difficulty of the challenge is to say that it is outreach, it is making sure that we reach individuals who are intimidated by institutions, by medical facilities, by hospitals, who are intimidated as to what would happen to them if they report they have HIV/AIDS, that they would be fired or not have the opportunity for seeking care because they were afraid of what may happen to them. Many of these women

are homeless, single parents. Many of them are without a spouse or family situation. So the \$349 million that we are seeking is to be able to assure the funding of the minority health office. It is to ensure outreach.

I would simply say, Mr. Speaker, that we have an uphill battle, but the battle must be one that is joined by all of my colleagues, frankly confronting the crisis of HIV/AIDS and dealing with that population in a way that said if not now, then when?

I believe the time is now, Mr. Speaker, to fight the fight and win the battle; and I am delighted, not delighted to be here tonight to fight this battle, because it is not a delight, but I am certainly in it for the fight, in order to ensure that we save more lives.

I thank the gentlewoman for yielding me this time and joining with us by giving us the opportunity to participate in this special order.

□ 2115

Mrs. CHRISTENSEN. Mr. Speaker, let me just close by thanking my colleagues who have joined us here this evening.

I will say in closing that Dr. Harold Freeman, a world-renowned expert on cancer, told us at our spring Brain Trust that although we had been fighting the war on cancer, on which he is an expert, we had perhaps been fighting the wrong kind of war, and that the kind of war we need to be fighting to be successful against cancer, heart disease, diabetes, and HIV-AIDs, and all of the diseases that are causing the disparities in communities of color, needs to be more of a guerilla war, a hand-to-hand type of combat against these diseases within our neighborhoods.

That is what we are here asking for, for the resources to be brought to our communities, this evening. We ask for the support of our colleagues for the CBC initiative, and the \$349 million that will be needed to bring these resources to this community.

Mr. Speaker, last month the United States Commission on Civil Rights issued its report entitled: "The Health Care Challenge: Acknowledging Disparity, Confronting Discrimination and Ensuring Equality."

We in the CBC have long said that health care is the new civil rights battlefield, and we have approached it accordingly.

Let me quote in part from the report. Although there was a dissenting view, the report states quite clearly and without dispute that equal access to quality health care is a civil right. And that despite the many initiatives, and programs implemented at the Federal, State and local levels, the disparities in health care for women, the poor and people of color will not be alleviated unless civil rights concerns are integrated into these initiatives and programs.

The report cites access to health care, including preventive and necessary treatment as the most obvious determinant of health status, and cites barriers: to include health care financing, particularly the ability to obtain health insurance, language, cultural misunderstanding, lack of available services in some

geographical areas, and in some cases lack of transportation to those services.

Behaviors, and the need to accept individual responsibility for one's health has often been cited as an important determinant, but the investigation done by the Commission clearly shows that although behaviors such as smoking, diet, alcohol, and others can be correlated to poor health status, they only account for a modest portion of health disparities which exist across age, sex and race and ethnic categories.

What is often not taken into account is the social and economic environment in which personal choice is limited by opportunities. I am referring to issues such as low income, the unavailability of nutritious foods, and lack of knowledge about healthy behaviors.

So while we help those most affected to understand more about healthy behaviors and make the appropriate lifestyle changes, it is the work of this Congress to improve the educational and housing environment, and to bring the economic growth being experienced by most of America to our more rural and ethnic communities.

What are some of the other changes that the Commission recommends be implemented to meet this important challenge? Not surprisingly they go to the heart of the congressional black caucus initiative.

One of the disparities the Commission found is that although there is an effort to eliminate racial and ethnic health disparities, I quote—there has not been any systematic effort by the steering committee at the Department of Health and Human Services or Office of Civil Rights to monitor or report on the Department's progress.

This is precisely what the funding of the offices of minority health within the agencies would address. It would give these offices a line item budget, and build into the system a process whereby minority interests and expertise would be brought to bear in decision and policy making within the Department.

The Commission stated in its transmittal letter to the President and leaders of Congress that the offices of women and minority health throughout HHS should take a more proactive role in the incorporation of these populations' health issues in HHS. Treated as peripheral, these offices are forced to operate under the constraints of extremely limited budgets. HHS must recognize the potential impact of these offices and increase funding accordingly.

This we feel is critical to creating the internal changes and departmental culture that is necessary to effect the change which must be achieved in the health of people of color.

The report cites the importance of physician diversity and cultural competence in the delivery of health services. It found that within the context of patient care it is necessary to open up medical knowledge to include multicultural and gender perspectives to health, health care, and patient-provider interaction. It further states that a major finding of their research is that clearly more minorities are needed as health care professionals.

The current appropriations committee report indicates a reduction in funding below the President's request for programs that would make this happen. These funds need to be reinstated and I ask the House's support in doing so.

The Commission also stated that their research indicated that minorities and women—

particularly minority and poor women—have been excluded from clinical trials for decades.

Again in their transmittal letter the Commission states: another focus of the Office of Secretary, OCR and minority health should be the lack of medical research by and about minorities. HHS must take the lead in enforcing the mandated inclusion of females and minorities in health related research both as participants in and recipients of Federal funds for research.

The CBC, under the leadership of Jesse Jackson, Jr., is supporting the creation of a center of disparity health research which would elevate the current Office of Minority Health to center status.

This is an important measure to achieving diversity which is important in both research and researchers.

Lastly, the CBC initiative is about making resources available to our communities so that they themselves can be the agents of the necessary change and improvement in our health status.

The Commission states that "to be effective in reducing disparities and improving conditions for women and people of color, they must be implemented at the community level, particularly in conjunction with community based organizations.

THE NORWOOD-DINGELL BILL OFFERS REAL HMO REFORM

The SPEAKER pro tempore (Mr. COOKSEY). Under the Speaker's announced policy of January 6, 1999, the gentleman from New Jersey (Mr. PALLONE) is recognized for 30 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, I yield to the gentleman from the Virgin Islands (Mrs. CHRISTENSEN).

THE HIV-AIDS CRISIS IN THE AFRICAN-AMERICAN COMMUNITY

Mrs. CHRISTENSEN. Mr. Speaker, I really appreciate the gentleman's generosity.

Mr. Speaker, I yield to the gentleman from Texas, Ms. EDDIE BERNICE JOHNSON.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I thank the gentleman from the Virgin Islands (Mrs. CHRISTENSEN) and the gentleman from New Jersey (Mr. PALLONE) for yielding.

Mr. Speaker, I join the Members here representing the Black Caucus, and I plead for more attention and funding to be given for prevention and treatment of the HIV virus and the AIDS disease.

Mr. Speaker, somehow I think that back in 1980, 1981, and 1982, when many of the leaders from the gay community were speaking out against this virus, that much of the other parts of the community simply ignored it because they thought it was just a disease of the gay and lesbian population.

Even at that time, I knew a virus did not know the sexual practices of people, and I felt it was a communicable disease that had the capacity of infecting almost anyone. That has proven to be true. Back in 1980 and 1981, when we were having meetings at home, I was getting warnings that it was dangerous

to be talking about this kind of virus that is affecting just the gay community.

We now find that is not the case. It is a communicable disease that will affect all persons that are subjected or exposed to this virus in the workplace, in the health facilities, anywhere that persons can be exposed to this virus.

Mr. Speaker, we now plead for this money to follow where it is. We know that we have had reductions, and we are always pleased about having reductions in any kind of communicable disease. We have seen almost a wipe-out of diphtheria and all the various viruses and bacterial communicable diseases we have had in the past. Hopefully we will speak of this disease as one of the past, but we cannot ignore the education that must taken to prevent this devastating virus.

With our young people and our youth groups, they must understand what causes the exposure and how to prevent that exposure. Far too many people are dying of AIDS. Even though it is much less than what it was some years ago, any death from this virus is too many, because it means that someone has ignored or not known what exposes them to this deadly virus.

People are living longer, which is costing more for care, and we are always pleased to have good results, but nothing surpasses preventing diseases of this sort. For that reason, I hope we would give real attention to educating especially our younger people.

We are finding that our older women in heterosexual relationships have an increase in the incidence of the HIV-AIDS virus because of loneliness, all kinds of other activities that would lead them to be exposed to this virus. That must be given attention. No matter what the profile of the individual might be or might seem to be, caution is advised.

We have gone a long way in attempting to keep people alive with the various drugs that are very, very costly, and causing them to live longer lives. But nothing yet has come along for us to see the real end to this deadly virus. The best thing we can do is prevent it. We find that the persons who are the most sometimes uneducated are the ones who least believe that they can be exposed to this virus, and they are the ones who are becoming more exposed all the time. No one, absolutely no one, is safe when they take part in any activity that exposes them to this virus, no matter what.

I am eternally grateful for the leaders in the gay community for continuing to talk about this virus, and not allowing the rest of us to forget it just because they had a larger incidence. That incidence has gone down tremendously in that community, but the leadership continues almost to come from the concentration of their community.

I am grateful for them continuing to bring forth the leadership in educating the people, but there is an element

missing. When people think it is only in the gay community, they simply think they are over and above this exposure. This is the myth we must break down. This is a virus that absolutely anyone can be exposed to. It only takes one exposure, so the education must go forth in all communities, young and old, heterosexual or not. We must not stop educating, because that is the only thing that is going to prevent this virus. It is costly, the treatment is very costly, the suffering is costly. We must really focus on prevention and not just paying for the illness.

I want to thank the leadership of the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN). As an M.D., she is fully aware of all of the factors involved, and I appreciate the leadership that she has brought forth.

Mrs. CHRISTENSEN. I thank the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON). I want to thank her for her leadership as a health care professional, as well as Vice-Chair of the caucus.

Mr. Speaker, I yield to the gentleman from New Jersey (Mr. PAYNE).

Mr. PAYNE. Mr. Speaker, first of all, let me thank the gentleman from New Jersey (Mr. PALLONE) for yielding.

I commend the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) for her perseverance, and the persistence and leadership she has shown by being a physician, and we are so happy to have her.

But I also would like to add that we are in good company, because the Speaker pro tempore tonight is also a person who has done work on river blindness, and has donated his time and effort and resources to try to help people who are much worse off in another part of the world. I commend him for his work.

Mr. Speaker, we are in a crisis. The issue of HIV and AIDS in this country is one of the most serious problems we must grapple with. Since the AIDS epidemic began in 1981, more than 640,000 Americans have been diagnosed with the disease, and more than 385,000 men, women, and children have lost their lives.

I have been at the forefront of fighting against AIDS since the 1980s, when it was not quite as acceptable to talk in public about this dread disease. In 1989, when I was first elected to Congress, I called a congressional hearing in my district of Newark, New Jersey, to sound the alarm on the epidemic that everyone was ignoring.

In 1991, I introduced the abandoned infants bill, which was approved in the House. This was a bill to protect abandoned infants, some of whom were infected with HIV virus, and for other programs to assist them. I was outraged at the lack of attention being paid to this disease, a disease that was and still is killing people every day in every community.

This past reluctance to address the problem that was staring us in the face

is one reason why we have such a grave situation today. While we have advanced in that respect, we cannot rest on our laurels because the problem still exists and it is growing stronger with every passing day, especially with regard to people of color.

For example, African-Americans make up only 12 percent of the population, but account for 45 percent of all reported HIV-AIDS cases. African-American women account for 56 percent of women living with HIV-AIDS, and to me, the most sobering statistic, African-American children account for 58 percent of children living with the disease.

The bottom line, Mr. Speaker, is that we are dying, and something must be done. The Clinton administration has worked with the Congressional Black Caucus to address the disproportionate burden of AIDS in racial minorities by funding money to those communities most affected. Together, we fought a hard battle with the majority party to secure an additional \$156 million on targeted initiatives to address racial and ethnic minorities. A local Newark group fighting against AIDS with drama is Special Audiences, which recently received one of these grants.

This increase in funding is a good start, but it is simply not enough. Right now AIDS is the leading cause of death of African-American males between the ages of 25 and 44, the leading cause of death. This is unacceptable. Our young black men represent our future, and this terrible disease is killing them off.

In order to address the AIDS issue effectively, we need to tackle the problem at all levels. First, we need to increase awareness of the disease. The difference in response from my first hearing on AIDS to this forum tonight is like the difference between night and day. The awareness of the disease has increased dramatically, and that is a good indication that people want to be helped.

Secondly, we have to educate people on the dangers of this disease. This means everyone. AIDS is a killer that affects every segment of our population and every age group, from children to elderly adults. Without properly educating people, we will find ourselves in a much worse situation down the road than we are today.

Finally, we must encourage better treatment and health care for those who have the disease. The disproportionate number of AIDS cases in the African-American population is not due to the lack of medical technology or advancements. Rather, it points to the limitations that African-Americans face in access to health care. The medicines and treatments are out there. They are effective, but we do not have access to them. That is wrong.

Let me conclude by saying there is a common bond between all of these strategies. They are all contingent on increasing the Federal funding, and ensuring that these funds are targeted to the population that needs it the most.

Our struggle against AIDS and the AIDS epidemic is far from over. Our efforts now are extremely important to the future of each and every citizen of the country. Every concerned individual needs to take an active role in the fight against AIDS. We must wake up, and we must make a concerted effort at both the Federal and grassroots level if we are truly determined to defeat the AIDS crisis.

Mr. PALLONE. Mr. Speaker, I wanted to spend some time tonight, because this is the week when managed care reform, HMO reform, will come to the floor for the first time. I just wanted to spend about 15 or 20 minutes talking about why the Patients' Bill of Rights, the bipartisan Norwood-Dingell bill, is the right measure, and why every effort that may be made by the Republican leadership over the next few days to try to stop the Norwood-Dingell bipartisan bill, either by substituting some other kind of HMO so-called reform or by attaching other amendments or poison pills that are unrelated and sort of mess up, if you will, the clean HMO reform that is necessary, why those things should not be passed, and why we should simply pass the Norwood-Dingell bill by the end of this week.

I do not want to take away from the fact that the Republican leadership has finally allowed this legislation to come to the floor, but I am very afraid that the Committee on Rules will report out a procedure that will make it very difficult for the bill to finally pass without having poison pill or other damaging amendments added that ultimately will make it difficult for the Patients' Bill of Rights to move to the Senate, to move to conference between the two Houses, and ultimately be signed by the President.

A word of warning to the Republican leadership. This is a bill, the Norwood-Dingell bill, the Patients' Bill of Rights, that almost every American supports overwhelmingly. It is at the top of any priority list for what this Congress and this House of Representatives should be doing in this session. I think it would be a tragedy if the Republican leadership persists and continues to persist in its efforts to try to stall this bill, damage this bill, and make it so this bill does not ultimately become law.

□ 2130

I just want to say very briefly, Mr. Speaker, because I have mentioned it so many other times on the floor of the House of Representatives, the reason the Patients' Bill of Rights is a good bill and such an important bill basically can be summed up in two points; and that is that the American people are sick and tired of the fact that when they have an HMO, too many times decisions about what kind of medical care they will get is a decision that is made by the insurance company, by the HMO, and not the physician and not the patient. That is point number one.

Point number two is that if an HMO denies a particular operation, a particular length of stay in the hospital, or some other care that a patient or physician feels is necessary, then that patient should be able to take an appeal to an independent outside review board that is not controlled by the HMO and, ultimately, to the courts if the patient does not have sufficient redress. Right now, under the current Federal law, that is not possible because most of the HMOs define what is medically necessary, what kind of care an individual will receive themselves. And if an individual wants to take an appeal, they limit that appeal to an internal review that is basically controlled by the HMO itself.

So the individual cannot sue. If an individual is denied the proper care, they cannot take it to a higher court, to a court of law, because under the Federal law, ERISA preempts the State law and makes it impossible to go to court if an individual's employer is in a self-insured plan, which covers about 50 percent of Americans, who get their health insurance through their employer, who is self-insured, and those people cannot sue in a court of law.

We want to change that. The bipartisan Norwood-Dingell bill would change that. It would say that medical decisions, what kind of care an individual gets has to be made by the physician and the patient, not by the HMO. The definition of what is medically necessary is essentially decided by the physicians, the health care professionals.

And, secondly, if an individual is denied care that that individual and their physician thinks they need, under the Patients' Bill of Rights, the bipartisan bill, what happens is that that patient has the right to an external review by an independent review board not controlled by the HMO. And, failing that, they can go to court and can sue in a court of law.

Now, those are the basic reasons this is a good bill. There are a lot of other reasons. We provide for emergency services, we provide access to specialty care, we provide protection for women and children. There are a lot of other specific provisions that I could talk about, but I think there is an overwhelming consensus that this is a good bill. This is a bill that almost every Democrat will support and enough Republicans on the other side of the aisle will join us against their own Republican leadership in support of this bill.

But there have been a lot of falsehoods being spread by the insurance industry over the last few days and the last few weeks and will continue until Wednesday and Thursday when this bill comes to the floor, and I wanted to address two of them because I think they are particularly damaging if people believe them. And they are simply not true.

One is the suggestion that the patient protection legislation, the Norwood-Dingell bill, would cause health

care premiums to skyrocket. That is simply not true. If we look at last week's Washington Post, September 28, there was an article that surveyed HMO members in Texas, where there is a very good patient protection law that has been in place for the last 2 years. That survey showed dramatically that in Texas they could not find one example where the Texas patient protection law forced Texas HMOs to raise their premiums or provide unneeded and expensive medical services. The Texas law, which has been on the books for 2 years, shows that costs do not go up because good patient protections are provided.

In addition, we are told by the insurance companies that costs are going to go up because there will be a lot more suits and that will cost people more money and their premiums will have to go up. Well, the 2-year Texas law that allows HMOs to be sued for their negligent medical decisions has prompted almost no litigation. Only five lawsuits out of the four million Texans in HMOs in the last 2 years, five lawsuits, which is really negligible.

It is really interesting to see the arguments that the insurance companies use. The other one they are using, and they are trying to tell every Member of Congress not to vote for the Patients' Bill of Rights, not to vote for the Norwood-Dingell legislation, is this myth that employers would be subject to lawsuits simply because they offer health benefits to their employees under ERISA. What they are saying is, if we let the patient protection bill pass, employers will be sued and they will drop health insurance for their employees because they do not want to be sued.

Well, that is simply not true. Senior attorneys in the employee benefits department in the health law department at some of the major law firms, and I will cite a particular one here from Gardener, Carton and Douglas, which basically did a legal analysis of the Norwood-Dingell bill, claim that this is simply not correct. Section 302 of the Norwood-Dingell bill specifically precludes any cause of action against an employer or other plan sponsor unless the employer or plan sponsor exercises discretionary authority to make a decision on a claim for covered benefits that results in personal injury or wrongful death.

So the other HMO myth is that an employer's decision to provide health insurance for employees would be considered an exercise of discretionary authority. Well, again, that is simply not true. The Norwood-Dingell bill explicitly excludes from being construed as the exercise of discretionary authority decisions to, one, include or exclude from the health plan any specific benefit; two, any decision to provide extra-contractual benefits; and, three, any decision not to consider the provisions of a benefit while internal or external review is being conducted.

What this means is that we precluded all these employer suits. The employer

basically cannot be sued under the Norwood-Dingell bill. And I would defy anyone to say that that is the case, that an employer can be sued effectively.

I wanted to mention one last thing about the poison pills, and then I would like to yield to the gentlewoman from Texas, because she is representing the State of Texas. And she knows firsthand how this law has worked so effectively in her home State of Texas, and this is a law I use over and over again as an example of why we need the Federal laws. So I would like to hear her speak on the subject.

Let me just say, though, that the other thing that we are going to see over the next few days here in the House is an effort by the Republican leadership to load down the Patients' Bill of Rights, the Norwood-Dingell bill, with what I call poison pills. I say they are poison because they do not really believe that these are good things. But they think if they pass them and add them to the Patients' Bill of Rights that, ultimately, that will defeat the bill. They cannot defeat the bill on its merits because they know that that will not work, so they try to add some poison pills.

Basically, what they are trying to do, and this is the same stuff we have had in previous years, a few days ago the GOP leadership announced its intention to consider a number of provisions it claims will expand access to health insurance along with managed care. Again, this is a ruse. There is no effort here to really expand access for the uninsured. It is just that they have no other way to counter the growing momentum behind the Norwood-Dingell bill. But based on the statement released by the gentleman from Illinois (Mr. HASTERT), the Speaker of the House, we can expect to see the following poison pills: The worst of them are: Medical Savings Accounts, Associated Health Plans, or MEWAs, and Health Marts.

All three of these measures would fragment the health care market by dividing the healthy from the sick. This fragmentation will drive up costs in the traditional market, making it more difficult for those most in need of health insurance to get it. As a result, these measures would exacerbate the problem of making insurance accessible to more people.

And that is not all they do. MSAs take money out of the treasury that could be used more effectively to increase access to health insurance through tax benefits. The Health Marts and the MEWAs would weaken patient protections by exempting even more people from State consumer protection and benefit laws.

There is no doubt about what is going on here with the Republican leadership. The opponents of the Norwood-Dingell bill are cloaking their fear of the bill's strength in a transparent costume. They are trying to add these poison pills to kill the bill. We should not

allow it, and I do not think my colleagues will.

Mr. Speaker, I yield to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I could not help but listen to the gentleman as he was making both an eloquent but very common-sense explanation of what we are finally getting a chance to do this week in the United States Congress. First, let me applaud the gentleman from New Jersey for years of constant persistence about the crumbling and, unfortunately, weakened health care system in America.

I was just talking with my good friend the Speaker, and I think none of us have come to this Congress with any great adversarial posture with HMOs. I remember being a member of the Houston City Council and advocating getting rid of fraud and being more efficient with health care. So none of us have brought any unnecessary baggage of some predestined opposition to what HMOs stand for. I think what we are committed to in the United States Congress and what the gentleman's work has shown over the years, and what the Norwood-Dingell bill shows, is that we are committed to good health care for Americans, the kind of health care that Americans pay for.

I would say to our insurance companies, and I will respond to the State of Texas because it is a model, but shame, shame, shame. The interesting thing about the State of Texas, and might I applaud my colleagues, both Republicans and Democrats alike in the House and Senate in Texas, it was a collaborative effort. It was a work in progress. It was all the entities regulated by the State of Texas who got together and sacrificed individual special interests for the greater good.

I might add, and I do not think I am misspeaking, that all of the known physicians in the United States Congress, or at least in the House, let me not stretch myself to the other body, I believe, are on one of the bills. And I think most of them, if they are duly cosponsoring, are on the Norwood-Dingell bill. I think Americans need to know that. All of the trained medical professionals who are Members of the United States Congress are on the Norwood-Dingell bill, or at least cosponsoring it and maybe sponsoring another entity. That says something.

What we should know about the Texas bill is, one, to all those who might be listening, our health system has not collapsed. Many of my colleagues may be aware of the Texas Medical Center, one of the most renowned medical centers in the whole Nation. Perhaps Members have heard of M.D. Anderson or of St. Luke's. Many of our trauma centers, the Hermann Hospital, developed life flight. We have seen no diminishment of health care for Texans because of the passage of legislation that would allow access to any emergency room or that would allow the suing of an HMO.

I was just talking to a physician who stands in the Speaker's chair, if I might share, that if there is liability on a physician who makes a medical decision, the only thing we are saying about the HMOs is if they make a medical decision, if that medical decision does not bear the kind of fruit that it should, then that harmed or injured person should be allowed to sue. That has been going on in the State of Texas now for 2 years. There have been no representation that there has been abuse. I can assure my colleagues in a very active court system, as a former municipal court judge, there has not been any run on the courthouse, I tell the gentleman from New Jersey, because of that legislation.

So I would just simply say, if I might share just another point that I think the gentleman mentioned in terms of a poison pill, that we tragically just heard that 44.3 percent of Americans do not have access to health insurance. We know that we have, as Henry Simons has said, President of the National Coalition on Health Care, that this report of uninsured Americans is alarming and represents a national disgrace. We know we cannot fix everything with this. And I might say to the gentleman that Texas, alarmingly so and embarrassingly so, is number one in the number of uninsured individuals, but we do know that with this bipartisan effort of a Patients' Bill of Rights, I am supporting the Norwood-Dingell bill, we can address the crisis that many of our friends and our constituents are facing in terms of denied health care because HMOs are superceding the professional advice of physicians who have a one-on-one relationship with patients.

I think we have to stop the hypocrisy in the patient's examination room. We must give back health care to the patient and the physician and the health professional. We must stop this intrusion. And I know the gentleman knows of this, because we have had hearings and heard many tragic stories.

So I would say to the gentleman that I hope this is the week that is, and that is that we can successfully come together in a bipartisan manner to stand on the side of good health care for all Americans by passing the Norwood-Dingell bill, the Patients' Bill of Rights. And I thank the gentleman again for his leadership, and I continue to look forward to working with him. I believe at the end of the week, hopefully, when the cookies crumble, we will stand on the side of victory for that bill.

Mr. PALLONE. Mr. Speaker, I want to thank the gentlewoman. I wanted to say one more thing, because I know we are out of time. Even though Texas and my home State of New Jersey, and now we read California, have all passed good patient protection laws, I do not want any of our colleagues to think that we do not need the Federal law. These State laws still do not apply to 50 percent of the people that are under

ERISA where the corporation, their employer, is self-insured.

If we do not pass a Federal law, all of the things that Texas, California, and New Jersey and other States will do are still only going to apply to a minority of the people that have health insurance. So it is crucial, even though we know that States are making progress, and even though we have seen some of the courts now intervene, Illinois last week intervened and is allowing people to sue the HMO under certain circumstances, and the Supreme Court of the United States is taking up a case, even with all that, the bottom line is that most people still do not have sufficient patient protections because of that ERISA Federal preemption.

It is important to pass Federal legislation. And we are going to be watching the Republican leadership to make sure when the rule comes out tomorrow or the next day, that they do not screw this up so that we cannot pass a clean Patients' Bill of Rights.

I want to thank the gentlewoman again for so many times when she has been down on the floor with me and others in our health care task force making the case for the Patients' Bill of Rights. It is coming up, but we are going to have to keep out a watchful eye.

□ 2145

“SEPARATION OF CHURCH AND STATE”

The SPEAKER pro tempore (Mr. COOKSEY). Under the Speaker's announced policy of January 6, 1999, the gentleman from Pennsylvania (Mr. PITTS) is recognized for 60 minutes as the designee of the majority leader.

Mr. PITTS. Mr. Speaker, tonight several of us are gathered here in the hall of the House in a legislative body that represents the freedom that we know and love in America to discuss what our Founding Fathers believed about the First Amendment, about the issue of religious liberty, about the freedom of religion, about the interaction of religion in public life. We are talking tonight about the First Amendment, not the Second Amendment, not the Tenth Amendment, the 16th, not the 26th, the First Amendment, without which our Constitution would not have been ratified.

Mr. Speaker, there has been a lot said by people of all political stripes and ideologies about the role of religion in public life and the extent to which the two should intersect, if at all.

Lately, with the increased discussion of issues like opportunity scholarships for children to attend religious educational institutions, about Government contracting with faith-based institutions, and even about the debate on the Ten Commandments being posted on public property, we have heard the phrase “separation of church and state” time and time again.

Joining me tonight to examine this phrase, as well as the issue of public religious expression and what our First Amendment rights entail, are several Members from across this great Nation. I am pleased to be joined tonight by the gentleman from Colorado (Mr. TANCREDO), the gentleman from North Carolina (Mr. HAYES), the gentleman from Tennessee (Mr. WAMP), and the gentleman from Alabama (Mr. ADERHOLT). Each of these Members will examine the words and the intent of our Founding Fathers.

I would like to begin by examining the words and works of one of our most quoted Founders, Thomas Jefferson, who actually coined the phrase "separation of church and state" but in a way much different than what present day lore seems to suggest.

"Separation of church and state" is the phrase which today seems to guide the debates in this chamber over public religious expressions. While Thomas Jefferson popularized that phrase, most of those who so quickly invoke Thomas Jefferson and his phrase seem to know almost nothing of the circumstances which led to his use of that phrase or even of Jefferson's own meaning for the phrase "separation of church and state."

Interestingly enough, the same Members in this chamber who have been using Jefferson's phrase to oppose the constitutionally guaranteed free exercise of religion have also been complaining that this body should do more with education, and I am starting to agree with them. Those who use this phrase certainly do need some more education about the origin and the meaning of this phrase.

The phrase "separation of church and state" appeared in an exchange of letters between President Thomas Jefferson and the Baptist Association of Danbury, Connecticut. The election of President Jefferson, America's first anti-Federalist President, elated many Baptists of that day since that denomination was, by and large, strongly anti-Federalist.

From the early settlement of Rhode Island in the 1630s to the time of the Federal Constitution in the 1780s, the Baptists often found themselves suffering from the centralization of power. And now having a President who advocated clear limits on the centralization of government powers, the Danbury Baptists wrote Jefferson on November 7, 1801, congratulating him but also expressing their grave concern over the entire concept of the First Amendment.

That the Constitution even contained a guarantee for the free exercise of religion suggested to the Danbury Baptists that the right to religious expression had become a government-given rather than a God-given, or inalienable right. They feared that the Government might some day believe that it had constitutional authority to regulate the free exercise of religion.

Jefferson understood their concern. It was also his own. He believed, along

with the other Founders, that the only thing the First Amendment prohibited was the Federal establishment of a national denomination. He explained this to fellow signer of the Declaration of Independence Benjamin Rush, telling him: "The Constitution secured the freedom of religion. The clergy had a very favorite hope of obtaining an establishment of a particular form of Christianity through the United States, especially the Episcopalians and the Congregationalists. Our countrymen believe that any portion of power confided to me will be exerted in opposition to these schemes. And they believe rightly."

Jefferson committed himself as President to pursuing what he believed to be the purpose of the First Amendment, not allowing any denomination to become the Federal or national religion, as had been the case in Britain and France and Italy and other nations of that day.

In fact, at the time of the writing of the Constitution, 8 of the 13 colonies had state churches. But Jefferson had no intention of allowing the Federal Government to limit, to restrict, to regulate, or to interfere with public religious practices.

Therefore, in his short and polite reply to the Danbury Baptists on January 1, 1802, he assured them that they need not fear, the free exercise of religion will never be interfered with by the Federal Government. He explained: "Believing with you that man owes account to none other for his faith or his worship than to God, I contemplate with sovereign reverence that act of the whole American people which declared that their Federal legislature should 'make no law respecting an establishment of religion or prohibiting the free exercise thereof,' thus building a wall of separation between church and state."

Jefferson's understanding of the wall of separation between church and state was that it would keep the Federal Government from inhibiting religious expression. This is a fact he repeated in numerous other declarations during his presidency.

For example, in his second inaugural address, he said: "In matters of religion, I have considered that its free exercise is placed by the Constitution independent of the powers of the Federal Government."

In a letter to Judge Samuel Miller, Jefferson wrote: "I consider the Federal Government as prohibited by the Constitution from intermeddling with religious exercises."

Jefferson's phrase on "separation of church and state" was used to declare his dual conviction that the Federal Government should neither establish a national denomination nor hinder its free exercise of religion. Yet, is it not interesting that today the Federal Government, specifically the Federal courts, now use Jefferson's "separation" phrase for a purpose exactly opposite of what he intended? They now

use his phrase to prohibit the free exercise of religion, whether by students who want to express their faith, or by judges who want to show their belief in the Ten Commandments, or by cemeteries who wish to display a cross, or by so many other public religious expressions.

Jefferson's phrase that so long meant that the Federal Government would not prohibit public religious expressions or activities is now used to do exactly the opposite of what Jefferson intended. Rather than freedom of religion, they now want freedom from religion. Ironic, is it not?

Earlier generations long understood Jefferson's intent for this phrase. And unlike today's courts, which only published Jefferson's eight-word "separation" phrase and earlier courts published Jefferson's full letter, if Jefferson's separation phrase is to be used today, let its context be clearly given as in previous years.

Additionally, earlier generations always viewed Jefferson's "separation" phrase as no more than it actually was, a line from a personal, private letter written to a specific constituent group. There is probably no other instance in American history where eight words spoken by a single individual in a private letter, words now clearly divorced from their context, have become the sole basis for a national policy.

One further note should be made about the First Amendment and the "separation of church and state" phrase. The CONGRESSIONAL RECORDS from June 7 to September 25, 1789, in the 1st Congress record the months of discussions and the entire official debates of the 90 Founding Fathers who framed the First Amendment. And by the way, contrary to popular misconception, Jefferson was not one of those who framed the First Amendment, nor its religion clause. He was not even in America at the time. He was serving overseas as an American diplomat and did not arrive back in America to become George Washington's Secretary of State until the month after the Bill of Rights was completed.

Nonetheless, when examining the records, during the congressional debates of those who actually were here and who actually did frame the First Amendment, not one single one of the 90 framers of the Constitution's religion clause ever mentioned the phrase "separation of church and state."

If this had been their intent for the First Amendment, as is so frequently asserted today, then at least one of those 90 would have mentioned that phrase. Not one did.

Today the phrase "separation of church and state" is used to accomplish something the author of the phrase never intended. That phrase found nowhere in the Constitution is now used to prohibit what is actually guaranteed by the Constitution, the free exercise of religion.

It is time to go back to what the Constitution actually says rather than

to what some opponents of religion wish that it said.

Mr. Speaker, I yield to the gentleman from Alabama (Mr. ADERHOLT).

Mr. ADERHOLT. Mr. Speaker, I thank the gentleman for yielding to me. I think he makes some very excellent points on his discussion about separation of church and state, and I would like to expound on that just a bit.

In several measures recently debated within this chamber, the topic of protecting traditional religious expressions was made. In each case opponents were quick to claim that such protections would violate the First Amendment's separation of church and state.

Interestingly, the First Amendment's religion clause states: "Congress shall make no law respecting and establishment of reference list or prohibiting the free exercise thereof."

Despite what many claim, the phrase "separation of church and state" appears nowhere in the Constitution. In fact, one judge recently commented: "So much has been written in recent years to a wall of separation between church and state that one would almost think at times that it would be found somewhere in our Constitution."

And Supreme Court Justice Potter Stewart also observed: "The metaphor of the 'wall of separation' is a phrase nowhere to be found in the Constitution."

And current Chief Justice William Rehnquist also noted: "The greatest injury of the 'wall' notion is its mischievous diversion from the actual intentions of the drafters of the Bill of Rights. The 'wall of separation between church and state' is a metaphor based on bad history. It should be frankly and explicitly abandoned."

The phrase "separation of church and state" was given in a private letter in 1802 from President Thomas Jefferson to the Baptists of Danbury, Connecticut, to reassure them that their free exercise of religion would never be infringed on by the Federal Government.

Now that phrase means exactly the opposite of what Jefferson intended. In fact, the phrase "separation of church and state" has recently become a Federal hunting license against traditional religion in this country.

For example, in Texas a judge struck down a song which was sung during a voluntary extracurricular institute activity because the Congress had promoted values such as honesty, truth, courage, and faith in the form of a prayer.

In Virginia, a student told to write her autobiography in her English class was forced to change her own life story because in her autobiography she had talked about how important religion was in her life.

In Minnesota, it was ruled that even when artwork is a historical classic, it may not be predominantly displayed in schools if it depicts something religious.

In Pennsylvania, because a prosecuting attorney mentioned seven words from the Bible in the courtroom, a statement which lasted actually less than 5 seconds, a jury sentence was overturned for a man convicted of brutally clubbing a 71-year-old woman to death.

In Ohio, courts ruled that it was unconstitutional for a board of education to use or refer to the word "God" in its official writings.

In California, a judge told a public cemetery that it was unconstitutional to have a planter in the shape of a cross, for if someone were to view that cross, it could cause emotional distress and thus constitute an injury-in-fact.

In Omaha, Nebraska, a student was prohibited from reading his Bible silently during free time or even to open his Bible at school.

□ 2200

In Alaska, schools were prohibited from using the word "Christmas" at school, from exchanging Christmas cards or presents, or from displaying anything with the word "Christmas" on it because it contained the word "Christ."

In Missouri, Oklahoma, New Mexico and Illinois, courts told cities that when they compose their city seals, seals with numerous symbols that represent the diverse aspects of the community, such as industry, commerce, history and schools, that not even one of those symbols can acknowledge the presence of religion within the community, even if the name of the city is religious, or if the city was founded for a religious purpose.

In South Dakota, a judge ruled that a kindergarten class may not even ask the question of whose birthday is celebrated at Christmas.

In Texas, a high ranking official from the national drug czar's office who regularly conducts public school anti-drug rallies was prohibited from doing so because even though he was an anti-drug expert, he was also a minister and thus was disqualified from delivering his secular anti-drug message.

In Oregon, it was ruled that it is unconstitutional for a war memorial to be erected in the shape of a cross.

In Michigan, courts said that if a student prays over his lunch, it is unconstitutional for him to pray aloud.

Although States imprint thousands of special-order custom license plates, which I am sure everyone has seen driving down the highway, for individual citizens each year, the State of Oregon refused to print the word "PRAY," the State of Virginia refused to print "GOD 4 US," and the State of Utah refused to print "THANK GOD," claiming that such customized license plates which were of course made at the request of the individual purchasing them, violated the "separation of church and state."

There are scores of other examples. They are all based on a nonconstitutional phrase. And all of this occurs de-

spite the first amendment's explicit guarantee for the free exercise of religion. This is ridiculous. It has gone too far, Mr. Speaker.

It appears that every conceivable effort is being made to hide religion as if it were something sinister and pernicious, to banish it from the public view as if it were monstrous and diabolic, to punish those who publicly pursue it as if they were sinister threats to our society, to put them under house arrest and demand that they not practice their beliefs outside their home or places of worship.

This body should not aid and should not abet the hostility against people of faith and against traditional expressions of faith, and no Member of this body should be party to confusing the clear, self-evident wording of the Constitution or misleading the American public by claiming the first amendment says something that it does not.

The first amendment says only that "Congress shall make no law respecting establishment of religion or prohibiting the free exercise thereof." It says nothing about separation of church and state. We should get back to upholding what the Constitution actually says, not upholding what some people wish that it said. It is time for reliance on the separation rhetoric to diminish and for reliance on actual constitutional wording to increase.

Now, of course, none of us in this Chamber desire that we pick one particular denomination to be chosen for the United States. However, this Nation was founded on Judeo-Christian principles and that is just a part of our history. And at the same time all of us in this Chamber, every Member of this body, and I think every Member of this country, welcomes with open arms people of all faiths into these United States.

Mr. PITTS. I want to thank the gentleman from Alabama for highlighting the magnitude, the nature of the problem in this country. As he mentioned, the court case in Pennsylvania, I remember very well a few years ago. It was in the Supreme Court chamber where this lawyer, referred to a painting which was behind the justices on the wall, a painting of the Ten Commandments and he said, "As the Bible says, 'Thou shall not kill'" and then he went on with his arguments. And for making that statement, that conviction of that murderer who murdered that elderly person was overturned.

Mr. Speaker, I yield to the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Speaker, we are gathered here tonight, my colleagues and I, to destroy a number of myths, myths that abound in this country, myths that have done enormous damage to the framework of the Constitution and to the moral fabric of the Nation, as a matter of fact.

In recent debates in this Chamber over the juvenile justice bill, the bill of the display of the Ten Commandments, and the resolution for a day of prayer

and fasting, the topic of religion was raised. In each case, Members of this Chamber who are opponents of such religious expressions arose to decry the measures, claiming that for Congress to support such measures was a violation of the first amendment's religious clause.

Their arguments reflect a major misunderstanding of the first amendment. Much of this misunderstanding centers around the often used, and often abused, phrase "separation of church and state." So often have we been told that separation of church and state is the mandate of the first amendment that polls now show a majority of Americans believe this phrase actually appears in the first amendment. It does not. In fact, not only does this phrase "separation of church and state" appear nowhere in the first amendment, it appears nowhere in the Constitution.

What the first amendment does say about religion actually is very short and self-explanatory. The first amendment simply states, and I quote, "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof."

Those words are not difficult to understand. They are, in fact, plain English. Nevertheless, some Members among us and some members of the court have placed some strange and obscure meanings on these very plain words. For example, how can the phrase "Congress shall make no law" be interpreted to mean that an individual student cannot offer a graduation prayer? That is, how does "student" mean the same thing as "Congress"? Or how does "saying a prayer" mean the same thing as "making a law"? Yet this is what a number of opponents of public religious expression now claim the first amendment prohibits.

Similarly, apparently coming under the prohibition that "Congress shall make no law" is a city council's decision about what goes on its city seal, or a judge's decision to post the Ten Commandments, or the display of a cross within a local community cemetery, or participation in a faith-based drug rehabilitation program in an inner city. It is absurd to claim that the word "Congress" in the first amendment now means individual students, local communities, school boards, or city councils.

Have we really lost our ability to understand simple words? Will our constitutional interpretation be guided by a phrase which appears nowhere in the Constitution? Yet those who wish to rewrite the first amendment also tell us that the phrase "separation of church and state" reflects the intent of those who framed the first amendment. To know if this is true, all we need to do is check the congressional records, readily accessible to us in this very building, or to citizens in their public libraries.

We can read the entire debate surrounding the framing of the first

amendment occurring from June 7 to September 25, 1789. Over those months, 90 Founding Fathers in the first Congress debated and produced the first amendment. Those records make one thing very clear: In months of recorded decisions over the first amendment, not one single one of the 90 Founding Fathers who framed the Constitution's religious clause ever mentioned the phrase "separation of church and state." It does seem that if this had been their intent, that at least one of them would have said something about it. Not one did. Not even one.

So, then, what was their intent? Again, the congressional records make it clear. In fact, James Madison's proposed wording speaks volumes about intent. James Madison recommended that the first amendment say, "The civil rights of one shall not be abridged on account of religious belief or worship, nor shall any national religion be established."

Madison, like the others, wanted to make sure that the Federal Congress could not establish a national religion. Notice, too, how subsequent discussions confirm this. For example, the congressional records for August 15, 1789 report:

"Mr. Peter Sylvester of New York feared the first amendment might be thought to have a tendency to abolish religion altogether. The state seemed to entertain an opinion that it enabled Congress to establish a national religion. Mr. Madison thought if the word 'national' was inserted before 'religion,' it would point the amendment directly to the object it was intended to prevent."

The records are clear. The purpose of the first amendment was only to prevent the establishment of a national denomination by the Federal Congress. The first amendment was never intended to stifle public religious expression, nor was it intended to prevent this body from encouraging religion in general. Only in recent years has the meaning of the first amendment begun to change in the hands of activists who are intolerant of public religious expressions.

It is unfortunate that some Members of this body have decided to adopt this new religion "hostile-meaning" for the first amendment. No Member of this body should be part of obfuscating the clear, self-evident wording of the Constitution or misleading the American public by claiming the first amendment says something it does not. We should stick with what the first amendment actually says rather than what the constitutional revisionists wish that it had said.

Mr. PITTS. I thank the gentleman from Colorado for that quote from the committee action as the first amendment went through its drafts. That truly is very enlightening to consider what the framers said as they did the committee debate in drafting the first amendment.

Mr. Speaker, I yield to the gentleman from Tennessee (Mr. WAMP).

Mr. WAMP. I thank the gentleman for yielding.

Mr. Speaker, as I listened to the debate this summer over religious liberty issues, I was struck by a remark made by a Member opposing the free exercise of religion. One amendment to the juvenile justice bill here in the House forbids discriminating against people of faith involved in juvenile rehabilitation programs. An usual objection was made against that amendment, and I quote:

"The amendment seeks to incorporate religion into our justice system. Both of these entities have distinct places in our society and are not to be combined."

That is amazing. They believe that if we forbid discrimination against people of faith, it somehow unconstitutionally incorporates religion into society. Unfortunately, it appears that many in today's legal system agree that it is appropriate to discriminate against faith.

For example, in Florida, during a murder trial of a man for the brutal slaying of a 4-year-old child, the judge ordered the courthouse copy of the Ten Commandments to be covered for fear that if the jurors saw the command "Do not kill," they would be prejudiced against the defendant.

In Pennsylvania, because a prosecuting attorney mentioned seven words from the Bible in the courtroom, a statement that lasted less than 5 seconds over the course of a multiday trial, the jury's sentence of a man convicted of brutally clubbing a 71-year-old woman to death was overturned.

In Nebraska, a man convicted for the repeated sexual assault and sodomization of a 13-year-old child had his sentence overturned because a Bible verse had been mentioned in the courtroom.

That is incredible. Despite the DNA evidence and the eyewitness testimony used to convict a murderer and a child molester, the mere mention of a religious passage was so egregious that it caused the physical evidence to be set aside and the sentences to be overturned. The mention of religion in a public civil setting is apparently more dangerous than the threat posed by convicted murderers and child molesters.

What is the root of this doctrine that is so hostile to religion? According to the left wing in this country, the doctrine finds its roots, and I quote, "in the major precepts that our Nation was founded on the separation of church and state."

□ 2215

Tonight, Mr. Speaker, we are addressing the origin, the meaning and the abuse of the phrase "separation of church and state," and just as it is easy to show that our opponents across the aisle are wrong about their use of that phrase, it is equally to show how wrong they are about their claim that the exclusion of religion from civil justice is a major precept on which our Nation was founded.

Consider, for example, the words of James Wilson, an original Justice of the U.S. Supreme Court, the founder of the first system of legal education in America and a signer of both the Constitution and the Declaration. Justice Wilson declared, quote:

"Human authority must ultimately rest its authority upon the authority of that law which is divine. Far from being rivals or enemies, religion and law are twin sisters, friends and mutual assistants. Indeed these two sciences run into each other. It is preposterous to separate them from each other."

Clearly, Constitution signer and original Supreme Court Justice James Wilson strongly disagreed with today's left wing, and Constitution signer James McHenry also disagreed with him. He declared, quote:

"The holy scriptures can alone secure to our courts of justice and constitutions of government purity, stability and usefulness. In vain, without the bible, we increase penal laws and draw entrenchments around our institutions."

Additional proof that there was no intent to exclude religious influences from civil justice is actually provided by the history of the Supreme Court. There were six justices of the original Supreme Court; three of them had signed the Constitution, and another one of them had authored the Federalist Papers. So it is safe to assume that those on the original court knew what was constitutional.

According to the records of the U.S. Supreme Court, a regular practice of these original justices was to have a minister come into the courtroom, offer a prayer over the jury before it retired for its deliberation. Religion in the courtroom and by our Founding Fathers. But I thought that our colleagues across the aisle said that the exclusion of religion from civil justice was one of our founding principles. Well, perhaps the signers of the Constitution just did not understand the Constitution.

No, to the contrary. The problem is that today some people do not understand the Constitution.

One final piece of irrefutable evidence proving that our legal system never intended to exclude religious influences is the oath taken in the courtroom. Some today argue that the oath has nothing to do with religion, but those who gave us our Constitution disagree. For example, Constitution signer Rufus King declared:

"By the oath which our laws prescribe, we appeal to the supreme being so to deal with us hereafter as we observe the obligation of our oaths."

And Justice James Iredell, placed on the Supreme Court by President George Washington, similarly noted an oath is considered a solemn appeal to the supreme being for the truth of what is being said by a person.

And Daniel Webster, the great defender of the Constitution who served

as a Member of this body for a decade, a Member of the other body for two decades, declared "Our system of oath in all our courts by which we hold liberty and property and all our rights are founded on a religious belief."

And in 1854 our own House Committee on the Judiciary declared, quote:

"Laws will not have permanence or power without the sanction of religious sentiment without a firm belief that there is a power above us that will reward our virtues and punish our vices."

And Chancellor James Kent, a father of American jurisprudence, a famous judge, a legal instructor, taught that an oath was a religious solemnity and that to administer an oath was to call in the aid of religion.

Constitution signer George Washington also declared that a courtroom oath was inherently religious. As he explained, quote:

"Where is the security for property, for reputation, for life if the sense of religious obligation deserts the oath which are the instruments of investigation in courts of justice?"

There are substantial legal authorities, original signers of the Constitution, original Justices of the Supreme Court, founders of early law schools, authors of early legal text, and they all agree that religion was not to be separated from civil justice.

The claim made by those across the aisle that the exclusion of religious influences from the civil arena is one of the Nation's founding principles is no more true than their claim that the First Amendment says that there is a separation of church and state. The First Amendment simply says, and I quote:

"Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof."

The First Amendment says that we in Congress cannot pass a law to establish a national religion or to prohibit religious expression, but the First Amendment says nothing about separation of church and state, and there is also nothing in the Constitution or in early American records which requires legal justice to be hostile to or to exclude religious influences.

So to oppose a measure that prohibits discrimination against people of faith and to claim that such an anti-discriminatory measure would violate the Constitution is not only a travesty of history and of the Constitution, but of the very justice system which some people claim they are protecting.

I thank the gentleman from Pennsylvania for bringing us together to shed light on a fundamental liberty in our Republic, the freedom of religion.

Mr. PITTS. Mr. Speaker, I thank the gentleman from Tennessee for that excellent explanation and now yield to the gentleman from North Carolina (Mr. HAYES).

Mr. HAYES. Mr. Speaker, I thank the gentleman from Pennsylvania for putting this special order together to-

night. As I listen, this is not about setting the RECORD straight, this is about re-confirming what the RECORD really says.

This body is properly called the People's House, and since it is elected by the people, it offers a fairly good cross-section of America. Our Members come from every conceivable professional background, from numerous ethnic groups, from rural, suburban and urban areas, and we hold views from conservative to ultra-liberal and everything in between.

We seem to represent a cross-section of America on everything except religious faith. In fact, on that subject it seems that some Members of this body demand that we misrepresent the views of American people. We have heard them in a number of our debates in recent weeks objecting to any acknowledgment of God and even objecting to permitting citizens to choose faith-based programs.

Ironically, our longstanding constitutional guarantee for a freedom of religion has been twisted by some in this body into a demand for a freedom from religion. These Members demand that this body represent itself in its practical policy as being atheistic, as excluding all mention of God. The ridiculous nature of this demand was exposed over a century ago by Princeton University President Charles Hodge. He explained, and I quote:

"Over the process of time thousands have come from among us from many religious faiths. All are welcomed, all are admitted to equal rights and privileges. All are allowed to acquire property and to vote in every election, made eligible to hold all offices and invested with equal influence in all public affairs. All are allowed to worship as they please or not to worship at all if they see fit. No man is molested for his religion or his want of religion. No man is required to profess any form of faith or to join any religious association. More than this cannot reasonably be demanded. More, however, is demanded. The infidel demands that the government should be conducted on the principle that Christianity is false. The atheist demands that it should be conducted on the assumption that there is no God. The sufficient answer to all this is that it cannot possibly be done. The demands of those who require that religion should be ignored in our laws are not only unreasonable, but they are in the highest degree unjust and tyrannical."

Even though a century has passed since Charles Hodge delivered this speech, many in this chamber are still making the same unjust and tyrannical demands. Although national studies consistently show that only 6 to 7 percent of Americans have no belief in God, critics among us want to cater solely to the 6 or 7 percent and to sacrifice the beliefs of the 93 percent at the feet of the 7. It should not be done.

During our debates on allowing individual States to choose whether or not

they wish to display the Ten Commandments, many in this body objected to those voluntary displays arguing that our policies should reflect the religion-free beliefs of the 6 or 7 percent who do not believe in God. Fortunately, this body chose otherwise, and during our debates on encouraging a day so that people who wished could join together across the Nation to humble themselves, fast and corporately pray for national reconciliation, again many in this body objected to that, wishing to see our policy reflect solely the anti-religious wishes of those in this Nation who do not believe in God. Again, fortunately the majority of this body chose otherwise, even though we fell short of the necessary two-thirds margin for approval.

Although we continually hear that with government-funded medical care there should be citizen choice when it comes to allowing similar citizen choice in selecting social service programs or criminal rehabilitation programs or educational programs, Members of this body insist that faith-based programs must be excluded from their choices. Interesting. We encourage participation in religion-free programs, but we penalize involvement in faith-based programs. This is simply another example of catering to extremists.

Frankly, despite what some Members of the body may claim, we are not required to conduct government as if God did not exist. In the first official speech ever delivered by President George Washington, he urged us to seek policies which openly acknowledge God. He explained, and I quote:

"It would be peculiarly improper to omit in this first official act my fervent supplications to that almighty being who rules over the universe. No people can be bound to acknowledge and adore the invisible hand which conducts the affairs of men more than those of the United States. We ought to be no less persuaded that the propitious, favorable smiles of heaven can never be expected on a Nation that disregards the eternal rules of order and right which heaven itself has ordained."

And in his farewell address 8 years later, he reiterated his policy declaring, quote:

"Of all the habits and dispositions which lead to political prosperity, religion and morality are indispensable supports. The mere politician ought to respect and cherish them. Can it be a good policy which does not equally include them?"

Patrick Henry, one of the leading individuals responsible for the Bill of Rights similarly declared:

"The great pillars of all government and of social life are virtue, morality and religion. This is the armor, my friend, and this alone that renders us invincible."

Even Benjamin Franklin reminded the delegates at the Constitutional Convention, quote:

"All of us have observed frequent instances of a superintending Providence in our favor, and have we now forgotten that powerful friend, or do we imagine we no longer need his assistance? Without his convincing aid we shall succeed in this political building no better than the builders of Babel, and we ourselves shall become a reproach and byword down to future ages."

Very simply, it was never intended and never envisioned that this body should pursue its policies with the practical denial of the existence of God. Yet this is what many in the body are demanding. We heard their criticism during discussion on the Ten Commandments bill, on the resolution calling for a day of humiliation, prayer and reconciliation and on the juvenile justice bill; and not only did they criticize these measures, they even had the shameless gall to tell us that the Constitution demanded that we show favoritism toward nonreligion. They told us that the First Amendment mandate on separation of church and state could not be satisfied if we passed policies which acknowledge God.

□ 2230

It is time for those critics to reread the Constitution which they swore to uphold. Nowhere does the First Amendment, or, for that matter, any part of the Constitution, mention anything about a separation of church and state, but it does guarantee in its own words the free exercise of religion. Yet some in this body would deny citizens rights which do appear in the Constitution because of a phrase which does not.

It is time for this body to get back to upholding the actual wording of the Constitution, rather than the wording of revisionists who would reread our Constitution.

Mr. PITTS. Mr. Speaker, I would like to thank the gentleman from North Carolina for his very informative comments and for reminding us of the quotes from our founders, Washington, Franklin and others.

I want to say a final thank you to all the participating Members tonight. It has been a real inspiration to listen to each one of the Members as they shared the very words of our founding documents and our Founding Fathers regarding the First Amendment.

As we have listened to these words, it becomes crystal clear that, to the extent that the First Amendment addresses the interaction between public life and religious belief, it is this: That the only thing the First Amendment prohibited was the Federal establishment of a national denomination. The freedom of religion, therefore, is to be protected from encroachment by the state, by the government, not the other way around.

Mr. Speaker, the words of our founding fathers are many, from Washington, to Franklin, to Madison, to Jefferson and others. Each one of these men was fully committed to the pri-

mary role that religion played in public life and in private life, yet without the establishment of one particular denomination.

So, my friends, as we continue to consider the many policies that lie before us, like Charitable Choice, like Opportunity Scholarships for children who go to religious schools, like government contracting with faith-based institutions, even the posting of the Ten Commandments on public property, let us do so with the true intention of the framers in mind. That intention was to allow religion both to flourish and to inform public life, yet still without naming a particular national or Federal religion or denomination. That is fully possible. Instead of shutting it out and denying even the purely practical solution that it offers, let us not be afraid of the good that religion can and does bring to public life. Indeed, it has helped to build a great Nation.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. MCKINNEY (at the request of Mr. GEPHARDT) for today through the end of business on October 6 on account of a death in the family.

Mrs. FOWLER (at the request of Mr. ARMEY) for today until 6:30 p.m. on account of medical reasons.

Mrs. CHENOWETH-HAGE (at the request of Mr. ARMEY) for today until 7:00 p.m. on account of her wedding.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mrs. CHRISTENSEN) to revise and extend their remarks and include extraneous material:)

Mr. LIPINSKI, for 5 minutes, today.

Ms. WATERS, for 5 minutes, today.

Mrs. CLAYTON, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. ISAKSON) to revise and extend their remarks and include extraneous material:)

Mr. MCINNIS, for 5 minutes, today.

Mr. KASICH, for 5 minutes, today.

Mr. SMITH of Michigan, for 5 minutes, today and October 6.

Mr. PAUL, for 5 minutes, today.

ENROLLED BILL SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2084. An act making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2000. and for other purposes.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 323. An act to redesignate the Black Canyon of the Gunnison National Monument as a national park and establish the Gunnison Gorge National Conservation Area, and for other purposes.

S. 1606. An act to extend for 9 additional months the period for which chapter 12 of title 11, United States Code, is reenacted.

BILL PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Administration, reported that that committee did on the following date present to the President, for his approval, a bill of the House of the following title:

On September 30, 1999:

H.R. 2981. To extend energy conservation programs under the Energy Policy and Conservation Act through March 31, 2000.

ADJOURNMENT

Mr. PITTS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 34 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, October 5, 1999, at 9 a.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

4628. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Veterinary Services User Fees; Import of Entry Services at Ports [Docket No. 98-006-2] received September 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4629. A letter from the Under Secretary of Defense, Department of Defense, transmitting a Plan to Ensure Visibility of In-Transit End Items and Secondary Items; to the Committee on Armed Services.

4630. A letter from the Legislative and Regulatory Activities Division, Comptroller of the Currency, Administrator of National Banks, transmitting the Department's final rule—Guidelines Establishing Year 2000 Standards for Safety and Soundness for National Bank Transfer Agents and Broker-Dealers [Docket No. 99-12] (RIN: 1557-AB73) received September 29, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

4631. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting a copy of the Corporation's Annual Report for calendar year 1998, pursuant to 12 U.S.C. 1827(a); to the Committee on Banking and Financial Services.

4632. A letter from the Managing Director, Federal Housing Finance Board, transmitting the Board's final rule—Availability of Unpublished Information [No. 99-42] (RIN: 3069-AA81) received September 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

4633. A letter from the Deputy Assistant Administrator, Drug Enforcement Administration, transmitting the Administration's final rule—Schedules of Controlled Substances: Placement of Zaleplon Into Schedule IV [DEA-182F] received September 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4634. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Industry Codes and Standards; Amended Requirements (RIN: 3150-AE26) received September 28, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4635. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the President's Memorandum of Justification regarding the drawdown of defense articles and services for United Nations Interim Administration in Kosovo, pursuant to 22 U.S.C. 2411; to the Committee on International Relations.

4636. A letter from the Director, Office of Procurement and Property Management, Department of Agriculture, transmitting the Department's final rule—Agriculture Acquisition Regulation: Part 413 Reorganization: Simplified Acquisition Procedures [AGAR Case 96-05] (RIN: 0599-AA04) received August 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

4637. A letter from the Acting Director, United States Information Agency, transmitting the 1999 Integrity Act Report To The President and Congress; to the Committee on Government Reform.

4638. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a draft bill "To amend the Act establishing Big Thicket National Preserve"; to the Committee on Resources.

4639. A letter from the Deputy Assistant Attorney General, Office of Policy Development, Department of Justice, transmitting the Department's final rule—Civil Monetary Penalties Inflation Adjustment [AG Order No. 2249-99] (RIN: 1105-AA48) received August 30, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4640. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Technical Corrections to Regulations Regarding the Issuance of Immigrant and Non-immigrant Visas [Public Notice 2980] (RIN: 1400-AB03) received September 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4641. A letter from the Legion of Valor of the United States of America, Inc., transmitting a copy of the Legion's annual audit as of April 30, 1999, pursuant to 36 U.S.C. 1101(28) and 1103; to the Committee on the Judiciary.

4642. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule—Pre-Disaster Mitigation Loans—received September 21, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

4643. A letter from the Secretary of Labor, transmitting the quarterly reports on the expenditure and need for worker adjustment assistance training funds under the Trade Act of 1974, pursuant to 19 U.S.C. 2296(a)(2); to the Committee on Ways and Means.

4644. A letter from the Executive Office of the President, transmitting a proposal to amend the U.S. textile and apparel rules of origin; to the Committee on Ways and Means.

4645. A letter from the Secretary of Health and Human Services, transmitting a report on Agency Drug-Free Workplace Plans, pursuant to Public Law 100-71, section

503(a)(1)(A) (101 Stat. 468); jointly to the Committees on Appropriations and Government Reform.

4646. A letter from the Commission of the Federal Government to Combat the Proliferation of Weapons of Mass Destruction, transmitting the report of the Commission to Assess the Organization of the Federal Government to Combat the Proliferation of Weapons of Mass Destruction; jointly to the Committees on International Relations and Armed Services.

4647. A letter from the Acting Director, Defense Security Cooperation Agency, Department of Defense, transmitting a report authorizing the transfer of up to \$100M in defense articles and services to the Government of Bosnia-Herzegovina; jointly to the Committees on International Relations and Appropriations.

4648. A letter from the Deputy Executive Secretary to the Secretary, Department of Health and Human Services, transmitting the Service's final rule—Medicare Program; Revision of the Procedures for Requesting Exceptions to Cost Limits for Skilled Nursing Facilities and Elimination of Reclassifications [HCFA-1883-F] (RIN: 0938-A180) received August 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Alaska: Committee on Resources. H.R. 20. A bill to authorize the Secretary of the Interior to construct and operate a visitor center for the Upper Delaware Scenic and Recreational River on land owned by the State of New York (Rept. 106-361). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 1665. A bill to allow the National Park Service to acquire certain land for addition to the Wilderness Battlefield in Virginia, as previously authorized by law, by purchase or exchange as well as by donation; with an amendment (Rept. 106-362). Referred to the Committee of the Whole House on the State of the Union.

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 321. Resolution providing for consideration of the bill (H.R. 764) to reduce the incidence of child abuse and neglect, and for other purposes (Rept. 106-363). Referred to the House Calendar.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

[Omitted from the Record of October 1, 1999]

H.R. 1788. Referral to the Committee on Government Reform extended for a period ending not later than October 6, 1999.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. YOUNG of Alaska:
H.R. 3002. A bill to provide for the continued preparation of certain useful reports concerning public lands, Native Americans, fisheries, wildlife, insular areas, and other

natural resources-related matters, and to repeal provisions of law regarding terminated reporting requirements concerning such matters; to the Committee on Resources.

By Mr. WELDON of Pennsylvania (for himself and Mr. GONZALEZ):

H.R. 3003. A bill to amend title XVIII of the Social Security Act to designate certified diabetes educators recognized by the National Certification Board of Diabetes Educators as certified providers for purposes of outpatient diabetes education services under part B of the Medicare Program; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BROWN of Ohio (for himself, Mr. WAXMAN, Mr. STARK, Mr. FROST, Mr. FRANK of Massachusetts, and Mr. BRADY of Pennsylvania):

H.R. 3004. A bill to amend title XVIII of the Social Security Act to permit a Medicare beneficiary enrolled in a Medicare+Choice plan to elect to receive covered skilled nursing facility services at the skilled nursing facility in which the beneficiary or spouse resides or which is part of the continuing care retirement community in which the beneficiary resides; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAMPBELL:

H.R. 3005. A bill to establish an Independent Counsel Commission; to the Committee on the Judiciary.

By Ms. ESHOO:

H.R. 3006. A bill to establish a program to help States expand the existing education system to include at least 1 year of early education preceding the year a child enters kindergarten; to the Committee on Education and the Workforce.

By Mr. MEEHAN (for himself and Mr. HANSEN):

H.R. 3007. A bill to require the sale and advertisement of cigarettes on the Internet to meet the warning requirements of the Federal Cigarette Labeling and Advertising Act; to the Committee on Commerce.

By Mr. OWENS:

H.R. 3008. A bill to amend the Elementary and Secondary Education Act of 1965 to provide up-to-date school library media resources and well-trained, professionally certified school library media specialists for elementary schools and secondary schools, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ROEMER (for himself, Mr. CLEMENT, Mr. GONZALEZ, Mr. HILL of Indiana, Mr. LAMPSON, Mrs. MALONEY of New York, and Mr. MALONEY of Connecticut):

H.R. 3009. A bill to authorize the Secretary of Education to make grants to State and local educational agencies to support programs that promote a variety of educational opportunities, options, and choices in public schools; to the Committee on Education and the Workforce.

By Mr. SHAYS (for himself, Ms. DELAURO, Mr. GEJDENSON, Mr. LARSON, and Mr. MALONEY of Connecticut):

H.R. 3010. A bill to amend titles XVIII and XIX of the Social Security Act to ensure that individuals enjoy the right to be free from restraint, and for other purposes; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the

Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRANKS of New Jersey (for himself, Mrs. CLAYTON, Mrs. KELLY, Mrs. ROUKEMA, Mr. GILMAN, Mr. FRELINGHUYSEN, Mr. LOBIONDO, Mr. SMITH of New Jersey, Mr. SAXTON, Mr. PAYNE, Mr. ROTHMAN, Mr. PASCRELL, Mr. PALLONE, Mr. MENENDEZ, Mr. BURR of North Carolina, Mr. WATT of North Carolina, Mr. BALLENGER, Mr. MCINTYRE, Mr. ETHERIDGE, Mr. HASTINGS of Florida, Mr. HINCHEY, Mrs. FOWLER, Mr. JONES of North Carolina, Mr. COBLE, and Mr. HAYES):

H. Res. 322. A resolution expressing the sense of the House of Representatives in sympathy for the victims of Hurricane Floyd, which struck numerous communities along the East Coast between September 14 and 17, 1999; to the Committee on Transportation and Infrastructure.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

253. The SPEAKER presented a memorial of the Legislature of the State of California, relative to Assembly Joint Resolution No. 21 memorializing the President and Congress to reject and condemn any suggestions that sexual relations between children and adults, except for those that may be legal in the various states under statutes pertaining to marriage, are anything but abusive, destructive, exploitive, reprehensible, and punishable by law; to the Committee on Education and the Workforce.

254. Also, a memorial of the Legislature of the State of California, relative to Assembly Joint Resolution No. 18 memorializing the President and Congress of the United States to enact legislation expanding Medicare benefits to include the cost of prescription drugs; jointly to the Committees on Commerce and Ways and Means.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 142: Mr. KING.
 H.R. 148: Mr. PICKETT and Mr. DEFAZIO.
 H.R. 274: Mr. GUTIERREZ, Mr. CUNNINGHAM, Mr. PETRI, Mr. THOMPSON of California, and Mr. GEJDENSON.
 H.R. 354: Mr. REYNOLDS.
 H.R. 371: Mr. TALENT.
 H.R. 563: Mr. INSLIEE.
 H.R. 566: Mr. SANDERS.
 H.R. 583: Mr. FROST and Ms. RIVERS.
 H.R. 628: Mr. COLLINS.
 H.R. 670: Mr. BARRETT of Wisconsin, Mr. KLINK, Mr. MURTHA, Mr. TURNER, Mr. REYES, Mr. FORD, and Mr. FROST.
 H.R. 685: Mr. BOSWELL.
 H.R. 732: Mr. UDALL of New Mexico.
 H.R. 750: Mr. OLVER and Ms. DELAURO.
 H.R. 773: Mr. BERRY.
 H.R. 802: Mr. HALL of Texas, Mrs. MCCARTHY of New York, Mr. RODRIGUEZ, and Mr. ROEMER.
 H.R. 920: Mr. CONYERS.
 H.R. 1015: Mr. BOEHLERT.
 H.R. 1071: Mr. KIND.
 H.R. 1122: Mr. BLAGOJEVICH, Mr. PRICE of North Carolina, and Mr. SCHAFFER.
 H.R. 1187: Mr. WHITFIELD.
 H.R. 1194: Mr. KUCINICH, Mr. UDALL of Colorado, and Mrs. JONNISON of Connecticut.
 H.R. 1239: Mrs. CLAYTON, Mr. WATT of North Carolina, and Mr. GEPHARDT.

H.R. 1274: Mrs. MEEKS of New York, and Mr. FALEOMAVAEGA.

H.R. 1310: Mr. NUSSLE, Mr. SHAW, Mr. UPTON, Mr. ABERCROMBIE, Mrs. MORELLA, Ms. NORTON, Mr. HASTINGS of Florida, Mr. FILLNER, Mrs. NAPOLITANO, Mr. TANCREDO, Ms. ROS-LEHTINEN, Ms. STABENOW, Mr. THOMPSON of California, Mr. PICKETT, Mr. ISAKSON, Mr. HOEKSTRA, Ms. VELAZQUEZ, Mr. KENNEDY of Rhode Island, Mr. UNDERWOOD, Mr. MARTINEZ, Mr. DIXON, Mr. LEWIS of Georgia, Mr. GONZALEZ, and Mr. COX.

H.R. 1311: Mr. WEINER, Mr. NUSSLE, Mr. BOUCHER, Ms. LOFGREN, Mr. CANADY, of Florida, Mr. LEWIS of Kentucky Ms. PELOSI, Mrs. CLAYTON, Mr. SANDERS, Mr. DIXON, Mr. LEWIS of Georgia, and Mr. RYAN of Wisconsin.

H.R. 1320: Ms. STABENOW.

H.R. 1334: Mr. EWING.

H.R. 1337: Mr. WATTS of Oklahoma.

H.R. 1355: Mr. LEWIS of Georgia.

H.R. 1387: Mr. PHELPS, Mr. MCHUGH, Mr. PETRI, Mr. LAFALCE, Mr. GOODE, Mr. STUPAK, Mr. FRANK of Massachusetts, and Mr. GORDON.

H.R. 1443: Mr. KILDEE.

H.R. 1452: Mr. LIPINSKI.

H.R. 1454: Mr. BROWN of Ohio.

H.R. 1456: Mr. CALLAHAN.

H.R. 1541: Mr. TOOMEY.

H.R. 1579: Mr. WOOLSEY, Mr. MASCARA, Mr. SIMPSON, Mrs. MEEK of Florida, Mr. BATEMAN, Mrs. BIGGERT, Mr. HINOJOSA, Mr. GARY MILLER of California, Ms. CARSON, Mr. OWENS, Ms. MCKINNEY, and Mr. COLLINS.

H.R. 1598: Mr. SAXTON.

H.R. 1648: Mr. HILL of Indiana.

H.R. 1650: Mr. DEFAZIO.

H.R. 1657: Mr. LUTHER.

H.R. 1879: Mr. CAPUANO.

H.R. 1917: Mr. HOSTETTLER and Mr. DEFAZIO.

H.R. 1926: Mr. MARTINEZ.

H.R. 1954: Mr. BLUNT and Mr. MORAN of Virginia.

H.R. 2055: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. LIPINSKI.

H.R. 2060: Mr. FRANK of Massachusetts, Mr. BROWN of Ohio, and Mr. DOYLE.

H.R. 2138: Mr. BRADY of Pennsylvania.

H.R. 2162: Mr. SPRATT.

H.R. 2200: Mr. ENGLISH.

H.R. 2241: Mr. REYNOLDS, Mr. GONZALEZ, Mr. SAXTON, and Mr. ALLEN.

H.R. 2308: Mr. HINOJOSA.

H.R. 2337: Mr. CRANE.

H.R. 2344: Mr. SNYDER and Mr. MORAN of Virginia.

H.R. 2429: Mr. DOOLITTLE.

H.R. 2463: Mr. SPRATT.

H.R. 2512: Mr. UNDERWOOD.

H.R. 2528: Mr. EVERETT, Mr. PETERSON of Minnesota, Mr. OXLEY, Mr. VITTER, and Mr. BASS.

H.R. 2538: Mr. COSTELLO.

H.R. 2576: Mr. PETERSON of Pennsylvania.

H.R. 2607: Mr. SENSENBRENNER, Mr. GORDON, Mr. CALVERT, Mr. KUYKENDALL, Mr. BOEHLERT, Mr. WELDON of Florida, Mr. LUCAS of Oklahoma, Mr. COOK, Mr. SMITH of Texas, Ms. STABENOW, and Mr. LAMPSON.

H.R. 2620: Mr. KIND, Mr. PRICE of North Carolina, Mr. WEYGAND, and Mr. DEUTSCH.

H.R. 2631: Mr. GONZALEZ and Mrs. NAPOLITANO.

H.R. 2697: Mr. ETHERIDGE.

H.R. 2749: Mr. CANADY of Florida and Mr. SHAW.

H.R. 2807: Mrs. MALONEY of New York.

H.R. 2809: Mr. MALONEY of Connecticut.

H.R. 2865: Mr. OWENS and Ms. PELOSI.

H.R. 2888: Mr. EWING and Mr. RUSH.

H.R. 2894: Ms. DUNN and Mr. STUMP.

H.R. 2895: Mr. GEPHARDT, Mr. SWEENEY, Mr. STUPAK, and Ms. DANNER.

H.R. 2919: Mr. SHERWOOD.

H.R. 2925: Ms. DANNER, Mr. OSE, Mr. TRAFICANT, Mr. LATOURETTE, Mr. COOKSEY, Mr. YOUNG of Florida, and Mrs. KELLY.

H.R. 2980: Mr. DELAURO.
H.R. 2985: Mr. NETHERCUTT.
H.R. 2990: Mr. BAKER, Mr. HOSTETTLER, Mr. GOSS, Mr. COOK, Mr. KUYKENDALL, Mrs. BIGGERT, Mr. HERGER, Mr. ENGLISH, and Mr. GARY MILLER of California.
H.R. 2998: Ms. ROS-LEHTINEN.
H. Con. Res. 39: Mr. LAMPSON.
H. Con. Res. 51: Mr. ROHRBACHER.
H. Con. Res. 111: Mr. KENNEDY of Rhode Island and Mr. OWENS.

H. Con. Res. 139: Mr. KIND, Mr. DOYLE, and Ms. RIVERS.
H. Res. 115: Mr. BILIRAKIS.
H. Res. 224: Mr. SIMPSON.
H. Res. 269: Mr. WICKER.
H. Res. 278: Mr. BARTON of Texas, Ms. PRYCE of Ohio, Mr. GEKAS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FALEOMAVEGA, Mrs. MORELLA, Mr. RODRIGUEZ, and Mr. OXLEY.

H. Res. 298: Ms. ESHOO, Ms. RIVERS, Mr. FARR of California, Ms. MCKINNEY, Mr. THOMPSON of Mississippi, and Mr. FRANK of Massachusetts.
H. Res. 303: Mr. SESSIONS, Mr. COLLINS, Mr. GOODLING, Mr. ARMEY, Mr. SMITH of New Jersey, Mrs. MYRICK, Mr. RYAN of Wisconsin, Mr. KOLBE, Mr. SCHAFFER, Mr. JENKINS, and Mr. HILL of Montana.