United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

Vol. 145 WASHINGTON, WEDNESDAY, NOVEMBER 3, 1999 No. 153

House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
November 3, 1999.

I hereby appoint the Honorable STEVEN C. LATOURETTE to act as Speaker pro tempore on this day.

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

PRAYER

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

Let us pray, using the words of Psalm 46:

God is our refuge and strength,
a very present help in trouble.
Therefore, we will not fear
though the earth should change,
though the mountains shake in the heart of the sea;
though its waters roar and foam,
though the mountains tremble with its tumult.
There is a river whose streams make glad the city of God,
the holy habitation of the Most High.
God is in the midst of her, she shall not be moved;
God will help her right early.
The nations rage, the kingdoms totter;
He utters His voice,
the earth melts.
The lord of hosts is with us;
The God of Jacob is our refuge. Amen.

THE JOURNAL

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

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

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

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

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

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

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

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

Mr. GEORGE MILLER of California led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Ms. McDevitt, one of its clerks, announced that the Senate has passed bills and concurrent resolutions of the following titles in which concurrence of the House is requested:

S. 440. An act to provide support for certain institutes and schools.

S. 1843. An act to designate certain Federal land in the Talladega National Forest, Alabama, as the ''Dugger Mountain Wilderness''.

S. 1844. An act to amend part D of title IV of the Social Security Act to provide for an alternative penalty procedure with respect to compliance with requirements for a State disbursement unit.

S. Con. Res. 66. Concurrent resolution to authorize the printing of ''Capitol Builder: The Shorthand Journals of Captain Montgomery C. Meigs, 1853–1861''.

S. Con. Res. 67. Concurrent resolution to authorize the printing of ''The United States Capitol: A Chronicle of Construction, Design, and Politics''.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 15 1-minute speeches on each side.

GOOD NEWS

(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, no surprises, just some good news. Yesterday the U.S. Government announced that it paid off nearly $16 billion of the national debt.

There is more. The Treasury Department also stated that it expected to retire another $12 billion in the first quarter of next year alone. We are beginning to pay off that $5.5 trillion national debt, and for the first time since Dwight D. Eisenhower was President, the U.S. can boast of back-to-back budget surpluses.

How did we achieve those budget surpluses? Simple, a Republican Congress remained committed to reducing wasteful government spending.

As we continue to debate the appropriation bills for next year, it is my hope that we can continue to build upon our successes. Americans want and deserve a Federal Government that spends their tax dollars wisely. Let us not disappoint them.

Mr. Speaker, I yield back the balance of any remaining government waste that continues to permeate this area.

Printed on recycled paper.

REGARDING THE BROOKLYN MUSEUM

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

Mr. NADLER. Mr. Speaker, I rise today to congratulate the First Amendment on a very important victory. A Federal court has ordered the mayor of the city of New York and his administration to end its campaign to evict the Brooklyn Museum from its facilities over an exhibit that he and some others found offensive.

This was not a serious challenge for the First Amendment, because it is clear to even students of the most basic constitutional law class that this case had no merit and was brought for entirely political reasons, though every once in a while it is nice to reaffirm that the First Amendment is as strong as ever.

Mr. Speaker, the Bill of Rights is clear, the government may not interfere with the free expression of anyone. What the mayor and his administration attempted to do was censorship, pure and simple. The mayor tried to impose his own cultural tastes on the museum, and tried to hold it hostage to his demands that a particular exhibition would be withdrawn.

If he had been victorious, it could have had a real chilling effect. But the First Amendment is stronger than the whims of elected officials. It has won yet again. Quoting from the said Federal court decision, ''There is no Federal constitutional issue more grave than the effort by government officials to censor works of expression and to threaten the vitality of a major cultural institution as a punishment for failing to abide by governmental demands for orthodoxy.''

This is a victory for the Brooklyn Museum, for the artistic community, a victory for the First Amendment, and for constitutional liberty.

REPUBLICANS MAKE WASHINGTON KICK TWO BAD HABITS AT ONCE

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

Mr. BALLENGER. Mr. Speaker, bad habits are hard to break, especially when those habits are 30 years old.

Maybe it should not surprise me that the Washington big spenders who have raided the social security trust fund for the last 30 years are having trouble kicking that habit.

But just because it is not surprising does not mean that it is okay. It is not okay to raid the social security trust fund and use the money for other governmental programs. It is not okay to jeopardize the retirement security of millions of hard-working Americans.

While I am not surprised that President Clinton and the Democrats in Congress are having such trouble kicking this bad habit, I am disappointed by it. But we Republicans will stand firm. We have stopped the social security raid. We have passed a bill that protects the retirement money of America's working men and women, and at the same time we are rooting out waste, fraud, and abuse in Washington bureaucracy.

We are making Washington kick two bad habits at once. That is what I call good government.

REPUBLICANS' TAX BREAK PLANS STILL IGNORE NEEDS OF DESERVING AMERICANS

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

Mr. GEORGE MILLER of California. Mr. Speaker, for 9 months out of this year the Republicans fought for a $1 trillion tax cut at the expense of our balanced budget and at the expense of our social security system. That was overwhelmingly rejected by the people of this country.

Now the Republicans tell us that we cannot afford a prescription drug benefit for our seniors, that we cannot afford a Patients' Bill of Rights to protect our families against managed care and HMOs that deny them care, that we cannot afford a minimum wage for our low-income workers in this Nation, and that we cannot extend the fiscal security of social security by even one day.

No, the Republicans still want to try to pass tax breaks for the wealthiest individuals, corporations, and special interests in this country. When in this session, in the last remaining 8 or 10 days of this session, when is it that Republicans are going to start thinking about our elderly, our children, and the working families of this Nation?

LOCKBOX

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

Mr. SCHAFFER. Mr. Speaker, this House demonstrated this year that it is indeed possible to stop the raid on social security. We know this is the right thing to do. Americans know this is the right thing to do. Of course, the right thing to do is not always the easy thing to do. It is a lesson we all learned as children, and it is a lesson we all hope to pass on to our own children.

On May 26, this House voted to make doing the right thing a little easier by passing the social security lockbox, with a vote of 416 to 12. With the lockbox protections in place, raiding social security will no longer be an easy thing for the President to do.

The House passed the lockbox bill 160 days ago. For 160 days, the Democrat party in the other Chamber has held this vital bill hostage. They are refusing to allow the bill to the Senate floor for a vote.

It is time to do the right thing for America's seniors, for their children, and for their children's children. One hundred sixty days is too long to leave social security unprotected from the President's propensity to spend and spend and spend.

THE LADY BUCKEYES AT THE LINCOLN MEMORIAL

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

Mr. TRAFICANT. The Ohio State women's rugby team, Mr. Speaker, wanted to do something memorable in D.C. It was memorable, all right. Unlike Brandy Chastain's highly publicized sports bra expose, the Lady Buckeyes went topless. That is right, topless. The Lincoln Memorial became a strip joint. Bras were flying everywhere. Unbelievable.

Now, after all this, the University has suspended the team, and these Buckeye vixens are awaiting the final decision.

Beam me up, Mr. Speaker. Leave these foxy ladies alone. If America can forgive the President, the Ohio State University can forgive these Buckeye divas. I yield back all of the memorable excitement at the Lincoln Memorial.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind all Members to avoid personal references to the President of the United States.

TRIBUTE TO THOMAS P. FISCHER

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

Mr. BARR of Georgia. Mr. Speaker, I rise today to commend Thomas P. Fischer as he today begins his last day of public service. After serving his country in Vietnam and other Federal positions, Tom Fischer accepted the challenge of serving in a leadership position in the Immigration and Naturalization Service, including heading the INS district office in Atlanta.

The people who have benefited from Tom Fischer's public service are legion: the hundreds of Federal workers who have served under him; the many public officials, including myself as the U.S. Attorney for the Northern District of Georgia, that served alongside of him; and thousands of hopeful new American citizens that he helped guide on their road to citizenship.

Mr. Speaker, as Thomas Fischer begins today his last day of Federal service, I join in thanking him for an outstanding job, and wishing him well in his new endeavors, which will, I am certain, be marked by the same integrity, dedication, patriotism, and diligence that have characterized every day of his service to America.

A SALUTE TO JACK MCNULTY ON THE 50TH ANNIVERSARY OF HIS FIRST ELECTION TO PUBLIC OFFICE

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

Mr. MCNULTY. Mr. Speaker, I rise this morning to salute the Honorable John J. McNulty, Junior, the mayor of the village of Green Island, New York. Yesterday, Mr. Speaker, Jack McNulty celebrated the 50th anniversary of his first election to public office in November of 1949.

At various times during his career he has served as the supervisor of the town of Green Island, as the mayor of the village of Green Island, as the sheriff of Albany County, and as a member of the New York State Commission on Correction.

Mr. Speaker, if we ask anyone in public life in upstate New York, Republican, Democrat, liberal, or conservative, about the reputation of Jack McNulty, they will tell us that he stands for everything that is good and honest and decent about public life.

So I am very proud to salute this constituent today, Mr. Speaker. And oh, yes, incidentally, he is my dad.

ANNOUNCING PRESS CONFERENCE ON A NEW SOCIAL SECURITY SOLVENCY BILL

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

Mr. SMITH of Michigan. Mr. Speaker, this morning at 11 a.m. I will be holding a press conference announcing a new social security bill that will keep social security solvent forever. That press conference at 11 a.m. this morning is going to be held at the triangle southeast of the steps. If it rains or snows it will be in room 210, the Committee on the Budget room.

I announce this, Mr. Speaker, because I notice some publications noted that it was going to be in the press gallery. It is going to be at the triangle.

The reason for the change is about a dozen organizations will be present that have agreed to support my bill.

I would just encourage, Mr. Speaker, everybody in this Chamber to decide what legislation, scored by the Social Security Administration keeps Social Security solvent, they support. There are several such bills already introduced, or come up with your own bill as long as it is scored by the Social Security Administration to make this important program solvent. I think time has gone for rhetoric. We need action to support and move ahead with legislation that is going to keep social security solvent.

ELECTIONS

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

Mr. BLUMENAUER. Mr. Speaker, yesterday on the floor of this assembly I spoke about the sleeper issue in the 2000 election that was emerging in the ballot initiatives across the country. The ballot results are in. We need look no further than northern Virginia to see that growth and livable communities, quality of life, are becoming the emerging issue.

Even the Virginia victory by the Republicans in the legislature was due to more than a huge infusion of campaign money. Republican candidates took moderate positions on gun violence, unplanned growth, and transportation.

We do not have to wait to the year 2000 election. I strongly urge my Republican colleagues to embrace these elements of livable communities: hiring more teachers, police, reducing gun violence, and giving communities the mechanisms to manage growth. America will be the winner.

LAST WEEK THE REPUBLICAN CONGRESS STOPPED THE 30–YEAR RAID ON SOCIAL SECURITY

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

Mr. TIAHRT. Mr. Speaker, last week was a truly remarkable week in Washington because the Republican Congress stopped the 30-year raid on social security. We passed all 13 appropriations bills without touching the surplus in the social security trust fund. We did it requiring big government in Washington to be a little more responsible with the taxpayers' hard-earned money.

A 1 percent across-the-board reduction in bureaucratic spending will mean less waste, fraud, and abuse in government, and it will mean that the social security will be there for American retirees. A penny saved is a retirement secured.

Mr. Speaker, this is indeed a great accomplishment. If the President vetos our plan to strengthen social security by cutting government waste, we will send him another bill that does the very same thing. This is no time for political gamesmanship, because the retirement security of the millions of Americans is at stake. Strengthening social security is a top priority for the Republican Congress, and I sincerely hope that the President and his party will join us in meeting that goal.

□ 1015

THE GOP TAKES A GUILLOTINE TO OUR VETERANS PROGRAMS

(Ms. SANCHEZ asked and was given permission to address the House for 1 minute.)

Ms. SANCHEZ. Mr. Speaker, with the approach of Veterans' Day, we must remember the sacrifices made by those that have fought to preserve our freedom. Fortunately, our society has been blessed with many leaders who learned the values of responsibility and loyalty and leadership while wearing the uniform of this country. For without their dedication to duty, we would not enjoy the many freedoms this fortunate America has to offer.

Mr. Speaker, we have a responsibility to honor the commitments that we have made our veterans. At a time when our economy is the strongest in decades and the Federal Government is experiencing budget surpluses, it is incomprehensible to me that Republicans would have, as its top priority, an across-the-board cut to our veterans' programs and benefits. This loss of funding would threaten the very survival of our veterans' health care system.

The Republicans' decision to cut these programs is misguided and ill-advised. Yes, we need to get to the Nation's work and we need to come to a budget agreement but let us not do it at the expense of our sick and disabled veterans.

THE $3 MILLION DUCK, DISCOVERED AND STOPPED BY TWO MEMBERS OF CONGRESS

(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, I would like to remind the previous speaker that the Republican budget has more money for veterans in it than was requested by the President.

Mr. Speaker, we have all heard about the million dollar man. Well, believe it or not, now we have a $3 million duck. That is right, we now know that the United States Fish and Wildlife Service planned to spend $30 million on a small island 1,000 miles south of Hawaii for a wildlife refuge for migratory ducks. The only problem is there are only 10 ducks on the island. That is $3 million per duck.

The ducks probably think this is a pretty good deal. After all, they each get $3 million. But I do not think taxpayers think this is such a great deal.

This is just the last example of government waste uncovered by Congress. It all comes down to whether or not we are willing to root out government waste or to protect Social Security.

Mr. Speaker, Republicans have stopped the 30-year raid on Social Security. The President now shares our commitment. We can lock away every penny of Social Security if we simply root out some government waste.

Mr. Speaker, there is some good news. The 10 ducks on that island are not going to get their $30 million because two Members of Congress discovered this program and they stopped this quack program.

All we have to do is stop all such programs and we can save Social Security from waste, inefficiency and absurdity.

CONGRESS SHOULD PASS SCHOOL CONSTRUCTION

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

Mr. ETHERIDGE. Mr. Speaker, I rise today to call on this House to pass school construction legislation before we adjourn for the year. We should not even consider ending this session until we tend to the needs of our children for new school construction.

Across the country at this very moment more than 53 million children are attending classes in our Nation's schools. We now have more children in our schools than we have had at any time in our history even at the height of the baby boom.

Our schools are bursting at the seams and we know that the explosion in enrollment growth we are experiencing and will experience over the next 10 years is going to stretch local communities even farther.

Today many of our children are in overstuffed classrooms. Too many of our teachers are forced to struggle in cramped trailers instead of a quality facility, and too many parents must watch helplessly as their children are condemned to attend a run-down school because Congress refuses to act.

Mr. Speaker, this Congress must not leave town without addressing this crisis. We must not sneak out the backdoor without passing commonsense school construction assistance.

A SUCCESSFUL AFTER-SCHOOL PROGRAM

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

Ms. ROS-LEHTINEN. Mr. Speaker, after-school hours are the most vulnerable for school children to become involved with gangs, with drug abuse, with violence and with vandalism. Statistics demonstrate that between 3:00 p.m. and 4:00 p.m., the immediate hour after most children are released from school, juvenile crime more than doubles from the preceding hour of 2:00 to 3:00.

It has become evident that safe and healthy alternatives need to be found for latchkey school children and that concentrated efforts, ones that focus on literacy, on tutoring, on homework assistance, are becoming necessary, especially for our at-risk youth.

YMCAs, like many after-school programs, have helped improve children's academic achievements, their school attendance, their behavior, their dropout rates and grade retention.

Denis Espinosa, a young man who recently testified at a Children's Caucus event here in Washington, is evidence that an after-school program can guide children to becoming responsible and productive adults. I congratulate Denis for his exemplary outlook, as well as Anna Nechelles, executive director of the West Dade Branch of the YMCA, for her commitment to the future of south Florida's children.

GOP BUDGET IS A WOLF IN SHEEP'S CLOTHING

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

Mr. CROWLEY. Mr. Speaker, all year the GOP Congress has employed gimmicks and distractions against the American people in their attempt to pass a nearly trillion dollar tax break for the wealthy and special interests in our country, a tax break soundly rejected by hard-working Americans. In the past few months, the GOP has dressed its trickle-down, wolf-like budget in sheep's clothing. They now claim to be protecting Social Security, even calling for across-the-board cuts to save the surplus, when their own CBO numbers show them dipping into the Social Security surplus by nearly $17 billion.

Back in 1935, they voted to table Social Security. How can we expect them today to try to protect it?

Now they are advocating a minimum wage bill, but upon further examination the minimum wage bill is loaded down with a tax relief for the wealthiest special interests in this country with only a 33-cent raise each year over the next 3 years for hard-working men and women in this country; a tax break for the wealthiest corporate CEOs in the history of the world and a measly 30 cents an hour raise for their workers.

Mr. Speaker, this is just a back-door attempt, an attempt made in sheep's clothing, for the GOP leadership to give their best friends a tax break.

NO MEANS NO

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

Mr. BARTLETT of Maryland. Mr. Speaker, they just do not get it. President Clinton, Vice President Gore and the Democrat leaders in Congress are failing to grasp one simple concept: No means no.

When we passed every appropriations bill this year, we did it in a way that will protect every last dollar in the Social Security trust fund, but the Democrat leaders have opposed us almost every step of the way. They are pulling out all the stops to try to get their hands on that Social Security money for their big government Washington programs. That is the way they have been doing things for 30 years, but the Republicans have changed that. We stopped the raid on the Social Security trust fund and we are asking the Washington bureaucracy to reduce its spending by just 1 percent to make sure that Social Security remains strong.

We want to root out some of the waste, fraud and abuse that plagues the bureaucracy. So I hope President Clinton will sign our legislation that protects Social Security, because if he keeps telling us to dip into that Social Security money we will keep telling him no, and we will mean it.

THE REAL CONCERNS OF AMERICA, SOCIAL SECURITY, MEDICARE, HMO REFORM, TO NAME A FEW

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

Mr. FROST. Mr. Speaker, the American people want us to put aside the partisanship of the last Republican Congress and to get to work on American families' real concerns, the solvency of Social Security and Medicare, real HMO reform, more teachers and lower class sizes for our children.

Unfortunately, this Republican Congress has been little different from the last. They are holding hostage real HMO reform and they refuse to help local communities reduce class size by hiring 100,000 new teachers.

The chief actuary of the Social Security Administration has found that the Republican budget would do nothing to extend the life of Social Security, not by even a single day. They have done nothing to strengthen Medicare, and GOP leaders refuse to even admit the existence of American seniors' most pressing problem, the astronomical cost of prescription drugs.

On the other hand, Republicans tried to squander the surplus, risking Medicare and Social Security, to fund a $1 trillion tax break for special interests. Those are the values of this Republican Congress, Mr. Speaker, $1 trillion for tax breaks for special interests but not a dime for prescription drugs for seniors.

WE NEED A PATIENTS' BILL OF RIGHTS

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

Mrs. JONES of Ohio. Mr. Speaker, this morning I rise to join my colleagues in lamenting legislation important to my constituents and the American people that the Republican leadership has ignored. I am speaking about gun safety, prescription drug benefits, the Patients' Bill of Rights and campaign finance reform.

The Republican leadership has disregarded the American people and killed these measures for this session of Congress. Democrats still believe we can get action on agendas that matter to reduce class size and raise student achievement by providing for local schools to hire 100,000 new teachers, make our neighborhoods safer and build on the progress we have made

over the last 7 years in reducing violent crime by funding 50,000 new police officers. We are committed to safeguarding the environment.

Another year, another Republican Congress that ignores the needs of middle class families; more interest in providing a trillion dollar tax cut for corporate and special interests, but they do not care about finding a dime for Medicare prescription drugs for seniors and now they are at the beck and call of the HMO lobbyists but they have failed to send a bipartisan Patients' Bill of Rights to Congress. It is time for all of these programs to get in place now more than ever.

THE MONEY BELONGS TO THE AMERICAN PEOPLE, NOT THE GOVERNMENT

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

Mr. KINGSTON. Mr. Speaker, in Washington there are a couple of things that are misunderstood, mostly by the liberals, that the government does not have money. Big shock, the government does not have money. It is the American people's money. It is hard-working America whose money is talked about as if it is theirs.

The money goes into two pots. One is for general spending and another pot, there are a lot of trust funds but the major two, the other pot is for Social Security. In the general fund pot, we are out. Yet we have heard today speaker after speaker say we need more spending for this, we need more spending for that.

Indeed, most of the liberals voted against the appropriations bills because they did not spend enough money. Well, my question is, if we are out of money in this pot and we have a lot of money in this pot, is that where we are going to get it? Because that is Social Security. If we are not going to take it from this trust fund, then we must want to increase taxes.

Wait a minute. Two weeks ago the other side joined Republicans and voted 419-to-0 against the Clinton tax proposals. The only way to do this, to make our budget, is to cut one cent out of the dollar. I hope the Democrats will join us on that.

THE FINAL YEAR OF THE 20TH CENTURY, A DISAPPOINTMENT FOR AMERICAN FAMILIES

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

Ms. DELAURO. Mr. Speaker, to my prior colleague, I would just say there is no money to deal with his budget and it is because they had an $892 billion tax cut for the wealthiest people in this country. Had they not tried this trick, we would be in a different position here today.

This year, the final year, of the 20th century, has been a disappointing one for the American families. Every time Congress has had the opportunity to help families in a meaningful way, the Republican leadership has sided with the special interests over the public interests.

□ 1030

The list of casualties is long: A patients' bill of rights, campaign finance reform, Medicare prescription drug benefits, smaller class sizes, and sensible gun safety reform is also being killed.

Since the Columbine tragedy occurred more than 6 months ago, the Republican leadership has consistently stifled every attempt to pass common sense gun safety measures, and yet 13 children every day are killed by guns, with 100,000 kids bringing guns to school every year. They should be ashamed of themselves, the Republican leadership, for letting the NRA write our gun laws and obstructing our attempts to close the loopholes that give criminals and children easy access to guns.

REPUBLICANS WANT TO GIVE BACK TO HARD-WORKING AMERICANS

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

Mr. FOSSELLA. Mr. Speaker, at the outset let me commend my friend from New York (Mr. MCNULTY) and his dad for 50 years of wonderful service to our country.

Mr. Speaker, I think this is healthy, and for those who feel clouded by the debate here, I would just like to put it in very simple terms: The core difference between the parties here, as I see it, is the notion of who wants to strengthen personal freedom; who wants to give back to the hard-working Americans who go work at sometimes two and three jobs to support their families, to put food on the table, to buy clothes for their kids for school, to buy that new microwave oven; who wants to be on their side and give them more of their hard-earned money back, and who feels it is appropriate for Washington to keep as much money as possible?

We had the debate about the appropriations bills. Well, the ordinary American is telling us to do our business and come back home. But what we have heard is that Congress passes the bills within certain caps, the White House vetoes it, yet never says where they want to get the additional money from to spend on their additional programs. I think it is legitimate for the American people to ask where is that money coming from.

AMERICANS WANT A CONGRESS THAT WORKS FOR THEM

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

Mr. STUPAK. Mr. Speaker, here we are in November, and, quite frankly, this Republican Congress has done very little. The appropriations bills languish and the needs of the American people are not being met.

The GOP has spent the year trying to convince the American people that they need a $792 billion tax cut for the wealthiest Americans, but America saw through this tax giveaway which raided the Social Security Trust Fund and rejected it.

Instead, the American people asked for things that cost very little and would improve their lives, like a patients' bill of rights so Americans and doctors can make their medical decisions and not the HMOs; like the increase in the minimum wage so all Americans can enjoy this strong economy; like 100,000 more teachers so we can reduce the class sizes; and why, Mr. Speaker, can we not enforce all the gun laws on the books and do background checks on every commercial sale of a gun, even those at gun shows?

No more excuses, no more exceptions. Mr. Speaker, let us work for the American people. Unfortunately, under the Republican-led Congress, it is always the same old song: More tax breaks for the rich and more tax on government. America wants a Congress that works for them, like Democrats are fighting for.

SOCIAL SECURITY WILL BE SAVED

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

Mr. HAYES. Mr. Speaker, in 1997, I began traveling the 8th district of North Carolina, and I made two particular pledges; one was to save Social Security and the other was to do everything I could to balance the budget.

Well, here we are with the appropriations bills passed, we have stopped the raid on Social Security, and we have balanced the budget. It is that simple. Our spending appetite has been decreased, our priorities have been very clearly outlined.

Social Security will be saved because we have stopped the raid, and I applaud those for making the tough choices and making that possible.

JOURNAL

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

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

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

Mr. MCNULTY. Mr. Speaker, I object to the vote on the ground that a

quorum is not present and make the point of order that a quorum is not present.

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 336, nays 59, answered ''present'' 2, not voting 36, as follows:

[Roll No. 557]

YEAS—336

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

NAYS—59

Aderholt
Baird
Berry
Bilbray
Borski
Clay
Clyburn
Coburn
Costello
DeFazio
Dickey
English
Everett
Filner
Gibbons
Gutierrez
Hastings (FL)
Hefley
Hill (MT)
Hilleary
Hilliard
Hinchey
Hooley
Hutchinson
Klink
Kucinich
Lewis (GA)
Lipinski
LoBiondo
Markey
McDermott
McNulty
Miller, George
Moore
Oberstar
Pallone
Pastor
Peterson (MN)
Pickett
Ramstad
Riley
Rogan
Sabo
Schaffer
Scott
Stark
Strickland
Stupak
Taylor (MS)
Thompson (CA)
Thompson (MS)
Udall (CO)
Udall (NM)
Visclosky
Wamp
Waters
Weller
Wicker
Wu

ANSWERED ''PRESENT''—2

Carson
Tancredo

NOT VOTING—36

Berman
Bonior
Brady (PA)
Burton
Callahan
Crane
Engel
Gonzalez
Gordon
Gutknecht
Hinojosa
Hulshof
Hunter
Isakson
Jackson-Lee (TX)
Kasich
Kolbe
McCrery
Meek (FL)
Mollohan
Moran (VA)
Ortiz
Rahall
Reyes
Reynolds
Rodriguez
Sawyer
Scarborough
Shows
Skelton
Slaughter
Thornberry
Watts (OK)
Weldon (PA)
Wise
Young (AK)

□ 1059

Mr. EVERETT changed his vote from ''yea'' to ''nay.''

Mr. METCALF changed his vote from ''nay'' to ''yea.''

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated for:

Mr. HINOJOSA. Mr. Speaker, on rollcall No. 557, approving the Journal, I was unavoidably detained. Had I been present, I would have voted ''yea.''

□ 1100

PERSONAL EXPLANATION

Mr. MEEKS of New York. Mr. Speaker, unfortunately due to a family emergency I was not able to vote yesterday. Had I been here in reference to H. Con. Res. 213, I would have voted ''yes.'' H. Res. 59, I would have voted ''yes.'' H.R. 3164, I would have voted ''yes.'' And H. Res. 349, I would have voted ''yes.''

MOTION TO INSTRUCT CONFEREES ON H.R. 2990, QUALITY CARE FOR THE UNINSURED ACT OF 1999

Mr. DINGELL. Mr. Speaker, I offer a motion to instruct conferees on the bill (H.R. 2990) to amend the Internal Revenue Code of 1986 to allow individuals greater access to health insurance through a health care tax deduction, a long-term care deduction, and other health-related tax incentives; to amend the Employee Retirement Income Security Act of 1974 to provide access to and choice in health care through association health plans; to amend the Public Health Service Act to create new pooling opportunities for small employers to obtain greater access to health coverage through HealthMarts; to amend title I of the Employee Retirement Income Security Act of 1974, title XXVII of the Public Health Service Act, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage; and for other purposes.

The SPEAKER pro tempore (Mr. LATOURETTE). The Clerk will report the motion.

The Clerk read as follows:

Mr. DINGELL moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2990 be instructed to insist on the provisions of the Bipartisan Consensus Managed Care Improvement Act of 1999 (Division B of H.R. 2990 as passed by the House), and within the scope of conference to insist that such provisions be paid for.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. DINGELL) and the gentleman from Virginia (Mr. BLILEY) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan (Mr. DINGELL).

Mr. DINGELL. Mr. Speaker, I yield myself 2 minutes.

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

Mr. DINGELL. Mr. Speaker, we will be shortly appointing conferees to the bipartisan Managed Care Improvements Act. Earlier this month, the House by an overwhelming bipartisan vote of 275–151 approved a strong bill to protect patients' rights. Before voting on final passage, the House rejected three substitutes. We will shortly be going to conference with the Senate.

It will be noted that a number of the conferees appointed by the Senate and perhaps by the Speaker may not have shared the position of the House and in fact have voted against the bill. That is why this bipartisan motion to instruct is so important. It is a reminder to our conferees that the House voted for strong protections for patients and rejected weaker ones. This instructs the conferees to support the position of the House.

Specifically, it is a proposal that covers all health plans, not just a limited few. We want a bill that lets the doctors decide what is in the best interest of the patient, not health insurance bureaucrats. We want a bill that has a strong independent review of HMO decisions. We want a bill that is going to address the unfortunate case when your HMO causes an injury or wrongful death, that the HMO will be responsible like any other business in America. The Senate bill does none of these things.

The motion which I am offering jointly with the gentleman from Georgia (Mr. NORWOOD) and the gentleman from Iowa (Mr. GANSKE) reminds our House conferee Members to insist on strong patient protections. The motion is also fiscally responsible. It instructs House conferees to assure that the bill will be fully paid for. The President said that he will not sign a bill which is not fully paid for. The House can do no less than to see to it that the bill we send to the President is fully paid for, as he insists.

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

Mr. BLILEY. Mr. Speaker, I yield myself 5 minutes.

Last month, this House passed H.R. 2990, the Quality Care for the Uninsured Act, and I was proud to support this measure. I said before the final passage of this legislation that there was nothing of greater importance that this body can do in the area of health care than to help those who do not have health coverage gain access to affordable care.

I continue to believe in and look forward to working with the Senate on our proposals to provide tax relief to the uninsured and to the self-employed. I also look forward to working on the proposals to provide new options for small employers to gain coverage through HealthMarts. The House also passed H.R. 2723, the bipartisan Consensus Managed Care Improvement Act of 1999, the so-called Norwood-Dingell bill.

In accordance with the rule that governed floor consideration of these two measures, the text of H.R. 2723 has now been included in H.R. 2990. The motion to instruct we are debating today seems harmless enough. It instructs conferees to insist on the provisions included in the House-passed managed care bill when negotiating with the Senate and also to insist that this measure be paid for.

However, I must oppose this motion. First, we are sending a strong team in to negotiate with the Senate. I recognize there are significant differences between the two bills that need to be reconciled, but I do not feel it is appropriate to tie the conferees' hands in any way prior to entering those negotiations. What kind of a message does it send our Senate colleagues if we give last-minute instructions that may hinder our negotiating ability? This could be interpreted improperly as a vote of no confidence on behalf of the House and would seriously weaken our negotiating position.

Second, as the contentious debate over the Norwood-Dingell bill last month indicated, there are significant policy differences that divide Members of this body in the area of patient protections. I did not support final passage of this measure because I believe it goes too far by allowing patients to sue their health plans in State courts. I also fear it will ultimately be very costly and cause the number of uninsured to grow even more.

However, I do respect the will of the majority in passing the Norwood-Dingell bill. That said, I do not believe it is appropriate at this time to instruct conferees to insist that all the provisions of the Norwood-Dingell bill be included in the conference package. By its very nature, a conference requires compromise in order to be successful. Again, I oppose tying the hands of our conferees before we ever get to the negotiating table with our Senate colleagues.

Mr. Speaker, I am anxious to begin our negotiations with the Senate to craft a reasonable bipartisan compromise of our respective managed care bills. I want these negotiations to be free of any unnecessary instructions that may limit Members' ability to engage in free and open dialogue with the Senate regarding these important policy decisions. For this reason, I oppose this motion and ask my colleagues to do the same.

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

Mr. DINGELL. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. I thank the distinguished ranking member of the Committee on Commerce for yielding me this time. Mr. Speaker, when we passed the bipartisan patients' bill of rights on October 7, we made a commitment to the American people to reform the managed health care system in our country. Webster's dictionary defines reform as, quote, ''to put an end to a harm by introducing a better method or course of action.''

The Senate bill does not provide a better course of action. Rather, its weak consumer protections continue to allow HMOs to sacrifice quality and reliability for profits. As we go to conference with the Senate, we must insist that the basic consumer protections included in the House-passed patients' bill of rights are retained, the guaranteed access to specialists at no additional cost, the access to saving clinical trials, the assurances that medical decisions are made by physicians, not insurance bureaucrats, the direct access to OB–GYN services, the ability to hold our health plans accountable in court when its decisions to withhold or limit care cause injury or death. I urge my colleagues to vote yes on the Dingell motion to instruct conferees.

Mr. BLILEY. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. THOMAS), chairman of the Subcommittee on Health of the Committee on Ways and Means.

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

Mr. THOMAS. Mr. Speaker, I thank the Chairman, the gentleman from Virginia for yielding me the time. I just think that in case someone thinks that what we are doing here is significant and important, you have to understand under the rules that either body, the House or the Senate, in this case the House, can instruct its conferees; and this is a motion to instruct. It has no binding on a conference between the House and the Senate. It is an attempt on the part of the folks who offered the motion to try to tilt the relationship between the House and the Senate.

Now, the measure that we are taking to conference was already debated and voted on in the House and we passed it, so the House's position is well known. The motion to instruct is to, in fact, insist on the provisions of the bipartisan Consensus Managed Care Improvement Act. But there is no way that this motion to instruct can make anything happen. Remember in the Constitution in article 1, coming from the old Connecticut compromise between the large States and the small States, that both were concerned about the powers, and so there was created the concept of two separate Houses, one based upon geography, two representatives, or Senators, from each State and one based upon population, which continues to grow. There is no limit on the size of the House; it is tied to the population of the United States. And so you have State interests; and remember, initially under the Constitution, those Senators were appointed by State legislatures.

Now, the Senate is an entirely different body than the House. They have different rules. They are elected in a different way. And so when the House and the Senate come together in a conference, it is because the Constitution says that the House and the Senate have to agree exactly on the same piece of legislation that is then sent to the President; and if they cannot agree, then notwithstanding the effort in both the House and the Senate, the legislation passed in both the House and the Senate does not go anywhere.

So our job as conferees will be to go over with the Senate and sit down, equal bodies, both with the same ability to pass a piece of legislation but both of us helpless if we cannot come together. The House-passed one cannot get to the President; the Senate-passed one cannot get to the President unless the House and the Senate agree. And you have already heard the significant difference between the Senate-passed bill and the House-passed bill.

So what we are going to have to do is something that is uniquely American in terms of the political environment.

That is, from the very beginning, decisions made in this country in part, because of the two fundamentally different houses, has been based on accommodation and compromise. We cannot go anywhere without accommodation and compromise. The Senate feels strongly about their position. They passed it. There is a majority backing their position.

The House feels strongly about its position, those who voted for that measure. They had a majority backing them. But when we go to conference, if the House's position is, United States Senate, we don't care what you did, we're not going to look at what you're going to do, you have to accept everything in our bill, that is exactly the position that we take, and we ain't changing it. How successful do you think that is going to be? It is kind of absurd. So understand, this is a political exercise.

There is no reason to vote this motion to instruct. We have the bill; let us get on with our work. Let us vote down the motion to instruct. Let us not insult the Senate the very first day we are supposed to sit down with them and try to reconcile the differences between the two bills. Let us live up to what the American people expect us to do, sit down, accommodate, compromise, produce a good product and get it to the President, instead of posturing as this motion to instruct clearly is. Vote ''no.''

Mr. DINGELL. Mr. Speaker, I yield 2 minutes to my good friend, the gentleman from Iowa (Mr. GANSKE), who has worked very, very hard on this matter.

Mr. GANSKE. Mr. Speaker, I rise in support of this motion to instruct. I have always considered the Speaker of this House to be my friend and mentor, my coach. In urging him to run for Speaker, I did so because I considered him to be fair and to play not just by the letter of the rule but by the spirit of the rule as well. The Speaker and I are old wrestlers. One of the great things about wrestling is that you win or lose on the mat, not by selecting the referee.

□ 1115

If the Speaker as coach had a referee steal a deserved victory from one of his wrestlers, he would have lost respect for that referee. Well, the Patient Protection Act won on the mat 275 to 151. As the GOP authors of this bill, the gentleman from Georgia (Mr. NORWOOD) and I should be named conferees. To technically deny us our spots would be to violate the spirit of naming conferees. To not name us as conferees would be like a referee disqualifying a wrestler for a legal move.

Mr. Speaker, your leadership rests on a small majority, and that rests on respect. If you deny the gentleman from Georgia (Mr. Norwood) and I our spots as conferees, you will be endangering that respect. Payne Stewart and Walter Payton's legacies rest just as much on the respect of their colleagues as honorable men as it did for their feats on the field.

Two hundred years ago Thomas Jefferson said that democracy rested not on leadership's sleight of hand, but on the active participation of its citizens. The House has spoken unequivocally on which bill it prefers for patient protection. I would hope that the conferees you name would reflect that decision.

It is rumored that not one of the GOP Members to be named as conferees voted for the Patient Protection Act. If that is the case, then, Mr. Speaker, you are relying on sleight of hand that Thomas Jefferson warned against.

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

Mr. LAZIO. Mr. Speaker, I think this motion to recommit should be defeated for the following reasons. I think the gentleman from California laid out some of the reasons in terms of giving the conferees the maximum flexibility to get the best possible bill.

Let me give you one example as to why we need to provide flexibility for the conferees. Cancer patients have been waiting for years for the ability to have insurance companies pay for routine, routine, care for clinical trials. Under Dingell-Norwood the most important clinical trials that are conducted, FDA-approved clinical trials, fall outside the scope of the requirement for insurance companies to pay for routine care.

The conferees need to have the maximum flexibility to strengthen and improve this bill. Nobody, Mr. Speaker, in the end has got a market on all the wisdom on health and insurance, HMO reforms. We have to give our conferees the maximum flexibility to get the best possible bill for cancer patients and for others looking for our guidance.

Mr. DINGELL. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. STARK).

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

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

Mr. Speaker, I am pleased that we are going to conference for the managed care reform bill. It is clearly the wish of the majority that the House bill as passed be enacted into law. Under the rules of the House, the Speaker is directed to appoint Members, and no less than a majority who generally supported the House position, as determined by the Speaker.

It is quite clear what the House position was. The conferees have not been appointed according, to my understanding, to that rule, and that does in fact necessitate our insisting that we hold to the position of the House. That is what you do in a democracy. The winner's position is the law and people should obey it.

The public wants this. They have spoken. Whatever the Senate or the other body may have or have not done is not our issue. We are here to see that we fulfill the wishes of the vast majority of this body representing the vast majority of Americans, I believe it is close to 80 percent, who favor the strongest possible managed care control bill. The distinguished authors of this bill have done that, the House has worked its will, and it is our job to carry it out.

It is my hope that the leadership will not frustrate this by slowing down, stalling, postponing the conference in other procedural moves, which is their prerogative. But I suggest they do so and they will incur the wrath of many Americans who are denied adequate and fair treatment from many managed care plans. They are the people who will be the losers if we do not insist on the House position and see that it prevails.

Mr. SHADEGG. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Tennessee (Mr. BRYANT).

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

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

Mr. Speaker, reluctantly I must rise in opposition to this motion. I have a great deal of respect for the senior Member in this Congress, the gentleman from Michigan (Mr. DINGELL), who cosponsored this bill with other people I have tremendous respect for, the gentleman from Georgia (Mr. NORWOOD) and other primary sponsors, the gentleman from Iowa (Mr. GANSKE), who are undoubtedly experts in this area of health care.

Likewise, I have great respect for other positions in this body who supported other measures, the gentleman from Oklahoma (Mr. COBURN), the gentleman from Florida (Mr. WELDON), the gentleman from Kentucky (Mr. FLETCHER), and the gentleman from Arizona (Mr. SHADEGG), a cosponsor of the Shadegg-Coburn bill which I voted for.

There is no perfect bill. Norwood-Dingell is not a perfect bill. Shadegg-Coburn contained many good provisions I think that ought to be considered. One hundred-fifty Members supported that bill, and, as we move toward a conference, we have to look to the Senate and look at the bill that they have got. They have got some good ideas there too.

My concern is that we all I think agree that we want to be able to have patients that are under managed care to receive the best quality treatment that they can get, and we want the managed care groups that manage this care and the costs associated with that to be accountable in some way. All of these bills do that.

We want to do all these things, while making sure we do not make it so expensive that we chase employers, people who provide insurance to their employees, that we do not chase them out

of the market and add more employees to that list of uninsured. Already in this country we have 44 million people who do not have medical insurance, and we do not want to add to that list. So we have a great balancing act that we must accomplish here, and, as we move towards conference, I think we can do that.

I think we can make this bill a better bill. But we do not do that, and the reason I rise in opposition to this motion, is we do not do that by unduly restricting our negotiators, tying their hands, because there are other good ideas in this House, there are other good ideas in the Senate, and it is at that point that our rules provide that we sit down and negotiate in the interest of all Americans interested in health care, we do so on a good faith basis, not with our hands tied, and come up with a more perfect bill. I think we can do that if we do not pass this motion.

I urge my colleagues to vote against this motion to instruct conferees, with the trust and assurance that we can make this bill an even better one for the American people.

Mr. DINGELL. Mr. Speaker, I am happy to yield 2 minutes to the distinguished gentlewoman from New Jersey (Mrs. ROUKEMA), who has displayed extraordinary courage and diligence and vigor throughout this matter.

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

Mr. Speaker, I rise in strong support of this motion to instruct. I want the people in this House to understand what we are doing here. We are saying we support the House bill, which covers 161 million Americans, that is all the Americans in this country who are covered by insurance plans whereas the bill from the Senate discriminates against our people based on the state from which you come. The Senate legislation only covers 48 million Americans. So remember that when you vote on this. That is one of the reasons this bill passed overwhelmingly with bipartisan support in the House. Lets not discriminate. We must cover all 161 million insured constituents.

Finally, I just want to point out something. If you have any doubt about the backlash and the politics out there among your constituents, just look at this week's Newsweek Magazine (November 8, 1999). If you cannot see it, I will read it to you. ''The war over patient rights. HMO hell.''

Then it says in the body of the article, ''From the Capitol to the kitchen tables, from frustration with HMOs to worries about health care, it is topic A, and the patients are ready to rumble.'' Again, reading from this Newsweek magazine, ''H.M.O. Hell: The Backlash.''

Mr. Speaker, I say we have to support the House position and go to conference with this motion to instruct in the interests of our patients who are suffering a rationing of professional care.

Mr. SHADEGG. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I have the same edition of Newsweek Magazine and noted various things in it, including the fact that it pointed out that access to specialists is denied much more frequently by HMO plans than by fee-for-service plans. But I wonder if the last speaker, who is supporting the motion to instruct, understands that that motion to instruct puts fee-for-service plans under the same regulation as HMO plans? That is, they impose the same regulatory burdens on fee-for-service, which is treating people well, according to this magazine article, as it does to HMOs.

I suggest that sticking to the motion to instruct and tying our hands is not the right answer.

Mr. DINGELL. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, there are two obvious reasons why this motion to instruct the conferees to support the Norwood-Dingell bill should be supported. The first is that the Norwood-Dingell bill provides meaningful patient protections, whereas the Republican leadership bill in the other body is a sham proposal designed to protect the insurance industry.

The second is that the vote in the House on the Norwood-Dingell bill was one of overwhelming support and fairness demands that that vote be reflected in the conference.

When it comes to the substance of the bills, my colleague from New Jersey pointed out that the partisan bill passed by the GOP in the other body excludes more than 100 million people from its provisions. It applies only to people in self-funded plans. These types of plans are typically offered only by large employers and cover only 48 million Americans. The Norwood-Dingell bill, on the other hand, applies to all 161 million privately insured Americans.

The differences between the bills though run a lot deeper than this gross disparity in the coverage. The protections in the Norwood-Dingell bill are vastly superior to those limited protections proposed by the GOP leadership in the other body.

Just as some examples, the GOP leadership bill in the Senate provides no guarantees that if you have to go to the nearest emergency room in a situation where you have an emergency, that is going to be covered or you will not have to foot the bill yourself. In the Norwood-Dingell bill, if you go to the nearest emergency room, you are going to be covered.

The GOP leadership bill does not guarantee direct access to OB-GYN for women. The Norwood-Dingell bill does. The leadership bill does not guarantee access to specialists out of the network, but the Norwood-Dingell bill does. The GOP leadership bill allows HMOs to continue to define what type of care is medically necessary. The Norwood-Dingell bill allows doctors and patients to make that determination, not the insurance company bureaucrats.

Finally, the GOP leadership bill does not provide for an independent external appeals process. The Norwood-Dingell bill does.

In addition to that, the gentleman from Michigan (Mr. DINGELL) mentioned that the GOP leadership bill does not allow you to sue your HMO because it leaves the ERISA exemption from liability in place. The Norwood-Dingell bill sides with the patients and lifts this preemption, giving individuals the right to sue their HMOs when they are denied needed care and their health suffers as a result.

Support this motion to instruct the conferees.

Mr. SHADEGG. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Oklahoma (Mr. COBURN), one of the co-authors of a bill which could not be considered if this motion to instruct were adopted.

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

Mr. Speaker, I have less than a year left in this body, and if I could make a change in anything, I would return it 150 years earlier so that the trick that we are seeing today would not be used. I have the greatest respect for the gentleman from Michigan (Mr. DINGELL). He is a great politician, and rarely do I use that word in a positive sense in my lifetime. But I want to tell you what this motion does.

What this motion does is it is going to allow the unions and the trial lawyers to run the hospitals, based on the clause that is in this as far as whistle blowers. It is a totally unneeded portion of the bill, but was put in to build constituencies and consensus.

□ 1130

It will ruin quality assurance in all the hospitals. There is no question in my mind about that.

Number 2, the gentleman from Michigan (Mr. DINGELL) said at the outset that we were mainly interested in patients. I happen to be qualified because I voted for the bill of the gentleman from Georgia (Mr. NORWOOD) and the gentleman from Michigan (Mr. DINGELL) when it left the House. I am one of that 270.

I voted for it for one purpose, I think we need to have some action. With this motion to commit, there will be no health care bill for my patients. There will be no right to go after our HMO, if we follow this motion to commit, because there will be no combined bill, no compromise, and therefore, the President will never get to sign a bill out of this conference.

If that is what we want to accomplish, and we want to use that as a political pawn in the next year's debate over who should be in control of Congress, then that is a legitimate thing.

But it ought to be said that that is what it is for.

That is not what a motion to instruct should be for. A motion to instruct should be, take out the whistleblower. Give the members of the committee, the conference committee, the ability to do what is right for our patients and for our country, not what is right for the Republican or the Democrat party.

The gentleman from Georgia (Mr. NORWOOD) deserves a lot of credit for his work in this body. He worked, worked, worked. We have a health care bill on this floor because because of the courage of the gentleman from Georgia (Mr. NORWOOD); not for any other reason, because of the courage of the gentleman from Georgia. Let us not ruin a display of courage by making this a purely political ploy. That is what this is.

I was not going to speak against it, but Mr. Speaker, my patients, the people in this country, the people in my district who are under HMOs who have no right of recourse today against unqualified medical personnel making decisions about their health care, they have no right, and this bill that we are going to have has no adequacy of network whatsoever in it.

They do not even have to have an adequate network. The heck with specialists. They can say, I have a specialist, and they can have 1 and they need 200. This bill does not even address that. Do Members want to leave that that way in conference? No, they do not. I know they do not.

Let us talk about what this really is. This is a political ploy, partly because of the inappropriate, and I will agree, the inappropriate naming of conferees on this bill. I agree with that. But it is the wrong way to accomplish the purpose.

If we really care about patients, if we really want to solve the inequities in the health care system, and if we really want to solve the overall problem, which is opening up the market and allowing choice and markets to work in health care, Members will defeat this thing solidly.

Mr. DINGELL. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Connecticut (Ms. DELAURO).

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

Mr. Speaker, it is long past time for Congress to ensure that managed care means quality care for American families. Doctors and patients must make medical decisions, not insurance companies. If a patient is wrongly denied care, there must be some accountability. We expect individuals to take responsibility for their actions in this country. HMOs should be no different.

We finally took up a Patients' Bill of Rights 4 weeks ago, but only after the Republican leadership was dragged there kicking and screaming. Republican leaders never wanted this debate because it was all too clear that they had chosen special interests over the national interest.

Finally, after 4 weeks, the GOP leadership is bringing up a motion to go to conference on this bill. I hope that despite the maneuvering of the Republican leadership, that the common sense and the bipartisanship of this bill will prevail.

Our colleagues from Michigan, Georgia, and Iowa teamed up to write a bipartisan balanced bill that protects patients' rights without undue burdens or threats to health care coverage. Now, after weeks of the GOP leadership's stall tactics, my good friend, the gentleman from Michigan, in conjunction with his Republican colleagues, is offering a motion to instruct that will insist upon the provisions of the bipartisan bill passed by the House on October 7, and upon offsetting the $7 billion on the House floor to fully pay for the bill.

I urge my colleagues, vote yes on the motion to instruct. We need to ensure that patients have access to specialists, clinical trials, and OB–GYN services, among the many other patient protections that are found in the Norwood-Dingell agreement.

We cannot allow the watered-down Senate provisions to prevail. Vote yes on the motion to instruct.

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

Mr. BROWN of Ohio. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, today we call upon the conferees for H.R. 2990 to insist on the House-passed version of the Patients' Bill of Rights. That is the portion of H.R. 2990 that reminds health insurers that if they want to get paid, they must actually provide a meaningful health insurance product, not a cheap imitation.

The Senate-passed bill may accomplish many things. It leaves out most Americans from coverage under the Patients' Bill of Rights. It may appease the insurance industry. It may provide cover for politicians who want to appear responsive to their constituents, when in fact they are too often catering to insurance industry lobbyists.

What the Senate bill does not do is the one thing it is supposed to do. It does not ensure that employers and employees get what they pay for when they purchase insurance.

In fact, there are HMO fingerprints all over the Senate version of the Patients' Bill of Rights. Pivotal reforms like the right to see a doctor outside the HMO network and the right to sue when a health plan acts in bad faith are simply missing. Other reforms have been watered down to such an extent that patients may be no better off with them than without them.

Can anyone in this Chamber honestly say that that is what the public had in mind when it called for a Patients' Bill of Rights? If we ask the insurance industry which bill it prefers, there is no contest. The Senate bill would win. Managed care organizations take huge gambles, gambles they perceive as benign business decisions, with potentially harmful or even fatal consequences for their enrollees.

I join my colleague, the gentleman from Michigan (Mr. DINGELL), in urging the conferees to act in the best interests of the public and insist on the House-passed version of the Patients' Bill of Rights.

Mr. DINGELL. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I rise in strong support of the motion to recommit conferees. The gentleman from Michigan (Mr. DINGELL), the gentleman from Georgia (Mr. NORWOOD), and the gentleman from Iowa (Mr. GANSKE) demonstrate real leadership on protecting patients.

I urge the House conferees to ensure that the Dingell-Norwood protections are included in the final bill. Patients and providers across this country have told us that HMO reform is their top priority.

Congress now has a real chance to enact managed care reform and to improve patient care. But time is running out. With only a few days left before Congress adjourns, the time has come to put patients ahead of profits. The conferees need to meet before Congress goes out of session, and Congress should enact the Norwood-Dingell bill.

Mr. SHADEGG. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio (Mr. BOEHNER), the distinguished chairman of the Subcommittee on Employer-Employee Relations of the Committee on Education and the Workforce.

Mr. BOEHNER. Mr. Speaker, I thank my colleague for yielding time to me.

Mr. Speaker, I think all of us know that the motion before us is a nonbinding motion of the House.

All of our colleagues understand clearly that this is an opportunity to have a political debate about the issue of health care reform in America. So let us have the political debate. But understand, this really does not mean anything.

But as we have gone through the whole issue of reforming health care over the last 7 years or so, the debate has grown. We have focused the debate away from the uninsured to accountability of HMOs. I do not think there is any Member of the House who does not believe that there is a way to bring accountability, more accountability, to managed care if it is done in a reasonable way.

I think also we have learned over the last few years that when we start to bring accountability into the picture, we can get carried away with too much accountability that leads to less affordability for the American people, and we know that less affordability means less accessibility.

While we all want managed care reforms and we want more accountability, we know that the far greater problem in America today is the fact

that we have 44 million people who have no health insurance at all. We know that if we do things that are going to raise costs, we are going to drive down access.

This is about a balance. We cannot consider access or accountability without considering affordability and accessibility. That is why the bill that left the House had a large access piece authored by my good friends, the gentleman from Arizona (Mr. SHADEGG) and the gentleman from Missouri (Mr. TALENT), that would help ensure we could address the growing problem of the uninsured in America.

The bill that I think the House passed will lead to more uninsured if we do not do something about increasing the access provisions that were called for in the Shadegg-Talent access bill.

Mr. Speaker, as we go to conference with the Senate, they have a completely different position, a much narrower bill. Some may argue they have a much more practical bill. What we as conferees have to do on behalf of the House is to find the right balance, find the right balance between accountability without driving employers out of the process, without driving up premium costs, and without driving more people into the ranks of uninsured, because what are these accountability measures going to mean to Americans if they have no health insurance? They mean nothing.

Mr. Speaker, let us go work with the Senate. Let us find the right balance between accountability, affordability, and accessibility. I think that is what the American people expect of their representatives on both sides of the aisle, is to find that right balance.

Mr. DINGELL. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Speaker, I thank my friend for yielding time to me.

Mr. Speaker, I rise in support of this motion. Mr. Speaker, if Members have ever lived in a neighborhood and they want to build a shopping center in the neighborhood, Members would understand why we are here making this argument today.

If we have 100 of our neighbors together and two-thirds of them do not want the shopping center, and then we find out there is going to be a meeting at the town hall about whether to build the shopping center, and you have to pick seven of your neighbors to go represent your position, and someone says, let us take five people who want the shopping center and two who do not and send them to the meeting, I think most of us would say that that is ridiculous, the delegation we send from our neighborhood ought to reflect the sentiment of the neighborhood.

On October 7, 275 of us voted strongly in favor of holding managed care plans accountable, over 60 percent of the Members of the House. We are going to go negotiate with the other body over a bill that does not have similar accountability provisions. As one of the prior speakers said, it should be self-evident what the House's position is, and it is. Over 60 percent of us believe that there ought to be accountability provisions, consistent with Norwood-Dingell.

But we have every reason to believe that the delegation we are sending from our neighborhood is not going to reflect that point of view. It should reflect that point of view. The gentleman from Georgia (Mr. NORWOOD) should be one of those conferees, and the gentleman from Iowa (Mr. GANSKE) should be one of those conferees. But it appears that will not be the case.

The reason we are on the floor today is to tell our negotiating committee to keep in mind the sentiment of this neighborhood. We supported this legislation because the American people want accountability for health insurance companies. We are supporting this motion because the Members of this House want accountability from our conference negotiators. Support the motion.

Mr. SHADEGG. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, the essence of this motion to instruct on its substance is very clear. It would bind the House conferees to the Norwood-Dingell version of the bill.

I would like to ask a series of questions of whether we really want to do that.

Let me begin with this one. The substitute offered on the House, one of the substitutes offered on the House side that did not pass allowed access to ambulance services. Norwood-Dingell did not. Would the proponents of this motion to instruct say we should not allow or guarantee access to ambulance services?

The substitute offered external appeal timelines that were shorter than Dingell-Norwood, getting people more care even more quickly than Dingell-Norwood.

□ 1145

Do the proponents of this motion to instruct oppose an even shorter time period for special appeals, getting people care even more quickly?

The substitute that we offered we called for binding arbitration for those who did not want to go to court. There was no similar provision in Norwood-Dingell.

Did the proponents of this substitute which would bind us to Dingell-Norwood and Dingell-Norwood only say that we should not allow binding arbitration?

The substitute that we offered provided access to all cancer clinical trials, as one of the earlier speakers noted. That is much broader than Dingell-Norwood for cancer patients because Dingell-Norwood does not include FDA-approved clinical trials. Two-thirds of new cancer drug tests are FDA approved.

Do the proponents of this motion to instruct say that we should not have the broader provision that does more for cancer victims on clinical trials?

The Norwood-Dingell bill does not guarantee either pathology or laboratory services. The substitute did.

Did the proponents say we should be bound to their version and not offer pathology or laboratories services?

We created a panel to ensure network adequacy, to make sure that if a plan said they had a doctor, there were enough doctors with that specialty to actually service their patient base. Norwood-Dingell has nothing to cover network adequacy.

This motion to instruct would commit us to a plan that does not even require network adequacy, and that indeed is one of the problems noted in the Newsweek article discussed earlier.

We prohibit plans from considering FDA-approved drugs or medical devices as experimental or investigational. Norwood-Dingell does not do that.

The proponents of this motion to instruct would tie our hands and say, yes, we can take a procedure that has been approved by the FDA, a drug or a medical device; and even though it has been approved, label it experimental or investigational. The motion to instruct would tie our hands to a series of provisions that are not near as strong for patients as the substitute that was offered here on the floor.

I urge my colleagues to reject the motion to instruct.

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

Mr. DINGELL. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Texas (Mr. LAMPSON).

Mr. LAMPSON. Mr. Speaker, if our colleague, the gentleman from Oklahoma (Mr. COBURN), would read the experience of Texas, he would know that his statements about unions and lawyers is false, and he would vote yes on this motion.

Not long ago I spoke about a constituent of mine, Regina Cowles, who was diagnosed with breast cancer but was being denied payment of a treatment by her insurance company. Regina ultimately got some of the help that we wanted for her from her insurance company, but it was too little too late. I am sad to report that Regina died last week.

Regina and my own daughter, Stephanie, who was also denied coverage until a big fight reversed a decision, brought to mind the problem we have in this country with access to health care. It is one thing to keep costs down, but it cannot be done at the patient's expense. If adoption of this motion is supported, that will ensure in the conference that medical judgments will be made by medical experts.

Adoption of this motion to instruct will give people like Regina Cowles and Stephanie Lampson the health care

they deserve. It is time for us to put our money where our mouth is and prove to the American people that this Congress can work together to address issues they really care about.

Mr. DINGELL. Mr. Speaker, it is a great pleasure for me to yield 4 minutes to the next speaker, the gentleman from Georgia (Mr. NORWOOD), a very distinguished, very courageous, very energetic man who has provided enormous leadership in this matter, and my good friend.

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

Mr. NORWOOD. Mr. Speaker, on October 7, the House passed a patient protection bill, 275 votes; and if we listened to the argument today, it is very clear to me that those who did not vote for that bill want to go into conference and have the bill that they put up that failed be the bill before conference.

The gentleman from Ohio and the gentleman from California have all made it very clear that this is not binding, though the gentleman from Arizona (Mr. SHADEGG), says, well, this is binding; but it is not and we all know that. It is not legal.

The gentleman from Tennessee stood up and said that well, this would restrict our negotiators, which is not true.

We are going to send our Members into conference, and they are going to do the best they can to work against a Senate bill that is absolutely not worth the paper it is written on. Now, that is a tall order; but we are told by the gentleman from California that this is our effort to tilt the relationship between the House and the Senate, and we are told by the gentleman from Oklahoma this is a political ploy.

Well, I will say what this really is. This is about rumors floating around from a conference that will not even allow the authors on the Republican side to be on the conference. That is what this is all about. This is about a conference that is going to put everybody on the conference from the Republican side who voted against the bill.

Now I think we might ought to be concerned about what is going to happen in conference when we send everybody in there who voted against the bill. That is what we call tilting the relationship between the House and the Senate, and that is what we call a political ploy.

I want to thank my friend, the gentleman from Michigan (Mr. DINGELL), on the other side of the aisle, for having considered me for one of the seats on the conference committee since my own party as yet has not offered me a seat. I am grateful.

I humbly declined, as I believe my outspokenness against my own party's position in this matter might become the issue, and the committee does not need any distractions from the real issues before us, and that is protecting patients. Therefore, as I remain free to continue my outspokenness, I implore my leaders to be aware of the political reality as they seek a final course of action on this issue.

They have for the last 5 years opposed patient protections and publicly allied themselves in joint news conferences with HMO lobbyists. Under public pressure, we forced a vote on October 7. They have even refused to allow a single subcommittee vote on this legislation. This, in spite of the support by the majority of the House, and a third of the Republican caucus, the majority of patients in this country support it; the majority of doctors, the majority of hospitals, even the majority of employers.

I feel these same opponents believe they can now subvert the conference committee to produce a report repugnant to the original legislation in order to force the House of Representatives to really reject the final report. These opponents believe a multimillion dollar public relations campaign can shift that blame to the other party.

I say today that the fate of the next election is in the balance and that plan will fail. Because of their past actions and affiliations, our party has no credibility on HMO reform. All the clever commercials that money can buy will not change that fact, but that fact can and should change if our conferees act with courage to enforce the will of this House.

That is what this motion is all about. Go into the conference and fight for the position of this House. It is in perfect concert with the will of the American people. I urge my colleagues to support these instructions, to insist on full unencumbered legal accountability for HMOs; true external appeals and the protections of all Americans, all Americans, with health insurance, not just the few who need this the least. I want both Republican and Democratic patients to win. To accomplish that, both parties need to honor the will of the people instead of the will of the lobbyists. As I recall, that is our job and that is our duty.

Mr. SHADEGG. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Louisiana (Mr. COOKSEY).

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

Mr. COOKSEY. Mr. Speaker, the patients and the public deserve managed care reform. The patients and the public deserve protection from the overreaching of the HMOs. For those who have a real knowledge of health care and the problems of the overreaching of HMOs, we know that we need HMO accountability. For those who have been refused health care by HMO, CEOs and HMO clerks, they know about the overreaching of the HMOs. They know that we need HMO reform.

Unfortunately, the proposed rule or the proposed motion to instruct is too restrictive and will result in no HMO reform this year. This Congress, in its wisdom, passed ERISA protections some years ago; but, as so often occurs, there was overreaching by the HMOs. So today when we vote we need to vote against this motion to instruct, because this motion to instruct again gives the appearance that, in fact, the HMOs, the lobbyists, the big insurance companies, the CEOs of the HMOs have a disproportionate amount of influence in this body.

We need to do the right thing for the public, for the patients, for the Americans who are under HMO health care.

Mr. DINGELL. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Missouri (Mr. GEPHARDT), the leader of the minority, and my good friend.

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

Mr. GEPHARDT. Mr. Speaker, I urge a vote for this motion to instruct. The issue that we are dealing with here is not a political issue. It is not a partisan issue, and it is not a party issue. After we passed a very strong and good bipartisan Patients' Bill of Rights here a few weeks ago, I had people come up to me in my district, people that I saw around the country and they came up to me and they said, finally the Congress, the House, has stood against the special interests and done what is good for patients, what is good for doctors, what is good for people. I want to urge us to keep that effort going and to realize it in this conference.

Too often we have seen strong bipartisan measures be watered down to kill the real intent of legislation. We cannot let the bipartisan Patients' Bill of Rights fall prey to a back-door attempt to derail meaningful reform.

The Senate bill does not measure up. We need to get a final report that looks more like the House bill and contains the solid protections that it contains.

The Senate bill fails to ensure that medical judgments are made by doctors and patients, in consultation with their patients. The medical relationship that is important here is what goes on between doctors and patients. They are the ones that should make the decisions about medical care, not some bureaucrat thousands of miles away who is looking at the bottom line and not what is good for that patient.

The Senate bill fails to allow patients to see an outside specialist, at no additional cost, when their specialist in the health plan fails to meet their needs.

The House bill allows patients to do that. The Senate bill fails to hold managed care plans accountable when their decisions to withhold or limit care injure patients. The House bill holds plans accountable.

If doctors are accountable, the people that are making half the decisions ought to be accountable. How can we have a system that says doctors are accountable for the decisions they make, but we let the bureaucrats in the health plans that are just looking at

the bottom line and profit totally unaccountable for the decisions they make?

The Senate bill applies only to 48 million people in private employment-based plans, where the employer self-insures. The House bill applies to all people with employment-based insurance, as well as people who buy insurance on their own.

We have to get to work on this. It has been 4 weeks since we passed the bill here. We are going toward a recess where nothing can get done. Let me say what I have said before. If someone is in a health care plan and they need something that their doctor says they need and their life is on the line today, they need this bill now. They do not need to wait until next spring or next summer or next fall or not at all.

If a loved one in their family is waiting to be able to get the right decision out of a health care plan that could save their life, they need this bill now.

I urge the leaders of the Congress in the House and in the Senate to get this conference going, to get a bill that is more like the House bill than the Senate bill, and to get it done in the next 2 weeks before we leave this Congress. We owe that to the patients and the doctors and the medical professionals in this country. We can have a better health care system in this country, and this bill will go a long way toward doing it.

I commend the physicians in this Congress in both parties who have stood tall for doing the right thing. God bless them for standing for their beliefs and their patients.

□ 1200

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

Mr. BOEHNER. Mr. Speaker, as I said earlier, this is not about a binding resolution, this is about having a political debate. The gentleman from Missouri (Mr. GEPHARDT), the minority leader, who just spoke realizes that the other body has a very different bill. In the legislative process, our jobs are to come to some consensus with the other body, some consensus that is good for the American people.

Now, there is not a bill that came to this floor that did not provide for more accountability for those in managed care. There is not a bill that came to this floor that did not provide for more physicians' judgments in controlling the treatments that the patient was going to get.

We all want more accountability. But we have got to do it in a way that will not drive millions of people into the ranks of the uninsured. I think all of my colleagues know that I believe that we can have more accountability without introducing unending and open-ended litigation into the process. Bringing trial lawyers and frivolous lawsuits into health care will do nothing more than drive up the cost and drive down access.

We all know that today about 125 million Americans get their insurance through their employer. I realize that some want to change that. But today that is, in fact, the system. Every employee will tell us the number one benefit that they get from their employer is their health benefit. Why did we want to jeopardize the ability of employers to provide this benefit to their employees by opening up the health care system to an open-ended liability?

Now, there is a great concern about the liability portion of the bill passed by this House, that in fact many employers will not open themselves up to that liability and will begin dropping coverage for their employees. Is that really what the House wants to do? I think what we need to do is to go to conference with the Senate and to find the right consensus for the American people.

Mr. DINGELL. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Tennessee (Mr. FORD).

Mr. FORD. Mr. Speaker, let us be honest here. The gentleman from Ohio (Mr. BOEHNER) said this is a political discussion. It is. What we do is deal with politics, and we have many of those on this floor. We flew back here Monday evening, not to vote on a budget, but to vote on a few political suspension matters. So let us be honest with what we are doing.

The reality is my colleagues refuse to appoint the two folks in this House who, in many ways, personify and embody this issue for all America, not just Democrats, not just Republicans.

We have another body on the other side that some of my colleagues on this side are essentially doing the bad work for, doing the homework for. They do not want campaign finance. They do not want managed care reform. They figure out the procedural games to play, and we figure it out on this side.

We just had elections around the Nation yesterday in many localities, and congratulations to the winners throughout the Nation. Imagine having an election and the voters selecting someone, then the party leaders and the bosses in the party say, well, the people want this person; but this other fellow, he pretty much agrees with this guy on about 70, 80 percent of the stuff he wants, so the party leaders, we are going to pick the other guy even though the people want the guy that won.

We passed an HMO reform bill here in this House of Representatives. I know the money chase is on. I know the Senate in their leadership may want certain things. But allow the will of this House to be heard in the conference. Allow the conferees, the gentleman from Iowa (Mr. GANSKE) and the gentleman from Georgia (Mr. NORWOOD) to represent us. Allow the will of the people to be heard, not HMO bosses. I ask this House to support the motion to instruct conferees.

Mr. SHADEGG. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. DOOLITTLE).

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

Mr. DOOLITTLE. Mr. Speaker, this is obviously an issue of great importance to the body, and I have great affection and esteem for the authors of the competing proposal.

I think it is quite clear that we need some type of health care reform. What we need to decide upon is what is something we can agree upon between the two bodies and that can be signed by the President and become law.

The Dingell-Norwood is not a perfect bill. Most bills here are not perfect; I will stipulate to that. I do not think we want to tie the hands of our conferees as they go in trying to produce a product that is acceptable to everyone.

I would just point out, and I know it has been pointed out before by the author of the substitute, but I just want to reemphasize this, that the substitute, for example, allows access to ambulance services. The substitute has external appeal time lines that are shorter to allow expedited review.

The substitute provides access to all cancer clinical trials. That provision is much broader than Dingell-Norwood for cancer patients because the Dingell-Norwood bill does not include FDA approved clinical trials.

I urge my colleagues to vote no on this motion.

Mr. DINGELL. Mr. Speaker, how much time remains?

The SPEAKER pro tempore (Mr. KOLBE). The gentleman from Michigan (Mr. DINGELL) has 4¼ minutes remaining. The gentleman from Arizona (Mr. SHADEGG) has 4¼ minutes remaining.

Mr. DINGELL. Mr. Speaker, I yield to myself 1 minute.

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

Mr. DINGELL. Mr. Speaker, I want to express great pleasure at the way that this debate has been conducted. I also want to point out that we are now talking about what our conferees are going to do for the House as a part of their duties.

The traditions of the House say that the conferees should be appointed by the Speaker, and the rules say so, too, to carry out the purposes of the House bill and to be supporters of the House bill.

The traditions of the House say that the conferees should be supporters of the House bill. Quite honestly, 275 of our Members say that they should be the supporters of the House bill, as do millions of Americans in all walks of life say that we should be supporting the House bill, because that is the bill that the people want.

Having said these things, we do not know who the conferees are going to be. We do not know what the Senate is going to do. But we can be pretty assured, on the basis of what we have seen, that we may not see either the gentleman from Georgia (Mr. NORWOOD) or the gentleman from Iowa (Mr.

GANSKE) or any of the other supporters on the Republican side being named as conferees on this bill.

If that is true, it will tell us at the time we vote that we desperately have needed this bill. It is necessary that we should have had the instructions that we are now seeking to give to enable us to see that the conferees carry out the will of the House.

Mr. SHADEGG. Mr. Speaker, I understand the gentleman from Michigan (Mr. DINGELL) has the right to close.

The SPEAKER pro tempore. That is correct.

Mr. SHADEGG. Mr. Speaker, I yield to myself the balance of the time remaining.

Mr. Speaker, I think this is a critically important debate. It is a debate that is reflected on thoughtful concerns across America, as pointed out in this week's edition of Newsweek, which talks about this issue about patients' rights. But we really are engaged in very much of a political discussion of what ought to occur from here forward.

There is, indeed, no question but that the gentleman from Iowa (Mr. GANSKE) and the gentleman from Georgia (Mr. NORWOOD) deserve credit for their hard work on this issue. Indeed, I would suggest quite clearly that of the two major bills before this House, they were written by four people, the gentleman from Iowa (Mr. GANSKE), the gentleman from Georgia (Mr. NORWOOD), the gentleman from Oklahoma (Mr. COBURN), and myself. That is true of the bill on the other side, the Norwood-Dingell bill, and it is also true of the substitute which got the most votes on this side.

I would also point out that there has been much made of the fact that perhaps some of the conferees will not have voted for the bill that passed the House. The bill that actually is in conference is H.R. 2990, and I believe every single one of the Republican conferees voted for H.R. 2990.

Now, it is true that many of the conferees may not have voted for Dingell-Norwood, and I understand the concerns of those who have expressed that reservation, their belief that, indeed, there perhaps should be more Members on the conference committee who did vote for Dingell-Norwood.

I do not know the full context of the conference committee, but I can tell my colleagues this, I for one am committed to the concept behind the major distinguishing point between Dingell-Norwood and the substitute; and that is that HMOs must be held accountable.

But please make it clear that this debate is vitally important, and it is a political debate. It is a debate about whether we do something for the patients of America or whether we do nothing.

The minority leader spoke about keeping the process moving forward. I urge every one in this House to work hard to keep the process moving forward, and I agree with him on that. But passing this motion to instruct, passing this set of instructions, announcing today that we are unwilling to compromise on anything but that which is in Norwood-Dingell would be a tragic mistake, because if we abide by that position, make no mistake about it, if we adopt Norwood-Dingell and Norwood-Dingell only, there will be no health care reform for this country arising out of this bill this year or next year, because that bill cannot pass and will not pass because of its extreme positions on the issue of liability.

Now, its health care provisions, quite frankly, are not quite as good as ours, but they are very close. But the issue here, the fundamental question here is that we must come to a compromise.

My colleagues on the other side of the aisle and the President have announced they want to do absolutely nothing about access to insurance for the uninsured and absolutely nothing about the cost of insurance and absolutely nothing about choice for those who have insurance, because their bill, Dingell-Norwood, did nothing for access, it did nothing for choice, it did nothing for cost. I say that we must move them on that issue. They must compromise, or we will not help the American people.

My other colleagues on the other side who say immunity works, we should leave the HMOs absolutely immune when they injure or kill somebody, I suggest to them that if we take that stand, then, indeed, there will be no legislation this year to help the American people.

This is too critical a moment in time, vastly too important for the lives of the American people for us to sit on our hands and take either an extreme position on that side in which we do nothing about access, nothing about choice, nothing about affordability, or an extreme position which says we do nothing about making health care plans accountable.

This is a critically important moment in time, and the proponents of this motion to instruct would have us pass it by. They would save this issue for a political fight in the next election campaign. I believe that would be a tragic mistake.

What must happen in this conference committee is that the Senate must move, because its bill is inadequate; and what must happen in the conference committee is that the House must move, because we do not get good legislation for the American people if we do not compromise.

I believe that this motion to instruct, which would leave us bound to one position and one position only and would abandon the notion of compromise, would be a tragic mistake for the American people for that reason.

I urge my colleagues to give the conferees the option to compromise on good legislation so we can pass and enact health care reform this year.

Mr. DINGELL. Mr. Speaker, I yield 3¼ minutes, the balance of the time, to the distinguished gentleman from Arkansas (Mr. BERRY) for purposes of closing.

Mr. BERRY. Mr. Speaker, it is absolutely amazing that 275 Members of the House of Representatives voted for the worst bill. I rise in support of this motion to instruct conferees.

I do agree with the gentleman from Oklahoma who referred to the distinguished gentleman from Michigan (Mr. DINGELL) as a politician. But I would add to that that he is also a great statesman, along with the distinguished gentleman from Georgia (Mr. NORWOOD) and the distinguished gentleman from Iowa (Mr. GANSKE). It is an unbelievable miscarriage of the will of this House that they would not be conferees on this conference committee.

When my colleagues and I brought this legislation to the Committee on Rules, we brought it with a manager's amendment that would have allowed the bill to be paid for. We did so because all of us are concerned about the budgetary impacts of policies that are not paid for. Unfortunately, the Committee on Rules did not allow our bill to be paid for, and even worse added on a $48 billion tax package that was not paid for.

This motion to instruct conferees requires the conference committee to find a way to pay for the compromised legislation.

Given the fact that some in Congress voted just last week to borrow more from the Social Security Trust Fund, given the fact that the nonpartisan Congressional Budget Office has certified that some in Congress have already dipped into the Social Security Trust Fund by 17 billion more dollars, given the fact that none of us want to spend what belongs to Social Security, I urge my colleagues to support this motion.

Our job is to get the best deal we can for the American people. We should follow the will of this House. The gentleman from Iowa (Mr. GANSKE) and the gentleman from Georgia (Mr. NORWOOD) should be conferees.

If my colleagues care about Social Security, and if my colleagues care about HMO reform, and if my colleagues care about the American people getting a good deal, being treated fairly, and having access to good health care under their HMOs, I urge my colleagues to support this motion.

Mr. CLAY. Mr. Speaker, I rise in support of the motion to instruct conferees regarding the bipartisan consensus Managed Care Improvement Act.

Since this bill passed overwhelmingly almost one month ago, the Republican leadership has delayed the appointment of conferees, thereby generating concern that it was seeking to either kill the bill by running out the clock, or undermine the strong support for patient protections and enforcement reflected by the House vote.

Because of this, the Members of this body need to once again send a strong

message that Americans want the freedom to choose their health care providers, to have treatment decisions made by physicians and not insurance company bureaucrats, and to hold insurance companies responsible for the injuries they cause.

In addition, Mr. Speaker, the Republican leadership blocked the addition of offsets to the Norwood-Dingell bill when it was on the floor, and pushed through a so-called ''access'' bill loaded with tax breaks that were not paid for. The motion appropriately instructs our managers to insist on fiscal responsibility and produce managed care reform legislation that does not tap into the surplus.

Mr. STARK. Mr. Speaker, I am pleased that we will finally be going to conference for managed care reform. We passed this bill nearly a month ago and I don't understand why it has taken so long to get to this point.

My hunch is that the main reason is that by holding this motion to go to conference until this late date, the Republican leadership will be able to delay any actual convening of the conference until the next Congress. Nonetheless, this action is an important step forward in our continued effort to protect consumers in managed care plans.

Last month, the U.S. House of Representatives passed H.R. 2723, The Bipartisan Consensus Managed Care Reform Act, by a decisive bipartisan margin of 275–151. That same day, the House soundly rejected three other more limited approaches to managed care reform.

The House bill is much stronger than its Senate counterpart. It applies to all private health plans unlike the Senate bill which is mostly limited to the 40 million Americans in self-insured plans. The external appeal provisions in the House bill are much stronger. And, most importantly, the House bill also includes health plan liability—a provision sorely lacking in the Senate version of the legislation.

Health plan liability is a vital component of meaningful managed care reform. Only the threat of legal consequences will be strong enough to ensure the enforcement of these managed care consumer protections. It must be included in the final bill approved by Congress or we will have failed in our duty to protect consumers in managed care plans.

To that end, the Conference should report a bill that closely mirrors that passed by the House in the form of H.R. 2723, The Bipartisan Consensus Managed Care Reform Act.

It is also important that the final product be paid for. During the House consideration of the legislation, the sponsors of H.R. 2723 went to the Rules Committee to bring the bill to the House floor fully financed. We were forbidden by the Republican leadership from bringing our bill to the floor fully paid for—and likewise prevented from offering an amendment on the floor that provided such funding. The conference must rectify that problem. We have offsets for the costs—they must be included in the final product.

The Republican leadership also played games by adding a number of costly tax provisions to the package which they billed as new ''access'' provisions. In fact, there is precious little evidence that those provisions would expand insurance coverage. Instead, there is definite Congressional Budget Office evidence that those provisions would cost the taxpayers some $48 billion over the next ten years. The Conference should drop these provisions which do nothing to expand coverage and therefore needlessly increase the federal price tag of this otherwise very affordable, sensible legislation.

As a Conferee, you can be sure that this will be my agenda: the final product should closely mirror H.R. 2723, it should be fully financed, and the costly, ineffective provisions of H.R. 2990 should be dropped. I hope that is an agenda we can all pursue.

Managed care reform should no longer be a partisan issue. The bill passed by this House was a consensus package with broad-based bipartisan support within the House and the support of more than 300 organizations representing consumers, doctors, nurses, other health care providers, public health advocates. Let's take our consensus bill and make it law. I look forward to working with my colleagues to achieve this important goal. Let's get to work.

GENERAL LEAVE

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

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

There was no objection.

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

The SPEAKER pro tempore. All time for debate has expired.

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 Michigan (Mr. DINGELL).

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 257, nays 167, not voting 9, as follows:

[Roll No. 558]

YEAS—257

Abercrombie
Ackerman
Allen
Andrews
Bachus
Baird
Baldacci
Baldwin
Barcia
Barr
Barrett (WI)
Becerra
Bentsen
Berkley
Berry
Bilbray
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Condit
Conyers
Cook
Cooksey
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Duncan
Edwards
Emerson
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley
Forbes
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Ganske
Gejdenson
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Gordon
Graham
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Hoyer
Hunter
Hyde
Inslee
Jackson (IL)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Norwood
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Phelps
Pickett
Pomeroy
Porter
Price (NC)
Quinn
Rahall
Rangel
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Sabo
Sanchez
Sanders
Sandlin
Saxton
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Walsh
Waters
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weller
Wexler
Weygand
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—167

Aderholt
Archer
Armey
Baker
Ballenger
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Biggert
Bilirakis
Bliley
Blunt
Boehner
Bonilla
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Chabot
Chenoweth-Hage
Coburn
Collins
Combest
Cox
Crane
Cubin
Cunningham
Deal
DeLay
DeMint
Dickey
Doolittle
Dreier
Dunn
Ehlers
Ehrlich
English
Everett
Ewing
Fletcher
Fossella
Fowler
Gallegly
Gekas
Gillmor
Goode
Goodlatte
Goodling
Goss
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hostettler
Houghton
Hutchinson
Isakson
Istook
Johnson, Sam
Kasich
Kelly
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood

Largent	Peterson (PA)	Smith (MI)
Latham	Petri	Smith (TX)
Lazio	Pickering	Souder
Lewis (CA)	Pitts	Spence
Lewis (KY)	Pombo	Stearns
Linder	Portman	Stump
Lucas (OK)	Pryce (OH)	Sununu
Manzullo	Radanovich	Sweeney
McCrery	Ramstad	Talent
McInnis	Regula	Tancredo
McIntosh	Riley	Tauzin
McKeon	Rogan	Taylor (NC)
Metcalf	Rogers	Terry
Mica	Rohrabacher	Thomas
Miller (FL)	Royce	Thornberry
Miller, Gary	Ryan (WI)	Thune
Moran (KS)	Ryun (KS)	Tiahrt
Myrick	Salmon	Toomey
Nethercutt	Sanford	Upton
Ney	Schaffer	Vitter
Northup	Sensenbrenner	Walden
Nussle	Sessions	Wamp
Ose	Shadegg	Watkins
Oxley	Sherwood	Watts (OK)
Packard	Shimkus	Whitfield
Paul	Shuster	Wicker
Pease	Simpson	Wilson
Peterson (MN)	Skeen	

NOT VOTING—9

Bereuter	Jackson-Lee (TX)	Sawyer
Berman	Murtha	Scarborough
Hulshof	Rush	Weldon (PA)

□ 1236

Mrs. CUBIN, and Messrs. SKEEN, BURTON of Indiana, BASS, and LEWIS of California changed their vote from ''yea'' to ''nay.''

Messrs. STUPAK, OWENS, JENKINS, and Ms. MCKINNEY changed their vote from ''nay'' to ''yea.''

So the motion was agreed to.

The result of the vote was announced as above recorded.

NOTIFICATION OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Mr. DOYLE. Mr. Speaker, pursuant to clause 2(a)(1) of rule IX, I rise to give notice of my intent to present a question of privileges of the House.

The form of the resolution is as follows:

Calling on the President to abstain from renegotiating international agreements governing antidumping and countervailing measures.

Whereas under Art. I. Section 8 of the Constitution, the Congress has power and responsibility with regard to foreign commerce and the conduct of international trade negotiations;

Whereas the House of Representatives is deeply concerned that, in connection with the World Trade Organization (''WTO'') Ministerial meeting to be held in Seattle, Washington, and the multilateral trade negotiations expected to follow, a few countries are seeking to circumvent the agreed list of negotiations topics and reopen debate over the WTO's antidumping and antisubsidy rules;

Whereas the Congress has not approved new negotiations on antidumping or antisubsidy rules and has clearly, but so far informally, signaled its opposition to such negotiations;

Whereas strong antidumping and antisubsidy rules are a cornerstone of the liberal trade policy of the United States and are essential to the health of the manufacturing and farm sectors in the United States;

Whereas it has long been and remains the policy of the United States to support its antidumping and antisubsidy laws and to defend those laws in international negotiations;

Whereas an important part of Congress' participation in the formulation of trade policy is the enactment of official negotiating objectives against which completed agreements can be measured when presented for ratification;

Whereas the current absence of official negotiating objectives on the statute books must not be allowed to undermine the Congress' constitutional role in charting the direction of United States trade policy;

Whereas, under present circumstances, launching a negotiation that includes antidumping and antisubsidy issues would effect the rights of the House and the integrity of its proceedings;

Whereas the WTO antidumping and antisubsidy rules concluded in the Uruguay Round has scarcely been tested since they entered into effect and certainly have not proved defective:

Whereas opening these rules to renegotiation could only lead to weakening them, which would in turn lead to even greater abuse of the world's open markets, particularly that of the United States;

Whereas conversely, avoiding another diversive fight over these rules is the best way to promote progress on the other, far more important, issues facing WTO members; and

Whereas it is therefore essential that negotiations on these antidumping and antisubsidy matters not be reopened under the auspices of the WTO or otherwise: Now, therefore, be it

Resolved, That the House of Representatives calls upon the President—

(1) not to participate in any international negotiations in which antidumping or antisubsidy rules are part of the negotiating agenda;

(2) to refrain from submitting for congressional approval agreements that require changes to the current antidumping and countervailing duty laws and enforcement policies of the United States; and

(3) to enforce the antidumping and countervailing duty laws vigorously in all pending and future cases.

The SPEAKER pro tempore (Mr. KOLBE). Under rule IX, a resolution that is offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Pennsylvania (Mr. DOYLE) will appear in the RECORD at this point.

The Chair does not at this point determine whether or not the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

Mr. DOYLE. Mr. Speaker, I ask to be heard, at the appropriate time, on the question of whether this resolution constitutes a question of privilege.

The SPEAKER pro tempore. The gentleman from Pennsylvania (Mr. DOYLE) will be notified at that time.

NOTIFICATION OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Mr. KLINK. Mr. Speaker, pursuant to clause 2(a)(1) of House Rule IX, I rise to give notice of my intent to present a question of privileges of the House.

The form of the resolution is as follows:

Calling on the President to abstain from renegotiating international agreements governing antidumping and countervailing measures.

Whereas under Art. I, Section 8 of the Constitution, the Congress has power and responsibility with regard to foreign commerce and the conduct of international trade negotiations;

Whereas the House of Representatives is deeply concerned that, in connection with the World Trade Organization (''WTO'') Ministerial meeting to be held in Seattle, Washington, and the multilateral trade negotiations expected to follow, a few countries are seeking to circumvent the agreed list of negotiation topics and reopen debate over the WTO's antidumping and antisubsidy rules;

Whereas the Congress has not approved new negotiations on antidumping or antisubsidy rules and has clearly, but so far informally, signaled its opposition to such negotiations;

Whereas strong antidumping and antisubsidy rules are a cornerstone of the liberal trade policy of the United States and are essential to the health of the manufacturing and farm sectors in the United States;

Whereas it has long been and remains the policy of the United States to support its antidumping and antisubsidy laws and to defend those laws in international negotiations;

Whereas the current absence of official negotiating objectives on the statute books must not be allowed to undermine the Congress' constitutional role in charting the direction of United States trade policy;

Whereas the WTO antidumping and antisubsidy rules concluded in the Uruguay Round have scarcely been tested since they entered into effect and certainly have not proved defective;

Whereas opening these rules to renegotiation could only lead to weakening them, which would in turn lead to even greater abuse of the world's open markets, particularly that of the United States;

Whereas conversely, avoiding another divisive fight over these rules is the best way to promote progress on the other, far more important, issues facing WTO members; and

Whereas it is therefore essential that negotiations on these antidumping and antisubsidy matters not be reopened under the auspices of the WTO or otherwise: Now, therefore, be it

Resolved, That the House off Representatives calls upon the President—

(1) not to participate in any international negotiation in which antidumping or antisubsidy rules are part of the negotiating agenda;

(2) to refrain from submitting for congressional approval agreements that require changes to the current antidumping and countervailing duty laws and enforcement policies of the United States; and

(3) to enforce the antidumping and countervailing duty laws vigorously in all pending and future cases.

□ 1245

The SPEAKER pro tempore (Mr. KOLBE). Under rule IX, a resolution offered from the floor by a Member other

than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Pennsylvania will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

Mr. KLINK. Mr. Speaker, I would ask to be notified at the proper time.

The SPEAKER pro tempore. The gentleman from Pennsylvania will be notified at the proper time.

Mr. KLINK. I thank the Speaker for his courtesy.

PROVIDING FOR CONSIDERATION OF H.R. 2389, COUNTY SCHOOLS FUNDING REVITALIZATION ACT OF 1999

Ms. PRYCE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 352 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 352

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2389) to restore stability and predictability to the annual payments made to States and counties containing National Forest System lands and public domain lands managed by the Bureau of Land Management for use by the counties for the benefit of public schools, roads, and other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment recommended by the Committee on Agriculture now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute printed in the Congressional Record and numbered 1 pursuant to clause 8 of rule XVIII, modified by the amendments printed in the report of the Committee on Rules accompanying this resolution. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentlewoman from Ohio (Ms. PRYCE) is recognized for 1 hour.

Ms. PRYCE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my good friend the gentleman from Ohio (Mr. HALL), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 352 is an open rule providing for the consideration of H.R. 2389, the County Schools Funding Revitalization Act. Under the rule, 1 hour of general debate will be controlled by the chairman and ranking minority member of the Committee on Agriculture. For the purpose of amendment, the rule makes in order as base text a substitute amendment which is printed and numbered 1 in the CONGRESSIONAL RECORD. This substitute language, which will replace H.R. 2389, represents a bipartisan compromise brokered by the gentleman from Virginia (Mr. GOODLATTE), the gentleman from New York (Mr. BOEHLERT), and the gentleman from Oregon (Mr. DEFAZIO) to address the concerns of some environmental groups. The rule further amends this compromise language to make technical amendments and clarify a budgetary issue.

As my colleagues know, under an open rule any Member may offer any germane amendment to the bill, but under the rule priority recognition will be given to Members who have preprinted their amendments in the CONGRESSIONAL RECORD. And, of course, the rule offers the minority an additional opportunity to amend the bill through a motion to recommit, with or without instructions. During consideration of amendments, the Chair will have the flexibility to postpone votes and reduce voting time to 5 minutes, as long as the first vote in a series is 15 minutes.

Mr. Speaker, the goals of the County School Funding Revitalization Act are straightforward. The bill seeks to provide a temporary solution to a very real problem for counties that include Federal land. Since the enactment of two compacts, one in 1908 and the other in 1937, these counties have counted on revenue from the Forest Service and the Bureau of Land Management to pay for public schools and roads. This revenue compensates the counties for the revenue they would have otherwise received had the land been sold or transferred into private ownership. However, in recent years these Federal revenue payments have plummeted as Federal timber sales have declined by 70 percent, leaving communities searching for the resources they need to educate their children and maintain basic infrastructure. This has been especially devastating for students who have seen their classes canceled, teachers laid off and extracurricular activities eliminated as budgets shrink.

Mr. Speaker, education reform has become a top national priority for both parties, and this bill plays a small yet meaningful role in enabling local communities to give their children a quality education. Specifically, the bill will stabilize payments to forest communities by providing for a 7-year safety net of guaranteed funding. The payments to States and counties with Federal land will be based on the average of the highest three payments received by States and counties between 1984 and 1999. However, the legislation is not without controversy. Because the Federal payments made to forest counties are linked to timber sales, some believe there is a perverse incentive to cut down more trees. These opponents advocate a decoupling of timber sales from the revenues. To address some of these concerns, this rule incorporates compromise language into the bill.

Under the compromise, revenues will still come from timber sales, but if this source of funding proves inadequate, dollars from the general fund may be used to pay forest communities. This effectively takes the pressure off the Forest Service to cut more trees. Further, counties that receive more than $100,000 through the Forest Service will be required to use 80 percent for schools and roads and the remaining 20 percent for local projects on Federal lands. These local projects will be designed to restore forest health for economic or recreational use and will be approved by a local committee representing a broad range of community interests. Additionally, the project must comply with all Federal laws, environmental and otherwise.

Mr. Speaker, as I said earlier, the payments that this legislation guarantees are meant only as a short-term safety net. The bill establishes a forest county payments committee that is tasked with developing a long-term policy to improve upon the current system of revenue sharing between the Federal Government and forest counties. Within 18 months, the committee will submit its recommendations to Congress for our consideration.

In summary, this legislation offers a balanced approach to ensure that the agreement the Federal Government made with States and counties that include Federal land within their borders

is honored. By providing these safety net payments, we will enable local communities to provide better educational opportunities to children, as well as maintain their socioeconomic infrastructures. The rule is balanced as well. It presents a compromise version of this legislation to the House for open debate and amendment.

I urge my colleagues to support this open rule as well as the communities who need our assistance to educate their children.

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

Mr. HALL of Ohio. Mr. Speaker, I thank the gentlewoman from Ohio for yielding me the time, and I yield myself such time as I may consume.

This is an open rule. It will allow for full and fair consideration of H.R. 2389. As the gentlewoman from Ohio has explained, this rule will provide for 1 hour of debate to be equally divided between the majority and the minority, especially the members of the Committee on Agriculture. The rule permits germane amendments under the 5-minute rule, the normal amending process in the House, and all Members will have the opportunity to offer amendments.

Under current law, 25 percent of the revenues generated by timber sales, mining and oil and gas development in national forests goes to the counties where the national forests are located. The counties use the money for public schools and roads. This compensates for the loss of taxable property. In recent years, timber sales from national forests have fallen by 70 percent. This has caused a hardship on the rural public schools near the national forests that depend on the money.

In the State of Ohio, which the gentlewoman and I represent, although we do not represent the area where Wayne National Forest is, that generates funds for schools in some of the poorest counties in the State. This bill attempts to strike a compromise between environmental concerns and the needs of the rural public schools that benefit from the national forest payments. It will provide a stable source of funds for the schools. It also will establish a national advisory committee to develop long-term solutions to the funding problems of these schools.

Some environmentalists do have concerns about the bill because rural schools will still depend on dwindling timber sales in national forests. But this is an open rule, as I said. Members will have a chance to offer germane amendments and they will have the opportunity to improve the bill on the House floor. For that reason, I urge my colleagues to support this rule.

Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota (Mr. VENTO).

Mr. VENTO. Mr. Speaker, I thank the gentleman for yielding me this time. I have other responsibilities today so I am not going to be able to stay on the floor for general debate but I wanted to voice my concerns about the general policy path that this measure puts in place. I think what we really need here is sort of a reality check in terms of what is going down with this bill.

I have no objections to the rule, I think it is a fair rule which permits amendments, but I do not think that this bill is going to be corrected by amendment. The underlying premise of the bill fundamentally is sound. I think that many of us could agree with such policy as counties and school districts that are dependent upon the 25 percent of total fund yielded from resource extraction in the national forests to support their basic governing structure, to support their schools. Such funds have become limited and cut back because of the reality of forest science and policies that have curtailed the harvest of timber and other activities. Most importantly, I think here, is the realization of new forestry and what is sustainable and what is not and what the impacts are and how those multiple uses of our national forests have come to conflict with one another so obviously in the last decade in terms of forest science timber harvest has been limited. So the reduction in dollars is significant to these communities.

I think I would stand with my colleagues to try and maintain some stable funding. This bill obviously does maintain stable funding by giving them the highest amount, their average for the highest 3-year period in terms of funding for their counties and their schools from 1985. While there are a lot of other programs around in terms of Impact Aid for military and other issues, I think we have tried to recognize nationally where we have significant lands like through the PILT program, payment in lieu of taxes program and other programs, some funding for communities where we have significant public ownership, Federal ownership of lands, and where that does impact, we have provided assistance in trying to stabilize that, in this case is a good thing to do. At the same time in terms of extending and authorizing the significant amounts of money in this bill Congress should also try and delink and reform the system to a greater extent. That means to try and establish once and for all that these communities should not be receiving the dollars based wholly on timber production, that we should delink that as we stabilize and assure stable funding. While there is a token attempt to do that in this bill, it totally fails in the final analysis to do that—to delink timber receipts from state/local funding.

□ 1300

Furthermore, Mr. Speaker, one of the problems with this bill is that it provides for communities that do receive over $100,000, and in many other instances where they receive significant aid under this measure, to in fact establish dozens of different advisory committees which would then sit down and decide how in a local area and make recommendations to the Secretary of Agriculture or Interior on how to expend 20 percent of the resources that they are provided under this bill's authority. I know the counties and school districts would just as well receive the money themselves, this sets up a big problem—in fact a grant program under cover of this measure.

First of all, it creates a lot more government than probably anyone need. We already have county boards and school boards that could make decisions on how to expend this money. Frankly, I think these advisory groups set up the potential and set up the Secretary of Agriculture and the Chief of the Forest Service for a lot more controversy and conflict. Frankly, it is going to be up to the Secretary of Agriculture and the Chief of the Forest Service to make decisions to say no to a lot of local advisory groups in a very unpleasant way, delivering the bad news, that some of these proposals are not worthy.

It is up to the Secretary with such little details as requiring whether or not an environmental impact statement or environmental assessment is needed; and if it is needed, then the cost will go back to the local group to pay for writing. That's another unpopular decision, to say the least.

I just think it is going to create a lot more conflict. I do not see this as being helpful. I think that it is a step in the wrong direction, creating all this governing structure is not an improvement. It is not what America is demanding with regards to deal with this problem, quite the contrary. I think it expands the original problem, creating controversy and confusing the topic.

I have questions about whether all Federal laws are going to be complied with, such as enforcing the prevailing wage law. I have questions about the use of individuals in this that are put into a situation where they are forced to work in the county because they are under mandatory work-type requirements, both adults and juveniles. That provision is in the bill.

There are a lot of concerns that I have. But fundamentally I think the bill fails on the basis of not delinking the roller coaster ride of up-and-down timber revenues sharing that occur as the local receipts from our national forests to these local communities. In other words, it keeps that link in place; it creates all this governing structure, and I think it is going to create more conflict.

This is not an interim bill. It lasts for 7 or 8 years. The description of this as an interim bill is flawed on its surface and misleading. I urge the defeat of this measure.

Ms. PRYCE of Ohio. Mr. Speaker, I am very pleased to yield 6 minutes to the distinguished gentleman from Ohio

(Mr. REGULA), the dean of the Ohio delegation and the distinguished chairman of the Committee on Appropriations Subcommittee on Interior.

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

Mr. REGULA. Mr. Speaker, I thank the gentlewoman for the time.

Mr. Speaker, I just want to explain my vote on this because I am pro-education, but I think there are a couple of things I would bring to the attention of my colleagues here. It is temporary for 7 years. That is not exactly ''temporary'' as I would define it. But the real fundamental concern that I have is that the policy involved, we are establishing a policy that when Federal receipts are diminished, we, therefore, step in and fill the breach.

Now, in the case that is outlined in this bill, that may have some validity. But as a matter of precedent, what happens if offshore oil production goes down, because a portion of offshore oil revenues go to the States? Do we then make up the difference to the highest years for the States that are receiving offshore oil receipts? Or how about the States that are receiving revenues from on-shore oil, and you have in this case timber; but we produce a lot of other things on Federal lands. In most cases, 50 percent of those revenues are shared with the States.

Now, you can see that as these revenues diminish, and they may well, because our resources are not finite, that then we would be called on to make up the difference. I think that is a precedent that we ought to give serious consideration to today in establishing this as a policy of the Government.

I know it is temporary, if you define that by 7 years, but it seems to me if we are going to get into this kind of a policy change, we ought to have a long-term set of conditions that address this in the case of other types of revenues.

Also the question of where is it funded arises. The way it is established, it comes out of the Interior budget. I have, along with my colleagues on the subcommittee and all of us essentially, responsibility for the funding of parks and forests and fish and wildlife and Bureau of Land Management, about 30 percent of America's land; and if I would read this correctly, the money to fund it, which could grow as forest receipts are diminished, would have to come out of the Interior budget. That means, of course, there would be less for parks in the U.S. or less for other forms of responsibilities that we have in the committee, the Bureau of Indian Affairs, the land agencies I mentioned, the cultural institutions here in the city.

While I understand the objective here, it seems to me that we may be getting into something that has greater ramifications than we think.

I also would point out that the national forests, while the amount of cut has been diminished, do provide revenues to communities through the recreation uses. People come in to hunt, fish, camp, and do a lot of other types of activities. Interestingly, and this is a little known fact, the forests of this Nation generate triple the visitor days of the Park Service, and the Bureau of Land Management lands generate double the visitor days of the Park Service.

We think of the parks as our recreation dimension, when in reality the Bureau of Land Management and the Forest Service collectively probably produce five to six times as many visitor days as the Park Service. I say this because as people visit these forests, as they visit BLM lands, they are spending money, for housing, for food, for fishing gear, you name it; and this in turn helps to support the local economy.

So for these reasons I think it is maybe premature to try to band-aid a problem that has a greater potential policy impact down the road. If we were to make legislation like this permanent, if we were to make it part of our responsibility, then I think there ought to be a separate source of funding, because I do not believe we should be penalizing the revenues that we have available to the appropriate committees for the parks and the recreation and the ecosystem of this Nation and the many responsibilities that go with the Department of Interior.

I understand this and I commend the Members that are supporting this. They are trying to help their school districts. But with the exception of about three big States in terms of forests, it primarily affects about three or four States, about 150 counties, out of the total in the United States. So I believe that we ought to move cautiously in establishing the precedent that is embodied in this legislation, and I hope my colleagues will give some thought to that as we make a judgment in voting for or against this bill.

Mr. HALL of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Colorado (Mr. UDALL).

(Mr. UDALL of Colorado asked and was given permission to revise and extend his remarks.)

Mr. UDALL of Colorado. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise in support of this rule. I support the rule because it appropriately allows the House to consider amendments, including one that I will offer and I will describe in a moment. But I believe the bill is another story. I cannot support the bill in its present form because it is not addressing the real problem with the current law that links Federal assistance for schools and roads to the size of the annual timber harvest on Federal lands.

The real problem, if you look at it, is the link itself. This link needs to be broken, but this bill does not do that.

I strongly support Federal assistance to education. The need for this assistance is particularly important in areas that are undergoing economic or other stress. In Colorado, for example, the stress that we feel at this point is because of our rapid growth and urban sprawl. In other areas it has other causes, including changes in local economies that have depended on timber harvests.

But I think the Congress should provide assistance in ways that are most efficient and will have the fewest of side effects. In other words, if we are going to assist schools or provide help to local governments with funds for schools or fire fighting or whatever needs they may have, we should do so directly in a way as simple as possible to administer and in proportion to the needs.

The current law that links payments to timber harvests does not meet those tests of directness, simplicity, and proportionality. So we need to break the link, in other words, to decouple payments as some have described it. We should also break the link because it would free the captives, those captives at the local areas.

Local schools, roads or other vital functions of government should no longer be held financial hostage to the very contentious issues that surround the management of our forests. School boards and county commissioners should not be forced to argue that it is necessary to cut more trees in order to repair roofs or keep the roads plowed.

I do not mean to say that local officials do not have a legitimate interest in the management of our forests or that they should not speak out about them. I do mean that they and everyone else should be free to debate those issues on the basis of what is best for the lands themselves and for our society as a whole and not in terms of the financial needs of our schools or other institutions.

But this bill does not only break the link; it not only does not free the captives. I believe it would make things worse for these local people. The bill would impose a new Federal mandate on the very communities for whom this Federal assistance is most important. It says, for example, that if the local government gets more than $100,000 under the bill, 20 percent of the total payment must be set aside and used for projects on the Federal lands. To put it another way, the bill says that the hostages will have to help pay for things that otherwise would be funded from the budgets of the Forest Service or the Bureau of Land Management.

Some of those things could be good things, like repairing trails or removing old logging roads that cause erosion. But suppose the local government has other priorities? What if they would rather spend all their Federal payment on schools or roads, rather than helping the Forest Service or BLM. Then what? Under current law it is their choice. They have that option. Under the bill, the way it is written, they would not.

I think that is just flat wrong. So at an appropriate time I will offer an

amendment that will return discretion to the local governments. My amendment would allow any local government to spend 20 percent of its Federal payment on Federal land projects, but it would not require that those monies are spent on Federal land projects.

Under my amendment, a local government could decide to use all this year's payment for schools and roads and then, next year, perhaps apply some of those monies to these Federal land projects. But in the end it would remove this potential Federal mandate and restore local discretion.

My amendment would not cure all the problems with the bill. I think the bill is fundamentally flawed because it does not break this link between Federal assistance and timber receipts. So, to be straight with this body, even if my amendment is adopted, I cannot support the bill. At least my amendment would mean that this bill, which is entitled the Community Self-Determination Act, would come a little closer to living up to its name.

Mr. HALL of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Oregon (Mr. DEFAZIO).

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

Mr. Speaker, I wish that every day on the floor we had rules like this. This is an open rule. It will allow any Member of the House to offer an amendment, and I believe that is something that we should do much more often around here. So this will be a rare moment where I can support a rule for a bill. Too many times we are muzzled and not allowed to offer amendments that would improve or alter bills before us.

The bill that is before us is very different and did not go through a regular committee process; and for that reason, some Members may be puzzled as to exactly what the bill does, as are advocacy groups on both sides of the issue among the public; and I would like to take a couple of minutes to explain that.

I had a very different approach in mind when I introduced my legislation, which would be 100 percent guaranteed, very clean, complete decoupled. That bill garnered very, very little support; and a different bill passed in the Committee on Agriculture, the Boyd-Deal bill; and then, of course, we had a bill recommended on the Senate side by Senators who I do not think the rules of the House allow me to name. But, anyway, there were some Senators that introduced a bill over.

This bill is different than all of those bills, but it combines some of the most important aspects of all. First and foremost, this bill requires that anything and everything done under this legislation follow and absolutely comply with every environmental law, every environmental rule, every forest plan, every resource management plan that is currently on the books in the United States, that it fully follow the Endangered Species Act, and allow appeals.

□ 1315

All that is within the scope of this bill. Any projects which might occur under this bill, which are a small part of the bill, are subject to Secretarial discretion, in addition to having to follow all rules, laws, and regulations.

There will be much controversy over the projects. The projects were not my preferred alternative, but they have been altered in a way that makes them environmentally neutral, and potentially they could be projects that would be beneficial to local communities and areas.

They could be spent for road obliteration for problem roads, for watershed restoration, they could be spent for other revenue-generating activities on the forests that do not go to timber production. They could be spent on recreation.

The gentleman from Minnesota objected to a provision I had added which would allow them to be used for work camps; that is, to be allowed for a correctional facility for nonviolent offenders to work on the forest lands. I do not find that to be objectionable. I think that is very desirable, better than having them sit in jail and watch television. So I do not understand why the gentleman would object to that.

It could also be used at their initiative for reimbursing counties for the huge unmet costs of search and rescue on Federal lands. The bottom line is, my State is more than half owned by the Federal government. The Federal government has dramatically changed the laws and rules that pertain to timber harvests, as I believe many of those changes were necessary, because we were overharvesting.

The question is, since no other productive use that generates revenues for those counties, we cannot levy taxes in those lands can go forward, should the government pay something to those counties for their ongoing obligations to provide a road network through those lands, and to provide law enforcement services and the other things? I believe the answer is yes. I hope that a majority of the body here today decides that the answer is yes.

The gentleman before me, the gentleman from Ohio (Mr. REGULA) said this creates a bad precedent. He talked about offshore oil drilling. That is not analogous. The analogy would be base closings. When the Federal government closes a military base, it admits there are huge impacts on the communities, it dumps a whole bunch of money into that community, it does retraining, does a whole host of other things, and ultimately it turns the lands over to those communities for future purposes.

I am not advocating these lands be turned back over to the States. I am absolutely and adamantly opposed to that. But in lieu of that, we are asking for a modest replacement of revenues that were formerly created off these lands, while there will be ongoing and perpetual obligations to the counties for law enforcement and infrastructure, roads and other activities on those lands.

These are vital payments that go to schools, that go to vital county services; as I already mentioned, law enforcement, road construction, reconstruction, and maintenance. Those funds will not exist if this legislation does not pass.

In the case of my counties, we have 3 more years of a guarantee under law, but after that, we fall off the cliff. For many other counties, they have already fallen off the cliff. They need this help to rebuild the social infrastructure of their communities and maintain vital county services.

I would urge people to keep an open mind in the debate today and realize, unfortunately, having not followed a regular process, my committee having decided not to take jurisdiction, the Committee on Resources, that this has not been before Members in its final form for very long. It is very different than what was proposed. I urge the Members to read the bill and ask questions of any of us who were involved in the writing.

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

Mr. Speaker, there could be some problems with this bill, I am not sure. The most important thing as far as what we have right now is that the rule is open. It gives Members a chance to change this bill if they do not like it. For that reason we support the rule.

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

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

Mr. Speaker, in closing, let me remind my colleagues, as my colleague, the gentleman from Ohio, just did, that this is an open rule. Not only does it provide for a completely open amendment process, it provides balance for the process by inserting compromise language into H.R. 2389 as well.

This bipartisan compromise has the support of the National Association of Counties, the National Education Association, the U.S. Chamber of Commerce, and some 800 rural education, government, business, and labor organizations from 37 States.

For any Member who still has concerns about the legislation, the rule allows any germane amendment to be debated and voted upon. I hope my colleagues will support this very fair, balanced, open rule.

More importantly, I urge my colleagues to support the children and the schools who will benefit from the needed assistance this bill will provide. This is a great opportunity to shore up public education in rural forest communities through a balanced, equitable approach. I hope Members can support this effort.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON H.R. 2990, QUALITY CARE FOR THE UNINSURED ACT OF 1999

The SPEAKER pro tempore (Mr. KOLBE). Without objection, the Chair appoints the following conferees on the bill (H.R. 2990) to amend the Internal Revenue Code of 1986 to allow individuals greater access to health insurance through a health care tax deduction, a long-term care deduction, and other health-related tax incentives, to amend the Employee Retirement Income Security Act of 1974 to provide access to and choice in health care through association health plans, to amend the Public Health Service Act to create new pooling opportunities for small employers to obtain greater access to health coverage through HealthMarts; to amend title I of the Employee Retirement Income Security Act of 1974, title XXVII of the Public Health Service Act, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage; and for other purposes:

From the Committee on Commerce, for consideration of the House bill, and the Senate amendment, and modifications committed to conference:

Messrs. BLILEY, BILIRAKIS, SHADEGG, DINGELL, and PALLONE.

From the Committee on Ways and Means, for consideration of the House bill, and the Senate amendment, and modifications committed to conference:

Mr. ARCHER and Mr. THOMAS, Mrs. JOHNSON of Connecticut, Mr. RANGEL and Mr. STARK, provided that Mr. MCCRERY is appointed in lieu of Mrs. JOHNSON of Connecticut for consideration of title XIV of the House bill and sections 102, 111(b) and 304 and title II of the Senate amendment.

From the Committee on Education and the Workforce for consideration of the House bill, and the Senate amendment, and modifications committed to conference:

Messrs. BOEHNER, TALENT, FLETCHER, CLAY, and ANDREWS.

As additional conferees from the Committee on Government Reform, for consideration of section 503 of the Senate amendment, and modifications committed to conference:

Messrs. BURTON of Indiana, SCARBOROUGH, and WAXMAN.

As additional conferees for consideration of the House bill, and the Senate amendment, and modifications committed to conference:

Mr. GOSS and Mr. BERRY.

There was no objection.

COUNTY SCHOOLS FUNDING REVITALIZATION ACT OF 1999

The SPEAKER pro tempore. Pursuant to House Resolution 352 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for consideration of the bill, H.R. 2389.

□ 1322

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2389) to restore stability and predictability to the annual payments made to States and counties containing National Forest System lands and public domain lands managed by the Bureau of Land Management for use by the counties for the benefit of public schools, roads, and other purposes, with Mr. KOLBE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Texas (Mr. STENHOLM) will each control 30 minutes.

The Chair recognizes the gentleman from Virginia (Mr. GOODLATTE).

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

Mr. Chairman, today the House considers H.R. 2389, a bill that has been under consideration in my subcommittee for several months, but whose time has been long in coming. Nearly 100 years ago the Federal Government, as a condition of managing our national forest lands, established a compact with forest-dependent communities in rural America. Under the terms of this compact, the government would own and manage the forests, not only for the long-term environmental benefit of the resource, but also for the long-term social and economic benefit of rural communities in and adjacent to the forest.

Recently, revenue-sharing payments with rural communities guaranteed under the compact have dropped in some communities by as much as 90 percent. Local administrator after local administrator told my subcommittee about the drastic and tragic measures their school systems have taken just to fight foreclosure. The compact is not working, and our rural schools cannot wait any longer.

A coalition of local school systems developed a set of principles which attempts to breath new life into their compact with the Federal Government. Their idea has been well received across the country. Their supporters top 800 grass roots organizations in 36 States, that range from school districts and administrators to the National Education Association, the National Association of Counties, the United States Chamber of Commerce, organized labor, and other groups.

Their principles are embodied in H.R. 2389, the Secure Rural Schools and Communities Self-determination Act of 1999. As we consider this legislation today, we, as Members of this House, are faced with one overriding question: Who knows better what needs to be done to help forest-dependent communities in rural America, rural America, or Washington?

This bill is representative government at its best. Local leaders recognize that the compacts of 1908 and 1937 need to be strengthened for the short term to immediately arrest the decline in and stabilize the revenues derived from Federal forest lands until permanent improvements to existing law can be made.

They crafted their solution, garnered support from all regions of the country, and entrusted us to do the right thing.

The challenges facing forest counties are so dramatic and so widespread that soon after the House Committee on Agriculture unanimously approved H.R. 2389, several Members expressed a strong interest in the bill. The legislation was introduced by the gentleman from Georgia (Mr. DEAL) and the gentleman from Florida (Mr. BOYD), and I commend them for their initiative.

The gentleman from New York (Mr. BOEHLERT) and the gentleman from Oregon (Mr. DEFAZIO) became actively engaged, and spent countless hours working with us to ensure the compacts between the Federal government and the forest counties are honored.

The bill we consider today is the product of the locally-crafted solution and our intense interest to promote the interests of forest counties. H.R. 2389 establishes a temporary national safety net which ensures a stable payment to forest communities for the short term, while giving local communities and educators a direct stake in crafting a long-term policy that will put schoolchildren in forest communities on equal footing with their peers in other parts of the country.

Despite the overwhelming support for this bill, we do expect a poison pill amendment to be offered. The expected amendment will be dressed up to appear as a county-friendly amendment. We have talked it through with the counties, and they oppose this and all amendments, and support H.R. 2389 as it is finally crafted.

Time is of the essence. Forest counties cannot wait any longer. Key Senators have agreed to take this bill and use it as their vehicle in the Senate. We must oppose this and any other amendment, for quick passage in both the House and Senate. H.R. 2389 is strongly supported by the National Education Association and the National Association of Counties, two longtime advocates of rural education. They also oppose any amendments.

I hope that we will be fully committed to helping all the proponents of H.R. 2389, the most important being the families and communities of rural America. This bill helps rural America achieve what they have set out to achieve. It revitalizes their compact with the Federal government in a way

that will truly benefit their children and maintain the ecological, social, and economic integrity of our forests and forest-dependent rural communities in both the short and long term.

Mr. Chairman, I urge my colleagues to support this legislation, and I reserve the balance of my time.

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

Mr. Chairman, I rise in support of H.R. 2389, the County Schools Funding Revitalization Act of 1999.

The funding and day-to-day operation of schools and county governments located within our vast network of national forests present a unique situation for rural America. In fact, there are more than 800 rural communities that cannot include national forest lands in their taxable land base because the Federal government prohibits that option.

This limits a rural community's tax base, and presents a serious problem when 98 percent of an individual county's total land is located within the boundaries of a national forest.

In order to provide replacement revenue, Congress enacted a 25 percent receipt-sharing requirement in 1908 for national forest system land and a 50 percent receipt-sharing requirement in 1937 for Bureau of Land Management land. Over time, communities have understandably grown to depend on the 25 percent payment from the Forest Service, as well as the 50 percent payment from the BLM.

Faced with the stringent requirements of the National Environmental Policy Act and its judicial interpretations, there is not a single community within the national forest system that can rationally depend on timber harvest alone as a source of revenue for schools or county roads.

□ 1330

The current situation in east Texas is a prime example. Prior to the August 16, 1999, a court injunction banning all timber sales in east Texas National Forest counties received more than $5.6 million from the 25 percent receipt sharing requirement in 1998 alone.

Under the serious stipulations of this court injunction, however, that figure will now be zero, placing unimaginable financial strain on school systems.

Mr. Chairman, this is not an isolated occurrence. School systems and local governments all over rural America are dependent on revenue from the National Forest System, but an injunction that prevents receipt sharing leaves these entities without the ability to do orderly budget planning.

H.R. 2389 and the substitute amendment to be offered by the gentleman from Virginia (Mr. GOODLATTE) are a good start towards correcting this situation. The Goodlatte amendment in the nature of a substitute improves upon the central goal of stabilizing the payment to schools and counties.

First, a full annual payment should be calculated by averaging the highest 3 years of the 25 percent payments between 1985 to 1999. The first portion of full payment would come from annual timber harvest, and the remainder of the full payment would come from appropriated funds. A similar formula is provided for BLM lands.

In addition, the Goodlatte substitute requires the counties to use a portion of their full payment to initiate local projects on Federal Forest land. By placing a 20 percent limitation on the use of the full payment, the counties are given incentives to organize and develop sustainable forest harvest plans. These plans will then be presented to the Secretary of Agriculture and the Secretary of the Interior for further consideration.

Mr. Chairman, there is an important connection between the viability of our rural communities and the vast resources that all citizens have a vested interest in protecting. This legislation allows local input in guiding the management of our National Forest lands for the communities and individuals who rely on them most. I encourage my colleagues to support passage of this legislation.

Mr. Chairman, I rise in support of H.R. 2389, the County Schools Funding Revitalization Act of 1999.

The funding and day-to-day operations of schools and county governments located within our vast network of national forests present a unique situation for rural America. In fact, there are more than 800 rural communities that cannot include national forest lands in their taxable land base because the federal government prohibits that option. This limits a rural community's tax base and presents a serious problem when 98% of an individual county's total land is located within the boundaries of a national forest.

In order to provide replacement revenue, Congress enacted a 25% receipt sharing requirement in 1908 for National Forest System Lands, and a 50% receipt sharing requirement in 1937 for Bureau of Land Management (BLM) land. Over time, communities have understandably grown to depend on the 25% payment from the Forest Service, as well as the 50% payment from the BLM.

Faced with the stringent requirements of the National Environmental Policy Act and its judicial interpretations, there is not a single community within the National Forest System that can rationally depend on timber harvest alone as a source of revenue for schools or county roads.

The current situation in East Texas is a prime example. Prior to the August 16, 1999 court injunction banning all timber sales in East Texas, National Forest counties received more than $5.6 million dollars from the 25% receipt sharing requirement in 1998 alone. Under the serious stipulations of this court injunction, however, that figure will now be zero, placing unimaginable financial strain on school systems.

Mr. Chairman, this is not an isolated occurrence. School systems and local governments all over rural America are dependent on revenue from the National Forest System, but an injunction that prevents receipt sharing leaves these entities without the ability to do orderly budget planning.

H.R. 2389, and the substitute amendment to be offered by Mr. GOODLATTE, are a good start towards correcting this situation. The Goodlatte amendment, in the nature of a substitute, improves upon the central goal of stabilizing the payments to schools and counties.

First, a full annual payment would be calculated by averaging the highest three years of the 25% payments between 1985 to 1999. The first portion of full payment would come from annual timber harvest, and the remainder of the full payment would come from appropriated funds. A similar formula is provided for BLM lands.

In addition, the Goodlatte substitute requires the counties to use a portion of their full payment to initiate local projects on federal forestlands. By placing a 20% limitation on the use of the full payment, the counties are given incentives to organize and develop sustainable forest harvest plans. These plans will then be presented to the Secretary of Agriculture and the Secretary of the Interior for further consideration.

Mr. Chairman, there is an important connection between the viability of our rural communities and the vast resources that all citizens have a vested interest in protecting. This legislation allows local input in guiding the management of our national forest lands for the communities and individuals who rely on them most.

I encourage my colleagues to support passage of this legislation.

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

Mr. GOODLATTE. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. POMBO).

Mr. POMBO. Mr. Chairman, I thank the gentleman from Virginia (Mr. GOODLATTE) for yielding me this time.

Mr. Chairman, I rise in strong support of this legislation, and I would also like to thank my colleague, the gentleman from Virginia (Mr. GOODLATTE), for all of his hard work in putting together such a strong bill that enjoys wide bipartisan support.

This legislation also enjoys the support of the National Forest Counties and Schools Coalition, which represents 800 rural counties, 5,000 school districts and 1.2 million school children and includes an impressive and diverse array of interest groups representing education, labor unions, forest products, State and local governments and farm groups.

This bill will accomplish several important goals. First and foremost, it will stabilize the revenue sharing payments made by the Forest Service and Bureau of Land Management to counties with Federal lands.

It will help local governments and school districts restore the quality of education provided to the school children.

It will provide temporary relief to counties and school districts by authorizing a reliable and predictable level of payments. These payments will have the added advantage of neither encouraging the long-term reliance on appropriations nor discouraging the

management of Federal lands in a manner that will generate revenues.

Lastly, it will facilitate the development of a long-term method of providing payments to States and counties by the Federal Government.

Mr. Chairman, this legislation will ensure that we continue to honor the commitment that we established with rural counties and schools; a commitment that dates back to 1908 when our National Forests were formed.

In addition to helping reverse the 10-year decline in forest reserve funds, it will allow counties and schools to restore many important school functions, such as hiring more teachers, reestablishing music and art programs, providing student transportation and purchasing library books. And, it treats all 800 counties that rely on National Forests very equitably.

This bill is incredibly important for the 1.2 million school children in rural forest-dependent counties, to help ensure that these children have the same quality of schools and education as other students do.

Finally, Mr. Chairman, I would note that this bill is a piece of win-win legislation of legislation for the forests, for the communities which depend on forests, and for the hard-working families that make up these communities. It authorizes forest improvement projects that will stimulate local economic growth while promoting forest improvements and it sets up a panel designed to help all of us look for the most effective ways of fostering and preserving this long-term relationship for the future.

Mr. STENHOLM. Mr. Chairman, I yield 6 minutes to the gentleman from Florida (Mr. BOYD).

Mr. BOYD. Mr. Chairman, I want to thank my colleague and my friend, the gentleman from Texas (Mr. STENHOLM), for yielding me this time.

Mr. Chairman, I rise in strong support of the Goodlatte substitute amendment to H.R. 2389, the County Schools Funding Revitalization Act of 1999. The issue of forest revenue payments by the Federal Government to local affected communities is very important to many communities across rural America and to a large portion of the Second Congressional District of Florida, which is a very rural district that encompasses 19 counties which has two national forests in it, the Apalachicola and the Osceola.

In fact, Mr. Chairman, I have been working on this issue for many years and even before I came to Congress when I was serving in the Florida State legislature. I am happy that this Congress is finally addressing and trying to solve this issue that affects so many communities across the Nation.

As has been said before, in 1908, the Federal Government entered into a compact with rural communities in which the government was the dominant landowner. Under this compact, counties with National Forest lands received 25 percent of the revenue generated from the forest lands to compensate them for diminished local property tax base. By law, these revenues finance public schools and local road infrastructure. However, in recent years, in the last 10 years, the principal source of these revenues has sharply curtailed due to changes in Federal forest management policy.

Those revenues, shared with States and counties, have declined significantly. As we know, payments to some counties have dropped to less than 10 percent of the historic levels under this compact, and the impact on rural communities and schools has been staggering. In fact, in the Apalachicola National Forest in North Florida the revenues have dropped 89 percent in the last 10 years. This decline in shared revenues has severely impacted or crippled educational funding and the quality of education provided and the services offered in the affected counties.

I will not detail all the various painful cuts that have been incurred by our communities and our schools, but I want to emphasize the severity of the actions that has been required. The most far-reaching and devastating impact of the declining revenues is the adverse effect on the future of our children. An education system crippled by such funding cuts cannot train our young people in the skills needed to join tomorrow's society as contributing, productive, taxpaying citizens. It is clear to me and many others that the compact of 1908 is broken and needs to be fixed immediately. That is why the gentleman from Georgia (Mr. DEAL) and I introduced the County Schools Funding Revitalization Act of 1999.

This legislation was based on principles that were part of a compromise agreement reached by the National Forest Counties and Schools Coalition. This bill is significant because it was developed not by a Washington-knows-best approach but from a bottom-up approach and based on a consensus of 800 groups from approximately 26 States, including school superintendents, county commissioners, educators, the National Education Association and the U.S. Chamber of Commerce.

In an effort to improve the bill's chance of passage and to be as inclusive as possible, the gentleman from Georgia (Mr. DEAL) and I began to work with key members of the Senate and with the gentleman from New York (Mr. BOEHLERT), the gentleman from Oregon (Mr. DEFAZIO) and the gentleman from Virginia (Mr. GOODLATTE).

As many know, reaching a compromise with that group was no small accomplishment in itself. However, I honestly believe that we have come together and have improved this bill and in doing so have increased the chance of it becoming law.

This substitute contains three main provisions. First, it would restore stability to the 25 percent payment compact by ensuring a predictable payment level to forest communities for an interim 7-year period. That payment would be 80 percent of the highest of the 3-year average since 1984.

Secondly, counties would receive an additional 20 percent of the average amount described above for projects recommended by local community advisory committees, if approved by the Forest Service or the Bureau of Land Management. All projects would have to comply, as was said earlier, with all environmental laws and regulations, as well as all applicable forest plans.

Finally, the bill requires the Federal Government to collaborate with local community and school representatives as part of the Forest Counties Payment Committee to develop a long-term permanent exclusion that will fix the 1908 compact for the long-term.

I want to thank my four colleagues, my partner in writing this bill, the gentleman from Georgia (Mr. DEAL), the gentleman from Virginia (Mr. GOODLATTE), who has walked us through this maze, the gentleman from Oregon (Mr. DEFAZIO), who has been wonderful in helping us reach a compromise, along with the gentleman from New York (Mr. BOEHLERT), for their efforts to bring a piece of legislation that actually has a chance of becoming law.

In closing, the Federal Government must fulfill the promise made to these communities in 1908. I urge support of the Goodlatte substitute and opposition to any amendments that would upset this fine balance that has been achieved. Together we can fix the compact and restore long-term stability to our rural schools.

Mr. GOODLATTE. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia (Mr. DEAL), the chief sponsor of the legislation on our side of the aisle.

Mr. DEAL of Georgia. Mr. Chairman, I thank the gentleman from Virginia (Mr. GOODLATTE) for yielding me this time.

Mr. Chairman, before I proceed, I would like to join in thanking those who have made this compromise as it comes to the floor today possible. First of all, to my original cosponsor, the gentleman from Florida (Mr. BOYD), who just spoke, his efforts and those of the gentleman from Virginia (Mr. GOODLATTE), as he has taken this legislation and worked with us; the gentleman from Oregon (Mr. DEFAZIO), the gentleman from New York (Mr. BOEHLERT) and the gentleman from Texas (Mr. STENHOLM) and others on the Committee on Agriculture who have worked with us to bring this issue to the floor today.

We believe that the proposal that is before us is a reasonable, short-term solution to a problem that has continued to get worse over the years. As we have heard other speakers say, this legislation grows out of the existing law that was a compact arrangement beginning in 1908 for Forest Service counties and then in 1937 for those Bureau

of Land Management counties, to share revenue generated from Federal lands with the local communities in which those lands are located.

We have heard the statistics that we have seen across the board on Forest Service lands, about a 70 percent decrease in some communities, as much as in excess of a 90 percent decrease in the revenue they were receiving to support their local school systems, road programs and so forth.

Let me give a dollar idea of how much that is. For Forest Service lands, the peak year was in 1989 when the revenue that was being shared was $1.44 billion. That dropped in 1998 to only $557 million.

On the Oregon and California receipts, they declined to $51 million in 1998 from the peak year of 1989 of some $235 million. So it is easy to see that when a revenue stream is reduced by more than 70 percent and sometimes more than 90 percent to local communities, the impact can be devastating.

We recognize that this legislation is not a long-term permanent solution. It has built into it a mechanism whereby we hope to arrive at that solution; a committee that is appointed, made up of local officials, Forest Service officials, Bureau of Land Management officials, who will study the issue and come back to Congress with a proposal.

As has already been indicated, this legislation is an outgrowth of the communities themselves asking us to take action. In March of this year, a national conference was held in Reno, Nevada, and out of that came the National Forest Counties and Schools Coalition, this 800-member group that we have heard referenced here. This legislation is in response to their request.

In conclusion, I would like to once again thank the gentleman from Virginia (Mr. GOODLATTE), and in particular all of our staffs who have worked diligently to bring this issue to the floor today. I would urge its adoption without amendment.

Mr. Chairman, thank you for providing me the opportunity to speak in support of the critical issue of county schools funding. We must support our rural schools and communities, and H.R. 2389 is an important effort for those with forest lands in their districts.

In the ninth congressional district I serve in Georgia, 15 of my 20 counties include national forest land. In fact, the Chattahoochee National Forest encompasses more than fifty percent of my district. Counties that have the largest amount of forest land in my district include Towns County with 64% and Rabun County with 63%. Such communities do not collect property taxes for these federal lands and greatly depend upon forestry resources for their schools and economies. Therefore, effective forest management is an issue of vital importance in rural areas such as mine, and there are multiple forest uses to consider (scenic areas, wilderness, timber production, recreation, and wildlife designation). As a Co-Chairman of the Forestry 2000 Congressional Task Force, I am working to provide balance between societal and environmental concerns and the timber industry, specifically in the areas of forest management and health, taxes, endangered species, property rights, funding matters, and public land revisions.

Additionally, nothing is more important to the future of our country than the opportunity for high quality education for all Americans. I believe in the value of education, and we must prepare our nation's children for the 21st century. As a member of the House Education and the Workforce Committee, I am actively involved in designing and examining legislation to benefit those who are closest to our nation's students. Those at the local level have the greatest responsibility in educating and preparing our children for the future.

While education is predominantly a state and local issue, many have taken the ''Washington knows best'' attitude and have attached endless strings to federal dollars. What I hear schools and educators really need is not more paperwork and red tape, but the flexibility to help children more efficiently. Thus, I have focused my attention on assisting state and local governments in providing a quality education for America's youth.

For too long, we have relied on Washington bureaucracies to solve our nation's problems. It is time to create a more rational approach in addressing issues at the federal level by basing decisions on what works back at home. With those thoughts in mind, I introduced with my colleague, Representative ALLEN BOYD, the County Schools Funding Revitalization Act of 1999 (H.R. 2389).

This legislation is a locally designed solution to the education funding shortages in communities dependent upon timber revenues. Specifically, in March of 1999, a national conference of organizations concerned about forest revenue sharing payments and rural socio-economic stability convened in Reno, Nevada. From this conference emerged the National Forest Counties and Schools Coalition (NFCSC), a unique group of over 800 local, regional, and national organizations which share the common objective of strengthening and improving rural schools and forest dependent communities in both the short and long term. The NFCSC developed a set of joint principles to guide lawmakers in developing legislation to improve forest revenue sharing payments. I urge lawmakers to pay attention to these principals submitted from communities across the country as we work to address this issue.

As a matter of background, the National Forest System, managed by the U.S. Forest Service (USFS) within the Department of Agriculture, was established in 1907 and has grown to include 192 million acres of federal lands. In addition, the Bureau of Land Management (BLM) within the Department of the Interior manages over 2.6 million acres of federal lands.

The federal government recognized that, when it secured these lands in federal ownership, it deprived the adjacent counties of revenues they would have otherwise received if the lands were sold or transferred into private ownership. Accordingly, in 1908 Congress enacted a law providing that 25% of the revenues from National Forests be paid to the counties in which those lands were situated for the benefit of public schools and roads. Similarly, in 1937, Congress established that 50% of the revenues from the revested and reconveyed BLM lands be paid to the counties in which those lands were located for similar public purposes.

Since that time, counties adjacent to federal forests have relied on the compacts of 1908 and 1937 to help finance rural schools and roads and maintain a stable socio-economic infrastructure. In recent years, however, the principal source of these revenues, federal timer sales, has declined by over 70% nationwide, a payments to many counties have dropped to less than 10% of their historic levels under the compact. The corresponding revenues shared with rural counties throughout the country have declined dramatically, crippling educational funding and severely eroding the quality of education offered to rural school children. Many have been forced to lay off teachers, bus drivers, nurses, and other employees; postpone badly needed building repairs and other capital expenditures; eliminate lunch programs; and curtail extracurricular activities. Further, local county budgets have been badly strained as communities have been forced to cut funding for social programs and local infrastructure to offset lost 25% payment revenues. As a result, rural communities are suffering severe economic downturns with increases in unemployment, family dislocation, domestic violence, substance abuse, and welfare enrollment.

In 1993, Congress enacted a partial response to this crisis by establishing a temporary safety net payment system for 72 counties in Oregon, Washington and Northern California, where federal timber sales were reduced by over 80% to protect the northern spotted owl. To date, Congress has not provided similar assistance to the other 730 counties across the nation, which have suffered similar hardships because of declining forest revenues.

The Goodlatte substitute to H.R. 2389, entitled the Secure Rural Schools and Community Self Determination Act, was developed with input and support from the National Forest Counties & Schools Coalition and is a unique compromise endorsed by over 800 education, labor, industry, and country government organizations. The bill would restore stability and predictability to the annual payments made to states and counties containing national forest system lands for use by the counties for the benefit of public schools, roads, and communities.

H.R. 2389 restores stability to the 25% payment compact by ensuring a predictable payment level to federal forest communities for an interim 7-year period. The measure also requires the federal government to collaborate with local community and school representatives to develop a permanent solution that will fix the 1908 compact for the long term.

It is my hope that members in Congress will respect the solutions and opinions of our local communities put forth by the National Forest Counties and Schools Coalition. By supporting and passing the Secure Rural Schools and Community Self Determination Act, together we can fix the compact and restore long-term stability to our rural schools and governments and the families that depend on them.

Again, thank you for the honor to speak today. I ask you to support your local and rural schools by voting for H.R. 2389.

□ 1345

Mr. STENHOLM. Mr. Chairman, I yield 4 minutes to the gentleman from Texas (Mr. TURNER).

Mr. TURNER. Mr. Chairman, I want to thank the gentleman from Texas

(Mr. STENHOLM) for yielding the time and also for his leadership on the Committee on Agriculture in allowing us to pass this bill out of the committee and now bring it to the floor.

I also want to thank the many who have joined together, the gentleman from Florida (Mr. BOYD), the gentleman from Georgia (Mr. DEAL), and the others, the gentleman from Virginia (Mr. GOODLATTE) to be sure that we have a bill that we have reasonable expectations of seeing passed through the Congress, through the House, through the Senate.

I want to emphasize at the outset that this bill is a very carefully crafted compromise; and though there will be an amendment offered today, at least one, I want all of the Members of the House to understand that the efforts that have gone into crafting this compromise, this very delicate compromise, is very important to preserve, to ensure that this bill will be well received when it reaches the Senate.

This bill really arises out of a problem that has been growing for a number of years in many of our counties that are dependent upon revenues from our National Forest to support our county budgets and to support our school district budgets.

In my own case, in east Texas, where we have four National Forests, the problem has been particularly acute, because we have been under an injunction in east Texas that has, for almost 2 years now, halted all harvesting in our National Forest.

I think if we look at the situation in east Texas and all across the country, what we see is that our school districts and our county governments have been held hostage to the ongoing national debate over National Forest policy.

I think that it is time for us to let our counties and our school districts be free of the impact, the adverse impact of that national debate. This bill is designed to do that by providing a guaranteed level of funding from our National Forest for those forest dependent counties and school districts. This is a very real problem.

In fact, today we have with us here in the gallery two county judges from my own district, Judge Mark Evans and Judge Chris VonDoenhoff, who have fought the problems that have been brought about by the lack of revenues from our National Forest on their particular county budgets.

They were a part of the coalition of school districts and county officials that have worked to bring this bill to the floor, a coalition that has 800 different organizations supporting this legislation.

The counties that they represent each have lost significant dollars as a result of the injunction that now exists halting all harvesting of timber in our National Forests. In fact, when we compare the revenues that those two counties, Houston County and Trinity County, in east Texas received in 1996 to what they are receiving today, they have lost 90 percent of their revenues from the National Forest. So this is a very serious problem for all of the counties and school districts in areas where there are National Forests.

We talked to an individual today in one of our school districts who advised us of the hardship that they are feeling as a result of the loss of revenues. There was even an article in one of my local papers recently that talked about the fact that one of the school bus drivers is having to drive a broken down school bus solely because the school district had to lay off the mechanics that take care of the maintenance of the school buses because of the loss of Federal forest revenues.

So I am very pleased to be an original cosponsor of this bill. I am very pleased to have all of the Members that have joined with us on this compromise legislation. I think it is important for us all to understand that this is a bill that not only should be well received by those who are dependent upon forest revenues to operate their schools and their counties, but this is also a bill that should enjoy the support of the environmental community because it does have the effect of taking our school districts and our counties out of the middle of the national debate over National Forest management practices.

I think it is time to do this. Our school districts deserve this kind of protection. Our counties deserve the protection. In the long-term, I think it is the right thing to do for the country. I hope all the Members will reject any amendments, help us preserve this compromise and vote in favor of this very good piece of legislation.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mrs. EMERSON). The Chair will remind the Member not to refer to occupants of the gallery.

Mr. GOODLATTE. Madam Chairman, it is my pleasure to yield 5 minutes to the gentleman from New York (Mr. BOEHLERT), and to thank him for his hard work in fashioning the compromise that we have here today.

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

Mr. BOEHLERT. Madam Chairman, I want to thank the gentleman for yielding me this time and for his kind words.

Madam Chairman, I rise in support of H.R. 2389 as amended by the Goodlatte substitute. The Goodlatte substitute reflects many, many hours of tough negotiations, 7 hours on last Friday alone.

I want to thank all of the staff who worked on getting the details of this draft right. I especially wish to thank Greg Kostka of the Legislative Counsel's Office for his responsiveness and dedication. So often we fail to appreciate the talent and the professionalism of the Legislative Counsel's Office. I want to make certain that is acknowledged here and now.

I need to begin with two caveats about this agreement just so there is no risk of misunderstanding as we go through the remainder of the legislative process. This substitute is a reasonable agreement. But it represents just about as far as we can possibly compromise on this issue. If the other body changes anything at all in this bill, we are under no obligation whatsoever to accept those changes, nor are we under any obligation to support a bill that supports those changes. We should be willing, as we always must be, to look at changes. But keep in mind that any changes would unnecessarily threaten the House coalition that is supporting the Goodlatte amendment. That needs to be clear.

There is, however, one change that all House supporters agree that the other body has to make. The Goodlatte substitute uses appropriations to fund county payments. The final bill will have to use mandatory funds for that purpose.

I would point out that previously in the well the distinguished gentleman from Ohio (Mr. REGULA), the chairman of the Subcommittee on Interior of the Committee on Appropriations, addressed this subject very eloquently and articulately. Let me repeat, the final bill will have to use mandatory funds for that purpose.

I know that that is the intention of all the supporters of this bill. Unless this becomes a mandatory spending bill, this legislation would threaten both the guaranteed payment to the counties, and we do not want to do that, and other Forest Service appropriations, which might be cannibalized to provide the guaranteed payment, something that I would oppose vehemently.

So, too, I point out, do my friends associated with the League of Conservation Voters who, in a mailing to all Members, addressed that point. They happen to be right on that point. We are working together with them.

With those caveats, I do urge my colleagues to support this substitute and to oppose all amendments.

The substitute ensures that schools and areas with National Forests will have a generous stream of Federal funding. Like all other versions of this bill, the substitute provides counties with full payment equal to 100 percent of the average payment received during the top 3 years between 1984 and 1999. Again, this is quite generous. But I do not mind being generous with education. That is a wise investment in our future.

The substitute protects the counties while also protecting our National Forests, which were needlessly put at risk in some other versions, early incantations of this bill. The substitute accomplishes that by adding environmental safeguards to title II of this bill, something that the gentleman from Oregon (Mr. DEFAZIO) pointed out, which requires counties to spend money on projects in National Forests

instead of just applying the money to the traditional purposes of roads and schools.

The substitute makes clear that the Federal Government decides whether proposed projects can go forward, and that that decision is made only after completing the usual environmental analyses. The projects must comply with all Federal laws. The Secretaries of Agriculture and Interior alone have the power to reject a proposed project, but approved projects are subject to all the standard appeals and reviews. That is very important to emphasize.

In short, the bill now clearly lays out the role of the counties, the advisory board, and the Secretaries, and makes clear that these projects are to be treated just as if they had originated with the Secretaries.

The substitute also eliminates the incentives to use project funds to harvest trees. Under earlier versions of this bill, the counties and the Forest Service each would have received 50 percent of the timber receipts, thereby recoupling the counties' treasuries to forestry payments, that is something we do not want to do, as well as creating an enormous incentive to choose timber harvesting over other such sorts of projects, such as ecosystem restoration. That was totally unacceptable.

Under the substitute, all the receipts from the program will go into special funds in each region to which counties may apply to projects, and those funds will return to the general fund of the Treasury at the end of fiscal 2007.

Madam Chairman, we believe this substitute has eliminated the provisions of the bill that would have been of greatest detriment to the environment.

Again, I thank the gentleman from Virginia (Mr. GOODLATTE), chairman of the Subcommittee on Department Operations, Oversight, Nutrition, and Forestry, for his willingness to negotiate. I urge that the House pass this substitute and oppose all amendments thereto.

Mr. STENHOLM. Madam Chairman, I yield 2 minutes to the gentlewoman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Madam Chairman, I thank the gentleman from Texas for yielding me the time.

Madam Chairman, this is a compromise that has been in the making for some time. It is a compromise that has come with a lot of people coming to the tables and a lot of variance of it. But it also, I think, is exemplary what we can do when we set our mind to do it.

Now, this is not a permanent fix, though it is, indeed, a reasonable and celebrated victory to move this forward and to make sure that school systems that are in these areas where there are large holdings of Federal lands are not put at the mercy of how we make these decisions, nor should it be seen as a substitute to put the environment at the risk of having to fund our schools.

So this is why we celebrate the compromise. It recognizes both of those forces are good, that the environment, protecting our forest is good, but equally as important is making sure that the children in rural area have an opportunity for the education that they, not choosing, but live in communities that are heavily dependent on lands that are held by the Federal Government.

So I want to urge that we support this bill and also hold this process that is perhaps a process that we can look at other difficult issues to try to work out a compromise.

Mr. GOODLATTE. Madam Chairman, it is my pleasure to yield 2 minutes to the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN of Oregon. Madam Chairman, I rise in support of H.R. 2389, a bill that will provide much needed financial security for our rural communities and schools that have been so hard hit by the decline in timber production on our Nation's forests.

In 1908, Congress recognized that the Federal Government's control of the huge amount of untaxed land in rural areas would have a serious negative impact on the ability of rural counties to maintain schools and other basic services. Congress enacted a law to pay 25 percent of the revenues from National Forests to the local counties so they can provide for their schools and their roads.

So how does Federal land control affect a county today? Let me give my colleagues a couple of examples. Lake County, in rural southeastern Oregon, is larger than the State of New Jersey, and four times the size of Delaware. About three-quarters of the county is controlled by the Federal Government. So what do my colleagues think would happen to Delaware or New Jersey if three-quarters of their tax roll was eliminated and three-quarters of their land was handed over to the Federal Government? I think they would have problems meeting the bottom line just as Lake County does.

I asked Lake County Commissioner Jane O'Keefe what this legislation will mean to her county. She said that, if the bill becomes law, the county would be able to again adequately maintain one of its most important investments, that of its infrastructure of its roads and its schools. It will keep the critical linkage between Lake County and the Federal forests that lie within its boundaries. It will provide Lake County with a temporary solution to the fiscal crisis that many rural counties are facing in maintaining infrastructure while creating a process to permanently address the county payments issue.

Grant County Judge Dennis Reynolds told me that, in 1992 and 1993, Grant County received $12 million. Last year, they received less than $1.5 million. Next year they are expected to receive only a million.

□ 1400

With a tenth of the receipts they received just 7 years ago, Judge Reynolds said Grant County is not doing any new contribution or reconstruction of their roads; they are simply trying to maintain the roads they currently have. I could cite similar examples in the other 18 counties in my district. This legislation is good for our schools, it is good for our counties, it is good for our communities.

I want to thank the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Oregon (Mr. DEFAZIO), and all my colleagues who stayed at the table and made this legislation possible.

Mr. STENHOLM. Madam Chairman, I yield 1 minute to the gentleman from Arkansas (Mr. BERRY).

Mr. BERRY. Madam Chairman, I thank the gentleman for yielding me this time, and I would first like to commend my colleagues, the gentleman from Texas (Mr. STENHOLM), the gentleman from Florida (Mr. BOYD), the gentleman from Georgia (Mr. DEAL), the gentleman from Virginia (Mr. GOODLATTE), the gentleman from Colorado (Mr. UDALL), and the gentleman from Texas (Mr. TURNER) for their work on this bill.

The purpose of this bill is to more adequately compensate counties for the losses that they sustain at the expense of the Forest Service or the Bureau of Land Management-owned lands. Schools, local roads and county budgets should not suffer because national forest lands lie in their county.

This bill sets an important precedent that Congress must follow in the future. If the Federal Government owns land in a particular locality, we should see to it that these counties receive funds to make up the lost property tax base.

My home county of Arkansas County in Southeast Arkansas receives a payment in lieu of taxes from the U.S. Fish and Wildlife Service. While the structure of these payments is not affected by this bill, the bill makes the point that all counties containing Federal land should be sufficiently compensated. Parts of the St. Francis National Forest and the Ozark National Forest do lie in my district, and those counties will benefit from this bill.

Madam Chairman, we should vote to pass this bill.

Mr. GOODLATTE. Madam Chairman, I yield 1½ minutes to the gentleman from Louisiana (Mr. COOKSEY).

Mr. COOKSEY. Madam Chairman, I rise in support of H.R. 2389. Rural communities that depend on national forest receipts to fund education are facing a crisis. By law, the Forest Service must share 25 percent of national forest revenues with the counties in which they are generated as a ''payment in lieu of property taxes.'' This payment is used to fund local schools and roads.

However, severe declines in forest receipts over the last several years have drained school budgets in hundreds of

rural counties, forcing deep cuts in education programs and bringing some school districts to the brink of collapse. Schools have canceled classes, cut teachers, eliminated extracurricular activities, and cut corners in every conceivable way to keep their doors open.

Recently, rural communities from all over America have come together in a unique coalition, the National Forest Counties and Schools Coalition, a unique and diverse grass roots coalition of over 550 local and national organizations representing rural communities in 36 States. This coalition has come together to address this serious problem.

Their proposal, H.R. 2389, the County Schools Funding Revitalization Act of 1999, will stabilize funding for forest-dependent schools and allow rural communities to help craft a new Federal policy that will strengthen and improve education in forest communities for the long term.

H.R. 2389 is strongly supported by the U.S. Chamber of Commerce and the National Association of Counties. I join them in supporting H.R. 2389.

Mr. STENHOLM. Madam Chairman, I yield 2 minutes to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Madam Chairman, I thank the gentleman for yielding me this time, and I thank my colleagues for all their hard work on this important piece of legislation.

When the Federal Government decided to reclaim the Oregon and California Railroad grant lands in 1916 and 1919, the Government took on a responsibility and made a promise to reimburse those counties that lost their tax base after these lands were reclaimed by the Federal Government. These counties, including six in my district, expend their local tax revenues on efforts that directly affect these Federal lands and the people that use them.

But times have changed, people's attitudes have changed, and the way we manage our lands have changed. We realize that logging at will impacted our lands and clean water. The logging of the 1980s, that saw extensive revenue brought into my district for schools and roads, are long gone. Over the last 10 years, I have seen class sizes grow, teachers, after-school programs and many other services reduced or eliminated because, without the timber receipts, we simply did not have the additional money for education and infrastructure.

In 1993, Congress recognized this trend and enacted an alternative safety net payment to 72 counties in Oregon, Washington, and California. Federal timber sales have been restricted or prohibited due to protection of certain species under the Northwest Forest Plan. This safety net is expected to expire in 2 years. This is not just a problem in the Northwest. This affects over 800 counties throughout the country from Oregon to Florida.

The children in these 800 counties, including six in my district, deserve the same opportunity and the same quality of schools and education opportunities as the rest of America. We made a promise to them. We must extend the safety net for an additional 4 years while we work with these communities to draft a permanent solution to fund infrastructure and, most importantly, our schools.

I hope my colleagues will join me in voting ''yes'' for education and voting ''yes'' on this bill.

Mr. GOODLATTE. Madam Chairman, I yield 2 minutes to the gentleman from California (Mr. RADANOVICH).

Mr. RADANOVICH. Madam Chairman, I want to tell my colleagues about Mariposa County, where I was born and raised. It has a single school district within it struggling to make ends meet for about 2,600 students. Arts programs for children have been cut back, six of the districts schools do not have a lunchroom where the children can eat, 60 percent of Mariposa County school buildings are modular, temporary structures, and the school district's bus fleet is rapidly aging.

Such decay is due in part to a lack of management on the national forests. Over the past decade, Mariposa County has gone from generating $800,000 each year from the receipt program to less than $100,000 as a result of diminished forest management.

Mariposa County's resources are Federal lands, so the county is unable to generate a sufficient tax base. It, therefore, relies on funds derived from the receipt program. It is vital that Congress pass H.R. 2389, which creates a system to encourage rural forest communities to be self-sufficient and provide funding for schools in these areas.

Approval of H.R. 2389 is also necessary to prevent the administration from implementing its plan to remove economic incentives to rural communities by decoupling forest receipts and giving direct payments to counties that are not linked to forest management. The loss of the 25 percent receipts would further devastate rural schools and their already economically ailing communities experiencing decreased forest management.

The economies of some rural communities, in Northern California in particular, depend almost entirely on the management of forest. In the absence of receipts, the areas have little else except government welfare upon which to survive. The County Schools Funding Revitalization Act is needed to establish a stable system of funds to provide a solid future for rural schoolchildren.

I strongly support H.R. 2389 on behalf of the rural children throughout my district who simply have had enough cuts in their schools and must be afforded the opportunity to receive the best education possible.

Mr. STENHOLM. Madam Chairman, I yield 3 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Madam Chairman, I thank the gentleman for yielding me this time. This is very important legislation before this body, and we are hearing from Members coast to coast on what this means to people in their home States and their counties, particularly to smaller rural school districts and rural counties where there is little other economic opportunity and where the county property tax bases are not sufficient.

In my district it is doubly important. We have not only Forest Service lands, we have something called the O and C lands. More than half of my district is owned by the United States Government. And with the changes that have come about in forest management in the last few years, the revenues to those counties have dropped off dramatically, or would have dropped off dramatically, had we not gotten a guarantee in 1993 when the Clinton forest plan was put into place. That plan expires in the year 2003, and each year under that plan we get fewer revenues.

If this legislation passes today and becomes law, those revenues will immediately increase, and that will mean more funding for schools, that will mean more funding for rural law enforcement, that will mean some additional funds to meet unmet road maintenance and repair needs across southwest Oregon. Those are important programs.

This is legislation that has tremendous merit. As I mentioned earlier, for my colleagues who do not have these sorts of Federal lands, if they can think of it in the way we have dealt with base closings in this Congress; that when Federal bases are closed, payments are made into those communities for the conversion of their economies; and often, again, those bases revert to those local communities.

Again, I am not, nor would I ever suggest, and I will adamantly oppose, any return of these lands to the States or local governments. I believe they are best managed in the Federal interest. But there is no option to raise revenues off of these lands. And some of the things that were mentioned earlier, in terms of recreation and all that, yes, in fact, the recreation can possibly be enhanced by some of these local projects, investments can be made. I have a bicycle path created between two formerly timber-dependent communities in the southern part of my district. It is beginning to attract additional tourism and economic development to that area. But much, much more can be done.

The payments that were to be made for the transition under the President's forest plan were not adequate for many of these rural economies. Our rate of unemployment in Oregon is one of the highest in the United States. And in rural Oregon it is among the highest in the United States. We need a little bit more help, and this bill will provide that additional help.

So I would recommend this bill to my colleagues, not just because it benefits the people of Oregon but because it

benefits hundreds of counties all across America and from a wide breadth of folks on both sides of the aisle, whose voices I think we are hearing asking for their colleagues' support.

Mr. GOODLATTE. Madam Chairman, I yield 3 minutes to the gentleman from California (Mr. OSE).

Mr. OSE. Madam Chairman, I thank the gentleman for yielding me this time, and I rise today in strong support of the County Schools Funding Revitalization Act.

Back in my home district, I have heard firsthand the worries of educators about the lack of funding in their school districts. My good friend, Mr. Bob Douglas, the superintendent of schools in Tehama County, recently shared with me information about deteriorating conditions in Tehama's school system. And they are bad. Teachers have been laid off, causing increases in classroom size; some school bus services have been discontinued, leaving children stranded at the beginning or end of the day and parents forced to either delay going to work or to come home from work to take them home. Textbook budgets have been slashed, vocational training restricted, counseling programs reduced, and that single most valuable piece of our educational system, the library, has had its hours curtailed.

Virtually every part of the school system in forest counties, like many of mine, have been affected by the reductions in this funding. And this is not restricted to Tehama County. I have also heard from folks in Butte, Colusa, and Glenn Counties. Parents and teachers who every day see the impact of reduced funding on our children have stressed to me the urgency of this matter.

We spend a lot of time here throwing rhetoric back and forth across that center aisle. We argue about who is spending more on education and who is spending less. Well, my colleagues, now is the time to put our money where our mouth is. This bill will help level the playing field between children of rural counties and those who live in cities so that every child, regardless of where they live, has the opportunity to meet the expectations and expand the horizons that their parents hold so dear.

This bill will help ensure that the local communities who have fallen on hard times in recent years have the funding to provide an adequate education for that most valuable resource, that one thing we all live and breathe for every day, that being for our children. My colleagues, we cannot let down our children from America's rural areas. We must continue to make education a priority.

Please join me in voting ''yes'' on the County Schools Funding Revitalization Act.

Mr. STENHOLM. Madam Chairman, I yield 2 minutes to the gentlewoman from Georgia (Ms. MCKINNEY).

Ms. MCKINNEY. Madam Chairman, right now the United States Government is destroying public land at a loss of $300 million per year to taxpayers. That is a lot of money to spend on the destruction of our national forests.

□ 1415

Some of my colleagues say that if we do not expand our corporate welfare to the timber industries, there will be no money for our Nation's children. That is like robbing Peter to pay Paul. Timber sales have been decreasing and the money for rural schools is on the decline. We need to provide a real solution to the problem, not a false choice between trees or schools.

Supporters of this bill say we need to address the declining rate of funding for schools. Yet 13 States will experience a permanent reduction in education and infrastructure funding under this bill. The fact is we can afford to give our rural schools the funding they need and deserve, but we must separate funding to rural countries from timber receipts.

I am a strong supporter of rural education. I ask my colleagues that if they are true supporters of rural education, then give students what they need, payments that are not dependent upon fluctuating timber sales. Our children deserve a steady supply of funding and a healthy environment. This bill provides neither.

This bill was not written to help students. It actually scratches the back of the timber industry. The National Forest Protection and Restoration Act provides for rural counties by offering them guaranteed annual funding. Counties would no longer have to depend on the Forest Service for what they need. They would have a budget that allows them to plan for the future. They would no longer have to clearcut for our kids.

It seems that the supporters of this bill cannot see the students through the trees, so their solution is to chop the trees down. We are talking about the future of our Nation's children. Let us give them what they need without pandering to big business.

I support a no vote on H.R. 2389.

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

Madam Chairman, I would just say that we have heard the term used over and over by speaker after speaker on both sides of the aisle that this is a reasonable short-term solution, it is a compromise, there has been a good-faith effort put forward by those who have worked very hard on this legislation they bring to us today; and, as indication of that, whereas when we started the administration was threatening to ask for a presidential veto of this legislation, they have withdrawn that threat.

There is still opposition from the administration for the bill, but we are making good progress; and I believe that it is very highly probable that this can become law.

Madam Chairman, I yield back the balance of my time.

Mr. GOODLATTE. Madam Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. PETERSON).

Mr. PETERSON of Pennsylvania. Madam Chairman, I thank the gentleman for yielding me the time, and I rise to support this legislation.

Madam Chairman, I think it is important, because for the first time in a long time, there is a realization that we own a lot of this country. We own a third of America, we, the national taxpayers.

In my view, there has been a real insensitivity toward Federal policy and how it impacts rural America. And that is the problem that we are finally facing up to today. It is a matter of when we change the Federal land use policies and counties and States are predominantly opened by the Federal Government, it has a huge impact on the economic base and the quality of life in those communities.

I am here to say that I think the Congresses in the past and administrations have been very insensitive to the impact on rural America.

Why do we own a third of this country? For a number of reasons. So that we have land for recreation. So that we have land for wilderness areas. So that we have land for people to hunt and fish and recreate on. Also, it was purchased so that we would have the natural resources that we have that would be well managed and that would be available for the future.

Now, somehow all that got mixed up by legislators and administrations and this whole policy kind of got thrown out of the window, that part of the reason that we own a third of this country is that we have resources for our future and the multi-use prospect was kind of thrown out, the baby with the bath water. I think that is the discussion that needs to be clear today and precise, that we are here today.

Now, we are going to help fix schools. We are going to help fix local roads. But the loss of those industries that used natural resources are still gone, and that base out there is still very fragile.

I urge Members of Congress, because so often I have ended up debating suburbanites who come from suburbia and urban areas who have little sensitivity towards rural America, that out in rural America we cut timber, we drill for oil, we dig for coal, we mine natural resources, and we farm and we manufacture.

When they take over half of that away from us, and we have counties and States that are predominantly owned by Government, and the Government changes its policies quickly, we have huge impacts on the quality of rural life and the opportunities that are there. There is enough land for all. If we manage it well, if we used good sound science, our future can be strong.

I wish we could get by this debate that cutting down a tree is some moral

act. It is the one most renewable resource we have in America. Well-managed forests will produce logs forever. Our great grandchildren will be logging on the same forests that we log on if it is done right. It is a resource.

So I am pleased today that there is finally a realization that Federal policies have had an impact on rural America and it has not been good.

Mr. GOODLATTE. Madam Chairman, I yield myself the balance of my time.

Madam Chairman, I first want to refute the statement made by the gentlewoman from Georgia (Ms. MCKINNEY) a little while ago that 13 States were going to lose funding or have reduced funding as a result of this legislation. Nothing could be further from the truth.

Forty-six States and Puerto Rico will receive increases in funding under this legislation, including the State of Georgia, from which the gentlewoman hails, which will receive an 87 percent increase. No States will receive a reduction. Four States will be level-funded under this legislation.

Some of the increases, to give my colleagues an example, Alaska will receive a 204 percent increase, Arizona a 264 percent increase, California a 93 percent increase, Florida a 125 percent increase, Georgia an 87 percent increase, Indiana an 185 percent increase, Missouri a 103 percent increase, New Mexico a 173 percent increase, New York a 212 percent increase, Ohio 1,203 percent increase, South Carolina 226 percent increase. The list goes on and on. Many, many States will receive substantial increases. No State will be cut as a result of this legislation.

Secondly, it is important to note that the amendment that is about to be offered is a poison pill amendment. I urge my colleagues to oppose it.

I would call to their attention the organizations that are a part of the National Forest, Counties, and Schools Coalition that opposes this legislation and want to see more funds get into rural schools.

The Alliance for America, the American Association of Educational Service Agencies, and the American Association of School Administrators support this legislation and oppose the poison pill amendment.

The Forest Products Industry National Labor Management Committee; the Independent Forest Products Association; the International Association of Machinists and Aerospace Workers; the National Association of Counties; the National Association of County Engineers; the National Education Association; Organizations Concerned About Rural Education; the Paper, Allied Industrial, Chemical, and Energy Workers International; People for the U.S.A.; the Southern Forest Products Association; the United Brotherhood of Carpenters and Joiners of America; the United Mine Workers of America; the United States Chamber of Commerce; and the Western Council of Industrial Workers, just to name a few of the more than 800 organizations in 39 States which support this legislation and oppose any amendments thereto.

I urge my colleagues to support this legislation.

Mr. VENTO. Madam Chairman, I rise in opposition to this legislation. H.R. 2389 followed a flawed path since its inception, both in the development of its policy and in the secrecy with which its language was closely guarded until early this week. The underlying goal behind H.R. 2389 was to establish an interim procedure that would provide more money to rural counties for education and road building. This was to make up for reduced payments to the Twenty-Five Percent Fund because of decreases in timber harvesting over the past decade. Unfortunatley, there is nothing interim about this legislation. It establishes a multi year program that increases logging in our National Forests and further solidifies a pattern created at the beginning of the century that educated our children at the expense of environment. Sacrificing their natural heritage isn't necessary today so as to asssure an investment in their future and a sound educational opportunity.

H.R. 2389 had the potential to reverse Twenty-Five Percent Fund's century long destructive path by creating a program that decouples county payments tied to the amount of timber harvested from public lands. Instead, this legislation gives counties some of the highest timber payments ever and yet encourages them to harvest already thinned forests in a potentially unsustainable manner. This legislation should have broken that policy and spending pattern. Instead, it enshrines it. This country should educate our children about protecting the environment, not educate our children at its expense.

H.R. 2389 establishes a special community projects program in Title II, but its method of implementation will unknowingly to most create a tenuous relationship between federal land managers and the counties who will manage Federal lands through Title II projects. These projects will reduce funds going to rural governments and school systems by requiring that 20 percent of the county payments be spent on local forest management projects. The profits from these projects will then be funneled into a special projects account to be spent on more of these projects, thus creating an everlasting sort of synergistic logging effect. If the overall goal of this legislation is aid our rural schools and counties, then I hope that this House will at least use common sense and give all counties the option to use up 20 percent of their funds on these special projects instead of requiring that they use 20 percent of their funds only on special projects.

This interim legislation establishes a working advisory group whose goal is to solve the county payment issue. Unfortunately, Title III attempts to reinvent Government by creating a top heavy advisory panel that fails to represent all interests involved in the formulation of a new program. When we look down the road nearly a decade from now, after this legislation sunsets, the Forest Service Chief should have, in his hands, the advisory panels recommendation. Will he act on it? Who knows? The chief is certainly not bound to. The advisory panel, for all its bells and whistles, in effect, serves little purpose and most likely will accomplish nothing. The Forest Service has no compelling reason to accept their recommendation, and, frankly, when I look at the make up of the panel, it's not likely to come up with recommendations that are balanced.

This body must comprehensively revise the county payments issue and decouple all payment to counties from timber production, and understand that the issue is how and if to make this program a permanent mandatory appropriation. The framework for this solution has already been laid. This body must build the structure into a working program that benefits our counties, our forests and our children.

It was my hope that this legislation would come to the floor today. Many of us went into this week with blinders over our eyes. We were given little opportunity to review this legislation and determine innovative solutions to correct this complex issue. H.R. 2389 is a flawed proposal that takes an antiquated approach to providing counties funds for education and road building at the expense of our National Forests. Proponents want to keep their cake and eat it too. This legislation is promoting a century old program at a time when the Forest Service is managing our forests in a progressive, ecological sound and scientific manner. Everyone in this body recognizes the need for the education of our young. Should it come at the expense of our environment when there are sound proposals already on the table for the House to consider? The short answer to this is no. We are one of the richest nations in the world and this sends a signal that we cannot afford to properly educate our children without using the slash and burn techniques of years past. I urge my colleague to vote no on this legislation.

Mr. STUPAK. Madam Chairman, the bill before us today, H.R. 2389, the County Schools Funding Revitalization Act, is important to the people and communities of Northern Michigan.

Much of my congressional district lies in the Ottawa, and Hiawatha, National Forests. Forest products are my district main industry, and they have a great financial, environmental, cultural, historical and recreational impact on my constituents.

My constituents depend on strong, vibrant national forests. We have been good stewards of our land and its natural resource; the forests depend on us for nurturing and protection.

This proper stewardship helps both the economy and the environment. Continued timber sales help in guaranteeing the future health of our national forests.

Since 1991, more trees die and rot each year in national forests than is sold for timber. I doubt if anyone in this chamber would view this as a proper and efficient use of our resources.

Since the Federal government does not pay property taxes on its own lands, the several counties in my district with national forest lands depend on the 25-percent payments in order to provide essential services such as education, law enforcement, emergency fire and medical, search and rescue, solid waste management, road maintenance, and other health and human services.

The forest industry is one of the top employers in my district. Overall, Michigan generates over $90 million in timber-based employment.

My district has been suffering from high unemployment. The financial guarantee and funding stability provided by this legislation will help the economy of Northern Michigan.

While I would like to see higher levels of funding in this bill for Region Nine of the Upper Midwest, I also accept the need to provide stable levels of funding for our communities and for our schools.

Madam Chairman, I urge my colleagues to support H.R. 2389.

The CHAIRMAN pro tempore (Mrs. EMERSON). All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the CONGRESSIONAL RECORD and numbered 1, modified by the amendments printed in House Report 106–437, is considered as an original bill for the purpose of amendment and is considered read.

The text of the committee amendment in the nature of a substitute, as amended, is as follows:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Secure Rural Schools and Community Self-Determination Act of 1999''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings and purpose.
Sec. 3. Definitions.

TITLE I—SECURE PAYMENTS FOR STATES AND COUNTIES CONTAINING FEDERAL LANDS

Sec. 101. Determination of full payment amount for eligible States and counties.
Sec. 102. Payments to States from Forest Service lands for use by counties to benefit public education and transportation.
Sec. 103. Payments to counties from Bureau of Land Management lands for use to benefit public safety, law enforcement, education, and other public purposes.

TITLE II—LOCALLY INITIATED PROJECTS ON FEDERAL LANDS

Sec. 201. Definitions.
Sec. 202. General limitation on use of project funds.
Sec. 203. Submission of project proposals by participating counties.
Sec. 204. Evaluation and approval of projects by Secretary concerned.
Sec. 205. Local advisory committees.
Sec. 206. Use of project funds.
Sec. 207. Duration of availability of a county's project funds.
Sec. 208. Treatment of funds generated by locally initiated projects.

TITLE III—FOREST COUNTIES PAYMENTS COMMITTEE

Sec. 301. Definitions.
Sec. 302. National advisory committee to develop long-term methods to meet statutory obligation of Federal lands to contribute to public education and other public services.
Sec. 303. Functions of Advisory Committee.
Sec. 304. Federal Advisory Committee Act requirements.
Sec. 305. Termination of Advisory Committee.
Sec. 306. Sense of Congress regarding Advisory Committee recommendations.

TITLE IV—MISCELLANEOUS PROVISIONS

Sec. 401. Authorization of appropriations.
Sec. 402. Treatment of funds and revenues.
Sec. 403. Conforming amendments.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds the following:

(1) The National Forest System, which is managed by the United States Forest Service, was established in 1907 and has grown to include approximately 192,000,000 acres of Federal lands.

(2) The public domain lands known as revested Oregon and California Railroad grant lands and the reconveyed Coos Bay Wagon Road grant lands, which are managed predominantly by the Bureau of Land Management were returned to Federal ownership in 1916 and 1919 and now comprise approximately 2,600,000 acres of Federal lands.

(3) Congress recognized that, by its decision to secure these lands in Federal ownership, the counties in which these lands are situated would be deprived of revenues they would otherwise receive if the lands were held in private ownership.

(4) Even without such revenues, these same counties have expended public funds year after year to provide services, such as education, road construction and maintenance, search and rescue, law enforcement, waste removal, and fire protection, that directly benefit these Federal lands and people who use these lands.

(5) To accord a measure of compensation to the affected counties for their loss of future revenues and for the critical services they provide to both county residents and visitors to these Federal lands, Congress determined that the Federal Government should share with these counties a portion of the revenues the United States receives from these Federal lands.

(6) Congress enacted in 1908 and subsequently amended a law that requires that 25 percent of the revenues derived from National Forest System lands be paid to States for use by the counties in which the lands are situated for the benefit of public schools and roads.

(7) Congress enacted in 1937 and subsequently amended a law that requires that 50 percent of the revenues derived from the revested and reconveyed grant lands be paid to the counties in which those lands are situated to be used as are other county funds.

(8) For several decades during the dramatic growth of the American economy, counties dependent on and supportive of these Federal lands received and relied on increasing shares of these revenues to provide educational opportunities for the children of residents of these counties.

(9) In recent years, the principal source of these revenues, Federal timber sales, has been sharply curtailed and, as the volume of timber sold annually from most of the Federal lands has decreased precipitously, so too have the revenues shared with the affected counties.

(10) This decline in shared revenues has severely impacted or crippled educational funding in, and the quality of education provided by, the affected counties.

(11) In the Omnibus Budget Reconciliation Act of 1993, Congress recognized this trend and ameliorated its adverse consequences by providing an alternative annual safety net payment to 72 counties in Oregon, Washington, and northern California in which Federal timber sales had been restricted or prohibited by administrative and judicial decisions to protect the northern spotted owl.

(12) The authority for these particular safety net payments is expiring and no comparable authority has been granted for alternative payments to counties elsewhere in the United States that have suffered similar losses in shared revenues from the Federal lands and in the educational funding those revenues provide.

(13) Although alternative payments are not an adequate substitute for the revenues, wages, purchasing of local goods and services, and social opportunities that are generated when the Federal lands are managed in a manner that encourages revenue-producing activities, such alternative payments are critically needed now to stabilize educational funding in the affected counties.

(14) Changes in Federal land management, in addition to having curtailed timber sales, have altered the historic, cooperative relationship between counties and the Forest Service and the Bureau of Land Management.

(15) Both the Forest Service and the Bureau of Land Management face significant backlogs in infrastructure maintenance and ecosystem restoration that are not likely to be addressed through annual appropriations.

(16) New relationships between the counties in which these Federal lands are located and the managers of these Federal lands need to be formed to benefit both the natural resources and rural communities of the United States as the 21st century begins.

(b) PURPOSES.—The purposes of this Act are—

(1) to provide Federal funds to county governments that are dependent on and supportive of the Federal lands so as to assist such counties in restoring funding for education and other public services that the counties must provide to county residents and visitors;

(2) to provide these funds on a temporary basis in a form that is environmentally sound and consistent with applicable resource management plans;

(3) to facilitate the development, by the Federal Government and the counties which benefit from the shared revenues from the Federal lands, of a new cooperative relationship in Federal land management and the development of local consensus in implementing applicable plans for the Federal lands;

(4) to identify and implement projects on the Federal lands that enjoy broad-based local support; and

(5) to make additional investments in infrastructure maintenance and ecosystem restoration on Federal lands.

SEC. 3. DEFINITIONS.

In this Act:

(1) FEDERAL LANDS.—The term ''Federal lands'' means—

(A) lands within the National Forest System, as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)); and

(B) the Oregon and California Railroad grant lands revested in the United States by the Act of June 9, 1916 (Chapter 137; 39 Stat. 218), Coos Bay Wagon Road grant lands reconveyed to the United States by the Act of February 26, 1919 (Chapter 47; 40 Stat. 1179), and subsequent additions to such lands.

(2) ELIGIBILITY PERIOD.—The term ''eligibility period'' means fiscal year 1984 through fiscal year 1999.

(3) ELIGIBLE COUNTY.—The term ''eligible county'' means a county or borough that received 50-percent payments for one or more fiscal years of the eligibility period or a county or borough that received a portion of an eligible State's 25-percent payments for one or more fiscal years of the eligibility period. The term includes a county or borough established after the date of the enactment of this Act so long as the county or borough includes all or a portion of a county or borough described in the preceding sentence.

(4) ELIGIBLE STATE.—The term ''eligible State'' means a State that received 25-percent payments for one or more fiscal years of the eligibility period.

(5) FULL PAYMENT AMOUNT.—The term ''full payment amount'' means the amount calculated for each eligible State and eligible county under section 101.

(6) 25-PERCENT PAYMENTS.—The term ''25-percent payments'' means the payments to States required by the 6th paragraph under the heading of ''FOREST SERVICE'' in the Act of May 23, 1908 (35 Stat. 260; 16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (36 Stat. 963; 16 U.S.C. 500).

(7) 50-PERCENT PAYMENTS.—The term ''50-percent payments'' means the payments that are the sum of the 50-percent share otherwise paid to a county pursuant to title II of the Act of August 28, 1937 (Chapter 876; 50 Stat. 875; 43 U.S.C. 1181f), and the payment made to a county pursuant to the Act of May 24, 1939 (chapter 144; 53 Stat. 753; 43 U.S.C. 1181f–1 et seq.).

(8) SAFETY NET PAYMENTS.—The term ''safety net payments'' means the payments to States and counties required by sections 13982 or 13983 of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103–66; 16 U.S.C. 500 note; 43 U.S.C. 1181f note).

TITLE I—SECURE PAYMENTS FOR STATES AND COUNTIES CONTAINING FEDERAL LANDS

SEC. 101. DETERMINATION OF FULL PAYMENT AMOUNT FOR ELIGIBLE STATES AND COUNTIES.

(a) CALCULATION REQUIRED.—

(1) ELIGIBLE STATES.—The Secretary of the Treasury shall calculate for each eligible State an amount equal to the average of the three highest 25-percent payments and safety net payments made to that eligible State for fiscal years of the eligibility period.

(2) BLM COUNTIES.—The Secretary of the Treasury shall calculate for each eligible county that received a 50-percent payment during the eligibility period an amount equal to the average of the three highest 50-percent payments and safety net payments made to that eligible county for fiscal years of the eligibility period.

(b) ANNUAL ADJUSTMENT.—For each fiscal year in which payments are required to be made to eligible States and eligible counties under this title, the Secretary of the Treasury shall adjust the full payment amount in effect for the previous fiscal year for each eligible State and eligible county to reflect changes in the consumer price index for rural areas (as published in the Bureau of Labor Statistics) that occur after publication of that index for fiscal year 1999.

SEC. 102. PAYMENTS TO STATES FROM FOREST SERVICE LANDS FOR USE BY COUNTIES TO BENEFIT PUBLIC EDUCATION AND TRANSPORTATION.

(a) REQUIREMENT FOR PAYMENTS TO ELIGIBLE STATES.—The Secretary of the Treasury shall make to each eligible State a payment in accordance with subsection (b) for each of fiscal years 2000 through 2006. The payment for a fiscal year shall be made as soon as practicable after the end of that fiscal year.

(b) PAYMENT AMOUNTS.—The payment to an eligible State under subsection (a) for a fiscal year shall consist of the following:

(1) The 25-percent payments and safety net payments under section 13982 of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103–66; 16 U.S.C. 500 note) applicable to that State for that fiscal year.

(2) If the amount under paragraph (1) is less than the full payment amount in effect for that State for that fiscal year, such additional funds as may be appropriated to provide a total payment not to exceed the full payment amount, but only to the extent such additional funds are provided in advance as discretionary appropriations included in appropriation Acts.

(c) DISTRIBUTION AND EXPENDITURE OF PAYMENTS.—

(1) DISTRIBUTION METHOD.—An eligible State that receives a payment under subsection (a) shall distribute the payment among all eligible counties in the State, with each eligible county receiving the same percentage of that payment as the percentage of the State's total 25-percent payments and safety net payments under section 13982 of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103–66; 16 U.S.C. 500 note) that were distributed to that county for fiscal years of the eligibility period.

(2) EXPENDITURE PURPOSES.—Subject to subsection (d), payments received by eligible States under subsection (a) and distributed to eligible counties shall be expended in the same manner in which 25-percent payments are required to be expended.

(d) EXPENDITURE RULES FOR ELIGIBLE COUNTIES.—

(1) GENERAL RULE.—In the case of an eligible county to which $100,000 or more is distributed in a fiscal year pursuant to subsection (c)—

(A) 80 percent of the funds distributed to the eligible county shall be expended in the same manner in which the 25-percent payments are required to be expended; and

(B) 20 percent of the funds distributed to the eligible county shall be reserved and expended by the eligible county in accordance with title II.

(2) COUNTIES WITH MINOR DISTRIBUTIONS.—In the case of each eligible county to which less than $100,000 is distributed for fiscal year 2000 pursuant to subsection (c), the eligible county shall make an election whether or not to be subject to the requirements of paragraph (1) for that fiscal year and all subsequent fiscal years for which payments are made under subsection (a). The county shall notify the Secretary of Agriculture of its election under this subsection not later than 60 days after the county receives its distribution for fiscal year 2000.

SEC. 103. PAYMENTS TO COUNTIES FROM BUREAU OF LAND MANAGEMENT LANDS FOR USE TO BENEFIT PUBLIC SAFETY, LAW ENFORCEMENT, EDUCATION, AND OTHER PUBLIC PURPOSES.

(a) REQUIREMENT FOR PAYMENTS TO ELIGIBLE COUNTIES.—The Secretary of the Treasury shall make to each eligible county that received a 50-percent payment during the eligibility period a payment in accordance with subsection (b) for each of fiscal years 2000 through 2006. The payment for a fiscal year shall be made as soon as practicable after the end of that fiscal year.

(b) PAYMENT AMOUNTS.—The payment to an eligible county under subsection (a) for a fiscal year shall consist of the following:

(1) The 50-percent payments and safety net payments under section 13983 of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103–66; 43 U.S.C. 1181f note) applicable to that county for that fiscal year.

(2) If the amount under paragraph (1) is less than the full payment amount in effect for that county for that fiscal year, such additional funds as may be appropriated to provide a total payment not to exceed the full payment amount, but only to the extent such additional funds are provided in advance as discretionary appropriations included in appropriation Acts.

(c) EXPENDITURE OF PAYMENTS.—Subject to subsection (d), payments received by eligible counties under subsection (a) shall be expended in the same manner in which 50-percent payments are required to be expended.

(d) EXPENDITURE RULES FOR ELIGIBLE COUNTIES.—In the case of an eligible county to which a payment is made in a fiscal year pursuant to subsection (a)—

(1) 80 percent of the payment to the eligible county shall be expended in the same manner in which the 50-percent payments are required to be expended; and

(2) 20 percent of the payment to the eligible county shall be reserved and expended by the eligible county in accordance with title II.

TITLE II—LOCALLY INITIATED PROJECTS ON FEDERAL LANDS

SEC. 201. DEFINITIONS.

In this title:

(1) PARTICIPATING COUNTY.—The term ''participating county'' means an eligible county that—

(A) receives Federal funds pursuant to section 102 or 103; and

(B) is required to expend a portion of those funds in the manner provided in section 102(d)(1)(B) or 103(d)(2) or elects under section 102(d)(2) to expend a portion of those funds in accordance with section 102(d)(1)(B).

(2) PROJECT FUNDS.—The term ''project funds'' means all funds reserved by an eligible county under section 102(d)(1)(B) or 103(d)(2) for expenditure in accordance with this title and all funds that an eligible county elects under section 102(d)(2) to reserve under section 102(d)(1)(B).

(3) LOCAL ADVISORY COMMITTEE.—The term ''local advisory committee'' means an advisory committee established by the Secretary concerned under section 205.

(4) RESOURCE MANAGEMENT PLAN.—The term ''resource management plan'' means a land use plan prepared by the Bureau of Land Management for units of the Federal lands described in section 3(1)(B) pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) and land and resource management plans prepared by the Forest Service for units of the National Forest System pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

(5) SECRETARY CONCERNED.—The term ''Secretary concerned'' means the Secretary of the Interior with respect to the Federal lands described in section 3(1)(B) and the Secretary of Agriculture with respect to the Federal lands described in section 3(1)(A).

(6) SPECIAL ACCOUNT.—The term ''special account'' means an account in the Treasury established under section 208(c) for each region of the Forest Service, and for the Bureau of Land Management.

SEC. 202. GENERAL LIMITATION ON USE OF PROJECT FUNDS.

Project funds shall be expended solely on projects that meet the requirements of this title and are conducted on the Federal lands.

SEC. 203. SUBMISSION OF PROJECT PROPOSALS BY PARTICIPATING COUNTIES.

(a) SUBMISSION OF PROJECT PROPOSALS TO SECRETARY CONCERNED.—

(1) PROJECTS FUNDED USING PROJECT FUNDS.—Not later than September 30, 2001, and each September 30 thereafter through 2009, each participating county shall submit to the Secretary concerned a description of any projects that the county proposes the Secretary undertake using any project funds reserved by the county during the three-fiscal year period consisting of the fiscal year in which the submission is made and the preceding two fiscal years. A participating county does not have to submit all of its project proposals for a year at the same time.

(2) PROJECTS FUNDED USING SPECIAL ACCOUNTS.—Until September 30, 2007, a participating county may also submit to the Secretary concerned a description of any projects that the county proposes the Secretary undertake using amounts in a special account in lieu of or in addition to the county's project funds.

(3) JOINT PROJECTS.—Participating counties may pool their project funds and jointly propose a project or group of projects to the Secretary concerned under paragraph (1). Participating counties may also jointly propose a project or group of projects to the Secretary concerned under paragraph (2).

(b) REQUIRED DESCRIPTION OF PROJECTS.—In submitting proposed projects to the Secretary concerned under subsection (a), a participating county shall include in the description of each proposed project the following information:

(1) The purpose of the project.

(2) An estimation of the amount of any timber, forage, and other commodities anticipated to be harvested or generated as part of the project.

(3) The anticipated duration of the project.

(4) The anticipated cost of the project.

(5) The proposed source of funding for the project, whether project funds, funds from the appropriate special account, or both.

(6) The anticipated revenue, if any, to be generated by the project.

(c) ROLE OF LOCAL ADVISORY COMMITTEE.—A participating county may propose a project to the Secretary concerned under subsection (a) only if the project has been reviewed and approved by the relevant local advisory committee in accordance with the requirements of section 205, including the procedures issued under subsection (d) of such section.

(d) AUTHORIZED PROJECTS.—

(1) IN GENERAL.—Projects proposed under subsection (a) shall consist of any type of project or activity that the Secretary concerned may otherwise carry out on the Federal lands.

(2) SEARCH, RESCUE, AND EMERGENCY SERVICES.—Notwithstanding paragraph (1), a participating county may submit as a proposed project under subsection (a) a proposal that the county receive reimbursement for search and rescue and other emergency services performed on Federal lands and paid for by the county. The source of funding for an approved project of this type may only be the special account for the region in which the county is located or, in the case of a county that receives 50-percent payments, the special account for the Bureau of Land Management.

(3) COMMUNITY SERVICE WORK CAMPS.—Notwithstanding paragraph (1), a participating county may submit as a proposed project under subsection (a) a proposal that the county receive reimbursement for all or part of the costs incurred by the county to pay the salaries and benefits of county employees who supervise adults or juveniles performing mandatory community service on Federal lands.

SEC. 204. EVALUATION AND APPROVAL OF PROJECTS BY SECRETARY CONCERNED.

(a) CONDITIONS FOR APPROVAL OF PROPOSED PROJECT.—The Secretary concerned may make a decision to approve a project submitted by a participating county under section 203 only if the proposed project satisfies each of the following conditions:

(1) The project complies with all Federal laws and all Federal rules, regulations, and policies.

(2) The project is consistent with the applicable resource management plan and with any watershed or subsequent plan developed pursuant to the resource management plan and approved by the Secretary concerned.

(3) The project has been approved by the relevant local advisory committee in accordance with section 205, including the procedures issued under subsection (d) of such section.

(4) The project has been described by the participating county in accordance with section 203(b).

(b) ENVIRONMENTAL REVIEWS.—

(1) REVIEW REQUIRED.—Before making a decision to approve a proposed project under subsection (a), the Secretary concerned shall complete any environmental review required by the National Environmental Policy Act of 1969 (42 U.S.C. 321 et seq.) in connection with the project and any consultation and biological assessment required by the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) in connection with the project.

(2) TREATMENT OF REVIEW.—Decisions of the Secretary concerned related to an environmental review or consultation conducted under paragraph (1) shall not be subject to administrative appeal or judicial review unless and until the Secretary approves the project under subsection (a) for which the review or consultation was conducted.

(3) PAYMENT OF REVIEW COSTS.—

(A) REQUEST FOR PAYMENT BY COUNTY.—The Secretary concerned may request the participating county or counties submitting a proposed project to use project funds to pay for any environmental review or consultation required under paragraph (1) in connection with the project. When such a payment is requested, the Secretary concerned shall not begin the environmental review or consultation until and unless the payment is received.

(B) EFFECT OF REFUSAL TO PAY.—If a participating county refuses to make the requested payment under subparagraph (A) in connection with a proposed project, the participating county shall withdraw the submission of the project from further consideration by the Secretary concerned. Such a withdrawal shall be deemed to be a rejection of the project for purposes of section 207(d).

(c) TIME PERIODS FOR CONSIDERATION OF PROJECTS.—

(1) PROJECTS REQUIRING ENVIRONMENTAL REVIEW.—If the Secretary concerned determines that an environmental review or consultation is required for a proposed project pursuant to subsection (b), the Secretary concerned shall make a decision under subsection (a) to approve or reject the project, to the extent practicable, within 30 days after the completion of the last of the required environmental reviews and consultations.

(2) OTHER PROJECTS.—If the Secretary concerned determines that an environmental review or consultation is not required for a proposed project, the Secretary shall make a decision under subsection (a) to approve or reject the project, to the extent practicable, within 60 days after the date of that determination.

(d) DECISIONS OF SECRETARY CONCERNED.—

(1) REJECTION OF PROJECTS.—A decision by the Secretary concerned to reject a proposed project shall be at the Secretary's sole discretion. Within 30 days after making the rejection decision, the Secretary concerned shall notify in writing the participating county that submitted the proposed project of the rejection and the reasons therefor.

(2) NOTICE OF PROJECT APPROVAL.—The Secretary concerned shall publish in the Federal Register notice of each project approved under subsection (a) if such notice would be required had the project originated with the Secretary.

(3) PROJECT APPROVAL AS FINAL AGENCY ACTION.—A decision by the Secretary concerned to approve a project under subsection (a) shall be considered a final agency action under the Administrative Procedures Act.

(e) SOURCE AND CONDUCT OF PROJECT.—For purposes of Federal law, a project approved by the Secretary concerned under this section shall be considered to have originated with the Secretary.

(f) IMPLEMENTATION OF APPROVED PROJECTS.—

(1) RESPONSIBILITY OF SECRETARY.—The Secretary concerned shall be responsible for carrying out projects approved by the Secretary under this section. The Secretary concerned shall carry out the projects in compliance with all Federal laws and all Federal rules, regulations, and policies and in the same manner as projects of the same kind that originate with the Secretary.

(2) COOPERATION.—The Secretary concerned may enter into contracts and cooperative agreements with States and local governments, private and nonprofit entities, and landowners and other persons to assist the Secretary in carrying out an approved project.

(3) BEST VALUE STEWARDSHIP CONTRACTING.—To enter into a contract authorized by paragraph (2), the Secretary concerned may use a contracting method that secures, for the best price, the best quality service, as determined by the Secretary based upon the following:

(A) The technical demands and complexity of the work to be done.

(B) The ecological sensitivity of the resources being treated.

(C) The past experience by the contractor with the type of work being done, using the type of equipment proposed for the project, and meeting or exceeding desired ecological conditions.

(D) The use by the contractor of low value species and byproducts.

(E) The commitment of the contractor to hiring highly qualified workers and local residents.

(g) TIME FOR COMMENCEMENT.—

(1) PROJECTS FUNDED USING PROJECT FUNDS.—If an approved project is to be funded in whole or in part using project funds to be provided by a participating county or counties, the Secretary concerned shall commence the project as soon as practicable after the receipt of the project funds pursuant to section 206 from the county.

(2) PROJECTS FUNDED USING SPECIAL ACCOUNTS.—If an approved project is to be funded using amounts from a special account in lieu of any project funds, the Secretary concerned shall commence the project as soon as practicable after the approval decision is made.

SEC. 205. LOCAL ADVISORY COMMITTEES.

(a) ESTABLISHMENT AND PURPOSE OF LOCAL ADVISORY COMMITTEES.—

(1) ESTABLISHMENT.—Except as provided in paragraph (2), the Secretary concerned shall establish and maintain, for each unit of Federal lands, a local advisory committee to review projects proposed by participating counties and to recommend projects to participating counties.

(2) COMBINATION OR DIVISION OF UNITS.—The Secretary concerned may, at the Secretary's sole discretion, combine or divide units of Federal lands for the purpose of establishing local advisory committees.

(b) APPOINTMENT BY THE SECRETARY.—

(1) APPOINTMENT AND TERM.—The Secretary concerned shall appoint the members of local advisory committees for a term of 2 years beginning on the date of appointment. The Secretary concerned may reappoint members to subsequent 2-year terms.

(2) BASIC REQUIREMENTS.—The Secretary concerned shall ensure that each local advisory committee established by the Secretary meets the requirements of subsection (c).

(3) INITIAL APPOINTMENT.—The Secretary concerned shall make initial appointments to the local advisory committees not later than 120 days after the date of enactment of this Act.

(4) VACANCIES.—The Secretary concerned shall make appointments to fill vacancies on any local advisory committee as soon as practicable after the vacancy has occurred.

(5) COMPENSATION.—Members of the local advisory committees shall not receive any compensation.

(c) COMPOSITION OF ADVISORY COMMITTEE.—

(1) NUMBER.—Each local advisory committee shall be comprised of 15 members.

(2) COMMUNITY INTERESTS REPRESENTED.—Each local advisory committee shall have at least one member representing each of the following:

(A) Local resource users.

(B) Environmental interests.

(C) Forest workers.

(D) Organized labor representatives.

(E) Elected county officials.

(F) School officials or teachers.

(3) GEOGRAPHIC DISTRIBUTION.—To the extent practicable, the members of a local advisory committee shall be drawn from throughout the area covered by the committee.

(4) CHAIRPERSON.—A majority on each local advisory committee shall select the chairperson of the committee.

(d) APPROVAL PROCEDURES.—

(1) ISSUANCE.—Not later than 90 days after the date of the enactment of this Act, the Secretaries concerned shall jointly issue the approval procedures that each local advisory committee must use in order to ensure that a local advisory committee only approves projects that are broadly supported by the committee. The Secretaries shall publish the procedures in the Federal Register.

(2) TREATMENT OF PROCEDURES.—The issuance and content of the procedures issued under paragraph (1) shall not be subject to administrative appeal or judicial review. Nothing in this paragraph shall affect the responsibility of local advisory committees to comply with the procedures.

(e) OTHER COMMITTEE AUTHORITIES AND REQUIREMENTS.—

(1) STAFF ASSISTANCE.—A local advisory committee may submit to the Secretary concerned a request for staff assistance from Federal employees under the jurisdiction of the Secretary.

(2) MEETINGS.—All meetings of a local advisory committee shall be announced at least one week in advance in a local newspaper of record and shall be open to the public.

(3) RECORDS.—A local advisory committee shall maintain records of the meetings of the committee and make the records available for public inspection.

(f) FEDERAL ADVISORY COMMITTEE ACT EXEMPTION.—The local advisory committees shall be exempt from the provisions of the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 206. USE OF PROJECT FUNDS.

(a) AGREEMENT REGARDING SCHEDULE AND COST OF PROJECT.—

(1) AGREEMENT BETWEEN PARTIES.—As soon as practicable after the approval of a project by the Secretary concerned under section 204, the Secretary concerned and the chief administrative official of the participating county (or one such official representing a group of participating counties) shall enter into an agreement addressing, at a minimum, the following with respect to the project:

(A) The schedule for completing the project.

(B) The total cost of the project, including the level of agency overhead to be assessed against the project.

(C) For a multi-year project, the estimated cost of the project for each of the fiscal years in which it will be carried out.

(D) The remedies for the participating county or counties for the failure of the Secretary concerned to comply with the terms of the agreement.

(2) LIMITED USE OF FEDERAL FUNDS.—The Secretary concerned may decide, at the Secretary's sole discretion, to cover the costs of a portion of an approved project using Federal funds appropriated or otherwise available to the Secretary for the same purposes as the project.

(b) TRANSFER OF PROJECT FUNDS.—

(1) INITIAL TRANSFER REQUIRED.—As soon as practicable after the agreement is reached under subsection (a) with regard to a project to be funded in whole or in part using project funds, the participating county or counties that are parties to the agreement shall transfer to the Secretary concerned an amount of project funds equal to—

(A) in the case of a project to be completed in a single fiscal year, the total amount specified in the agreement to be paid by the county or counties; or

(B) in the case of a multi-year project, the amount specified in the agreement to be paid by the county or counties for the first fiscal year.

(2) CONDITION ON PROJECT COMMENCEMENT.—The Secretary concerned shall not commence a project pursuant to section 204(g)(1) until the project funds required to be transferred under paragraph (1) for the project have been received by the Secretary.

(3) SUBSEQUENT TRANSFERS FOR MULTI-YEAR PROJECTS.—For the second and subsequent fiscal years of a multi-year project to be funded in whole or in part using project funds, the participating county or counties shall transfer to the Secretary concerned the amount of project funds required to continue the project in that fiscal year according to the agreement entered into under subsection (a). The Secretary concerned shall suspend work on the project if the county fails to transfer the required amounts as required by the agreement.

(4) SPECIAL RULE FOR WORK CAMP PROJECTS.—In the case of a project described in section 203(d)(3) and approved under section 204, the agreement required by subsection (a) shall specify the manner in which a participating county that is a party to the agreement may retain project funds to cover the costs of the project.

(c) AVAILABILITY OF TRANSFERRED FUNDS.—Project funds transferred to the Secretary concerned under this section shall remain available until the project is completed.

SEC. 207. DURATION OF AVAILABILITY OF A COUNTY'S PROJECT FUNDS.

(a) SUBMISSION OF PROPOSED PROJECTS TO OBLIGATE FUNDS.—By the end of each of the fiscal years 2003 through 2009, a participating county shall submit to the Secretary concerned pursuant to section 203(a)(1) a sufficient number of project proposals that, if approved, would result in the obligation of at least the full amount of the project funds the county received under title I in the second preceding fiscal year.

(b) TRANSFER OF UNOBLIGATED FUNDS.—If a participating county fails to comply with subsection (a) for a fiscal year, any project funds that the county received in the second preceding fiscal year and remaining unobligated shall be returned to the Secretary of the Treasury for disposition as provided in subsection (c).

(c) DISPOSITION OF RETURNED FUNDS.—

(1) DEPOSIT IN SPECIAL ACCOUNTS.—In the case of project funds returned under subsection (b) in fiscal year 2004, 2005, or 2006, the Secretary of the Treasury shall deposit the funds in the appropriate special account.

(2) DEPOSIT IN GENERAL FUND.—After fiscal year 2006, the Secretary of the Treasury shall deposit returned project funds in the general fund of the Treasury.

(d) EFFECT OF REJECTION OF PROJECTS.—Notwithstanding subsection (b), any project funds of a participating county that are unobligated at the end of a fiscal year because the Secretary concerned has rejected one or more proposed projects shall be available for the county to expend in the same manner as the funds reserved by the county under section 102(d)(1)(A) or 103(d)(1), whichever applies to the funds involved. The project funds covered by this subsection shall remain available until expended.

(e) EFFECT OF COURT ORDERS.—

(1) PROJECTS FUNDED USING PROJECT FUNDS.—If an approved project is enjoined or prohibited by a Federal court after funds for the project are transferred to the Secretary concerned under section 206, the Secretary concerned shall return any unobligated project funds related to that project to the participating county or counties that transferred the funds. The returned funds shall be available for the county to expend in the same manner as the funds reserved by the county under section 102(d)(1)(A) or 103(d)(1), whichever applies to the funds involved. The funds shall remain available until expended and shall be exempt from the requirements of subsection (b).

(2) PROJECTS FUNDED USING SPECIAL ACCOUNTS.—If an approved project is enjoined or prohibited by a Federal court after funds from a special account have been reserved for the project under section 208, the Secretary concerned shall treat the funds in the same manner as revenues described in section 208(a).

SEC. 208. TREATMENT OF FUNDS GENERATED BY LOCALLY INITIATED PROJECTS.

(a) PAYMENT TO SECRETARY.—Any and all revenues generated from a project carried out in whole or in part using project funds or funds from a special account shall be paid to the Secretary concerned.

(b) DEPOSIT.—Notwithstanding any other provision of law, the Secretary concerned shall deposit the revenues described in subsection (a) as follows:

(1) Through fiscal year 2006, the revenues shall be deposited in the appropriate special account as provided in subsection (c).

(2) After fiscal year 2006, the revenues shall be deposited in the general fund of the Treasury.

(c) REGIONAL AND BLM SPECIAL ACCOUNTS.—

(1) ESTABLISHMENT.—There is established in the Treasury an account for each region of the Forest Service and an account for the Bureau of Land Management. The accounts shall consist of the following:

(A) Revenues described in subsection (a) and deposited pursuant to subsection (b)(1).

(B) Project funds deposited pursuant to section 207(c)(1).

(C) Interest earned on amounts in the special accounts.

(2) REQUIRED DEPOSIT IN FOREST SERVICE ACCOUNTS.—If the revenue-generating project was carried out in whole or in part using project funds that were reserved pursuant to section 102(d)(1)(B), the revenues shall be deposited in the account established under paragraph (1) for the Forest Service region in which the project was conducted.

(3) REQUIRED DEPOSIT IN BLM ACCOUNT.—If the revenue-generating project was carried out in whole or in part using project funds that were reserved pursuant to section 103(d)(2), the revenues shall be deposited in the account established under paragraph (1) for the Bureau of Land Management.

(4) PROJECTS CONDUCTED USING SPECIAL ACCOUNT FUNDS.—If the revenue-generating project was carried out using amounts from a special account in lieu of any project funds, the revenues shall be deposited in the special account from which the amounts were derived.

(d) USE OF ACCOUNTS TO CONDUCT PROJECTS.—

(1) AUTHORITY TO USE ACCOUNTS.—The Secretary concerned may use amounts in the special accounts, without appropriation, to fund projects submitted by participating counties under section 203(a)(2) that have been approved by the Secretary concerned under section 204.

(2) SOURCE OF FUNDS; PROJECT LOCATIONS.—Funds in a special account established under subsection (c)(1) for a region of the Forest Service region may be expended only for projects approved under section 204 to be conducted in that region. Funds in the special account established under subsection (c)(1) for the Bureau of Land Management may be expended only for projects approved under section 204 to be conducted on Federal lands described in section 3(1)(B).

(3) DURATION OF AUTHORITY.—No funds may be obligated under this subsection after September 30, 2007. Unobligated amounts in the special accounts after that date shall be promptly transferred to the general fund of the Treasury.

TITLE III—FOREST COUNTIES PAYMENTS COMMITTEE

SEC. 301. DEFINITIONS.

In this title:

(1) ADVISORY COMMITTEE.—The term ''Advisory Committee'' means the Forest Counties Payments Committee established by section 302.

(2) HOUSE COMMITTEES OF JURISDICTION.—The term ''House committees of jurisdiction'' means the Committee on Agriculture, the Committee on Resources, and the Committee on Appropriations of the House of Representatives.

(3) SENATE COMMITTEES OF JURISDICTION.—The term ''Senate committees of jurisdiction'' means the Committee on Agriculture, Nutrition, and Forestry, the Committee on Energy and Natural Resources, and the Committee on Appropriations of the Senate.

(4) SUSTAINABLE FORESTRY.—The term ''sustainable forestry'' means principles of sustainable forest management that equally consider ecological, economic, and social factors in the management of Federal lands.

SEC. 302. NATIONAL ADVISORY COMMITTEE TO DEVELOP LONG-TERM METHODS TO MEET STATUTORY OBLIGATION OF FEDERAL LANDS TO CONTRIBUTE TO PUBLIC EDUCATION AND OTHER PUBLIC SERVICES.

(a) ESTABLISHMENT OF FOREST COUNTIES PAYMENTS COMMITTEE.—There is hereby established an advisory committee, to be known as the Forest Counties Payments Committee, to develop recommendations, consistent with sustainable forestry, regarding methods to ensure that States and counties in which Federal lands are situated receive adequate Federal payments to be used for the benefit of public education and other public purposes.

(b) MEMBERS.—The Advisory Committee shall be composed of the following members:

(1) The Chief of the Forest Service, or a designee of the Chief who has significant expertise in sustainable forestry.

(2) The Director of the Bureau of Land Management, or a designee of the Director who has significant expertise in sustainable forestry

(3) The Director of the Office of Management and Budget, or the Director's designee.

(4) Two members who are elected members of the governing branches of eligible counties; one such member to be appointed by the President pro tempore of the Senate (in consultation with the chairmen and ranking members of the Senate committees of jurisdiction) and one such member to be appointed by the Speaker of the House of Representatives (in consultation with the chairmen and ranking members of the House committees of jurisdiction) within 60 days of the date of enactment of this Act.

(5) Two members who are elected members of school boards for, superintendents from, or teachers employed by, school districts in eligible counties; one such member to be appointed by the President pro tempore of the Senate (in consultation with the chairmen and ranking members of the Senate committees of jurisdiction) and one such member to be appointed by the Speaker of the House of Representatives (in consultation with the chairmen and ranking members of the House committees of jurisdiction) within 60 days of the date of enactment of this Act.

(c) GEOGRAPHIC REPRESENTATION.—In making appointments under paragraphs (4) and (5) of subsection (b), the President pro tempore of the Senate and the Speaker of the House of Representatives shall seek to ensure that the Advisory Committee members are selected from geographically diverse locations.

(d) ORGANIZATION OF ADVISORY COMMITTEE.—

(1) CHAIRPERSON.—The Chairperson of the Advisory Committee shall be selected from among the members appointed pursuant to paragraphs (4) and (5) of subsection (b).

(2) VACANCIES.—Any vacancy in the membership of the Advisory Committee shall be filled in the same manner as required by subsection (b). A vacancy shall not impair the authority of the remaining members to perform the functions of the Advisory Committee under section 303.

(3) COMPENSATION.—The members of the Advisory Committee who are not officers or employees of the United States, while attending meetings or other events held by the Advisory Committee or at which the members serve as representatives of the Advisory Committee or while otherwise serving at the request of the Chairperson, shall each be entitled to receive compensation at a rate not in excess of the maximum rate of pay for grade GS–18, as provided in the General Schedule under section 5532 of title 5, United States Code, including traveltime, and while away from their homes or regular places of business shall each be reimbursed for travel expenses, including per diem in lieu of subsistence as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

(e) STAFF AND RULES.—

(1) EXECUTIVE DIRECTOR.—The Advisory Committee shall have an Executive Director, who shall be appointed (without regard to the provisions of title 5, United States Code, governing appointments in the competitive service) by the Advisory Committee and serve at the pleasure of the Advisory Committee. The Executive Director shall report to the Advisory Committee and assume such duties as the Advisory Committee may assign. The Executive Director shall be paid at a rate not in excess of pay for grade GS–18, as provided in the General Schedule under 5332 of title 5, United States Code.

(2) OTHER STAFF.—In addition to authority to appoint personnel subject to the provisions of title 5, United States Code, governing appointments to the competitive service, and to pay such personnel in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, the Advisory Committee shall have authority to enter into contracts with private or public organizations which may furnish the Advisory Committee with such administrative and technical personnel as may be necessary to carry out the functions of the Advisory Committee under section 303. To the extent practicable, such administrative and technical personnel, and other necessary support services, shall be provided for the Advisory Committee by the Chief of the Forest Service and the Director of the Bureau of Land Management.

(3) COMMITTEE RULES.—The Advisory Committee may establish such procedural and administrative rules as are necessary for the performance of its functions under section 303.

(f) FEDERAL AGENCY COOPERATION.—The heads of the departments, agencies, and instrumentalities of the executive branch of the Federal Government shall cooperate with the Advisory Committee in the performance of its functions under subsection (c) and shall furnish to the Advisory Committee information which the Advisory Committee deems necessary to carry out such functions.

SEC. 303. FUNCTIONS OF ADVISORY COMMITTEE.

(a) DEVELOPMENT OF RECOMMENDATIONS.—

(1) IN GENERAL.—The Advisory Committee shall develop recommendations for policy or legislative initiatives (or both) regarding alternatives for, or substitutes to, the short-term payments required by title I in order to provide a long-term method to generate annual payments to eligible States and eligible counties at or above the full payment amount.

(2) REPORTING REQUIREMENTS.—Not later than 18 months after the date of the enactment of this Act, the Advisory Committee shall submit to the Senate committees of jurisdiction and the House committees of jurisdiction a final report containing the recommendations developed under this subsection. The Advisory Committee shall submit semiannual progress reports on its activities and expenditures to the Senate committees of jurisdiction and the House committees of jurisdiction until the final report has been submitted.

(b) GUIDANCE FOR COMMITTEE.—In developing the recommendations required by subsection (a), the Advisory Committee shall—

(1) evaluate the method by which payments are made to eligible States and eligible counties under title I and the use of such payments;

(2) evaluate the effectiveness of the local advisory committees established pursuant to section 205; and

(3) consider the impact on eligible States and eligible counties of revenues derived from the historic multiple use of the Federal lands.

(c) MONITORING AND RELATED REPORTING ACTIVITIES.—The Advisory Committee shall monitor the payments made to eligible States and eligible counties pursuant to title I and submit to the Senate committees of jurisdiction and the House committees of jurisdiction an annual report describing the amounts and sources of such payments and containing such comments as the Advisory Committee may have regarding such payments.

(d) TESTIMONY.—The Advisory Committee shall make itself available for testimony or comments on the reports required to be submitted by the Advisory Committee and on any legislation or regulations to implement any recommendations made in such reports in any congressional hearings or any rulemaking or other administrative decision process.

SEC. 304. FEDERAL ADVISORY COMMITTEE ACT REQUIREMENTS.

Except as may be provided in this title, the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Advisory Committee.

SEC. 305. TERMINATION OF ADVISORY COMMITTEE.

The Advisory Committee shall terminate three years after the date of the enactment of this Act.

SEC. 306. SENSE OF CONGRESS REGARDING ADVISORY COMMITTEE RECOMMENDATIONS.

It is the sense of Congress that the payments to eligible States and eligible counties required by title I should be replaced by a

long-term solution to generate payments conforming to the guidance provided by section 303(b) and that any promulgation of regulations or enactment of legislation to establish such method should be completed within two years after the date of submission of the final report required by section 303(a).

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. AUTHORIZATION OF APPROPRIATIONS.

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

SEC. 402. TREATMENT OF FUNDS AND REVENUES.

Funds appropriated pursuant to the authorization of appropriations in section 401, funds transferred to a Secretary concerned under section 206, and revenues described in section 208(a) shall be in addition to any other annual appropriations for the Forest Service and the Bureau of Land Management.

SEC. 403. CONFORMING AMENDMENTS.

Section 6903(a)(1) of title 31, United States Code, is amended—

(1) by redesignating subparagraphs (D) through (J) as subparagraphs (E) through (K), respectively; and

(2) by inserting after subparagraph (C) the following new subparagraph:

''(D) the Secure Rural Schools and Community Self-Determination Act of 1999;''.

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

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

AMENDMENT OFFERED BY MR. GEORGE MILLER OF CALIFORNIA

Mr. GEORGE MILLER of California. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GEORGE MILLER of California:

Page 24, line 5, insert after ''Federal laws'' the following: ''(including the Act of March 3, 1931, commonly known as the Davis-Bacon Act)''.

Page 24, lien 16, strike ''T'' and insert ''subject to paragraph (1), to''.

Mr. GEORGE MILLER of California. Madam Chairman, I will be brief on this amendment.

Under this legislation, which many of my colleagues are supporting, and in their efforts to try and address a real problem about support for school finance in a number of rural areas and resource dependent areas, they have provided for a set-aside of some 20 percent of the money to be used in local projects. And in the consideration of that, in the secretarial approval of those projects, they state that ''the Secretary concerned shall carry out all projects in compliance with all Federal laws, rules, and Federal regulations.'' I would add to that including the law known as the Davis-Bacon Act.

The reason for doing this is it is not quite clear after discussing with a number of people, including some of the staff on the committee, exactly the impact of the stewardship contracts under which these would be let, which I think is an effort to try to make sure that the Government, in fact, gets both the best quality work and gets the best price for that work and provides some flexibility in making that determination.

I just want to make sure that, in that process, since this will be done with Federal dollars, that we do not undermine the prevailing wage provisions of the existing law. So that is why I am offering this amendment. I understand it may be acceptable to the committee.

Mr. GOODLATTE. Madam Chairman, will the gentleman yield?

Mr. GEORGE MILLER of California. I yield to the gentleman from Virginia.

Mr. GOODLATTE. Madam Chairman, I thank the gentleman for yielding.

Madam Chairman, this we view as a technical amendment. We think the bill's language is clear on its face, that it includes all Federal laws, which would include the Davis-Bacon Act. But since it is, in our view, simply surplusage and that the language in the bill is not changed by the Miller amendment and it does nothing to affect the provisions related to the Davis-Bacon Act and it is not the intent of the language to exclude the Davis-Bacon Act, we do not object to the adoption of this amendment, which is technical in nature.

Mr. GEORGE MILLER of California. Madam Chairman, I thank the gentleman for his comments.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from California (Mr. GEORGE MILLER).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. UDALL OF COLORADO

Mr. UDALL of Colorado. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. UDALL of Colorado:

Page 12, strike line 11 and all that follows through line 9 on page 13, and insert the following:

(d) ELECTION TO RESERVE PORTION OF PAYMENT FOR TITLE II PROJECTS.—Each eligible county that receives a distribution under subsection (c) for a fiscal year may elect to reserve up to 20 percent of the funds for expenditure in accordance with title II.

Page 14, strike lines 13 through 22, and insert the following:

ELECTION TO RESERVE PORTION OF PAYMENT FOR TITLE II PROJECTS.—Each eligible county to which a payment is made under subsection (a) for a fiscal year may elect to reserve up to 20 percent of the payment for expenditure in accordance with title II.

Page 15, strike lines 9 through 19, and insert the following:

(B) elects under section 102(d) or 103(d) to expend a portion of those funds in the manner provided in this title.

(2) PROJECT FUNDS.—The term ''project funds'' means all funds reserved by an eligible county under section 102(d) or 103(d) for expenditure in accordance with this title.

Page 33, lines 18 and 19, strike ''the funds reserved by the county under section 102(d)(1)(A) or 103(d)(1)'' and insert ''25-percent payments or 50-percent payments''.

Page 34, lines 8 and 9, strike ''the funds reserved by the county under section 102(d)(1)(A) or 103(d)(1)'' and insert ''25-percent payments or 50-percent payments''.

Page 35, line 24, strike ''section 102(d)(1)(B)'' and insert ''section 102)d)''.

Page 36, line 6, strike ''section 103(d)(2) and insert ''section 103(d)''.

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

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. UDALL of Colorado. Madam Chairman, as I begin, I wanted to acknowledge the work of my colleagues, the gentleman from Oregon (Mr. DEFAZIO), the gentleman from Florida (Mr. BOYD) and the gentleman from Virginia (Mr. GOODLATTE).

I think we all share the same goal, which is to provide the secure and steady and consistent funding for that important resource known as our public schools. And in that spirit, I believe that the amendment that I offer is a simple one but an important one. It would give local discretion on the use of the payments that would go to local governments under the bill.

□ 1430

As I said earlier, the amendment would not make the bill perfect. In fact, I do not believe it would make the bill acceptable so far as I am concerned, because it does not break the link between Federal assistance and timber harvests. But the amendment would at least mean that a county would not be forced to spend 20 percent of its payment for doing things that otherwise would be funded under the budgets of the Forest Service or the Bureau of Land Management.

That is what the bill as it stands now would do. It says that if a county gets more than $100,000 under the bill, that 20 percent of the total payment would have to be used for public land projects. But suppose that a county had other priorities. Suppose that the school board and county commissioners had reviewed their needs and decided that they wanted to spend all of the payments on schools and roads. Remember, under current law that is where the money would go. But under this bill, the answer would be, too bad. The bill says that Congress does not want them to have that choice.

My amendment would provide that discretion. It would allow a local government to use up to 20 percent of its payment for work on the Federal lands, but it would not require it. It would let the local officials decide for themselves. I think that is the right thing to do, regardless of how much money might be involved. But this is not a matter of theory, Madam Chairman.

We could be talking about some substantial sums, especially for some of our rural counties. Let me give my colleagues an example. Based on Forest Service estimates from 1998 payment levels, under the bill one county in my district, Clear Creek County, stands to lose its discretion over $100,000. In a rural county like Clear Creek, that is real money. As I look at other counties in Colorado, they might be in the same boat. In fact, 22 counties would have less to spend on roads and schools under this bill than under current law according to the same Forest Service estimates based on 1998 payments.

I will not list them all, but I will mention that this bill's Federal mandate would override local discretion over more than $22,000 in Park County; $27,000 in Gunnison County; and more than $53,000 in Mesa County. And the bill would impose its Federal mandate on Grand County to the tune of $336,000.

Those other three counties I just mentioned are not in my district; but even if they were, I do not think their commissioners would agree if I said the Federal Government knew better about how they should spend their money than they do. In fact, I do not think that they should have to make that choice, which is why my amendment would let them decide how to spend those funds regardless of how much money is involved.

Madam Chairman, I think there are many serious questions about this whole idea of getting local governments into the business of paying for projects on Federal lands. But my amendment does not deal with those questions. It is much more limited. In fact, it seems to me that the bill's supporters should welcome this amendment. After all, the bill is called the Secure Rural Schools and Communities Self-Determination Act of 1999; and this is a self-determination amendment, pure and simple.

Madam Chairman, I urge adoption of the amendment. I would again mention that I think it is not the dollars we are talking about; it is the principle of local control.

Mr. GOODLATTE. Madam Chairman, I rise in strong opposition to this amendment. This amendment is the poison pill that many of the folks who have spoken on the floor here thus far have talked about. This legislation, the substitute that I offered that was made the underlying text as a part of the rule, is a very carefully crafted compromise involving Members of the House, Members of the Senate. It involves Members of the Republican side of the aisle, Members of the Democratic side of the aisle. It involves Members representing environmental interests; it involves Members representing local government interests, and they are joined by the 800-member coalition that constitutes hundreds and hundreds of local county governments and local school boards that are opposed to this amendment and which support the underlying legislation because they want to see something done on this issue.

This amendment is a deal-breaker. This amendment will cause this entire process to collapse. We will not get this bill through the Senate; we will not get it signed into law unless we keep this carefully crafted compromise together. This is a compromise that I worked on very extensively with the gentleman from New York (Mr. BOEHLERT), the gentleman from Oregon (Mr. DEFAZIO), the gentleman from Florida (Mr. BOYD), the gentleman from Georgia (Mr. DEAL).

It is an agreement that is a crafted compromise, drafted in conjunction with Senators CRAIG and WYDEN in the Senate to assure swift action in the Senate. This amendment would undermine this compromise, pushing the effort to stabilize payments to the States and counties back months and perhaps for good. Local education, county, labor and business interests have studied both the Goodlatte compromise and the Udall-Vento amendment and have determined that the Goodlatte compromise is a better idea. The National Education Association, the National Association of Counties, labor, the United States Chamber of Commerce, the Forest Counties and Schools Coalition representing 800 counties, 5,000 school districts, 1.2 million school children in rural America have all supported the Goodlatte compromise and oppose the Udall-Vento amendment. I would urge my colleagues to do the same.

Mr. UDALL of Colorado. Madam Chairman, will the gentleman yield?

Mr. GOODLATTE. I yield to the gentleman from Colorado.

Mr. UDALL of Colorado. I thank the gentleman for yielding. I was curious what the objection was to increasing local control as my amendment intends to do.

Mr. GOODLATTE. Counties want to have the connection between not only the people that live in that county but the land in that county, and the connection that exists now and as a part of this compromise continues with the 20 percent that will be dealt with by members of the community. Local government, environmental organizations, business organizations, and the Forest Service will sit down together and using those funds, plan how they can best promote the environmental health of their county and the economic health of their county. We are determined to continue that connection between the federally owned land and those people who live in those counties and who want to, knowing that their livelihood comes from that, want to make sure that that connection persists.

Mr. UDALL of Colorado. If I might, I would point out that the amendment would allow that to occur, those kinds of collaborative efforts could continue to take place, but they just would not require as the bill now does that 20 percent of those dollars would have to go to those kinds of collaborations. It would give the commissioners, the school boards, the option of doing those kinds of projects but also if they felt their schools needed all of those resources, that they could be applied in that fiscal year to those resources, and the next year they might put them into a bike path project or into ecotourism or whatever the opportunity might be.

Mr. GOODLATTE. Reclaiming my time, let me just say to the gentleman that it is a 100-year-old connection that we are talking about here that is being preserved. A substantial change has been made to assure that those counties will get, and will get quickly, the kind of support that they need. But if this decoupling that the gentleman is advocating takes place in the legislation, it will go asunder in the United States Senate and nothing will happen and we will be at the current levels of support that currently exist.

So I have to strongly oppose the amendment and support the strong nationwide coalition of Members from 39 States who want to make sure that that connection between the land and the counties continues and that we not get into this business of each year having the decision made in each county whether or not that is going to go forward.

The CHAIRMAN pro tempore (Mrs. EMERSON). The time of the gentleman from Virginia (Mr. GOODLATTE) has expired.

(By unanimous consent, Mr. GOODLATTE was allowed to proceed for 2 additional minutes.)

Mr. WALDEN of Oregon. Madam Chairman, will the gentleman yield?

Mr. GOODLATTE. I yield to the gentleman from Oregon.

Mr. WALDEN of Oregon. Madam Chairman, I would just say that I would hazard a guess, there is no district in America that is more affected by this legislation than mine. I think we could run the numbers and probably find that to be clearly the case. Every county commission within that district supports this legislation. And, further, I want this kind of a guarantee, because we have got some habitat improvement projects and other activities that need to take place on those watersheds, in those communities and in those counties that I want to see take place.

Normally, I would be one to advocate for local option and local control, but this is part of a bigger compromise that will help the environment, it will help our schools, it will help our counties; and nobody in this House is probably more affected by this legislation than I and the counties that I represent.

Mr. UDALL of Colorado. I believe that we are all working toward the same goal. My amendment would not serve as a decoupling mechanism. In fact, I think we still have more work to do in that particular way. I would

again just emphasize that I think we are trying to reach the same outcomes. My amendment would make sure that local communities have the ultimate say in how those moneys are used year to year, and they could take part in the kinds of projects my good colleague and friend from Oregon suggests, but it just would not require that they take part in those projects.

Mr. GEORGE MILLER of California. Madam Chairman, will the gentleman yield?

Mr. GOODLATTE. I yield to the gentleman from California.

Mr. GEORGE MILLER of California. I would just say, following on to what the gentleman from Colorado has just said about his amendment, as you look through even in the cases of the counties that get more than $100,000 so the set-aside kicks in, in a number of instances the set-aside is $8,000, $15,000, $10,000, it is a very small amount of money. To believe that you are going to somehow initiate a big comprehensive planning operation on the forest for $8,000, while $8,000 would buy you a lot of textbooks or contribute to one of 100,000 teachers——

Mr. GOODLATTE. Reclaiming my time, I was in a county in the gentleman's State earlier this year in which on one timber sale, $2 million was going to go to the county, which would require that in this instance 20 percent of that, or $400,000.

Mr. GEORGE MILLER of California. I understand that. That is fine.

The CHAIRMAN pro tempore. The time of the gentleman from Virginia (Mr. GOODLATTE) has again expired.

(On request of Mr. GEORGE MILLER of California, and by unanimous consent, Mr. GOODLATTE was allowed to proceed for 2 additional minutes.)

Mr. GEORGE MILLER of California. We have no problem with you doing this. The question is mandating it. We were out here a couple of weeks ago, we were all for Ed-flex, because in many instances you have small programs that cost you more to administer than the benefit. The gentleman from Colorado's point is that the county can then make that option. If you have got $400,000 coming in out of $2 million in receipts, you can probably do something meaningful on the forest. If you have $8,000 coming in with all due respect, you may be better off helping the schools buy the textbooks or supplies where you can get a dollar-to-dollar benefit instead of engaging in some kind of mythical planning process when you only have 8 to 10 to $12,000. That is the benefit of his amendment.

It goes for the most efficient use in those counties where the set-aside turns out to be relatively small. Obviously in some counties in Oregon and probably even in California where you have substantial receipts, this option may make some sense. But that is because you are playing with the critical mass of dollars where you can create some of those projects on the forest that might even benefit——

Mr. GOODLATTE. Reclaiming my time, under $100,000 they can opt out. Under $100,000, that is $20,000, to use the gentleman's example.

Mr. GEORGE MILLER of California. Counties that are over $100,000, when they opt out, the 20 percent amounts to 7, 8, $9,000; so it is a relatively small amount of money. They ought to have the option to use the money as they see fit, which may mean they go into this program but also——

Mr. GOODLATTE. When the total receipts by the county are under $100,000, they do have the option to opt out.

Mr. GEORGE MILLER of California. But over $100,000, they get $100,000 and 20 percent is $20,000. The list of set-asides is here, and some of it is as low as $8,000. So they could put that into their schools in a more efficient fashion. That is the argument here.

Mr. GOODLATTE. If it is over $100,000, it is going to be $20,000 plus 20 percent of whatever the amount over $100,000 was, so I do not see where the gentleman's example would ever apply.

Mr. BOYD. Madam Chairman, I move to strike the last word.

Madam Chairman, I rise in strong opposition to the amendment offered by the gentleman from Colorado.

First of all, I think it is important to know that the numbers that he was quoting earlier in his presentation during the amendment would be numbers that that county might receive if the bill were written in a different way. It is not dollars that they are receiving now. He is assuming that it was written so that they would get 100 percent of the 3-year average rather than the 80 percent, so it is a little bit misleading to say they are going to be losing that money. They do not get it now under current law.

The other thing that I want to say about the community projects is that this was an idea that was brought to us by some folks in the other body. We thought it was a good idea, because what has happened in our local communities as we have engaged in this bitter battle over forest management practices, and we have recognized the impact that it has had on our local economies and our local schools, is that many people in those local economies have engaged in a bitter and divisive battle with the local environmentalist community. They have created some real hard feelings in the communities.

I think the intent of this community projects idea is to get everybody to come back to working together, to figure out how we can use this money in a way that benefits the whole community. I can see in some of the areas in the district that I represent in north Florida, that we have had a community that has been totally timber-dependent basically. That timber industry now is gone. We are trying to move to an ecotourism industry, for instance. We could use some of these dollars to help develop that, bike paths have been mentioned here, search and rescue missions, fire protection, those kinds of things that are needed in the national forest whose costs now are borne by the local governments. I would urge strongly that the House reject this amendment, because it would kick out of balance this very fine compromise that we have here and could cost the bill.

Mr. GOODLATTE. Madam Chairman, will the gentleman yield?

Mr. BOYD. I yield to the gentleman from Virginia.

□ 1445

Mr. GOODLATTE. Madam Chairman, I thank the gentleman for yielding.

Madam Chairman, I point out during the debate on the rule the gentleman from Colorado indicated that even if this amendment were to pass, he would still oppose the bill. So clearly this is nothing more than a poison pill to derail this effort to help get some funds back to these local counties and to make sure that we still maintain this compact that has existed for 100 years between the Federal Government, the owner of in some instances 60, 70, 80 percent of the land in some of these counties, and the people who are trying to make a living in these counties.

Mr. BOYD. Madam Chairman, reclaiming my time, that is a very good point. I want to again say this provision, title II, could go a long way toward restoring some cooperative spirit in our communities among some groups that have not liked each other very much. I would strongly oppose the amendment.

Mr. UDALL of Colorado. Madam Chairman, will the gentleman yield?

Mr. BOYD. I yield to the gentleman from Colorado.

Mr. UDALL of Colorado. Madam Chairman, I thank the gentleman for yielding.

Madam Chairman, I want to respond to my friend from Virginia (Mr. GOODLATTE). I want to be frank and up front with my comments on the rule about where I stood on the legislation itself. I think, again, we are all striving to find a way to provide consistent and steady funding for school districts, particularly in rural areas. I stand shoulder to shoulder with the gentleman in attempts to make sure that we do that as soon as possible, frankly.

As far as my amendment being a poison pill, the gentleman may wish to characterize it that way, but I think it is offered in a spirit of local control and the principle that if an area wants to spend the money on the projects that are suggested, it can. However, it is not required to. I do not think in my opinion that that should be enough to kill what is an important effort, and a sincere effort on your parts, to meet the needs of these rural areas.

Mr. BOYD. Madam Chairman, reclaiming my time, I strongly oppose the amendment offered by my friend, the gentleman from Colorado (Mr. UDALL), and encourage the other Members to vote against it.

Mrs. CHENOWETH-HAGE. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman, I rise in opposition to the Udall amendment, and I commend the Goodlatte compromise legislation that is in front of us. A lot of work went into this and there is a huge amount of support across the Nation to see this bill through, to make sure that we have better support for our schools, not just in the Western States, but across the Nation where these programs have impacted all of our States.

There is no topic that has greater ramifications for the schools in my State than this particular issue, because my State is generally a rural State. In the last year alone, funds distributed to Idaho counties from Federal timber receipts declined by 44 percent.

One can imagine the impact in these small rural counties that it has on schools. Idaho County alone lost $1.3 million. Now, when we are dealing with trillions of dollars here, $1.3 million seems like small change. But to an Idaho county, where our schools are involved, it is not small change.

This follows many years of similar reductions because of the reduction in activity on the forest lands. The effects on local schools have been very staggering. In some of our schools, school services like nursing and art and music programs, athletics, counseling, and lunch programs have been eliminated.

Madam Chairman, in some of our schools in Idaho they have actually reduced the number of days they can keep the schools open. We have some schools now operating only 4 days. In other areas, local school boards are actually having to make decisions with regard to the future of certain schools in their counties.

Now, is this what we really want for our rural children with regard to the uncertainty of their educational future? H.R. 2389 will give the rural children these opportunities that they need, and it does it without artificially severing the historic partnership between counties and the national forests that began back in 1908.

Two days ago, President Clinton addressed over 400 of the Nation's top teachers and called on Congress to adequately fund public education in the inner cities. Well, two months ago this same President also visited urban schools and stated that he wanted to offer a hand up, rather than a handout.

Well, by opposing H.R. 2389, he, this administration, this President, is saying that urban schools are important, but rural schools are not. It is a bad message.

We must make all children a priority in this Nation, and that is what H.R. 2389 does. Please join me and the National Education Association, the National Association of Counties, the U.S. Chamber of Commerce, and the National Forest, Counties and Schools Coalition in reaffirming our commitment to our American children in rural America, as well as the children in urban America. Please support H.R. 2389.

Mr. VENTO. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman, I first want to point out that I had received correspondence yesterday from the League of Conservation Voters, which has sent correspondence in opposition to this measure. Of course, I joined them in opposition to the measure and in support of my colleague from Colorado's amendment that would provide discretion to the counties that received this money as to how they would utilize it.

I understand for counties that receive over $100,000 and those under the O and C lands, that there is no discretion, that they mandate that 20 percent of these dollars would be used for these special projects which are initiated by the advisory committees and submitted to the respective Secretary for funding.

Now, I submit that all of this advocacy about education is very interesting, but the first thing you are doing with these dollars, at least in these counties that get over $100,000, which is most of the counties I expect affected by this, is taking 20 percent of it away and putting it into other special projects.

This is sort of a grant program that is embedded in here into this initiative. What it does, of course, is set up some more government in terms of dozens of advisory committees who would basically have to initiate, and, therefore, would have the power to submit or not submit. So basically it is only up to them.

I do not know about what correspondence my colleagues are getting from back home; but the last time I read mine, it did not say we need more government structure back here, our school boards are not good enough to do the job, we need more people that are in these positions to make these decisions; that we want to take power away from school board, take power away from county commissioners, and create special advisory committees which would control 20 percent of the receipts that we would otherwise receive from having national forests in our area, because, of course, now we are not talking about production anymore in the forests, not talking about the 25 percent in terms of production in the good years and bad years. You are trying to eliminate the roller coaster. I appreciate that issue. But the fact is you are just taking that money out of there, and you are objecting to the Udall amendment which would give discretion to the county commissioners to do that.

In other words, this is one of those amendments that I hear often reported by some colleagues in this chamber as Washington knows best; one size fits all.

These are the types of discussions that we have had. Of course, this grant program, this initiative that is buried in this bill, is going to completely fly under the cover here, under the radar, in terms of what goes down. So I do not think we need these dozens of advisory committees.

But the very least you could do is, if one suggests the counties support this, is let them make the decision locally as to how those dollars are spent. They might have some of their own ideas about how to use this, because you are guaranteeing 1 dollar out of 5 will not be used for schools by virtue of the way the resolution is written in most of the counties that are affected.

You are ensuring that every project, of course, has to be approved by the Secretary of Agriculture, or Interior, I guess, in the case of the O and C lands, but the fact is that that is setting the Secretary up for confrontation. And I do not think that these amendments in this particular mode you are talking about, and I appreciate the good intentions of bringing everyone together, holding hands and talking about how they are going to get along; but the fact of the matter is the way this is structured, I can tell you right now you are going to have a lot of proposals that are going to come up here; the Secretary is going to decide you need an environmental impact statement; you need an environmental assessment. He has just so many days to make the decisions. Those costs have to be borne by the local communities. I just think it is an unworkable proposition.

We do not need more government. At the very least you can improve this bill somewhat, I do not think it is saveable, as I said earlier, but you can improve it somewhat by letting the local governments or the counties make the decisions on how they are going to use these resources.

This bill has many flaws to it. This is one very obvious flaw. I think there are many other problems with the bill, but I would think that in presenting this particular solution, that you would do a lot better letting the counties, rather than just superimposing this program all across the forests, there is no working model any place, this is not a pilot, this is going to go into effect in each county and the counties that receive the dollars under this bill.

So, there is no working model of this in any place that I am aware of, and I think it is not easily demonstrable that it is workable. So there are many provisions written into this that I think are unwieldy. I think at least letting the counties make this decision and avoiding the Washington-knows-best type of model here would serve you much better. So I would urge Members to vote for the Udall amendment.

Mr. RADANOVICH. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman, I want to speak in opposition to this amendment and for the community project section of this bill. I do so for one main reason, and that is that this bill, as it is so crafted, gives flexibility for local governments to do local forest management plans, like Quincy Library groups. This

amendment would prevent that from happening.

The Quincy Library group, as you may well recall, was something that developed in the Town of Quincy after the Spotted Owl wars, and the President came out and said, ''Why do you not solve your problems locally?''

That gave the incentive for local environmentalists, local business folks, local government leaders, to sit in what was the Quincy Library group, and they met there because they could not shout at each other at a library, and they actually got together and put together a forest management plan that worked for the local communities and also provided for better forest health than the current law that applied in that land.

Now, this is a wonderful plan; and I think that the bill as it is crafted allows for flexibility in the local governments to develop Quincy Library groups all across the country. I might remind this body too that the Quincy Library group, the forest plan that resulted from that, when it was brought to a vote on the floor of the House, passed 429 to 1 and is currently being stymied by the administration because it drives a wedge into the local and national leaders of the environmental community; and the national environmental leaders are threatened for the loss of power, even at the expense of a plan that provides better forest health. I would submit that is really what is going on here.

I think it is ironic that the national environmental lobby is opposed to a bill such as this, even when the possibility of local forest management plans will result in better forest health. That is why I oppose this amendment and urge for the passage of the bill as it stands.

Mr. UDALL of Colorado. Madam Chairman, will the gentleman yield?

Mr. RADANOVICH. I yield to the gentleman from Colorado.

Mr. UDALL of Colorado. Madam Chairman, I wanted to just for the record clarify that my amendment would not prevent these kinds of local projects that the gentleman mentioned and that have great success in some areas. You draw attention to the Quincy Library model.

What it would require, it would not prevent a county from deciding to undertake these kinds of projects. It just would not require that a county would have to spend up to 20 percent of the monies allocated on these kinds of projects.

Mr. RADANOVICH. Madam Chairman, reclaiming my time, the bill allows funding for counties should they propose to set up local Quincy Library plans. I agree with the gentleman, it does not prevent that from happening; but in poor counties like the one I come from, it gives the flexibility to local officials to decide to use some of that money to fund a Quincy Library group plan locally. I do submit that that is what has got the national environmental lobby scared to death, because it is a threat to their power base.

□ 1500

Mr. UDALL of Colorado. Again, the law as it is now written and as I read it, it would be a mandate that these local communities would have to spend 20 percent, no less, on these kinds of projects.

I would also submit that a number of the national environmental groups very much want to find a solution to this situation, where timber receipts are tied to school funding, but they are not necessarily driven by a fear of additional Quincy Library groups.

Mr. RADANOVICH. Reclaiming my time, Madam Chairman, I would submit that the national environmental lobbies' primary reason for opposing this bill is because it gives local communities the ability to fund Quincy Library type groups in their district. I submit that is why the national environmental lobby is scared to death of this bill. That is why I support it wholeheartedly and oppose the amendment.

Mr. TURNER. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman, I rise in opposition to the Udall amendment.

It is interesting to listen to the debate thus far, and what we see is those who offer the amendment are opposed and will vote against the legislation, no matter whether the amendment goes on or not.

In fact, it is important here to understand that when the delicate compromise was put together on this bill, the provision that we are now debating, the 20 percent set-aside for local projects, when that was placed in this delicate compromise, it was a major concession by the county officials, the school officials who formed the coalition that represents the group that is pushing the passage of this bill.

I think it is important for us to understand that the passage of this bill will be a major victory, not only for the counties and schools that depend on forest revenues to run their counties and their school districts, but this bill will be a major victory for the environmentalists, because the formula placed in this bill will minimize the impact of harvesting of timber in our national forests, on our county budgets and school district budgets.

That effect will remove our counties and school districts from the national debate over the management of our national forests, and that clearly is a big victory for the environmental community.

With regard to the specific amendment being offered, I think it is interesting to note that if we survey the national battle over forest management policy, what we will find is more often than not the only discussion over that policy occurs in the courthouse when somebody files a suit, as happened in my own district in East Texas, where currently we are under an injunction where we cannot harvest timber, creating a severe financial hardship for my counties and school districts.

What this amendment does, it basically requires the interested parties to get together and talk about the national forest, to talk about the proper utilization of it. The language was carefully crafted to ensure protection of environmental interests, because the advisory committee that will make a determination, with the approval of the Secretary, of what the 20 percent will be spent on locally consists of, and I am reading from the bill, ''Local resource users, environmental interests, forest workers, organized labor, elected county officials, school officials, or teachers.''

That is the coalition, that is the advisory group that will make the determination as to what happens with the 20 percent.

So I say it was a major concession on the part of county officials and school officials to accept this language, which is a pro-environmental language section of the bill which ironically is now being opposed by those who purport to represent the environmental interests.

I say that we are at a critical point in time in the national debate over forest policy. To defeat this bill would give up a historic opportunity to strike a compromise that will end the battle that has been ongoing between our school districts and our counties and the environmental community.

So I would urge rejection of the Udall amendment, not because it is offered in bad faith, but because it jeopardizes a compromise that was reached with environmental interests that was agreed to by the coalition that supports the bill in the first place, and it will jeopardize the future of this legislation in the Senate.

Mr. POMBO. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman, the opponents of this legislation, the supporters of this amendment, have raised two objections to this legislation, two areas of objections. First is the downlink issue, and I believe that what they would really like to do is to turn our counties into wards of the State, to be totally dependent upon the appropriations process, totally dependent upon the Federal government to fund their local school districts.

I am totally opposed to doing that. That is exactly what they have proposed that we do, that no longer would there be a link between what is happening locally, what is happening with their local economy. No longer would they have an interest in what is happening in their local forests. They would now have to come, hat in hand, to the Members of Congress to beg for school funding. That is exactly what the downlink issue would do.

Again, it would increase the power of the Federal government, increase the power of the individual Members of

Congress, and make all of their local school districts beholden to the appropriations process that happens here in the House of Representatives, ever more powerful.

We heard someone talk about the era of big government, and wanting no more big government. The truth is that this is big government in and of itself. All of a sudden, Members of Congress become more powerful. Their school board members have to come to them for funding for their schools. That is exactly the wrong thing we ought to be doing. Yet, it is one of the objections that has been brought up on this legislation.

The second objection, which is related to this particular amendment, talks about the 20 percent set-aside. We wonder, how could people that claim to be environmentalists, people who claim to care about the environment, be opposed to what this legislation does?

The real truth of it is that the national environmental groups are opposed to this because they need confrontation. They do not want solution. What happens when we get all of the local stakeholders together, what happens when we get somebody who actually lives in the community to sit down with somebody else that lives in the community and talk about a forest plan that actually solves the problem, is they come up with the solution, because people who live there, people who work there, people who see each other in the grocery store every day and whose kids go to the same school all of a sudden have to sit down together and come up with a solution, and they do it because they live there and they have something at stake.

But the national environmental groups do not want a solution. They thrive on controversy. Members have all seen the letters they send out. If all of a sudden we had a solution they cannot raise money anymore, so they are opposed to finding that kind of a solution. They are terrified of finding a solution. What they want is they want to continue the controversy.

Why did they oppose the Quincy Library group? Not because it did not solve the environmental problems, not because it did not solve a problem that was very real, that was local, that was driving the locals nuts. They were opposed to it because it was a solution. They were opposed to it because, darn it, people got together and they came up with a solution. It was the local resource users, the local schools, the local businessmen and the local environmentalists that sat down and came up with a solution.

By passing this legislation as is, what we end up with is we end up with people all over the country, not just in Quincy, not just sitting down in a little library that was underfunded in an area where the schools are getting nowhere near the funding that they should, but it would be all over the country, local people would sit down and they would come up with a solution to solve their local problems.

That is what we want. That is what we are trying to solve with this particular legislation.

I realize that the gentleman is saying that he wants to make this optional, but he knows as well as I do that if we do not craft this legislation in the very delicate balance that we have, that all of a sudden, these projects just do not happen, because there is always a need for school funding. There is always the necessity for more money for local schools. That is why we try to solve it by increasing the money substantially.

What he is trying to do is he is trying to take away the ability for them to sit down and solve these problems. That is the result of this amendment, and he knows it, the end result of all of this.

The CHAIRMAN pro tempore (Mrs. EMERSON). The time of the gentleman from California (Mr. POMBO) has expired.

(By unanimous consent, Mr. POMBO was allowed to proceed for 1 additional minute.)

Mr. UDALL of Colorado. Madam Chairman, will the gentleman yield?

Mr. POMBO. I yield to the gentleman from Colorado.

Mr. UDALL of Colorado. I thank my colleague, the gentleman from California, for yielding.

Madam Chairman, I want to point out again that the amendment would only give the local entities the option. It would not require them to involve themselves in the kinds of I think very effective local decision-making processes that the gentleman talks about.

Mr. POMBO. Reclaiming my time, I realize, as I said, that the gentleman's amendment does not completely take away that option. But the practical reality of the gentleman's amendment is it does take away the option, because once we create that competition for funding, we take away that option.

What we are attempting to do with this legislation is encourage these people to sit down and do the right thing and come up with local solutions. If the gentleman's amendment were to be adopted by this body, in practical reality, we take away that option. They will never have that option of doing that, as a direct result of what the gentleman is doing.

Mr. UDALL of Colorado. If the gentleman will continue to yield, the projects of which the gentleman speaks, if they are that high a priority, we ought to be looking at other ways of supporting them, as well.

I would remind the gentleman, in the bill there is talk of all kinds of other kinds of projects on Federal lands, bike paths, ecotourism. We should see we do that in the future.

The CHAIRMAN pro tempore. The time of the gentleman from California (Mr. POMBO) has expired.

(By unanimous consent, Mr. POMBO was allowed to proceed for 1 additional minute.)

Mr. POMBO. Just to respond to what the gentleman is saying, Madam Chairman, I understand that there are a great many needs and a great many issues that are out there. They are very important.

In this legislation, we are trying to take care of a very specific need in the education of our children in rural counties. That is the primary focus of what we are trying to do.

But at the same time that all of this is going on, we have an administration that is talking about setting aside an additional 40 to 60 million acres. We have them running around talking about setting aside hundreds of millions of dollars a year to buy more private land and turn it into public land. This problem is going to be exacerbated. This problem is only going to get worse.

We are attempting to try to solve a very real problem with the education of our students in rural counties.

Mr. PHELPS. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman, I first want to thank the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Texas (Mr. STENHOLM) and my good friend, the gentleman from Florida (Mr. BOYD), for providing the leadership of one of the few bipartisan compromises I have seen that is meaningful, as a new Member, to pass or at least come to this stage in this session.

I am very thrilled to rise in support and be a cosponsor of this measure, which provides new hope for struggling rural school districts across the country.

I respectfully rise to oppose the amendment of my good friend, a new Member, who shares a commitment to strong funding for education, both of us do. I know that he has proven and will prove to be that.

But my Southern Illinois district is home to the Shawnee National Forest, which covers 8 of the 27 counties I represent. Any Member with Federal land in his or her district knows that for centuries these counties have depended on Federal payments to compensate for a diminished local property tax base.

The Forest Service has historically shared a portion of its receipts with counties that include large tracts of Forest Service lands. Unfortunately, many counties have seen these payments decline drastically in recent years due to reductions in logging and other revenue-generating activities.

Madam Chairman, I understand the need to alter our forest management practice to reflect increased concerns for habitat protection and greater use of forests for recreation. However, our children should not be forced to suffer when these changes result in a shortfall in funding for schools and other basic needs.

H.R. 2389 promises that rural forest communities will once again be able to depend on adequate and consistent payment for county schools and roads, regardless of forest management decisions over which they have no control.

Under this bill, Illinois will enjoy a 68 percent increase in the payments it

receives from the Forest Service. Because H.R. 2389 promises counties the higher of either of their 25 percent annual payment or their high 3-year average payment, no State and no county will lose money under this legislation.

It is also important to note that the final version of this measure represents a compromise carefully crafted by rural communities, education groups, business leaders, and labor organizations. They all have agreed that this legislation provides an effective solution to a growing problem, allowing for the improvement of schools and local infrastructure while stakeholders and policymakers work toward a permanent resolution to the county payment issue.

□ 1515

Madam Chairman, this legislation is critical to rural communities across the country, and I urge my colleagues to join me in supporting its passage.

Mr. FARR of California. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman, I rise in strong support of this amendment. Let me say why. First of all, we have a lousy policy in the United States. It is an addiction policy. It is addiction where we say to schools they have to be addicted to cutting publicly-owned trees in order to have enough money to run their school. Congress has made it that way and it should have never been that way.

That addiction to cutting trees is because the more trees that are cut the more revenue that can be generated. Now, take rural schools in agricultural communities, they are not addicted to how much wheat is cut or corn is cut.

This is a foolish policy. We say that if one is a school in a National Forest county, that they have to be in favor of cutting as much timber as they possibly can in publicly-owned forests, National Forests. This does not apply to State forests. This does not apply to private lands that are cut, only to National Forests.

There is a debate going on of why we have this silly policy of addicting schools to forest timber harvests. That is why the President has said let us cure this addiction; let us delink the funding of schools to the cutting of trees. It is the only area in the United States where public policy has this linkage. It is foolish.

Now, the proponents of this bill, and I think we are moving in the right direction, are trying to do something about it but they want to keep people a little bit addicted. They want to keep that 20 percent set aside by saying, with this money it can be used but remember the demand is whether it is going to be used for an ecotourism trail, fine, how much revenue is that going to generate versus revenue to cut more trees? We know where the interests are going to be. They are going to say let us spend that money to promote more tree cutting. That is not delinkage. That is not trying to cure the addiction.

This amendment does that. This amendment says if one is interested in schools in the United States, then give all of this money to schools because that is what this bill is about, funding schools. So this silly idea that part of that can be set aside and it will be delinked, and will essentially get schools off the addiction, is totally wrong. I support 100 percent this amendment. If this amendment fails we ought not to be passing the bill.

Mr. UDALL of Colorado. Madam Chairman, will the gentleman yield?

Mr. FARR of California. I yield to the gentleman from Colorado.

Mr. UDALL of Colorado. Madam Chairman, I would like to point out that I think we should delink trees and schools, but I want to make sure all of the body understands that my amendment does not go that far. It just says when the money is delivered to the county's doorstep that the counties and those elected officials and those decisionmakers decide how it is spent; that there is no requirement that 20 percent be used on projects on Federal lands.

It is about local control. It is about making sure that the people on the ground make the decisions about whether that money is used for schools or for roads or for a Quincy Library effort.

Mr. FARR of California. Madam Chairman, I thank the gentleman for reminding me that he still has that local control because, frankly, schools in the United States are funded by property taxes and the only reason we are in this is because some States have still made those schools totally dependent on property taxes, so when there is federally-owned land they do not have a lot of property taxes.

In California, it has shifted because we do not do that by property taxes anymore. The State funds the schools. Those counties that still have Federal property have some impact, but do not think that this is a bill where one is going to try to get schools totally and fully financed as long as they are linked to cutting trees. That is the wrong policy for the United States.

We should not be having our National Forests be the only way we can fund an adequate education in the United States.

Mr. HERGER. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman, just in brief response to my good friend from California, we have major problems in our forests today. I represent 11 National Forests. Particularly in California, where we have stopped fires since the early 1900s and we have forests that the Forest Service says are 2 and 3 and 4 times denser than they have been historically, we have forests that are burning down, forests that we can use some of that wood to provide the wood product, the paper product that our Nation needs, and at the same time we have extremists within some of the environmental movements that would not allow us to remove one single tree, even if it is dead, from our National Forests, and that really stands at the crux of the problem here today.

Madam Chairman, on behalf of the rural school children in my district, I rise in strong opposition to the Udall-Vento amendment which will gut the substance of this bill.

The Northern California District I represent contains all or part of 11 National Forests. The citizens of my district have seen firsthand how the Clinton-Gore administration's locking up of our National Forest through their zero-cut forest management policy has virtually crippled educational funding in rural America.

Allow me to provide one example of the drastic drop in school funding that we have seen in my district. The Plumas National Forest, which is tied to schools in Plumas, Butte and Sierra Counties, generated $3.1 million in education funding in 1993. In contrast, the Plumas National Forest only generated $1.7 million in 1997. Because of this drastic drop in funding, schools have been forced to drop classes, cut programs and eliminate extracurricular activities.

This bill provides the short-term stability in educational funding which these communities desperately need while enabling them to participate with their Federal agencies in a program that will help to begin to restore health to our overgrown National Forest System.

The Udall-Vento amendment would take away this local control.

Madam Chairman, the Secure Rural Schools and Community Self-Determination Act was created in the spirit of the Quincy Library Group, a diverse coalition of local environmentalists, forest-product industry representatives, labor, local officials and concerned citizens that developed a forest health proposal for the forests surrounding the small rural community of Quincy, California, in my northern California district.

The Quincy Group developed a forest pilot project that became the basis of Federal legislation, which I sponsored and which passed last Congress overwhelmingly by a margin of 429-to-1. The group crafted a way to manage our forests for health and safety while providing for a responsible ecologically sound level of harvesting to benefit local counties and schools.

By passing the Herger-Feinstein Quincy Library Group Forest Recovery Act, this Congress recognized that local groups are better able to craft solutions that best benefit their local forests, communities and schools and that we can create win-win solutions when local communities, not Washington, are the source of those solutions. Contrary to this administration's policies, Washington does not know best.

Madam Chairman, this bill will create hundreds of Quincy Library Groups

across the country, where communities will finally be given a greater voice in the management of their local National Forests and the funding of their schools. The Udall amendment will take away this important voice. I strongly urge my colleagues to vote against this amendment and for the bill.

Mr. GOODLATTE. Madam Chairman, will the gentleman yield?

Mr. HERGER. I yield to the gentleman from Virginia.

Mr. GOODLATTE. Madam Chairman, I thank the gentleman from California (Mr. HERGER) for yielding.

Madam Chairman, the last speaker on the other side raised the administration's position on this, and I think it is important to find out exactly where the administration is.

The administration has been AWOL on this issue from the beginning. The administration continues to maintain the Sierra Club/Wilderness Society position of decoupling or nothing, and when the gentleman says we should not have to cut trees in order to fund schools, what the gentleman is overlooking is that this bill moves in the direction of assuring that the schools get the funds no matter what level of timber harvesting takes place but it continues to maintain that connection not just for timber harvesting.

The CHAIRMAN pro tempore (Mrs. EMERSON). The time of the gentleman from California (Mr. HERGER) has expired.

(On request of Mr. GOODLATTE, and by unanimous consent, Mr. HERGER was allowed to proceed for 3 additional minutes.)

Mr. GOODLATTE. Madam Chairman, will the gentleman yield?

Mr. HERGER. I yield to the gentleman from Virginia.

Mr. GOODLATTE. Madam Chairman, the effect of that is that for watershed protection, for recreational projects, for environmental improvement of our forests by thinning and other tree-harvesting measures that are environmentally sound, every one of these projects has to comply with every single Federal law. The effect of this is to continue that connection.

More importantly, even if the other side were successful in passing what they want, the reality will never change that these communities are dependent upon these forests because they use such a great portion of the land in those counties. So the jobs that are lost, that is additional loss to the schools in a particular county. When businesses close down and move out, that is additional tax revenue that does not go to the schools and so the net effect of what the gentleman is saying that we should have no connection between the land and its people is a very, very bad policy.

This amendment should not be supported because the effect of it is going to disconnect people with centuries of connection to their communities and to their land for their economic survival.

Mr. RADANOVICH. Madam Chairman, will the gentleman yield?

Mr. HERGER. I yield to the gentleman from California.

Mr. RADANOVICH. Madam Chairman, it is my opinion that it is the administration's goal to get everybody out of the forest and put rural communities on welfare.

A very good point was made in that the best forest management plans are from local input. This administration's ill-conceived notion is that no management is good forest health, and that is just not true. So I agree and align myself with the gentleman's statement. The administration's goal is to get people out of Federal lands and put rural communities on welfare. That is the goal.

Mr. POMBO. Madam Chairman, will the gentleman yield?

Mr. HERGER. I yield to the gentleman from California.

Mr. POMBO. Madam Chairman, I thank the gentleman from California (Mr. HERGER) for yielding.

Madam Chairman, we heard a few minutes ago my colleagues talk about the addiction, and what this legislation would do is it would give us the opportunity to break that addiction. It would give us the opportunity to find a solution that is driven locally.

We hear about local control. Well, all the people that vote against every bill that ever comes to this floor that has anything to do with local control all of a sudden are talking about it. The reason they are talking about it is that the national environmental groups are terrified, they are terrified, that local people are actually going to get together and find a solution, because they thrive on conflict. It is the very existence of their organizations, and if we get local people together talking about the problems and finding solutions we will have a solution and that addiction will be broken.

Mr. DEFAZIO. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman, from the beginning there are people on the poles of this issue who have wanted this to be a debate about forest policy and not a debate about schools, about vital county services. I have to say a few of the last speakers are succeeding in dragging us back to that point.

Successfully, throughout the day, we have been addressing the needs of the schools, the needs of counties that are more than half owned by the Federal Government, with few alternatives, with depressed rural economies, with underfunded schools, with few sheriffs deputies and other tremendous needs going unmet.

What we heard out of the last few speakers, they want to assassinate the administration here. Well, let us get it straight. Who proposed giving this money to the counties and schools to begin with? It was the President, in the budget a year ago.

What did the Republican majority do in the last Congress on this issue? Nothing. They did not even hold a hearing.

Now, this Congress there has been some action, but not through a regular process. It did not go through my committee where I sit, the Committee on Resources, which it should have by all rights. Now we are down on the floor and there are people here who would just as soon blow this up as opposed to get something done here today.

This is an important issue. This is not a perfect bill. It is not the bill I would have written. It is probably not the bill that we would have had if it had gone through the regular process, but it is vitally important and it is the best we can do today here in the United States House of Representatives.

The administration has not sent a veto threat. They have raised concerns about parts of this bill, concerns which can be worked out with the Senate if it is going to be signed into law, and it needs to be signed into law. For the sake of the kids and the counties, it must pass.

So let us not go where the poles in this debate want us to go. Let us not drag this out into a debate of forest policy. We can debate that every day of the week and we can all disagree and we can come down here and just have a great time pounding on each other or we can do it in committee, we can do it in the hallways, in the cloakrooms, everywhere else. This is not about forest policy. It is about money. It is about vital funds for kids, for schools, for counties, for law enforcement, for roads and infrastructure. Please support passage of this bill.

□ 1530

Mr. STENHOLM. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman, I rise in strong opposition to the Udall amendment. As one who has participated in this discussion for the last couple of years, I am glad to see us finally get to the point to where we can achieve what the gentleman from Oregon (Mr. DEFAZIO) was just talking about that we need to achieve today with the amendment before us.

At first glance, the Udall amendment seems to make sense, and I know that is certainly the gentleman's intention by allowing local entities total discretion in the use of their full payments.

Usually, I support that kind of flexibility given to the local level for the use of such funds. But this is not a simple amendment as it appears. We have over 830 local entities that are suggesting that the compromise that we have heard mentioned over and over and over again is the best solution for us to date.

An extensive coalition of grassroots or organizations, including education, rural development and labor organizations, have come together to determine the parameter of the payments provided. They recognize that local communities need a steady source of funding for things like education and the

investment to ensure the long-term viability of these local communities dependent on timber resources.

The Udall amendment, unfortunately, provides no assurance that funding would be available for local communities to develop a long-term sustainable solution for management of their forestlands. The bill will provide an incentive for local communities to participate and develop the resources available to the communities.

Please oppose the Udall amendment. Support the bill on final passage.

Madam Chairman, I yield to the gentleman from Florida (Mr. BOYD).

Mr. BOYD. Madam Chairman, I thank the gentleman from Texas (Mr. STENHOLM) for yielding to me.

Madam Chairman, I sense that we are about to wind up here. We have had a spirited debate. I think the gentleman from Oregon (Mr. DEFAZIO) and the gentleman from Texas (Mr. STENHOLM) have best said it in the last two statements.

I would be remiss at this point in time if I did not pause to again thank the Members, the gentleman from Georgia (Mr. DEAL) and the gentleman from Virginia (Mr. GOODLATTE), the gentleman from Oregon (Mr. DEFAZIO), and also the gentleman from New York (Mr. BOEHLERT) for their role in making this happen.

Also, I want to thank all of the staff. This is my first opportunity to be heavily involved in a bill like this on the floor. I want to tell my colleagues that we have some very professional staff here, Dave Tenny and Kevin Kramp from the House Committee on Agriculture, Doug Crandall from the House Committee on Resources, Jennifer Rich from the office of the gentleman from Georgia (Mr. DEAL), Penny Dodge from the office of the gentleman from Oregon (Mr. DEFAZIO), David Goldston from the office of the gentleman from New York (Mr. BOEHLERT), Chris Schloesser from my staff, and also Greg Kosta from Legislative Counsel. I want to give my thanks to all of those folks.

Mr. DEAL of Georgia. Madam Chairman, I move to strike the requisite number of words.

Madam chairman, as we come to the conclusion of the debate on this amendment, I quite frankly am surprised we can still see across this room because it has become smoke filled, and traditional smoke screens have all been thrown up as we debated this amendment. But let me just deal with some basic, pure legislative arithmetic.

This bill, as the gentleman from Oregon (Mr. DEFAZIO) says, is not a debate about forest policy. It was not intended to be. This amendment is a smoke screen for that debate. Because, in all honesty, and I admire his candor on it, the proponent of the amendment admits that, even if it is adopted, he will not support the bill because he does want to debate the forest policy of delinkage.

That is a debate for another day. If we debate delinkage, we ought to debate the issues of delinking those local sheriff's departments of having to provide law enforcement protection for those forests in their counties. We ought to debate their search and rescue efforts that cost them tens of thousands of dollars in very small rural communities when they have to find somebody who has drowned in one of our rivers or whose plane has crashed in one of our National Forests. But that is a debate for another day.

But let us talk about the legislative math, about what is before us. We are talking about giving to our counties that qualify the average of the highest 3 years from 1984 through 1999. I want to tell my colleagues what that does in my State of Georgia. The debate of the amendment is about 80 percent or 100 percent, let me tell my colleagues what the real story is.

In my State of Georgia, if they get 80 percent of the highest 3 years for that time frame compared with what they have gotten on average for the last 3 years, they will get a 250 percent increase. Now, that is Georgia math. 250 percent, even if it is at an 80 percent level, is a whole lot better than 100 percent of what one is getting now. That holds true for almost every State across this country.

Now, let me tell my colleagues what the math of the amendment is; and that is 100 percent of nothing is still nothing. If this amendment passes, that is exactly what will happen. The compromise of the groups that have supported this bill as it now comes before us, that compromise will disintegrate, and the gentleman will get 100 percent, but it will be 100 percent of nothing. I oppose the amendment. I urge its defeat, and I urge the adoption of the bill as proposed.

Mr. GEORGE MILLER of California. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman, I rise in support of the amendment. Let me just say that I rise in strong support of the Udall amendment because I think it is an important amendment. There will be varying amounts of money that will be available if one has the 20 percent set-aside, a 20 percent that is mandated within this legislation.

This is supposedly an argument, as the gentleman from Oregon (Mr. DEFAZIO) said and as has been said over the last several years as timber policy in this country has changed, that this is an argument about sustaining the rural schools and county roads and other obligations of county governments where one has high ownership of Federal lands and timber based economies.

If this is about maintaining those schools, schools that are in dire straits, I sit on the Committee on Education and the Workforce, we listen to these schools every day in that committee talk about the problems of rural schools, talk about the problems of the western United States, of rural schools.

We just had a bipartisan effort to try to get additional money to those schools under ESEA to provide them additional flexibility. We understand that problem. It is a very real problem. The administration, as the gentleman from Oregon (Mr. DEFAZIO) pointed out, offered legislation to make whole these schools without coupling it to forest policy.

Why is this amendment important? This amendment is important, the amendment offered by the gentleman from Colorado (Mr. UDALL), because it recognizes what this 20 percent set-aside is. This 20 percent set-aside is the last gasping of the forest industry in these areas to try to see whether or not they can bootstrap themselves into additional logging in these areas, to try to tell the communities that they can bring in additional monies even if it is contrary to the national interest of the National Forests and the people of this country.

That is what this 20 percent set-aside is. That is why they fought so hard about it. I do not know how they got the school districts to do it. I do not know how they got the NEA and the School Boards Association and others, because supposedly the school boards are in such terrible trouble, that is why we need this legislation, but they took 20 percent of the money off the top on a mandatory mandate by the Congress.

Now, we are told that, if one wants local flexibility, it is a poison pill. Six weeks ago, we are out here arguing that we had to give absolute flexibility to local governments, we had to give absolute flexibility to local schools. My, how far we have come from the Contract on America when local flexibility is a poison pill.

But we are going to go ahead, if this legislation is passed without the Udall amendment, we are going to set up 150 Federal advisory committees. They are going to try to see whether or not they can come up with projects on the forests. That is not a problem.

But do my colleagues know what? If the local community decides that 100 percent of these receipts should go into the schools, why should not they be able to make that determination? They are prohibited from making that determination because there is a Federal mandate in this legislation that says the local community cannot make that decision.

So even if they decide what is in their best interest, they do not get to make that decision. They do not get to make that decision. That is why the Udall amendment is important. Because the fact of the matter is, what we are trying to do here and what this formula tries to do, is we take the highest users of forest policy when maybe, perhaps, the poorest policy was at its most irresponsible level, where we were timbering lands far beyond their sustained yield, far beyond their sustained productivity.

That is why we are in the fix we are in today, because those lands have been

butchered in such a fashion that they no longer will yield, because the people 10 years ago decided they would take everything they could get and they would rip and run. Now these communities are left without the resources to educate the children.

We happen to believe, I think most people, that those communities can be made whole still, and the administration proposed that. But the timber industry said that is not good enough. That is not good enough. We have got to have the means to try to come in the back door and see whether or not we can, again, drive the timber harvest.

So, therefore, one has a mandatory 20 percent set-aside, a 20 percent set-aside against the best interest of the community if the community decides that its roads and its school children are important.

Plus in some cases, as I tried to point out earlier, the amount of money is so small that it is hard to believe that one can efficiently use it. But we will set up these committees, we will have 150 of them on every unit of the Forest, and they can decide what to do with $8,000 or $10,000.

But if the community said we want to buy 10 computers or we want to buy software or we want to buy books or we want to contribute to the payment of one of the 100,000 teachers the President is trying to get passed, they will not be able to do that, because they will have to spend this 20 percent in a mandated set-aside to try to come up with some project on the Forest that the community, in fact, may not agree with.

That is the wisdom of the Udall amendment. It is about understand what this 20 percent set-aside does.

The CHAIRMAN pro tempore (Mrs. EMERSON). The time of the gentleman from California (Mr. GEORGE MILLER) has expired.

(By unanimous consent, Mr. GEORGE MILLER of California was allowed to proceed for 2 additional minutes.)

Mr. GEORGE MILLER of California. Madam Chairman, it is about understanding the need for communities to be able to make the full range of decisions that affect them. Because apparently from the debate and from the remarks of most of my colleagues in the affected areas, it becomes very clear that the money for schools today is insufficient. The money for schools in 1984 was insufficient.

So now, out of an insufficient amount of money, the Federal Government is going to mandate that one has got to set aside 20 percent, so the schools cannot have it, the county roads cannot have it, even if the community decides that is what is important.

I suggest what we do is make a bad bill better, we vote for the Udall amendment, and we give these local communities the controls that they need and they desire and that are most beneficial for their local communities and for the school children in those areas.

Mr. PETERSON of Pennsylvania. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman, I yield to the gentleman from California (Mr. HERGER).

Mr. HERGER. Madam Chairman, I would like to respond to the gentleman from California (Mr. GEORGE MILLER) on some of his comments. He mentioned that the forests were being over cut back some years ago, and that is true. But as the gentleman knows, we have laws now, Federal laws, and certainly those in California that do not allow this anymore.

Our predicament now is just the opposite of what it was 15 and 20 years ago. Today we have forests that are two and three and four times denser than they have ever been. We have fire hazards now where we are having catastrophic wildfires, and we need to go in and actually thin out our forests, of which we are unable to do.

Mr. PETERSON of Pennsylvania. Madam Chairman, I would just like to raise the issue that I think we have been asked today to trust the Federal Government to take care of these 800 communities just like we have had in the past.

When we look at the history of Congress and previous administrations, we have about a billion acres in this country in public land owned by the Federal Government plus local governments more. But now that billion acres we have a payment in lieu of tax program. If one looks at it, can one say we should trust Congress to take care of communities who have huge mounts of their acreage owned by the Federal Government?

This year, we will appropriate $125 million for a billion acres. That is 12 cents an acre. In Pennsylvania where we own a lot of land, the State I come from, we pay $1.20 for every acre that the State owns to help local schools, to help local roads. That does not break the State. Congress has paid 12 cents an acre, and they are saying trust us, Congress will take care of these school districts, these law enforcement agencies, and these local governments who have the bulk of the land in their communities.

I want to tell my colleagues, when I look at that record, I am not going to trust Congress. I am not going to trust future administrations. Everything we can do to help rural America have a base of government, the great amount of ownership of this Congress, of this country, and our closed and calloused attitude towards it, our unwillingness to be sensitive to the needs out there as we change Federal policy is historic.

So I say today let us defeat the amendment that is before us, and let us pass this bill. It is a major step. It does not fix the problem, but it is a major step of help to rural America. It shows rural America that we care about their educational building in small rural communities that are surrounded with public land. It shows we care a little bit.

I urge a defeat of this amendment and passage of the bill.

Madam Chairman, I yield back the balance of my time.

Mr. WU. Madam Chairman, I rise today in support of the amendment offered by the gentleman from Colorado. I would like to thank my good friend for bringing this important amendment to the floor. I believe that this amendment will improve H.R. 2389.

The Udall amendment helps bring decision making closer to home. Under the proposed bill, any county, which receives over $100,000 in safety net payments, will be required to use 20 percent for ''projects on federal lands.'' Those counties, which receive less than $100,000 in safety net payments, have the choice to use the entire payment for schools and roads or elect to use 20 percent for ''projects on federal lands.'' The federal government will in effect be mandating to counties, which receive over $100,000, how to spend 20 percent of the assistance.

Madam Chairman, by mandating that 20 percent of the revenue be used for purposes other than education and transportation, we, the U.S. Congress, are tying the hands of local decision-makers about local priorities.

The Udall amendment allows the affected county to make the decision. The Udall amendment allows local officials to decide if smaller class size is more important than a new Search and Rescue unit, whether new books for third graders are needed more than forest management. These are the difficult choices that need to be left in the hands of the people who are most affected by them, local communities.

☐ 1545

The CHAIRMAN pro tempore (Mrs. EMERSON). The question is on the amendment offered by the gentleman from Colorado (Mr. UDALL).

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

RECORDED VOTE

Mr. UDALL of Colorado. Madam Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 186, noes 241, not voting 6, as follows:

[Roll No. 559]

AYES—186

Abercrombie	Carson	Evans
Ackerman	Castle	Farr
Allen	Clay	Fattah
Andrews	Clyburn	Filner
Baird	Condit	Forbes
Baldacci	Conyers	Frank (MA)
Baldwin	Costello	Ganske
Barcia	Coyne	Gejdenson
Barrett (WI)	Crowley	Gephardt
Becerra	Cummings	Gilman
Berkley	Davis (IL)	Gutierrez
Berman	DeGette	Hall (OH)
Berry	Delahunt	Hastings (FL)
Blagojevich	DeLauro	Hill (IN)
Blumenauer	Deutsch	Hilliard
Bonior	Dickey	Hinchey
Borski	Dicks	Hinojosa
Boucher	Dixon	Hoeffel
Brady (PA)	Doggett	Holden
Brown (OH)	Dooley	Holt
Campbell	Doyle	Horn
Capps	Ehlers	Hutchinson
Capuano	Engel	Inslee
Cardin	Eshoo	Jackson (IL)

Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kind (WI)
Kleczka
Kucinich
LaFalce
Lantos
Larson
Lazio
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lowey
Luther
Maloney (CT)
Markey
Martinez
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHugh
McInnis
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Porter
Price (NC)
Rahall
Ramstad
Rangel
Rivers
Rodriguez
Roemer
Rohrabacher
Rothman
Roybal-Allard
Royce
Rush
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Scott
Serrano
Shays
Sherman
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stearns
Strickland
Stupak
Sweeney
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Walsh
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu

NOES—241

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Biggert
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boyd
Brady (TX)
Brown (FL)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Chenoweth-Hage
Clayton
Clement
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeFazio
DeLay
DeMint
Diaz-Balart
Dingell
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
English
Etheridge
Everett
Ewing
Fletcher
Foley
Ford
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hooley
Hostettler
Houghton
Hoyer
Hunter
Hyde
Isakson
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
King (NY)
Kingston
Klink
Knollenberg
Kolbe
Kuykendall
LaHood
Lampson
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lofgren
Lucas (KY)
Lucas (OK)
Maloney (NY)
Manzullo
Mascara
McCollum
McCrery
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Ose
Oxley
Packard
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Portman
Pryce (OH)
Quinn
Radanovich
Regula
Reyes
Reynolds
Riley
Rogan
Rogers
Ros-Lehtinen
Roukema
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sanford
Saxton
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (TX)
Spence
Stenholm
Stump
Sununu
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Toomey
Traficant
Turner
Upton
Vitter
Walden
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—6

Bereuter
Hulshof
Kilpatrick
Scarborough
Souder
Weldon (PA)

☐ 1609

Messrs. NORWOOD, ISAKSON, MCCOLLUM, KOLBE, FRELINGHUYSEN, REYES, HALL of Texas, and Mrs. FOWLER, and Ms. LOFGREN changed their vote from ''aye'' to ''no.''

Messrs. OBEY, HORN, MCHUGH, HOLDEN, DOYLE, LEACH, SCOTT, LAZIO, and CAMPBELL changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. ROUKEMA. Madam Chairman, on rollcall No. 559, I inadvertently voted ''no.'' I meant to vote ''aye.''

The CHAIRMAN pro tempore. Are there any other amendments?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PEASE) having resumed the chair, Mrs. EMERSON, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2389) to restore stability and predictability to the annual payments made to States and counties containing National Forest System lands and public domain lands managed by the Bureau of Land Management for use by the counties for the benefit of public schools, roads, and other purposes, pursuant to House Resolution 352, she reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment in the nature of a substitute.

The amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. GOODLATTE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 274, noes 153, not voting 6, as follows:

[Roll No. 560]

AYES—274

Aderholt
Allen
Archer
Armey
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Berry
Biggert
Bilirakis
Bishop
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Chabot
Chambliss
Chenoweth-Hage
Clayton
Clement
Coble
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Cubin
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeFazio
DeLay
DeMint
Diaz-Balart
Dickey
Dicks
Dingell
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
English
Etheridge
Everett
Ewing
Fletcher
Foley
Ford
Fossella
Fowler
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinojosa
Hobson
Hoekstra
Hooley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Isakson
Istook
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kasich
Kind (WI)
King (NY)
Kingston
Klink
Knollenberg
Kuykendall
LaHood
Lampson
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lucas (KY)
Lucas (OK)
Manzullo
Martinez
Mascara
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller, Gary
Mollohan
Moore
Moran (KS)
Morella
Murtha
Myrick
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Ose
Oxley
Packard
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Royce
Ryun (KS)
Salmon
Sanchez
Sandlin
Schaffer
Sensenbrenner

Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (TX)
Snyder
Souder
Spence
Spratt
Stenholm
Strickland
Stump
Stupak
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Traficant
Turner
Udall (NM)
Velazquez
Visclosky
Vitter
Walden
Walsh
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wise
Wolf
Wu
Young (AK)
Young (FL)

NOES—153

Abercrombie
Ackerman
Andrews
Baldwin
Barrett (WI)
Becerra
Berkley
Berman
Bilbray
Blagojevich
Bonior
Borski
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Castle
Clay
Clyburn
Coburn
Conyers
Coyne
Crane
Crowley
Cummings
Davis (IL)
DeGette
Delahunt
DeLauro
Deutsch
Dixon
Doggett
Ehlers
Engel
Eshoo
Evans
Farr
Fattah
Filner
Forbes
Frank (MA)
Franks (NJ)
Frelinghuysen
Gejdenson
Gephardt
Gilman
Gonzalez
Hastings (FL)
Hinchey
Hoeffel
Holden
Holt
Inslee
Jackson (IL)
Jefferson
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kleczka
Kolbe
Kucinich
LaFalce
Lantos
Largent
Larson
Lazio
Lee
Lewis (GA)
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, George
Minge
Mink
Moakley
Moran (VA)
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Porter
Portman
Ramstad
Rangel
Regula
Rivers
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sanford
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shays
Sherman
Slaughter
Smith (NJ)
Smith (WA)
Stabenow
Stark
Stearns
Sununu
Tauscher
Thompson (MS)
Tierney
Toomey
Towns
Udall (CO)
Upton
Vento
Wamp
Waters
Waxman
Weiner
Wexler
Weygand
Woolsey
Wynn

NOT VOTING—6

Bereuter
Hulshof
Kilpatrick
Ryan (WI)
Scarborough
Weldon (PA)

□ 1627

Mr. VISCLOSKY changed his vote from ''no'' to ''aye.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. RYAN of Wisconsin. Mr. Speaker, on rollcall No. 560, I was unavoidably detained. Had I been present, I would have noted ''yes.''

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 2389, the bill just passed.

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

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2389, COUNTY SCHOOLS FUNDING REVITALIZATION ACT OF 1999

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill (H.R. 2389) the Clerk be authorized to correct section numbers, punctuation, citations and cross references and to make such other technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1832

Mr. MEEKS of New York. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1832, the Muhammad Ali Boxing Reform Act.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 353 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 353

Resolved, That it shall be in order at any time on or before the legislative day of Wednesday, November 10, 1999, for the Speaker to entertain motions to suspend the rules, provided that the object of any such motion is announced from the floor at least two hours before the motion is offered. In scheduling the consideration of legislation under this authority, the Speaker or his designee shall consult with the Minority Leader or his designee.

□ 1630

The SPEAKER pro tempore (Mr. PEASE). The gentleman from California (Mr. DREIER) is recognized for 1 hour.

Mr. DREIER. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to my very good and hard-working late-at-night friend, the gentleman from South Boston, Massachusetts (Mr. MOAKLEY). Pending that, I yield myself such time as I may consume. All time I will be yielding will be for debate purposes only.

(Mr. DREIER asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. DREIER. Mr. Speaker, House Resolution 353 will provide for the consideration of motions to suspend the rules at any time up to and including the legislative day of Wednesday, November 10. In addition, this resolution requires that the Speaker or his designee consult with the minority leader or his designee on the designation of any matter for consideration under suspension of the rules. Finally, this resolution provides that the object of any motion to suspend the rules be announced, based on a brilliantly crafted amendment from the gentleman from Massachusetts (Mr. MOAKLEY) for at least 2 hours prior to its consideration.

Under clause 1 of rule XV of the rules of the House, the Speaker may only entertain motions to suspend the rules on Mondays, Tuesday, and the last 6 days of the session. Since the House has not yet passed an adjournment resolution, the last 6 days of this session have not been determined, although we still hope they will be the last 6 days that begin before too terribly long. Therefore, Mr. Speaker, it is necessary for us to pass this resolution in order to allow the House to consider suspensions on days other than those designated as suspension days under the rules of the House.

Mr. Speaker, as we near the end of the first session of this Congress, it is imperative we allow ourselves the utmost flexibility in scheduling and considering the remaining matters before us. While we have produced such success in this session, most notably reforming education, providing for our national defense and protecting Social Security, there still are a number of items that do need to be considered. This resolution will allow us to expeditiously consider the noncontroversial and narrowly tailored, yet important matters, that remain unresolved.

Every year around this time we consider a resolution such as this in order to officially dispose of the remaining bipartisan matters before us.

Therefore, Mr. Speaker, in pursuit of that, I urge adoption of this resolution and thank the gentleman from Massachusetts (Mr. MOAKLEY) for helping us in this quest.

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

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

Mr. Speaker, I thank my colleague and my very dear friend, the illustrious gentleman from California (Chairman DREIER), for yielding me the customary 30 minutes.

Mr. Speaker, by bringing up this rule making every day a suspension day, one might be led to believe my Republican colleagues have seen the light at the end of the tunnel; but from what I can tell, we still have a lot to do before Congress finishes the work for the year.

I hope the people negotiating the omnibus appropriations bill will be able to

come to an agreement by Veterans' Day, but, Mr. Speaker, I have my reservations. Omnibus bills are traditionally very big and very complicated, and there is no reason to think this year's will be any different.

I want to thank my chairman and my Republican colleagues on the Committee on Rules for graciously allowing us an extra hour's notice on these suspension bills. Although my chairman was personally opposed to it, he supported our request nonetheless, and I appreciate this very much.

But as a Member of the minority, I have to object to this rule making every day a suspension day. Suspensions, by their very nature, bypass House rules, including the rules that protect the minority. Far too many bills this Congress has bypassed the committee process. Both the D.C. appropriations bill coming up next and the foreign operations appropriations bill that is probably coming up tomorrow have completely skipped the committee process; and the Labor, Health and Human Services bill was never considered in such a way that Members could actually amend it. So I fear this rule will make it even easier for my Republican colleagues to continue to run rough-shod over the rules of the House, and particularly the rules that protect the minority.

Therefore, I urge my colleagues to oppose this rule.

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

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume to simply say my good friend from Sugarland, Texas, has just informed me that the gentleman from Massachusetts (Mr. MOAKLEY) referred to some omnibus bill that is out there, and none of us on this side are aware of that at all. I do not know that we are going to be considering anything like that. We are not planning to consider anything like that at all.

The second thing I would like to say is that I was very happy to encourage all of the majority Members to support the Moakley amendment upstairs last night when we considered this, and I only assumed that having done that that my friend would enthusiastically join us in helping move these suspension measures, as is always the case at the end of the year.

I would also add that on both the D.C. and the Labor, Health and Human Services bills, we did see full committee action on both of those, and there are clearly, on the D.C. bill modifications that have been made, but we know the chairman of that Subcommittee on the District of Columbia spent a lot of time on the D.C. bill, and on the Labor-HHS bill, the gentleman from Illinois (Mr. PORTER) did. So we are doing what is very much the norm for trying to move legislation towards the end of the session. So I think there should be very strong bipartisan support of this measure.

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

Mr. DREIER. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 222, nays 200, answered ''present'' 1, not voting 10, as follows:

[Roll No. 561]

YEAS—222

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dooley
Doolittle
Dreier
Duncan
Ehlers
Ehrlich
Emerson
English
Eshoo
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
McNulty
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—200

Abercrombie
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dickey
Dicks
Dingell
Dixon
Doggett
Doyle
Edwards
Engel
Etheridge
Evans
Fattah
Filner
Forbes
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Goode
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Price (NC)
Rangel
Reyes
Rivers
Rodriguez
Roemer
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Serrano
Shows
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

ANSWERED ''PRESENT''—1

Farr

NOT VOTING—10

Ackerman
Bereuter
Dunn
Hulshof
Kilpatrick
Millender-McDonald
Rahall
Scarborough
Scott
Weldon (PA)

☐ 1659

Mr. FATTAH and Mr. LEVIN changed their vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Ms. MILLENDER-McDONALD. Mr. Speaker, on rollcall No. 561, I was detained by constituents and was unable to make it in time for this vote. Had I been present, I would have voted "no."

PROVIDING FOR CONSIDERATION OF H.R. 3194, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2000

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 354 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 354

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 3194) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2000, and for other purposes. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

□ 1700

The SPEAKER pro tempore (Mr. PEASE). The gentleman from Georgia (Mr. LINDER) is recognized for 1 hour.

Mr. LINDER. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 354 is a closed rule providing for the consideration of H.R. 3194, the D.C. appropriations bill for fiscal year 2000.

The rule provides for one hour of general debate divided equally between the chairman and ranking minority member of the Committee on Appropriations. Additionally, the rule waives all points of order against the bill.

House Resolution 354 also provides for one motion to recommit, with or without instructions, as is the right of the minority members of the House.

Mr. Speaker, House Resolution 354 is a closed rule, recognizing the full and fair debate that the House had on similar legislation earlier in this Congress. This rule will assist the House to move forward in the appropriations process.

H.R. 3194 continues to fund the District of Columbia at $75 million over the President's request and makes no changes to funding levels from the previous D.C. appropriations bill. With this bill, we continue to provide $17 million for scholarships to low-income D.C. residents, $2.5 million to help improve children's health centers, and $5 million to provide incentives for the adoption of foster children.

The President's request did not include funding for any of these important programs.

With this legislation, charter schools will have access to construction funds, the schools will have the same opportunity to expand as other public schools, and parents will be able to send all of their children to the same charter school. H.R. 3194 enacts the $59 million tax cut passed by the D.C. City Council, and it works with the Council to make vital changes in city management that will place Washington, D.C. on the road to financial recovery.

This bill also restores the original language for needle exchange initiatives, continuing our commitment to prohibit Federal support for these dubious and irresponsible programs. The Clinton administration's own Department of Health and Human Resources prohibits the use of Federal funds for needle exchanges, and we should maintain this consistent standard.

Mr. Speaker, I am pleased to have taken the necessary steps in this bill to bring this chapter of the appropriations process to a close. I applaud the gentleman from Oklahoma (Mr. ISTOOK) for his patience and his willingness to work through this difficult process, and I urge my colleagues to support this rule and the underlying legislation.

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

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

Mr. Speaker, in the immortal words of Yogi Berra, it is deja vu all over again. The first District of Columbia appropriations bill was loaded with Republican riders and it was vetoed. The second D.C. appropriations bill was loaded not just with riders but also with the Labor-HHS appropriation. It is yet to be vetoed but it certainly will be.

Before us today is D.C. Three, yet another attempt on the part of the Republican majority to move a Christmas tree to the White House even before the Thanksgiving turkey is on the table.

Mr. Speaker, pity the residents of this city. What have they done to the Republicans in this body to deserve this mistreatment? Why should their appropriation be loaded up with ornaments designed to make good Republican boys and girls happy? This bill is truly a turkey and the Republican majority ought to face the facts and start dealing straight with the people of this city, the Democratic Members of this body and the President of the United States.

Enough is enough, Mr. Speaker. Let us get on with legislating and stop all this tree trimming and turkey stuffing. Give the people of this city a break and send the President an appropriations bill he can sign. Give us all a real Christmas present so that we can finish our business and go home for the holidays.

I urge Members to vote against this bill so that we can send the residents of this city a real holiday treat, a bill he can sign.

Mr. Speaker, I yield 3 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentleman from Texas (Mr. FROST) for yielding me this time.

Mr. Speaker, forgive me. Is the gentleman confused? I am. I feel like saying, where are we? Why are we here? Why is there another D.C. bill on the floor? How could there be another D.C. bill on the floor? One was just voted in the Senate yesterday.

I did not realize that this body loved D.C. so much that it wanted to keep voting D.C. bills. One is on its way to the President's desk. Remember last Thursday we just voted for a D.C. bill. It was called the Labor-HHS-D.C. bill. That must be a new agency.

We passed the D.C. bill they wanted. That one is about to be vetoed. Let me try to get this straight. One veto is not enough? They want two vetoes? Do they want them simultaneously or do they want them sequentially?

The last bill, we were told, was the one the majority wanted. That is why they put Labor-HHS on the D.C. bill. All of them voted for that in conference. Now they are back again with another D.C. bill. What could be the reason for a stand-alone bill? What we are seeing is the majority manipulating the smallest, most defenseless appropriation. They do not want yet another D.C. bill before the last D.C. bill is vetoed. They want another vehicle for the majority. The District is no longer a city. It is a vehicle. They want to send this vehicle over to the Senate in order to tie on yet some more bills to send to the White House to be vetoed.

What kind of way is that to treat a city of half a million people whose own money and virtually alone their own money is in this bill?

Free up the D.C. bill. Three D.C. bills are enough. Let D.C. go.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, the problem with this rule is that it does not allow us to make a tiny, minuscule little change, but as little a change as it would be it would have profound consequences. We simply want to make it clear that a private, nonprofit organization in the District of Columbia can receive private funds and do with those private funds whatever they choose to do. In other words, treat that organization like we do every other private nonprofit organization.

All we are asking for is that this bill be given what the full, entire House Committee on Appropriations approved; give us the bill that the full House of Representatives on this floor approved; give us the bill that the full Senate Committee on Appropriations,

the full Senate itself approved; give us the bill that the conference between the House and Senate approved. One tiny little change would give us that bill.

Then not only would we agree with this rule, we would agree with the bill. The bill would be sent over to the White House. It would be signed and that little $429 million, which is infinitesimal compared to our Federal budget, would then be able to be spent in the District of Columbia as its citizens deem appropriate. To them, it means the difference between a solvent government that can respond to the needs of its citizens and one that is kept hostage by the Congress of the United States.

That is the problem with the rule. Let us act reasonably. Then we can both get together and do what is right in the interest of the citizens of the District of Columbia and in the public interest.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. LINDER

Mr. LINDER. Mr. Speaker, I offer an amendment in the nature of a substitute.

The SPEAKER pro tempore. The Clerk will report the amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. LINDER:

Strike all after the resolved clause and insert in lieu thereof:

That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 3194) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2000, and for other purposes. The bill shall be considered as read for amendment. An amendment striking section 175 shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore. Does the gentleman from Texas (Mr. FROST) yield the balance of his time?

Mr. FROST. Mr. Speaker, at this point let me state that though this amendment is somewhat unusual, we have no objection to the amendment being offered by the gentleman from Georgia (Mr. LINDER) and I yield back the balance of my time.

Mr. LINDER. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the amendment and the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the amendment in the nature of a substitute offered by the gentleman from Georgia (Mr. LINDER).

The amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on the resolution, as amended.

The resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

PARLIAMENTARY INQUIRY

Mr. FROST. Mr. Speaker, a point of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. FROST. Mr. Speaker, is not a vote automatic, a roll call vote automatic on an appropriations conference report?

The SPEAKER pro tempore. The vote before us was on the rule.

Mr. FROST. On the appropriations bill. I am sorry, on the rule. I withdraw my question. There will be a vote; because Members had asked me, there will be a vote on the actual appropriations conference report?

The SPEAKER pro tempore. That is correct.

Mr. FROST. Not on the rule?

The SPEAKER pro tempore. That is correct. The gentlemen is correct.

GENERAL LEAVE

Mr. ISTOOK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include tabular and extraneous material on H.R. 3194.

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

There was no objection.

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2000

Mr. ISTOOK. Mr. Speaker, pursuant to House Resolution 354, I call up the bill (H.R. 3194), making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2000, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The text of H.R. 3194, as amended pursuant to House Resolution 354, is as follows:

H.R. 3194

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

TITLE I—FISCAL YEAR 2000 APPROPRIATIONS

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia for a program to be administered by the Mayor for District of Columbia resident tuition support, subject to the enactment of authorizing legislation for such program by Congress, $17,000,000, to remain available until expended: *Provided,* That such funds may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, usable at both public and private institutions of higher education: *Provided further,* That the awarding of such funds may be prioritized on the basis of a resident's academic merit and such other factors as may be authorized: *Provided further,* That if the authorized program is a nationwide program, the Mayor may expend up to $17,000,000: *Provided further,* That if the authorized program is for a limited number of States, the Mayor may expend up to $11,000,000: *Provided further,* That the District of Columbia may expend funds other than the funds provided under this heading, including local tax revenues and contributions, to support such program.

FEDERAL PAYMENT FOR INCENTIVES FOR ADOPTION OF CHILDREN

For a Federal payment to the District of Columbia to create incentives to promote the adoption of children in the District of Columbia foster care system, $5,000,000: *Provided,* That such funds shall remain available until September 30, 2001 and shall be used in accordance with a program established by the Mayor and the Council of the District of Columbia and approved by the Committees on Appropriations of the House of Representatives and the Senate: *Provided further,* That funds provided under this heading may be used to cover the costs to the District of Columbia of providing tax credits to offset the costs incurred by individuals in adopting children in the District of Columbia foster care system and in providing for the health care needs of such children, in accordance with legislation enacted by the District of Columbia government.

FEDERAL PAYMENT TO THE CITIZEN COMPLAINT REVIEW BOARD

For a Federal payment to the District of Columbia for administrative expenses of the Citizen Complaint Review Board, $500,000, to remain available until September 30, 2001.

FEDERAL PAYMENT TO THE DEPARTMENT OF HUMAN SERVICES

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

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA CORRECTIONS TRUSTEE OPERATIONS

For salaries and expenses of the District of Columbia Corrections Trustee, $176,000,000 for the administration and operation of correctional facilities and for the administrative operating costs of the Office of the Corrections Trustee, as authorized by section 11202 of the National Capital Revitalization and Self-Government Improvement Act of 1997 (Public Law 105–33; 111 Stat. 712): *Provided,* That notwithstanding any other provision of law, funds appropriated in this Act for the District of Columbia Corrections Trustee shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further,* That in addition to the funds provided under this heading, the District of Columbia Corrections Trustee may use a portion of the interest earned on the Federal payment made to the Trustee under the District of Columbia Appropriations Act, 1998, (not to exceed $4,600,000) to carry out the activities funded under this heading.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, $99,714,000 to be allocated as follows: for the District of Columbia Court of Appeals, $7,209,000; for the District of Columbia Superior Court, $68,351,000; for the District of Columbia Court System, $16,154,000; and $8,000,000, to remain available until September 30, 2001, for capital improvements for District of Columbia courthouse facilities: *Provided*, That of the amounts available for operations of the District of Columbia Courts, not to exceed $2,500,000 shall be for the design of an Integrated Justice Information System and that such funds shall be used in accordance with a plan and design developed by the courts and approved by the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), said services to include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform of the House of Representatives.

DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

For payments authorized under section 11–2604 and section 11–2605, D.C. Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Division of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Code, and payments for counsel authorized under section 21–2060, D.C. Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), $33,336,000, to remain available until expended: *Provided*, That the funds provided in this Act under the heading ''Federal Payment to the District of Columbia Courts'' (other than the $8,000,000 provided under such heading for capital improvements for District of Columbia courthouse facilities) may also be used for payments under this heading: *Provided further*, That in addition to the funds provided under this heading, the Joint Committee on Judicial Administration in the District of Columbia may use a portion (not to exceed $1,200,000) of the interest earned on the Federal payment made to the District of Columbia courts under the District of Columbia Appropriations Act, 1999, together with funds provided in this Act under the heading ''Federal Payment to the District of Columbia Courts'' (other than the $8,000,000 provided under such heading for capital improvements for District of Columbia courthouse facilities), to make payments described under this heading for obligations incurred during fiscal year 1999 if the Comptroller General certifies that the amount of obligations lawfully incurred for such payments during fiscal year 1999 exceeds the obligational authority otherwise available for making such payments: *Provided further*, That such funds shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: *Provided further*, That notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), said services to include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform of the House of Representatives.

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

For salaries and expenses of the Court Services and Offender Supervision Agency for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, (Public Law 105–33; 111 Stat. 712), $93,800,000, of which $58,600,000 shall be for necessary expenses of Parole Revocation, Adult Probation, Offender Supervision, and Sex Offender Registration, to include expenses relating to supervision of adults subject to protection orders or provision of services for or related to such persons; $17,400,000 shall be available to the Public Defender Service; and $17,800,000 shall be available to the Pretrial Services Agency: *Provided*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further*, That of the amounts made available under this heading, $20,492,000 shall be used in support of universal drug screening and testing for those individuals on pretrial, probation, or parole supervision with continued testing, intermediate sanctions, and treatment for those identified in need, of which $7,000,000 shall be for treatment services.

CHILDREN'S NATIONAL MEDICAL CENTER

For a Federal contribution to the Children's National Medical Center in the District of Columbia, $2,500,000 for construction, renovation, and information technology infrastructure costs associated with establishing community pediatric health clinics for high risk children in medically underserved areas of the District of Columbia.

FEDERAL PAYMENT FOR METROPOLITAN POLICE DEPARTMENT

For payment to the Metropolitan Police Department, $1,000,000, for a program to eliminate open air drug trafficking in the District of Columbia: *Provided*, That the Chief of Police shall provide quarterly reports to the Committees on Appropriations of the Senate and House of Representatives by the 15th calendar day after the end of each quarter beginning December 31, 1999, on the status of the project financed under this heading.

DISTRICT OF COLUMBIA FUNDS

OPERATING EXPENSES

DIVISION OF EXPENSES

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

GOVERNMENTAL DIRECTION AND SUPPORT

Governmental direction and support, $162,356,000 (including $137,134,000 from local funds, $11,670,000 from Federal funds, and $13,552,000 from other funds): *Provided*, That not to exceed $2,500 for the Mayor, $2,500 for the Chairman of the Council of the District of Columbia, and $2,500 for the City Administrator shall be available from this appropriation for official purposes: *Provided further*, That any program fees collected from the issuance of debt shall be available for the payment of expenses of the debt management program of the District of Columbia: *Provided further*, That no revenues from Federal sources shall be used to support the operations or activities of the Statehood Commission and Statehood Compact Commission: *Provided further*, That the District of Columbia shall identify the sources of funding for Admission to Statehood from its own locally-generated revenues: *Provided further*, That all employees permanently assigned to work in the Office of the Mayor shall be paid from funds allocated to the Office of the Mayor: *Provided further*, That, notwithstanding any other provision of law now or hereafter enacted, no Member of the District of Columbia Council eligible to earn a part-time salary of $92,520, exclusive of the Council Chairman, shall be paid a salary of more than $84,635 during fiscal year 2000.

ECONOMIC DEVELOPMENT AND REGULATION

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

PUBLIC SAFETY AND JUSTICE

Public safety and justice, including purchase or lease of 135 passenger-carrying vehicles for replacement only, including 130 for police-type use and five for fire-type use, without regard to the general purchase price limitation for the current fiscal year, $778,770,000 (including $565,511,000 from local funds, $29,012,000 from Federal funds, and $184,247,000 from other funds): *Provided*, That the Metropolitan Police Department is authorized to replace not to exceed 25 passenger-carrying vehicles and the Department of Fire and Emergency Medical Services of the District of Columbia is authorized to replace not to exceed five passenger-carrying vehicles annually whenever the cost of repair to any damaged vehicle exceeds three-fourths of the cost of the replacement: *Provided further*, That not to exceed $500,000 shall be available from this appropriation for the Chief of Police for the prevention and detection of crime: *Provided further*, That the Metropolitan Police Department shall provide quarterly reports to the Committees on Appropriations of the House of Representatives and the Senate on efforts to increase efficiency and improve the professionalism in the department: *Provided further*, That notwithstanding any other provision of law, or Mayor's Order 86–45, issued March 18, 1986, the Metropolitan Police Department's delegated small purchase authority shall be $500,000: *Provided further*, That the District of Columbia government may not require the Metropolitan Police Department to submit to any other procurement review process, or to obtain the approval of or be restricted in any manner by any official or employee of the District of Columbia government, for purchases that do not exceed $500,000: *Provided further*, That the Mayor shall reimburse the District of Columbia National

Guard for expenses incurred in connection with services that are performed in emergencies by the National Guard in a militia status and are requested by the Mayor, in amounts that shall be jointly determined and certified as due and payable for these services by the Mayor and the Commanding General of the District of Columbia National Guard: *Provided further*, That such sums as may be necessary for reimbursement to the District of Columbia National Guard under the preceding proviso shall be available from this appropriation, and the availability of the sums shall be deemed as constituting payment in advance for emergency services involved: *Provided further*, That the Metropolitan Police Department is authorized to maintain 3,800 sworn officers, with leave for a 50 officer attrition: *Provided further*, That no more than 15 members of the Metropolitan Police Department shall be detailed or assigned to the Executive Protection Unit, until the Chief of Police submits a recommendation to the Council for its review: *Provided further*, That $100,000 shall be available for inmates released on medical and geriatric parole: *Provided further*, That commencing on December 31, 1999, the Metropolitan Police Department shall provide to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform of the House of Representatives, quarterly reports on the status of crime reduction in each of the 83 police service areas established throughout the District of Columbia: *Provided further*, That up to $700,000 in local funds shall be available for the operations of the Citizen Complaint Review Board.

PUBLIC EDUCATION SYSTEM

Public education system, including the development of national defense education programs, $867,411,000 (including $721,847,000 from local funds, $120,951,000 from Federal funds, and $24,613,000 from other funds), to be allocated as follows: $713,197,000 (including $600,936,000 from local funds, $106,213,000 from Federal funds, and $6,048,000 from other funds), for the public schools of the District of Columbia; $10,700,000 from local funds for the District of Columbia Teachers' Retirement Fund; $17,000,000 from local funds, previously appropriated in this Act as a Federal payment, for resident tuition support at public and private institutions of higher learning for eligible District of Columbia residents; $27,885,000 from local funds for public charter schools: *Provided*, That if the entirety of this allocation has not been provided as payments to any public charter schools currently in operation through the per pupil funding formula, the funds shall be available for new public charter schools on a per pupil basis: *Provided further*, That $480,000 of this amount shall be available to the District of Columbia Public Charter School Board for administrative costs; $72,347,000 (including $40,491,000 from local funds, $13,536,000 from Federal funds, and $18,320,000 from other funds) for the University of the District of Columbia; $24,171,000 (including $23,128,000 from local funds, $798,000 from Federal funds, and $245,000 from other funds) for the Public Library; $2,111,000 (including $1,707,000 from local funds and $404,000 from Federal funds) for the Commission on the Arts and Humanities: *Provided further*, That the public schools of the District of Columbia are authorized to accept not to exceed 31 motor vehicles for exclusive use in the driver education program: *Provided further*, That not to exceed $2,500 for the Superintendent of Schools, $2,500 for the President of the University of the District of Columbia, and $2,000 for the Public Librarian shall be available from this appropriation for official purposes: *Provided further*, That none of the funds contained in this Act may be made available to pay the salaries of any District of Columbia Public School teacher, principal, administrator, official, or employee who knowingly provides false enrollment or attendance information under article II, section 5 of the Act entitled ''An Act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes'', approved February 4, 1925 (D.C. Code, sec. 31–401 et seq.): *Provided further*, That this appropriation shall not be available to subsidize the education of any nonresident of the District of Columbia at any District of Columbia public elementary and secondary school during fiscal year 2000 unless the nonresident pays tuition to the District of Columbia at a rate that covers 100 percent of the costs incurred by the District of Columbia which are attributable to the education of the nonresident (as established by the Superintendent of the District of Columbia Public Schools): *Provided further*, That this appropriation shall not be available to subsidize the education of nonresidents of the District of Columbia at the University of the District of Columbia, unless the Board of Trustees of the University of the District of Columbia adopts, for the fiscal year ending September 30, 2000, a tuition rate schedule that will establish the tuition rate for nonresident students at a level no lower than the nonresident tuition rate charged at comparable public institutions of higher education in the metropolitan area: *Provided further*, That the District of Columbia Public Schools shall not spend less than $365,500,000 on local schools through the Weighted Student Formula in fiscal year 2000: *Provided further*, That notwithstanding any other provision of law, the Chief Financial Officer of the District of Columbia shall apportion from the budget of the District of Columbia Public Schools a sum totaling 5 percent of the total budget to be set aside until the current student count for Public and Charter schools has been completed, and that this amount shall be apportioned between the Public and Charter schools based on their respective student population count: *Provided further*, That the District of Columbia Public Schools may spend $500,000 to engage in a Schools Without Violence program based on a model developed by the University of North Carolina, located in Greensboro, North Carolina.

HUMAN SUPPORT SERVICES

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

PUBLIC WORKS

Public works, including rental of one passenger-carrying vehicle for use by the Mayor and three passenger-carrying vehicles for use by the Council of the District of Columbia and leasing of passenger-carrying vehicles, $271,395,000 (including $258,341,000 from local funds, $3,099,000 from Federal funds, and $9,955,000 from other funds): *Provided*, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business.

RECEIVERSHIP PROGRAMS

For all agencies of the District of Columbia government under court ordered receivership, $342,077,000 (including $217,606,000 from local funds, $106,111,000 from Federal funds, and $18,360,000 from other funds).

WORKFORCE INVESTMENTS

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

RESERVE

For a reserve to be established by the Chief Financial Officer of the District of Columbia and the District of Columbia Financial Responsibility and Management Assistance Authority, $150,000,000.

DISTRICT OF COLUMBIA FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHORITY

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

REPAYMENT OF LOANS AND INTEREST

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

REPAYMENT OF GENERAL FUND RECOVERY DEBT

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

PAYMENT OF INTEREST ON SHORT-TERM BORROWING

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

CERTIFICATES OF PARTICIPATION

For lease payments in accordance with the Certificates of Participation involving the

land site underlying the building located at One Judiciary Square, $7,950,000 from local funds.

OPTICAL AND DENTAL INSURANCE PAYMENTS

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

PRODUCTIVITY BANK

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

PRODUCTIVITY BANK SAVINGS

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

PROCUREMENT AND MANAGEMENT SAVINGS

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

ENTERPRISE AND OTHER FUNDS

WATER AND SEWER AUTHORITY AND THE WASHINGTON AQUEDUCT

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

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

LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

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

SPORTS AND ENTERTAINMENT COMMISSION

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

DISTRICT OF COLUMBIA HEALTH AND HOSPITALS PUBLIC BENEFIT CORPORATION

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

DISTRICT OF COLUMBIA RETIREMENT BOARD

For the District of Columbia Retirement Board, established by section 121 of the District of Columbia Retirement Reform Act of 1979 (93 Stat. 866; D.C. Code, sec. 1–711), $9,892,000 from the earnings of the applicable retirement funds to pay legal, management, investment, and other fees and administrative expenses of the District of Columbia Retirement Board: *Provided*, That the District of Columbia Retirement Board shall provide to the Congress and to the Council of the District of Columbia a quarterly report of the allocations of charges by fund and of expenditures of all funds: *Provided further*, That the District of Columbia Retirement Board shall provide the Mayor, for transmittal to the Council of the District of Columbia, an itemized accounting of the planned use of appropriated funds in time for each annual budget submission and the actual use of such funds in time for each annual audited financial report: *Provided further*, That section 121(c)(1) of the District of Columbia Retirement Reform Act (D.C. Code, sec. 1–711(c)(1)) is amended by striking ''the total amount to which a member may be entitled'' and all that follows and inserting the following: ''the total amount to which a member may be entitled under this subsection during a year (beginning with 1998) may not exceed $5,000, except that in the case of the Chairman of the Board and the Chairman of the Investment Committee of the Board, such amount may not exceed $7,500 (beginning with 2000).''.

CORRECTIONAL INDUSTRIES FUND

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

WASHINGTON CONVENTION CENTER ENTERPRISE FUND

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

CAPITAL OUTLAY

(INCLUDING RESCISSIONS)

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

GENERAL PROVISIONS

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

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

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

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

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

SEC. 106. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of judgments that have been entered against the District

of Columbia government: *Provided*, That nothing contained in this section shall be construed as modifying or affecting the provisions of section 11(c)(3) of title XII of the District of Columbia Income and Franchise Tax Act of 1947 (70 Stat. 78; Public Law 84–460; D.C. Code, sec. 47–1812.11(c)(3)).

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

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

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

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

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

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

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

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

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

SEC. 116. None of the funds provided under this Act to the agencies funded by this Act, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 2000, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for an agency through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or responsibility center; (3) establishes or changes allocations specifically denied, limited or increased by Congress in this Act; (4) increases funds or personnel by any means for any program, project, or responsibility center for which funds have been denied or restricted; (5) reestablishes through reprogramming any program or project previously deferred through reprogramming; (6) augments existing programs, projects, or responsibility centers through a reprogramming of funds in excess of $1,000,000 or 10 percent, whichever is less; or (7) increases by 20 percent or more personnel assigned to a specific program, project, or responsibility center; unless the Appropriations Committees of both the Senate and House of Representatives are notified in writing 30 days in advance of any reprogramming as set forth in this section.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) The Mayor, the Authority, and the Council shall provide the Congress by February 1, 2000, a summary, analysis, and recommendations on the information provided in the quarterly reports.

SEC. 128. Funds authorized or previously appropriated to the government of the District of Columbia by this or any other Act to procure the necessary hardware and installation of new software, conversion, testing, and training to improve or replace its financial management system are also available for the acquisition of accounting and financial management services and the leasing of necessary hardware, software or any other related goods or services, as determined by the District of Columbia Financial Responsibility and Management Assistance Authority.

SEC. 129. (a) None of the funds contained in this Act may be made available to pay the fees of an attorney who represents a party who prevails in an action, including an administrative proceeding, brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) if—

(1) the hourly rate of compensation of the attorney exceeds 120 percent of the hourly rate of compensation under section 11–2604(a), District of Columbia Code; or

(2) the maximum amount of compensation of the attorney exceeds 120 percent of the maximum amount of compensation under section 11–2604(b)(1), District of Columbia Code, except that compensation and reimbursement in excess of such maximum may be approved for extended or complex representation in accordance with section 11–2604(c), District of Columbia Code.

(b) Notwithstanding the preceding subsection, if the Mayor, District of Columbia Financial Responsibility and Management Assistance Authority and the Superintendent of the District of Columbia Public Schools concur in a Memorandum of Understanding setting forth a new rate and amount of compensation, then such new rates shall apply in lieu of the rates set forth in the preceding subsection.

SEC. 130. None of the funds appropriated under this Act shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

SEC. 131. None of the funds made available in this Act may be used to implement or enforce the Health Care Benefits Expansion Act of 1992 (D.C. Law 9–114; D.C. Code, sec. 36–1401 et seq.) or to otherwise implement or enforce any system of registration of unmarried, cohabiting couples (whether homosexual, heterosexual, or lesbian), including but not limited to registration for the purpose of extending employment, health, or governmental benefits to such couples on the same basis that such benefits are extended to legally married couples.

SEC. 132. The Superintendent of the District of Columbia Public Schools shall submit to the Congress, the Mayor, the District of Columbia Financial Responsibility and Management Assistance Authority, and the Council of the District of Columbia no later than 15 calendar days after the end of each quarter a report that sets forth—

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

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

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

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

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

SEC. 133. (a) IN GENERAL.—The Superintendent of the District of Columbia Public Schools and the University of the District of Columbia shall annually compile an accurate and verifiable report on the positions and employees in the public school system and the university, respectively. The annual report shall set forth—

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

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

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

SEC. 134. (a) No later than November 1, 1999, or within 30 calendar days after the date of the enactment of this Act, whichever occurs later, and each succeeding year, the Superintendent of the District of Columbia Public Schools and the University of the District of Columbia shall submit to the appropriate congressional committees, the Mayor, the District of Columbia Council, the Consensus Commission, and the District of Columbia Financial Responsibility and Management Assistance Authority, a revised appropriated funds operating budget for the public school system and the University of the District of Columbia for such fiscal year that is in the total amount of the approved appropriation and that realigns budgeted data for personal services and other-than-personal services, respectively, with anticipated actual expenditures.

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

SEC. 135. The District of Columbia Financial Responsibility and Management Assistance Authority, acting on behalf of the District of Columbia Public Schools (DCPS) in formulating the DCPS budget, the Board of Trustees of the University of the District of Columbia, the Board of Library Trustees, and the Board of Governors of the University of the District of Columbia School of Law shall vote on and approve the respective annual or revised budgets for such entities before submission to the Mayor of the District of Columbia for inclusion in the Mayor's budget submission to the Council of the District of Columbia in accordance with section 442 of the District of Columbia Home Rule Act (Public Law 93–198; D.C. Code, sec. 47–301), or before submitting their respective budgets directly to the Council.

SEC. 136. (a) CEILING ON TOTAL OPERATING EXPENSES.—

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

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

(B) $5,515,379,000 (of which $152,753,000 shall be from intra-District funds and $3,113,854,000 shall be from local funds), which amount may be increased by the following:

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

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

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

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

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

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

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

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

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

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

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

SEC. 137. If a department or agency of the government of the District of Columbia is under the administration of a court-appointed receiver or other court-appointed official during fiscal year 2000 or any succeeding fiscal year, the receiver or official shall prepare and submit to the Mayor, for inclusion in the annual budget of the District of Columbia for the year, annual estimates of the expenditures and appropriations necessary for the maintenance and operation of the department or agency. All such estimates shall be forwarded by the Mayor to the Council, for its action pursuant to sections 446 and 603(c) of the District of Columbia Home Rule Act, without revision but subject to the Mayor's recommendations. Notwithstanding any provision of the District of Columbia Home Rule Act (87 Stat. 774; Public Law 93–198) the Council may comment or make recommendations concerning such annual estimates but shall have no authority under such Act to revise such estimates.

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

(1) classified as an Educational Service employee;

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

(3) subject to all Board of Education rules.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SEC. 148. (a) Section 202(i) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995 (Public Law 104–8), as added by section 155 of the District of Columbia Appropriations Act, 1999, is amended to read as follows:

''(j) RESERVE.—

''(1) IN GENERAL.—Beginning with fiscal year 2000, the plan or budget submitted pursuant to this Act shall contain $150,000,000 for a reserve to be established by the Mayor, Council of the District of Columbia, Chief Financial Officer for the District of Columbia, and the District of Columbia Financial Responsibility and Management Assistance Authority.

''(2) CONDITIONS ON USE.—The reserve funds—

''(A) shall only be expended according to criteria established by the Chief Financial Officer and approved by the Mayor, Council of the District of Columbia, and District of Columbia Financial Responsibility and Management Assistance Authority, but, in no case may any of the reserve funds be expended until any other surplus funds have been used;

''(B) shall not be used to fund the agencies of the District of Columbia government under court ordered receivership; and

''(C) shall not be used to fund shortfalls in the projected reductions budgeted in the budget proposed by the District of Columbia government for general supply schedule savings and management reform savings.

''(3) REPORT REQUIREMENT.—The Authority shall notify the Appropriations Committees of both the Senate and House of Representatives in writing 30 days in advance of any expenditure of the reserve funds.''.

(b) Section 202 of such Act (Public Law 104–8), as amended by subsection (a), is further amended by adding at the end the following:

''(k) POSITIVE FUND BALANCE.—

''(1) IN GENERAL.—The District of Columbia shall maintain at the end of a fiscal year an annual positive fund balance in the general fund of not less than 4 percent of the projected general fund expenditures for the following fiscal year.

''(2) EXCESS FUNDS.—Of funds remaining in excess of the amounts required by paragraph (1)—

''(A) not more than 50 percent may be used for authorized non-recurring expenses; and

''(B) not less than 50 percent shall be used to reduce the debt of the District of Columbia.''.

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

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

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

SEC. 151. (a) RESTRICTIONS ON LEASES.—Upon the expiration of the 60-day period that begins on the date of the enactment of this Act, none of the funds contained in this Act may be used to make rental payments under a lease for the use of real property by the District of Columbia government (including any independent agency of the District) unless the lease and an abstract of the lease have been filed (by the District of Columbia or any other party to the lease) with the central office of the Deputy Mayor for Economic Development, in an indexed registry available for public inspection.

(b) ADDITIONAL RESTRICTIONS ON CURRENT LEASES.—

(1) IN GENERAL.—Upon the expiration of the 60-day period that begins on the date of the enactment of this Act, in the case of a lease described in paragraph (3), none of the funds contained in this Act may be used to make rental payments under the lease unless the lease is included in periodic reports submitted by the Mayor and Council of the District of Columbia to the Committees on Appropriations of the House of Representatives and Senate describing for each such lease the following information:

(A) The location of the property involved, the name of the owners of record according to the land records of the District of Columbia, the name of the lessors according to the lease, the rate of payment under the lease, the period of time covered by the lease, and the conditions under which the lease may be terminated.

(B) The extent to which the property is or is not occupied by the District of Columbia government as of the end of the reporting period involved.

(C) If the property is not occupied and utilized by the District government as of the end of the reporting period involved, a plan for occupying and utilizing the property (including construction or renovation work) or a status statement regarding any efforts by the District to terminate or renegotiate the lease.

(2) TIMING OF REPORTS.—The reports described in paragraph (1) shall be submitted for each calendar quarter (beginning with the quarter ending December 31, 1999) not later than 20 days after the end of the quarter involved, plus an initial report submitted not later than 60 days after the date of the enactment of this Act, which shall provide information as of the date of the enactment of this Act.

(3) LEASES DESCRIBED.—A lease described in this paragraph is a lease in effect as of the date of the enactment of this Act for the use of real property by the District of Columbia government (including any independent agency of the District) which is not being occupied by the District government (including any independent agency of the District) as of such date or during the 60-day period which begins on the date of the enactment of this Act.

SEC. 152. (a) MANAGEMENT OF EXISTING DISTRICT GOVERNMENT PROPERTY.—Upon the expiration of the 60-day period that begins on the date of the enactment of this Act, none of the funds contained in this Act may be used to enter into a lease (or to make rental payments under such a lease) for the use of real property by the District of Columbia government (including any independent agency of the District) or to purchase real property for the use of the District of Columbia government (including any independent agency of the District) or to manage real property for the use of the District of Columbia (including any independent agency of the District) unless the following conditions are met:

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

(2) Notwithstanding any other provisions of law, there is made available for sale or lease all real property of the District of Columbia that the Mayor from time-to-time determines is surplus to the needs of the District of Columbia, unless a majority of the members of the Council override the Mayor's determination during the 30-day period which begins on the date the determination is published.

(3) The Mayor and Council implement a program for the periodic survey of all District property to determine if it is surplus to the needs of the District.

(4) The Mayor and Council within 60 days of the date of the enactment of this Act have filed with the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform and Oversight of the House of Representatives, and the Committee on Governmental Affairs of the Senate a report which provides a comprehensive plan for the management of District of Columbia real property assets, and are proceeding with the implementation of the plan.

(b) TERMINATION OF PROVISIONS.—If the District of Columbia enacts legislation to reform the practices and procedures governing the entering into of leases for the use of real property by the District of Columbia government and the disposition of surplus real property of the District government, the provisions of subsection (a) shall cease to be effective upon the effective date of the legislation.

SEC. 153. Section 603(e)(2)(B) of the Student Loan Marketing Association Reorganization Act of 1996 (Public Law 104–208; 110 Stat. 3009–293) is amended—

(1) by inserting ''and public charter'' after ''public''; and

(2) by adding at the end the following: ''Of such amounts and proceeds, $5,000,000 shall be set aside for use as a credit enhancement fund for public charter schools in the District of Columbia, with the administration of the fund (including the making of loans) to

be carried out by the Mayor through a committee consisting of three individuals appointed by the Mayor of the District of Columbia and two individuals appointed by the Public Charter School Board established under section 2214 of the District of Columbia School Reform Act of 1995.''.

SEC. 154. The Mayor, District of Columbia Financial Responsibility and Management Assistance Authority, and the Superintendent of Schools shall implement a process to dispose of excess public school real property within 90 days of the enactment of this Act.

SEC. 155. Section 2003 of the District of Columbia School Reform Act of 1995 (Public Law 104–134; D.C. Code, sec. 31–2851) is amended by striking ''during the period'' and ''and ending 5 years after such date.''.

SEC. 156. Section 2206(c) of the District of Columbia School Reform Act of 1995 (Public Law 104–134; D.C. Code, sec. 31–2853.16(c)) is amended by adding at the end the following: '', except that a preference in admission may be given to an applicant who is a sibling of a student already attending or selected for admission to the public charter school in which the applicant is seeking enrollment.''.

SEC. 157. (a) TRANSFER OF FUNDS.—There is hereby transferred from the District of Columbia Financial Responsibility and Management Assistance Authority (hereafter referred to as the ''Authority'') to the District of Columbia the sum of $18,000,000 for severance payments to individuals separated from employment during fiscal year 2000 (under such terms and conditions as the Mayor considers appropriate), expanded contracting authority of the Mayor, and the implementation of a system of managed competition among public and private providers of goods and services by and on behalf of the District of Columbia: *Provided*, That such funds shall be used only in accordance with a plan agreed to by the Council and the Mayor and approved by the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That the Authority and the Mayor shall coordinate the spending of funds for this program so that continuous progress is made. The Authority shall release said funds, on a quarterly basis, to reimburse such expenses, so long as the Authority certifies that the expenses reduce re-occurring future costs at an annual ratio of at least 2 to 1 relative to the funds provided, and that the program is in accordance with the best practices of municipal government.

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

SEC. 158. (a) IN GENERAL.—The District of Columbia Financial Responsibility and Management Assistance Authority (hereafter referred to as the ''Authority''), working with the Commonwealth of Virginia and the Director of the National Park Service, shall carry out a project to complete all design requirements and all requirements for compliance with the National Environmental Policy Act for the construction of expanded lane capacity for the Fourteenth Street Bridge.

(b) SOURCE OF FUNDS; TRANSFER.—For purposes of carrying out the project under subsection (a), there is hereby transferred to the Authority from the District of Columbia dedicated highway fund established pursuant to section 3(a) of the District of Columbia Emergency Highway Relief Act (Public Law 104–21; D.C. Code, sec. 7–134.2(a)) an amount not to exceed $5,000,000.

SEC. 159. (a) IN GENERAL.—The Mayor of the District of Columbia shall carry out through the Army Corps of Engineers, an Anacostia River environmental cleanup program.

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

SEC. 160. (a) PROHIBITING PAYMENT OF ADMINISTRATIVE COSTS FROM FUND.—Section 16(e) of the Victims of Violent Crime Compensation Act of 1996 (D.C. Code, sec. 3–435(e)) is amended—

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

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

(b) MAINTENANCE OF FUND IN TREASURY OF THE UNITED STATES.—

(1) IN GENERAL.—Section 16(a) of such Act (D.C. Code, sec. 3–435(a)) is amended by striking the second sentence and inserting the following: ''The Fund shall be maintained as a separate fund in the Treasury of the United States. All amounts deposited to the credit of the Fund are appropriated without fiscal year limitation to make payments as authorized under subsection (e).''.

(2) CONFORMING AMENDMENT.—Section 16 of such Act (D.C. Code, sec. 3–435) is amended by striking subsection (d).

(c) DEPOSIT OF OTHER FEES AND RECEIPTS INTO FUND.—Section 16(c) of such Act (D.C. Code, sec. 3–435(c)) is amended by inserting after ''1997,'' the second place it appears the following: ''any other fines, fees, penalties, or assessments that the Court determines necessary to carry out the purposes of the Fund,''.

(d) ANNUAL TRANSFER OF UNOBLIGATED BALANCES TO MISCELLANEOUS RECEIPTS OF TREASURY.—Section 16 of such Act (D.C. Code, sec. 3–435), as amended by subsection (b)(2), is further amended by inserting after subsection (c) the following new subsection:

''(d) Any unobligated balance existing in the Fund in excess of $250,000 as of the end of each fiscal year (beginning with fiscal year 2000) shall be transferred to miscellaneous receipts of the Treasury of the United States not later than 30 days after the end of the fiscal year.''.

(e) RATIFICATION OF PAYMENTS AND DEPOSITS.—Any payments made from or deposits made to the Crime Victims Compensation Fund on or after April 9, 1997 are hereby ratified, to the extent such payments and deposits are authorized under the Victims of Violent Crime Compensation Act of 1996 (D.C. Code, sec. 3–421 et seq.), as amended by this section.

SEC. 161. CERTIFICATION.—None of the funds contained in this Act may be used after the expiration of the 60-day period that begins on the date of the enactment of this Act to pay the salary of any chief financial officer of any office of the District of Columbia government (including any independent agency of the District) who has not filed a certification with the Mayor and the Chief Financial Officer of the District of Columbia that the officer understands the duties and restrictions applicable to the officer and their agency as a result of this Act.

SEC. 162. The proposed budget of the government of the District of Columbia for fiscal year 2001 that is submitted by the District to Congress shall specify potential adjustments that might become necessary in the event that the management savings achieved by the District during the year do not meet the level of management savings projected by the District under the proposed budget.

SEC. 163. In submitting any document showing the budget for an office of the District of Columbia government (including an independent agency of the District) that contains a category of activities labeled as ''other'', ''miscellaneous'', or a similar general, nondescriptive term, the document shall include a description of the types of activities covered in the category and a detailed breakdown of the amount allocated for each such activity.

SEC. 164. (a) AUTHORIZING CORPS OF ENGINEERS TO PERFORM REPAIRS AND IMPROVEMENTS.—In using the funds made available under this Act for carrying out improvements to the Southwest Waterfront in the District of Columbia (including upgrading marina dock pilings and paving and restoring walkways in the marina and fish market areas) for the portions of Federal property in the Southwest quadrant of the District of Columbia within Lots 847 and 848, a portion of Lot 846, and the unassessed Federal real property adjacent to Lot 848 in Square 473, any entity of the District of Columbia government (including the District of Columbia Financial Responsibility and Management Assistance Authority or its designee) may place orders for engineering and construction and related services with the Chief of Engineers of the United States Army Corps of Engineers. The Chief of Engineers may accept such orders on a reimbursable basis and may provide any part of such services by contract. In providing such services, the Chief of Engineers shall follow the Federal Acquisition Regulations and the implementing Department of Defense regulations.

(b) TIMING FOR AVAILABILITY OF FUNDS UNDER 1999 ACT.—

(1) IN GENERAL.—The District of Columbia Appropriations Act, 1999 (Public Law 105–277; 112 Stat. 2681–124) is amended in the item relating to ''FEDERAL FUNDS—FEDERAL PAYMENT FOR WATERFRONT IMPROVEMENTS''—

(A) by striking ''existing lessees'' the first place it appears and inserting ''existing lessees of the Marina''; and

(B) by striking ''the existing lessees'' the second place it appears and inserting ''such lessees''.

(2) EFFECTIVE DATE.—This subsection shall take effect as if included in the District of Columbia Appropriations Act, 1999.

(c) ADDITIONAL FUNDING FOR IMPROVEMENTS CARRIED OUT THROUGH CORPS OF ENGINEERS.—

(1) IN GENERAL.—There is hereby transferred from the District of Columbia Financial Responsibility and Management Assistance Authority to the Mayor the sum of $3,000,000 for carrying out the improvements described in subsection (a) through the Chief of Engineers of the United States Army Corps of Engineers.

(2) SOURCE OF FUNDS.—The funds transferred under paragraph (1) shall be derived from the escrow account held by the District of Columbia Financial Responsibility and Management Assistance Authority pursuant to section 134 of division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277; 112 Stat. 2681–552), for infrastructure needs of the District of Columbia.

(d) QUARTERLY REPORTS ON PROJECT.—The Mayor shall submit reports to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate on the status of the improvements described in subsection (a) for each calendar quarter occurring until the improvements are completed.

SEC. 165. It is the sense of the Congress that the District of Columbia should not impose or take into consideration any height, square footage, set-back, or other construction or zoning requirements in authorizing

the issuance of industrial revenue bonds for a project of the American National Red Cross at 2025 E Street Northwest, Washington, D.C., in as much as this project is subject to approval of the National Capital Planning Commission and the Commission of Fine Arts pursuant to section 11 of the joint resolution entitled ''Joint Resolution to grant authority for the erection of a permanent building for the American National Red Cross, District of Columbia Chapter, Washington, District of Columbia'', approved July 1, 1947 (Public Law 100–637; 36 U.S.C. 300108 note).

SEC. 166. (a) PERMITTING COURT SERVICES AND OFFENDER SUPERVISION AGENCY TO CARRY OUT SEX OFFENDER REGISTRATION.—Section 11233(c) of the National Capital Revitalization and Self-Government Improvement Act of 1997 (D.C. Code, sec. 24–1233(c)) is amended by adding at the end the following new paragraph:

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

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

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

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

SEC. 167. (a) None of the funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 802) or any tetrahydrocannabinols derivative.

(b) The Legalization of Marijuana for Medical Treatment Initiative of 1998, also known as Initiative 59, approved by the electors of the District of Columbia on November 3, 1998, shall not take effect.

SEC. 168. (a) IN GENERAL.—There is hereby transferred from the District of Columbia Financial Responsibility and Management Assistance Authority (hereinafter referred to as the ''Authority'') to the District of Columbia the sum of $5,000,000 for the Mayor, in consultation with the Council of the District of Columbia, to provide offsets against local taxes for a commercial revitalization program, such program to be available in enterprise zones and low and moderate income areas in the District of Columbia: *Provided*, That in carrying out such a program, the Mayor shall use Federal commercial revitalization proposals introduced in Congress as a guideline.

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

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Mayor shall report to the Committees on Appropriations of the Senate and House of Representatives on the progress made in carrying out the commercial revitalization program.

SEC. 169. Section 456 of the District of Columbia Home Rule Act (section 47–231 et seq. of the D.C. Code, as added by the Federal Payment Reauthorization Act of 1994 (Public Law 103–373)) is amended—

(1) in subsection (a)(1), by striking ''District of Columbia Financial Responsibility and Management Assistance Authority'' and inserting ''Mayor''; and

(2) in subsection (b)(1), by striking ''Authority'' and inserting ''Mayor''.

SEC. 170. (a) FINDINGS.—The Congress finds the following:

(1) The District of Columbia has recently witnessed a spate of senseless killings of innocent citizens caught in the crossfire of shootings. A Justice Department crime victimization survey found that while the city saw a decline in the homicide rate between 1996 and 1997, the rate was the highest among a dozen cities and more than double the second highest city.

(2) The District of Columbia has not made adequate funding available to fight drug abuse in recent years, and the city has not deployed its resources as effectively as possible. In fiscal year 1998, $20,900,000 was spent on publicly funded drug treatment in the District compared to $29,000,000 in fiscal year 1993. The District's Addiction and Prevention and Recovery Agency currently has only 2,200 treatment slots, a 50 percent drop from 1994, with more than 1,100 people on waiting lists.

(3) The District of Columbia has seen a rash of inmate escapes from halfway houses. According to Department of Corrections records, between October 21, 1998 and January 19, 1999, 376 of the 1,125 inmates assigned to halfway houses walked away. Nearly 280 of the 376 escapees were awaiting trial including two charged with murder.

(4) The District of Columbia public schools system faces serious challenges in correcting chronic problems, particularly long-standing deficiencies in providing special education services to the 1 in 10 District students needing program benefits, including backlogged assessments, and repeated failure to meet a compliance agreement on special education reached with the Department of Education.

(5) Deficiencies in the delivery of basic public services from cleaning streets to waiting time at Department of Motor Vehicles to a rat population estimated earlier this year to exceed the human population have generated considerable public frustration.

(6) Last year, the District of Columbia forfeited millions of dollars in Federal grants after Federal auditors determined that several agencies exceeded grant restrictions and in other instances, failed to spend funds before the grants expired.

(7) Findings of a 1999 report by the Annie E. Casey Foundation that measured the well-being of children reflected that, with one exception, the District ranked worst in the United States in every category from infant mortality to the rate of teenage births to statistics chronicling child poverty.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that in considering the District of Columbia's fiscal year 2001 budget, the Congress will take into consideration progress or lack of progress in addressing the following issues:

(1) Crime, including the homicide rate, implementation of community policing, the number of police officers on local beats, and the closing down of open-air drug markets.

(2) Access to drug abuse treatment, including the number of treatment slots, the number of people served, the number of people on waiting lists, and the effectiveness of treatment programs.

(3) Management of parolees and pretrial violent offenders, including the number of halfway house escapes and steps taken to improve monitoring and supervision of halfway house residents to reduce the number of escapes.

(4) Education, including access to special education services and student achievement.

(5) Improvement in basic city services, including rat control and abatement.

(6) Application for and management of Federal grants.

(7) Indicators of child well-being.

SEC. 171. The Mayor, prior to using Federal Medicaid payments to Disproportionate Share Hospitals to serve a small number of childless adults, should consider the recommendations of the Health Care Development Commission that has been appointed by the Council of the District of Columbia to review this program, and consult and report to Congress on the use of these funds.

SEC. 172. GAO STUDY OF DISTRICT OF COLUMBIA CRIMINAL JUSTICE SYSTEM.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a study of the law enforcement, court, prison, probation, parole, and other components of the criminal justice system of the District of Columbia, in order to identify the components most in need of additional resources, including financial, personnel, and management resources; and

(2) submit to Congress a report on the results of the study under paragraph (1).

SEC. 173. Nothing in this Act bars the District of Columbia Corporation Counsel from reviewing or commenting on briefs in private lawsuits, or from consulting with officials of the District government regarding such lawsuits.

SEC. 174. WIRELESS COMMUNICATIONS.—(a) IN GENERAL.—Not later than 7 days after the date of the enactment of this Act, the Secretary of the Interior, acting through the Director of the National Park Service, shall—

(1) implement the notice of decision approved by the National Capital Regional Director, dated April 7, 1999, including the provisions of the notice of decision concerning the issuance of right-of-way permits at market rates; and

(2) expend such sums as are necessary to carry out paragraph (1).

(b) ANTENNA APPLICATIONS.—

(1) IN GENERAL.—Not later than 120 days after the receipt of an application, a Federal agency that receives an application submitted after the enactment of this Act to locate a wireless communications antenna on Federal property in the District of Columbia or surrounding area over which the Federal agency exercises control shall take final action on the application, including action on the issuance of right-of-way permits at market rates.

(2) EXISTING LAW.—Nothing in this subsection shall be construed to affect the applicability of existing laws regarding—

(A) judicial review under chapter 7 of title 5, United States Code (the Administrative Procedure Act), and the Communications Act of 1934;

(B) the National Environmental Policy Act, the National Historic Preservation Act and other applicable Federal statutes; and

(C) the authority of a State or local government or instrumentality thereof, including the District of Columbia, in the placement, construction, and modification of personal wireless service facilities.

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

TITLE II—TAX REDUCTION

SEC. 201. COMMENDING REDUCTION OF TAXES BY DISTRICT OF COLUMBIA.—The Congress commends the District of Columbia for its action to reduce taxes, and ratifies D.C. Act 13–110 (commonly known as the Service Improvement and Fiscal Year 2000 Budget Support Act of 1999).

SEC. 202. RULE OF CONSTRUCTION.—Nothing in this title may be construed to limit the ability of the Council of the District of Columbia to amend or repeal any provision of law described in this title.

The SPEAKER pro tempore. Pursuant to House Resolution 354, the gentleman from Oklahoma (Mr. ISTOOK) and the gentleman from Virginia (Mr. MORAN), each will control 30 minutes.

The Chair recognizes the gentleman from Oklahoma (Mr. ISTOOK).

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

This, of course, is the appropriations bill for the District of Columbia, as has been mentioned. I want to express my appreciation for the efforts of working with the gentleman from Virginia (Mr. MORAN), the ranking member, with the Members of the appropriations staff and certainly with the delegate from the District of Columbia, the mayor of the District and the members of the council, as well as many other people who have been involved in this.

We received on Monday a letter from the President's office, from his Director of the Office of Management and Budget, saying that the contents of the District of Columbia appropriations bill, as it was included as a portion of the bill received by the President last week, that the contents of that portion of the bill, all the things relating to the District of Columbia, were acceptable to the President, and the President would sign it if it were presented to him as a separate bill.

Of course, we know that it was presented as part of a package. This bill before us, however, is a separate bill. It has the identical language which the President advised us Monday would be acceptable to the White House with only one variation.

□ 1715

The only variation is in the section that has to do with injection of illegal drugs by needle. The bill that passed last week and that the President said was acceptable to him stated that no public funds, neither from the Federal Government, nor from the District of Columbia, no funds could be used on a program of providing free needles to drug addicts.

The only difference between that and this is this bill also has the additional phrase that says you also do not provide those funds to an entity that operates such a program of providing needles to drug addicts. Even though that is different from the bill that we had last week, and that is the only difference, it is identical to the bill that was signed into law by the President last year.

So the only change, and the gentleman from Virginia (Mr. MORAN) earlier referred to it as a minuscule change, the only change is to continue the restriction under which the District and the Federal Government already operates that says you cannot operate a program of giving needles to drug addicts to inject themselves with illegal drugs and still qualify to receive government funds. That is it.

Now, I should point out that the other things in this bill remain constant. This is what I think is important to the District of Columbia, because, see, we are trying to assist the District in its crackdown on drugs. We do not want a mixed message. We do not want people on one hand saying we are cracking down on drugs and then on the other, wink, wink, we are helping people to run a program that gives needles to drug addicts to shoot themselves up.

No, we have in this bill a total of $33.5 million, money the Congress is under no obligation to provide, but money that we think is important to attack the link between crime and drugs in the District of Columbia, $20 million for drug testing, drug treatment, drug crackdown, because the District has a pervasive problem with the link between crime and drugs; and we want to crack down on it and break that link.

We also have the provisions in this bill for the $17 million college assistance program for students in the District. We have $5 million of incentives to adopt foster children, to get thousands of kids in D.C. that are stuck in foster homes and have been for years adopted into safe, permanent, stable, loving homes.

We have the provisions in this bill for the cleanup, several million dollars for the cleanup of the Anacostia River, payment to assist the infrastructure build-out of the Children's National Medical Center.

We have provisions in this bill to assist the new mayor in one of his major initiatives of right-sizing the government in the District, $18 million to assist them in reducing the size of the number of employees they have, reducing the number of employees doing contract buyouts and so forth.

There is a lot of stuff in here that has great value to help the District of Columbia recover. Unfortunately, there are some people that say all that matters to them is giving away free needles to drug addicts, and nothing else matters; all we are trying to do on that issue is preserve the status quo.

Now, the gentleman from Virginia (Mr. MORAN), if he wishes, may offer an amendment to this bill through his motion to recommit. He has that leeway. If there is some adjustment that he considers minuscule that he wants to make, he has the ability to offer it.

But we believe, Mr. Speaker, that we have important measures in here for the future, the vitality, the growth, the public safety, the value and strength of the schools and education, the infrastructure, things that are important to people who live and work and solicit here in the District of Columbia.

I would certainly hope that, if some people want to take an extreme position toward giving away needles to drug addicts, they would vote their conscience, but not use that as an excuse to vote against such an important measure to help with the improvement of the District of Columbia.

The provision in this bill is identical to the provision signed into law by the President last year. Every other provision in the bill is identical to what the President advised us he wants to sign into law regarding the District of Columbia.

I think we have a common sense approach here. If people wish the debate to center around the question of giving needles to drug addicts, then they should openly say so. But there is certainly no other excuse for anyone to vote against this bill unless they want to take that extreme position.

Mr. Speaker, I include the following for the RECORD:

H.R. 3194 - DISTRICT OF COLUMBIA APPROPRIATIONS BILL, 2000

(Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	H.R. 2587	H.R. 3064	H.R. 3194	H.R. 3194 vs. enacted
FEDERAL FUNDS						
District of Columbia Resident Tuition Support			17,000	17,000	17,000	+17,000
Incentives for Adoption of Foster Children			5,000	5,000	5,000	+5,000
Citizens Complaint Review Board			500	500	500	+500
Federal Payment for Human Services			250	250	250	+250
Metrorail improvements and expansion	25,000					-25,000
Federal payment for management reform	25,000					-25,000
Federal payment for Boys Town U.S.A	7,100					-7,100
Nation's Capital Infrastructure Fund	18,778					-18,778
Environmental Study and Related Activities at Lorton Correctional Complex	7,000					-7,000
Federal payment to the District of Columbia corrections trustee operations	184,800	176,000	176,000	176,000	176,000	-8,800
Federal payment to the District of Columbia Courts	128,000	137,440	99,714	99,714	99,714	-28,286
Defender Services in D.C. Courts			33,336	33,336	33,336	+33,336
Federal payment to the Court Services and Offender Supervision Agency of the District of Columbia	59,400	80,300	93,800	93,800	93,800	+34,400
Federal payment for Metropolitan Police Department	1,200		1,000	1,000	1,000	-200
Federal payment for Fire Department	3,240					-3,240
Federal payment for Georgetown Waterfront	1,000					-1,000
Federal payment to Historical Society for City Museum	2,000					-2,000
Federal payment for a National Museum of American Music and Downtown Revitalization	700					-700
United States Park Police	8,500					-8,500
Federal payment for waterfront improvements	3,000					-3,000
Federal payment for mentoring services	200					-200
Federal payment for hotline services	50					-50
Federal payment for public charter schools	15,622					-15,622
Medicare Coordinated Care Demonstration Project	3,000					-3,000
Federal payment for Children's National Medical Center	1,000		2,500	2,500	2,500	+1,500
National Revitalization Financing:						
Economic Development	25,000					-25,000
Special Education	30,000					-30,000
Year 2000 Information Technology	20,000					-20,000
Infrastructure and Economic Development	50,000					-50,000
Y2K conversion emergency funding (courts)	2,249					-2,249
Y2K conversion (emergency funding)	61,800					-61,800
Total, Federal funds to the District of Columbia	683,639	393,740	429,100	429,100	429,100	-254,539
DISTRICT OF COLUMBIA FUNDS						
Operating Expenses						
Governmental direction and support	(164,144)	(174,667)	(167,356)	(167,356)	(167,356)	(+3,212)
Economic development and regulation	(159,039)	(190,335)	(190,335)	(190,335)	(190,335)	(+31,296)
Public safety and justice	(755,786)	(778,670)	(778,770)	(778,770)	(778,770)	(+22,984)
Public education system	(788,956)	(850,411)	(867,411)	(867,411)	(867,411)	(+78,455)
Human support services	(1,514,751)	(1,525,996)	(1,526,361)	(1,526,361)	(1,526,361)	(+11,610)
Public works	(266,912)	(271,395)	(271,395)	(271,395)	(271,395)	(+4,483)
Receivership Programs	(318,979)	(337,077)	(342,077)	(342,077)	(342,077)	(+23,098)
Workforce Investments		(8,500)	(8,500)	(8,500)	(8,500)	(+8,500)
Buyouts and Management Reforms			(18,000)	(18,000)	(18,000)	(+18,000)
Reserve		(150,000)	(150,000)	(150,000)	(150,000)	(+150,000)
District of Columbia Financial Responsibility and Management Assistance Authority	(7,840)	(3,140)	(3,140)	(3,140)	(3,140)	(-4,700)
Financing and other		(384,948)				
Washington Convention Center Transfer Payment	(5,400)					(-5,400)
Repayment of Loans and Interest	(382,170)		(328,417)	(328,417)	(328,417)	(-53,753)
Repayment of General Fund Recovery Debt	(38,453)		(38,286)	(38,286)	(38,236)	(-167)
Payment of Interest on Short-Term Borrowing	(11,000)		(9,000)	(9,000)	(9,000)	(-2,000)
Certificates of Participation	(7,926)		(7,950)	(7,950)	(7,950)	(+24)
Human development	(6,674)					(-6,674)
Optical and Dental Insurance payments			(1,295)	(1,295)	(1,295)	(+1,295)
Productivity Bank			(18,000)	(18,000)	(18,000)	(+18,000)
Productivity Savings			(-18,000)	(-18,000)	(-18,000)	(-18,000)
Procurement and Management Savings	(-10,000)	(-21,457)	(-21,457)	(-21,457)	(-21,457)	(-11,457)
Total, operating expenses, general fund	(4,418,030)	(4,653,682)	(4,686,836)	(4,686,836)	(4,686,836)	(+268,806)
Enterprise Funds						
Water and Sewer Authority and the Washington Aqueduct	(273,314)	(279,608)	(279,608)	(279,608)	(279,608)	(+6,294)
Lottery and Charitable Games Control Board	(225,200)	(234,400)	(234,400)	(234,400)	(234,400)	(+9,200)
Office of Cable Television	(2,108)					(-2,108)
Public Service Commission	(5,026)					(-5,026)
Office of People's Counsel	(2,501)					(-2,501)
Office of Insurance and Securities Regulation	(7,001)					(-7,001)
Office of Banking and Financial Institutions	(640)					(-640)
Sports and Entertainment Commission	(8,751)	(10,846)	(10,846)	(10,846)	(10,846)	(+2,095)
Public Benefit Corporation	(66,764)	(89,008)	(89,008)	(89,008)	(89,008)	(+22,244)
D.C. Retirement Board	(18,202)	(9,892)	(9,892)	(9,892)	(9,892)	(-8,310)

H.R. 3194 - DISTRICT OF COLUMBIA APPROPRIATIONS BILL, 2000 — continued

(Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	H.R. 2587	H.R. 3064	H.R. 3194	H.R. 3194 vs. enacted
Correctional Industries Fund	(3,332)	(1,810)	(1,810)	(1,810)	(1,810)	(-1,522)
Washington Convention Center	(48,139)	(50,226)	(50,226)	(50,226)	(50,226)	(+2,087)
Total, Enterprise Funds	(660,978)	(675,790)	(675,790)	(675,790)	(675,790)	(+14,812)
Total, operating expenses	(5,079,008)	(5,329,472)	(5,362,626)	(5,362,626)	(5,362,626)	(+283,618)
Capital Outlay						
General fund	(1,711,161)	(1,218,638)	(1,218,638)	(1,218,638)	(1,218,638)	(-492,523)
Water and Sewer Fund	.....	(197,169)	(197,169)	(197,169)	(197,169)	(+197,169)
Total, Capital Outlay	(1,711,161)	(1,415,807)	(1,415,807)	(1,415,807)	(1,415,807)	(-295,354)
Total, District of Columbia funds	(6,790,169)	(6,745,279)	(6,778,433)	(6,778,433)	(6,778,433)	(-11,736)
Total:						
Federal Funds to the District of Columbia	683,639	393,740	429,100	429,100	429,100	-254,539
District of Columbia funds	(6,790,169)	(6,745,279)	(6,778,433)	(6,778,433)	(6,778,433)	(-11,736)

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

Mr. MORAN of Virginia. Mr. Speaker, I yield 3 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentleman from Virginia for yielding me this time and for his endless and excellent work in trying to get the D.C. appropriations through.

I want to assure my colleagues what yet another D.C. bill on the floor is all about. One has got to have followed the machinations of the majority. This is about a bill number to hang other appropriations on. There are a number of appropriations that this appropriation becomes the vehicle for. It is going to be used in the Senate to hang the other appropriations on.

Above all, my colleagues know that this appropriation is not about needles. I have to come to the floor to concede that I lost that one. I wanted to use local funds for needle exchange, as is done in almost 115 jurisdictions. But each and every bill, including the one before us now, has said no local or Federal funds may be used for needle exchange. I have lost that one. It is a tragedy for the District of Columbia. But I have to concede that I lost that one before, and I have lost that one now.

This bill says no local or Federal funds may be used for needle exchange. I apologize that this is the fifth time that my colleagues have had to come to the floor to vote on the smallest appropriation, when it has the least to do with them and with the Nation.

But I believe that I deserve the apology. I believe that the people I represent deserve the apology because of the money at issue here. It is not the small change that the gentleman from Oklahoma (Mr. ISTOOK) just spoke about. Most of the money in this bill does not come from him or from the taxpayers of the Nation. It comes from the taxpayers of the District of Columbia.

This is cruel and unusual manipulation. We are here for one reason and one reason only. The majority needs another Christmas tree to hang other appropriations on. Watch what happens in the Senate. That is what the D.C. bill will be used for when it goes back over swiftly to the Senate before the last one even has been vetoed.

Stop holding the D.C. appropriation hostage to get other appropriations through. Let my people go.

Mr. ISTOOK. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas (Mr. TIAHRT), a member of the Subcommittee on the District of Columbia.

Mr. TIAHRT. Mr. Speaker, I thank the gentleman from Oklahoma, the subcommittee chairman, for yielding me this time.

This is a good bill, and I think it ought to be passed. The D.C. appropriations bill is the budget that was passed by the District city council. It was signed by the mayor. It truly fulfills the requirement of home rule when it comes to the financial part of it.

The only roadblock that seems to be in the way is the needle exchange program. But I think we should do the compassionate thing when it comes to the needle exchange program. Current law says that, if one receives any Federal or any government dollars, one cannot conduct a needle exchange program; and that is what we are retaining in this bill.

This bill is actually what we have in current law today, signed by the President last year. But if one goes to other countries or other cities in the country that have a needle exchange program, just as close as Baltimore, which has had a needle exchange program for the last 7 years, we found out in a July 5 article, Associated Press article this summer, that 90 percent, according to Johns Hopkins University, 90 percent of injection drug users are infected with a blood borne virus.

Now, the whole purpose of having the needle exchange program is to prevent people from getting a blood borne virus. Yet, in Baltimore, after 7 years of trying to achieve this goal, 90 percent have a blood borne virus. It is a failure. It is a failed program. Ten percent should not be a passing grade in Baltimore. It should not be a passing grade in the District of Columbia.

So we should do the compassionate thing. Is it compassionate to aid an injection drug user in an action that will cut years off the end of his life? No. It is a tragedy. Is it compassionate to help an injection drug user to conduct actions that 90 percent of the time will result in a blood borne virus and put him in an early grave? No. It is a tragedy.

We should not allow a needle exchange program to become coffin nails, to drive nails into a coffin for people with an early grave because they have a drug-dependent personality. We should help them by getting them to a treatment center, by not aiding their actions, but helping them end those actions. That is what this bill does.

It is consistent with the President's own drug czar. His policy states that he does not support the injection drug using or needle exchange programs for injection drug users because it sends the wrong message, and it is ineffective, and there is no sound science supporting it.

So either one supports the President's drug czar and votes for this bill, or else one may as well call for his resignation because that is what is his policy. That is what is supporting this bill. I think it is a good bill and ought to be voted.

Mr. MORAN of Virginia. Mr. Speaker, let me suggest to the gentleman from Oklahoma (Mr. ISTOOK) that he may want to have his other speakers. We have restricted the number of speakers on our side out of deference for the rest of the Congress' schedule. So if he wants to have his speakers first, I will just speak when they are concluded, and he can wrap it up.

Mr. ISTOOK. Mr. Speaker, I think that is perfectly acceptable. I appreciate the courtesy of the gentleman from Virginia (Mr. MORAN).

Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. DAVIS).

Mr. DAVIS of Virginia. Mr. Speaker, I thank the gentleman from Oklahoma for yielding me this time. Shakespeare said in Henry V: ''Once more into the breach.'' The first D.C. budget was vetoed by the President on September 28. The second D.C. budget was passed by the House on October 14. This resolution today is our third attempt to enact a budget for the Nation's capital. The city, and I emphasize this is a city we are talking about, not an agency or department of the Federal Government, is still operating under a continuing resolution. This is not acceptable.

The Nation's capital is caught in the middle, and many urban needs here are being adversely affected. It is my sincere hope that the flexible approach taken by the House will encourage the administration to sign this budget. This may be the city's last clear chance to get resources and reform it needs.

While much progress has been made in the District, there are still enormous problems which must be addressed. A substantial number of functions remain in receivership, including foster care and offender supervision. The enhanced resources for foster care in this budget, to take just one example, are desperately needed by many children. The annual reports submitted by the Control Board to Congress just this week highlights the crisis we are facing with many of the city's receiverships.

Our local courts are funded in this budget. They too very much need the added resources this bill provides.

The House passed this week the legislation I sponsored and the gentlewoman from the District of Columbia (Ms. NORTON) sponsored to enhance college access opportunities for D.C. students. That money to fund that program is in this budget.

There is additional money in this budget for public education. There are 146 public schools in this city and now 29 charter schools. The money to help the children in those schools is in this budget.

This budget contains the largest tax cut in the city's history, which is central to our goal of retaining and attracting economic development to the Nation's capital.

There is money in this budget to clean up the Anacostia River, open more drug treatment programs, and study widening of the 14th Street Bridge.

What the city needs is a stronger tax base and more taxpayers. This bill takes us another step in that direction.

In the 5 years I have had the honor to serve as Chairman of the Subcommittee on the District of Columbia, it has been my philosophy that one

cannot have a healthy region without a healthy city. Working in a bipartisan manner, building consensus, I am proud of the way we have helped to turn this city around. I want the House appropriators to help us continue this process.

Whatever the ultimate resolution is of the city's budget, it is important to keep the process going in order to achieve a positive result. I am very hopeful we can do this and keep this city from waiting for the funds they need.

Mr. ISTOOK. Mr. Speaker, I yield 4 minutes to the gentleman from Florida (Mr. MICA), who has been very active and consistent as a leader against the drug problems of the country.

Mr. MICA. Mr. Speaker, I thank the gentleman from Oklahoma for yielding me this time.

The District of Columbia is probably a microcosm of what the Republican majority inherited some 4-plus years ago. We had big government and very high cost to the taxpayers. In fact, the District of Columbia, in my opinion, was the epitome of big government gone bad.

In 1995, the new Republican majority inherited a District of Columbia which should have been a shining example for the whole country; but, instead, we inherited a district, which is our responsibility under the Constitution, riddled with debt, three-quarters of a billion dollars annual debt, schools that were failing, hospitals that were a disaster one would not take a patient to, child care programs that were defunct, housing that was disgraceful, public housing that one would not put one's worst enemy in, prisons that were taken over by the prisoners, utilities that had to be turned over to operate.

□ 1730

And one of the saddest stories I read from the Washington Post was that mentally ill children, and the other side claims to be so compassionate about children, were fed jello and rice and chicken diets steady for a month because the District failed to pay its bills. That is what we inherited. That was the liberal policy. A liberal policy on spending, a liberal policy on government, and all done with the highest number of workers of any government unit probably except for the former Soviet Union, 48,000 employees. We cut that down to some 30,000-plus employees.

Now, this question today before us is not about spending, because there is some control we have brought and we have gotten them out of the wilderness of debt. This is about a criminal drug policy. Now, I chair the Subcommittee on Criminal Justice, Drug Policy and Human Resources of the Committee on Government Reform. This is what a liberal drug policy did for Baltimore. This is 1996. They had 39,000 drug addicts after a liberalized needle exchange and liberalized program in that city; 312 deaths in 1997; 312 deaths in 1998.

We were even able to bring down the deaths in the District of Columbia through a zero tolerance policy, through new administration that we have instituted in the District and through taking over these programs with fewer workers and fewer employees.

The situation was so bad in Baltimore that one out of 10 citizens was a drug addict. That is how bad it was with the liberal drug policy. So the major difference here is a liberal approach to drug policy. Needle exchange is, again, a more liberal policy.

Here is an example, again in Baltimore, 39,000 in 1996. Let me read from a Time magazine article dated September 6, 1999: ''Government officials dispute that it is one in ten,'' that is a drug addict in Baltimore from a liberal policy, ''it is more like one in eight.'' This is not my quote, ''says a veteran city councilwoman, Rikki Spector, and we have probably lost count.''

So the question before us today is do we let our people go? And I consider these my people, too. Do we let them go to a liberal policy, do we let them go into the devastation that we have seen in another community that has adopted these policies? I say no.

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

This is such a shame. We have a good bill here. The District of Columbia is on its feet. They have got good leadership; responsible leadership. They have a budget that everybody agreed to, that has tax cuts in it, and generates a surplus. We provided what money we had under our discretion in a way that met their priorities.

This bill should have been signed long before the fiscal year began. And, in fact, the gentleman from Oklahoma may recall that the bill that we got out of the House Committee on Appropriations was agreed to unanimously, I think. And then we got to the House floor and it passed overwhelmingly with the support of the delegate from the District of Columbia, with the support of the ranking member, myself, and with the support of the leadership of both parties. The bill should have been enacted by now.

But then we get into conference and we get into mischief. We get into social riders, ''gotcha'' types of legislation. So we used D.C. for political purposes. So the bill was vetoed. That is why the bill was vetoed, because it was used as a political vehicle instead of an appropriations bill.

Then we get it back, and what happens but that the Senate made changes that made the bill itself acceptable, but then they added the Labor, Health and Human Services appropriations bill to it, plus an across-the-board spending cut. Again, the poor little D.C. bill gets crushed under these controversial measures. That was not right; it was not fair.

Now we have the bill before us that we should all agree on, it has been pulled back from the across-the-board cut and the Labor-HHS bill, but we have gone back and reinserted language that the House Committee on Appropriations, in a bipartisan fashion, rejected. We have reinserted language that was rejected on the House floor, that was rejected by the Senate conferees. The Senate conferees took this language out, and we are going to put it back?

Now, maybe we are playing gamesmanship here again. Well, send it back to the Senate and the Senate will take it out again. But if that is what we are doing, it is wrong. There is no good reason to be doing it.

Let me try to explain what this particular issue is all about and why the White House and others feel strongly. Number one, it is an issue of home rule. That is the underlying issue before us. The gentleman from Kansas put this rider in. The gentleman from Kansas must be very well aware that Topeka, Kansas, has exactly the very same program that the District of Columbia wants to have. Kansas gets Federal funds, State funds, and uses its local funds for this needle exchange program. The gentleman has never attempted to deny Kansas its right to make that decision.

Why does Kansas do it? Not because they want to increase the drug abuse, obviously; not because they want to make it easier to engage in destructive acts. They do it because they need access to drug addicts so that they can cure them. And that is what this program is all about, it is gaining access to people in need.

That is why the Whitman-Walker Clinic did it. They decided to do it after the American Medical Association endorsed it, after the American Pharmaceutical Association, the American Academy of Pediatrics, the American Nurses Association, the American Public Health Association, the Council of State and Territorial Health Officers, the U.S. Conference of Mayors, the National Association of County and City Health Officials endorsed it; and I could go down a long, long list. They have all looked at this program, and they have decided that we have a very serious problem across the country and this may be working.

Why did Whitman-Walker particularly do it? Because D.C. has the worst problem, 75 percent of the babies born with HIV. How horrible a thing for a baby to be born with the HIV infection, infected as a result of the use of dirty needles. Three out of four of these babies have no chance, born because of dirty needles. They are trying to stop that. The District of Columbia has the worst AIDS epidemic. Deaths attributed to AIDS in D.C. is more than seven times the national average. Let me repeat that. Deaths attributed to AIDS in the District of Columbia is more than seven times the national average. AIDS is the leading cause of death for city residents between the ages of 30 and 44. A serious problem.

I do not know the best way to address the problem, but I sure know that it is a serious problem that we ought to care about. And what this program does, we are told by experts who are working in the field, is that it gives them an opportunity to identify people who are addicted and get them into drug treatment and counseling. And now we come along with this amendment that says that if this clinic offers these needles, which needles cost nothing, with private funds it would cost pennies to provide the program itself; but if Whitman-Walker even engages in this, we will not let them, according to the letter of the gentleman from Kansas (Mr. TIAHRT) to Mrs. Rivlin, we will not let Whitman-Walker, which is the principal organization in the city, a private nonprofit organization that addresses the AIDS epidemic, we will not let them get any Federal or District funds for any of their other programs; for their Ryan White money, for their NIH research grants; for their CDC grants. We will not let them get any of the local D.C. money if they participate in this program.

We heard from the representative from Baltimore saying it works. It is working in Baltimore, even though they have a horrible situation. The statistics are terrible, but they were worse before they started the program. This program in the District of Columbia has reduced the incidence of transmission by 29 percent. Unbelievable progress. And here we come and say, no, we know better; cut it out.

But the reason we are opposing it so strongly goes beyond this substantive issue itself. The reason we are opposing this so strongly is that we would not do this to Kansas. We would not do this to Topeka, Kansas. We would not do this to any city in Oklahoma. I would not allow the gentleman to do it to Virginia. We do not do this to any city across the country, even though 113 State and local organizations have this very same program. One hundred thirteen of them.

We have never attempted to tell any of those cities or counties or States that we represent how to run their business, but we would do it to the District of Columbia; and we would hold hostage $429 million. We are talking here three millionths of the Federal budget, .000003 percent of the Federal budget, $429 million, which means nothing. It gets rounded in the Federal budget, yet it is critical to the District of Columbia. How could we hold that up, deny that money?

We insist on imposing our attitudes, our cultural conservatism, our ideas, that we would not impose on people we directly represent; yet we impose them on the District of Columbia. That is what is so wrong. We should not be doing it. We passed legislation through the leadership of the Subcommittee on District of Columbia of the Committee on Government Reform, chaired by the gentleman from Virginia (Mr. DAVIS), that said in the future D.C. is treated like any other community. They get their Federal grants and loans. We do not treat them like we would some kind of plantation that we were overseers over.

D.C. has a right to be independent. D.C. has a right to rule itself. And that is what this issue is all about. If they decide that private, nonpublic money should be able to be used for a purpose that they think is necessary, then, gosh darn it, we ought to let them make at least that decision. To not allow them to make that decision is wrong, and that is why we oppose this bill.

Ms. NORTON. Mr. Speaker, will the gentleman yield?

Mr. MORAN of Virginia. I yield to the gentlewoman from the District of Columbia.

Ms. NORTON. Mr. Speaker, I want to thank the gentleman for explaining fully what is at issue here.

I want to leave this body with a very important fact that could be overlooked. This bill says that no public funds of any kind may be used for needle exchange. Please understand. This bill says that no Federal funds and no local funds may be used for needle exchange, making the District of Columbia the only jurisdiction in the United States that may not use its own local money for needle exchange.

□ 1745

It is important to understand, therefore, that we are voting no differently from what this body has voted five times previously. When we say no public funds, we mean no public funds. I regret that. But it is important to understand what we are voting on.

Mr. MORAN of Virginia. Mr. Speaker, I thank the gentlewoman for explaining that. That should be the closing comment, really.

I offered an amendment in the House Committee on Appropriations that said no Federal or local funds can be used for needle exchange, and the Republicans and the Democrats on the House Committee on Appropriations agreed. We got it to the House floor, and the House on the floor agreed. We went to conference with the Senate, and the Senate agreed in the last conference. No public funds, leave that language as it is.

Then, at least, we will show a modicum of respect to the citizens of the District. We will get this bill passed. We will let them use their own money, which they desperately need, over $4 billion of their own local property tax money which we are holding up. We will give them the $429 million of grants from the Federal Government. We will treat them like any other community that we represent directly that can vote for us. The President will sign it right away. And then we will have acted responsibly, at least with regard to the District of Columbia appropriations bill. But until we do, we have to urge this body to vote no.

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

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

Mr. Speaker, as we close the debate on this bill, I can imagine that some people might have been confused listening to the gentleman from Virginia (Mr. MORAN). For example, they might have thought that somehow this amendment came out of the blue or that this amendment permits funding from public treasuries for needle exchange programs. No, the amendment is what says public funding cannot happen.

The amendment was not inserted in the conference committee. It was not inserted in the committee at all. It was voted on on the floor of this House July 29. The identical language of which the gentleman from Virginia (Mr. MORAN) now complains was approved by this House of Representatives in a freestanding vote, no other issues, on July 29 by 241–187. And 40 Democrats, Members of the own party of the gentleman, were among the 241 Members of this House who voted for it.

The language is identical to what was signed into law last year by the President of the United States. It is identical to what the District of Columbia operates with today. It says they cannot operate a needle exchange program and still receive District of Columbia money or Federal Government money, nor can they use District of Columbia money or Federal Government money to operate a so-called needle exchange program where they give needles to drug addicts so they can shoot themselves up.

They perpetuate their habit. They help them. They enable them. They give them drug paraphernalia. We have got laws on the books against drug paraphernalia. We are just saying they should not be encouraging that.

Is there a needle exchange program in the District of Columbia? Yes, there is one. Does it operate with any funds that come from the Government? No. Does it operate with an entity that receives Government money? No. It is a purely private operation.

The gentleman says needles cost nothing. Well, that particular program operates on a budget of somewhere in the general neighborhood of $300,000 a year. Now, I admit that is not millions and millions or billions of dollars. But it is not nothing, either.

When we talk about protecting babies, I do not want to see more babies born addicted to heroin because somebody was helping their mother to continue shooting up while she was carrying that child. I do not want more people robbed, I do not want more people killed because somebody was stealing to protect their drug habit. They may have gotten a free needle, but they still had to buy the dope and they were still involved in it.

If we want to get them off, let us get them off. Let us not give them the means to destroy themselves and to destroy other people, as well.

Now, Mr. Speaker, I heard it contended that somehow this bill was being held hostage. My goodness, just asking to continue the language that the President approved last year and that this House has adopted in a separate vote is not holding anything hostage. We are only here because the President vetoed the original bill. He vetoed that September 28.

Why did he veto it? He gave seven reasons in his veto message.

One, he wanted to permit public money to be spent on this needle program. Two, he wanted to permit the District of Columbia to legalize marijuana, supposedly for medicine, but under extremely loose standards that, frankly, were a joke. It was not medical marijuana. But he wanted to permit it. Three, he wanted to allow higher pay for the District of Columbia Council members. Four, he wanted higher legal fees for attorneys that were suing the schools of the District of Columbia. Five, he wanted taxpayers' money to be spent to finance a lawsuit trying to make the District of Columbia a State. Six, he wanted to overturn a rider that has been on the bill for, I think, about 9 years now and that he has approved a number of times before saying we do not treat people who are living together the same as a married couple. And last, he did not want to accept a provision that has been a part of this bill for over 20 years, limiting public funding of abortion so it does not apply in cases other than rape or incest or the life of the mother being involved.

That is what the President said his veto was about. Every one of those were things that have been a part of this bill before. They were things that the President had signed into law before, with the exception of the District of Columbia Council members' salaries.

Now we have made a couple of adjustments in the salary provision, in the legal fee provision, and made clear that the City's attorneys can keep them advised of lawsuits. But it is the President that picked these social issues. He picked the fight over old issues that have been decided in this Congress before.

He vetoed the bill. He made us come back multiple times with this bill. We have not punished the District. We have not come back and said, my goodness, if these things mean so little to them, we are not going to help their kids go to college, we are not going to help with cleaning up the Anacostia River.

We have not punished the District. We have a special constitutional responsibility. Article 1, section 8 says this Congress is responsible for the laws of the District of Columbia. We recognize that it is the Nation's capital, it is not just another city.

Now, I was sorry to hear, Mr. Speaker, the delegate from the District of Columbia demean the efforts that we have undertaken to honor and respect and assist the District of Columbia by saying that things in the bill were ''small change.''

We did not touch the budget that the District wanted. We have applauded them. With the help of this Congress, they have achieved a balanced budget in the District of Columbia. We want to keep it that way. They have passed and we have approved the most significant tax cut that they have ever had, a bipartisan effort by the local government here in the District of Columbia. We have endorsed that. And we have done things we were not obligated to do.

The $17 million to help kids in the District go to college, I do not consider that small change. The efforts to help them with charter schools so they have choices and are not trapped in a dead-end school, I do not consider that small change. The environmental clean-up, millions of dollars to clean up the fouled Anacostia River, I do not consider that small change. The Nation's largest drug testing and drug treatment program to break the link between crime and drugs, $34 million, I do not consider that small change. The $5 million in incentives to help kids be adopted into stable, safe, loving homes instead of being shuttled around in foster homes, I do not consider that small change.

There are many things in this bill I do not consider small change and I do not think the residents will consider them, either, Mr. Speaker, the people who see it brings them lower taxes, better schools, more efficient government, a better environment, less crime, and less drugs, a city government that is more responsive. I do not think it is small change. I think it is important.

I am sorry that some people think that what is more important is giving away needles to drug addicts. They can have all the private programs that they want to. They just should not try to mix those up with taxpayers' money.

Mr. Speaker, I urge adoption of this bill. I thank the many people that have worked so valiantly and especially the cooperation that I have received working with local officials here in the District.

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

The SPEAKER pro tempore (Mr. PEASE). All time for debate has expired.

Pursuant to House Resolution 354, the bill is considered read for amendment and the previous question is ordered on the bill, as amended, pursuant to that resolution.

The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 216, nays 210, not voting 8, as follows:

[Roll No. 562]

YEAS—216

Aderholt
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chabot
Chambliss
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wise
Wolf
Young (AK)
Young (FL)

NAYS—210

Abercrombie
Ackerman
Allen
Andrews
Archer
Baird
Baldacci
Baldwin
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Capps
Capuano
Cardin
Carson
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Duncan
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes

Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Price (NC)
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schaffer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tancredo
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Woolsey
Wu
Wynn

NOT VOTING—8

Bereuter
Hulshof
Kilpatrick
Maloney (NY)
Murtha
Rahall
Scarborough
Weldon (PA)

□ 1819

Mr. PASCRELL and Mr. BERMAN changed their vote from ''yea'' to ''nay.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, due to official business in the 15th Congressional District of Michigan, I was unable to record my votes for rollcall nos. 559, 560, 561, and 562 considered today. Had I been present, I would have voted ''aye'' on rollcall No. 559, an amendment offered by Mr. MARK UDALL to H.R. 2389, the County Schools Funding Revitalization Act, ''no'' on rollcall No. 560, final passage of H.R. 2389, ''no'' on rollcall No. 561, H.Res. 353, providing for consideration of motions to suspend the rules, and ''no'' on rollcall No. 562, H.R. 3194, District of Columbia Appropriations Act for FY 2000.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Sherman Williams, one of his secretaries.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 872

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 872. My name was added by mistake instead of that of my colleague, the gentleman from Florida (Mr. HASTINGS).

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1300

Mr. WEINER. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 1300.

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

There was no objection.

ANNOUNCEMENT REGARDING BILLS TO BE CONSIDERED UNDER SUSPENSION OF THE RULES ON TOMORROW

Mr. ARMEY. Mr. Speaker, pursuant to House Resolution 353, I rise to announce the following suspensions to be considered tomorrow:

H. Con. Res. 214; and

H.R. 1693.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2891

Mr. MORAN of Virginia. Mr. Speaker, I ask unanimous consent to withdraw my name as a cosponsor of H.R. 2891.

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

There was no objection.

AGREEMENT FOR COOPERATION BETWEEN THE UNITED STATES AND AUSTRALIA CONCERNING TECHNOLOGY FOR SEPARATION OF ISOTOPES OF URANIUM BY LASER EXCITATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations:

To the Congress of the United States:

I am pleased to transmit to the Congress, pursuant to sections 123 b. and 123 d. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(b), (d)), the text of a proposed Agreement for Cooperation Between the United States of America and Australia Concerning Technology for the Separation of Isotopes of Uranium by Laser Excitation, with accompanying annexes and agreed minute. I am also pleased to transmit my written approval, authorization, and determination concerning the Agreement, and an unclassified Nuclear Proliferation Assessment Statement (NPAS) concerning the Agreement. (In accordance with section 123 of the Act, as amended by title XII of the Foreign Affairs Reform and Restructuring Act of 1998 (Public Law 105–277), a classified annex to the NPAS, prepared by the Secretary of State in consultation with the Director of Central Intelligence, summarizing relevant classified information, will be submitted to the Congress separately.) The joint memorandum submitted to me by the Secretary of State and the Secretary of Energy, which includes a summary of the provisions of the Agreement and the views of the Nuclear Regulatory Commission, is also enclosed.

A U.S. company and an Australian company have entered into a contract jointly to develop and evaluate the commercial potential of a particular uranium enrichment process (known as the ''SILEX'' process) invented by the Australian company. If the commercial viability of the process is demonstrated, the U.S. company may adopt it to enrich uranium for sale to U.S. and foreign utilities for use as reactor fuel.

Research on and development of the new enrichment process may require transfer from the United States to Australia of technology controlled by the United States as sensitive nuclear technology or Restricted Data. Australia exercises similar controls on the transfer of such technology outside Australia. There is currently in force an Agreement Between the United States of America and Australia Concerning Peaceful Uses of Nuclear Energy, signed at Canberra July 5, 1979 (the ''1979 Agreement''). However, the 1979 Agreement does not permit transfers of sensitive nuclear technology and Restricted Data between the parties unless specifically provided for by an amendment or by a separate agreement.

Accordingly, the United States and Australia have negotiated, as a complement to the 1979 Agreement, a specialized agreement for peaceful nuclear cooperation to provide the necessary legal basis for transfers of the relevant technology between the two countries for peaceful purposes.

The proposed Agreement provides for cooperation between the parties and authorized persons within their respective jurisdictions in research on and development of the SILEX process (the particular process for the separation of isotopes of uranium by laser excitation). The Agreement permits the transfer for peaceful purposes from Australia to the United States and from the United States to Australia, subject to the nonproliferation conditions and controls set forth in the

Agreement of Restricted Data, sensitive nuclear technology, sensitive nuclear facilities, and major critical components of such facilities, to the extent that these relate to the SILEX technology.

The nonproliferation conditions and controls required by the Agreement are the standard conditions and controls required by section 123 of the Atomic Energy Act, as amended by the Nuclear Non-Proliferation Act of 1978 (NNPA), for all new U.S. agreements for peaceful nuclear cooperation. These include safeguards, a guarantee of no explosive or military use, a guarantee of adequate physical protection, and rights to approve re-transfers, enrichment, reprocessing, other alterations in form or content, and storage. The Agreement contains additional detailed provisions for the protection of sensitive nuclear technology, Restricted Data, sensitive nuclear facilities, and major critical components of such facilities transferred pursuant to it.

Material, facilities, and technology subject to the Agreement may not be used to produce highly enriched uranium without further agreement of the parties.

The Agreement also provides that cooperation under it within the territory of Australia will be limited to research on and development of SILEX technology, and will not be for the purpose of constructing a uranium enrichment facility in Australia unless provided for by an amendment to the Agreement. The United States would treat any such amendment as a new agreement pursuant to section 123 of the Atomic Energy Act, including the requirement for congressional review.

Australia is in the forefront of nations supporting international efforts to prevent the spread of nuclear weapons to additional countries. It is a party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and has an agreement with the International Atomic Energy Agency (IAEA) for the application of full-scope safeguards to its nuclear program. It subscribes to the Nuclear Supplier Group (NSG) Guidelines, which set forth standards for the responsible export of nuclear commodities for peaceful use, and to the Zangger (NPT Exporters) Committee Guidelines, which oblige members to require the application of IAEA safeguards on nuclear exports to nonnuclear weapon states. In addition, Australia is a party to the Convention on the Physical Protection of Nuclear Material, whereby it has agreed to apply international standards of physical protection to the storage and transport of nuclear material under its jurisdiction or control.

The proposed Agreement with Australia has been negotiated in accordance with the Atomic Energy Act of 1954, as amended, and other applicable law. In my judgment, it meets all statutory requirements and will advance the nonproliferation, foreign policy, and commercial interests of the United States.

A consideration in interagency deliberations on the Agreement was the potential consequences of the Agreement for U.S. military needs. If SILEX technology is successfully developed and becomes operational, then all material produced by and through this technology would be precluded from use in the U.S. nuclear weapons and naval nuclear propulsion programs. Furthermore, all other military uses of this material, such as tritium production and material testing, would also not be possible because of the assurances given to the Government of Australia. Yet, to ensure the enduring ability of the United States to meet its common defense and security needs, the United States must maintain its military nuclear capabilities. Recognizing this requirement and the restrictions being placed on the SILEX technology, the Department of Energy will monitor closely the development of SILEX but ensure that alternative uranium enrichment technologies are available to meet the requirements for national security.

I have considered the views and recommendations of the interested agencies in reviewing the proposed Agreement and have determined that its performance will promote, and will not constitute an unreasonable risk to, the common defense and security. Accordingly, I have approved the Agreement and authorized its execution and urge that the Congress give it favorable consideration.

Because this Agreement meets all applicable requirements of the Atomic Energy Act, as amended, for agreements for peaceful nuclear cooperation, I am transmitting it to the Congress without exempting it from any requirement contained in section 123 a. of that Act. This transmission shall constitute a submittal for purposes of both sections 123 b. and 123 d. of the Atomic Energy Act. My Administration is prepared to begin immediately the consultations with the Senate Foreign Relations Committee and House International Relations Committee as provided in section 123 b. Upon completion of the 30-day continuous session period provided for in section 123 b., the 60-day continuous session period provided for in section 123 d. shall commence.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *November 3, 1999.*

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2000—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 106–154)

The Speaker pro tempore laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I am returning herewith without my approval H.R. 3064, the FY 2000 District of Columbia and Departments of Labor, Health and Human Services, and Education, and Related Agencies appropriations bill.

I am vetoing H.R. 3064 because the bill, including the offsets section, is deeply flawed. It includes a misguided 0.97 percent across-the-board reduction that will hurt everything from national defense to education and environmental programs. The legislation also contains crippling cuts in key education, labor, and health priorities and undermines our capacity to manage these programs effectively. The enrolled bill delays the availability of $10.9 billion for the National Institutes of Health, the Centers for Disease Control, and other important health and social services programs, resulting in delays in important medical research and health services to low-income Americans. The bill is clearly unacceptable. I have submitted a budget that would fund these priorities without spending the Social Security surplus, and I am committed to working with the Congress to identify acceptable offsets for additional spending for programs that are important to all Americans.

The bill also fails to fulfill the bipartisan commitment to raise student achievement by authorizing and financing class size reduction. It does not guarantee any continued funding for the 29,000 teachers hired with FY 1999 funds, or the additional 8,000 teachers to be hired under my FY 2000 proposal. Moreover, the bill language turns the program into a virtual block grant that could be spent on vouchers and other unspecified activities. In addition, the bill fails to fund my proposed investments in teacher quality by not funding Troops to Teachers ($18 million) and by cutting $35 million from my request for Teacher Quality Enhancement Grants. These programs would bring more highly qualified teachers into the schools, especially in high-poverty, high-need school districts.

The bill cuts $189 million from my request for Title I Education for the Disadvantaged, resulting in 300,000 fewer children in low-income communities receiving needed services. The bill also fails to improve accountability or help States turn around the lowest-performing schools because it does not include my proposal to set aside 2.5 percent for these purposes. Additionally, the bill provides only $300 million for 21st Century Community Learning Centers, only half my $600 million request. At this level, the conference report would deny afterschool services to more than 400,000 students.

The bill provides only $180 million for GEAR UP, $60 million below my request, to help disadvantaged students prepare for college beginning in the seventh grade. This level would serve nearly 131,000 fewer low-income students. In addition, the bill does not adequately fund my Hispanic Education Agenda. It provides no funds for the Adult Education English as a Second Language/Civics Initiative to help

limited English proficient adults learn English and gain life skills necessary for successful citizenship and civic participation. The bill underfunds programs designed to improve educational outcomes for Hispanic and other minority students, including Bilingual Education, the High School Equivalency Program (HEP), the College Assistance Migrant Program (CAMP), and the Strengthening Historically Black Colleges and Universities program.

The bill underfunds Education Technology programs, including distance learning and community technology centers. In particular, the bill provides only $10 million to community based technology centers, $55 million below my request. My request would provide access to technology in 300 additional low-income communities. The bill provides $75 million for education research, $34 million less than my request, and includes no funding for the Department of Education's share of large-scale joint research with the National Science Foundation and the National Institutes of Health on early learning in reading and mathematics, teacher preparation, and technology applications.

The bill does not fund the $53 million I requested to provide job finding assistance to 241,000 unemployment insurance claimants. This means that these claimants will remain unemployed longer, costing more in benefit payments. The bill also provides only $140 million of my $199 million request to expand service to job seekers at One-Stop centers as recently authorized in the bipartisan Workforce Investment Act. The bill funds $120 million of the $149 million requested for efforts to improve access to One-Stops as well as continued support for electronic labor exchange and labor market information. It funds only $20 million of the $50 million requested for work incentive grants to help integrate employment services for persons with disabilities into the mainstream One-Stop system.

The bill also does not provide funding for Right Track Partnerships (RTP). I requested $75 million for this new competitive grant program. Designed to help address youth violence, RTP would become part of the multi-agency Safe Schools/Healthy Students initiative, expanding it to include a focus on out-of-school youth.

The bill provides $33 million less than my request for labor law enforcement agencies, denying or reducing initiatives to ensure workplace safety, address domestic child labor abuses, encourage equal pay, implement new health law, and promote family leave. In particular, the bill provides an inadequate level of funding for the Occupational Safety and Health Administration, cutting it by $18 million, or 5 percent below my request.

The bill also fails to provide adequate funding for the Bureau of International Labor Affairs (ILAB). The bill funds ILAB at $50 million, $26 million below my request. The bill would prevent ILAB from carrying out my proposal to work through the International Labor Organization to help developing countries establish core labor standards, an essential step towards leveling the playing field for American workers.

The bill's funding level for the Bureau of Labor Statistics is $11 million less than my request. The enrolled bill denies three important increases that would: (1) improve the Producer Price Index, which measures wholesale prices; (2) improve measures of labor productivity in the service sector; and, (3) improve the Employment Cost Index, used to help set wage levels and guide anti-inflation policy. It also denies funding for a study of racial discrimination in labor markets.

The bill denies my request for $10 million to fund AgNet, even though the Senate included report language that supports AgNet in concept. AgNet, an Internet-based labor exchange, would facilitate the recruitment of agricultural workers by growers and the movement of agricultural workers to areas with employment needs.

The bill would cut the Social Services Block Grant (SSBG) by $209 million below FY 1999 and $680 million below my request. The SSBG serves some of the most vulnerable families, providing child protection and child welfare services for millions of children. In addition, the failure to provide the Senate's level of $2 billion in advance appropriations for the Child Care and Development Block Grant would mean 220,000 fewer children receiving child care assistance in FY 2001. The bill also fails to fund my National Family Caregiver Support program, which would provide urgently needed assistance in FY 2001. The bill also fails to fund my National Family Caregiver Support program, which would provide urgently needed assistance to 250,000 families caring for older relatives.

By funding the Title X Family Planning program at last year's level, family planning clinics would be unable to extend comprehensive reproductive health care services to an additional 500,000 clients who are neither Medicaid-eligible nor insured. The bill also fails to fund the Health Care Access for the Uninsured Initiative, which would enable the development of integrated systems of care and address service gaps within these systems.

The bill fails to fully fund several of the Centers for Disease Control and Prevention's (CDC) critical public health programs, including:

Childhood immunizations (−$44 million), so that approximately 300,000 children may not receive the full complement of recommended childhood vaccinations;

Infectious diseases (−$36 million), which will impair CDC's ability to investigate outbreaks of diseases such as the West Nile virus in New York;

Domestic HIV prevention (−$4 million);

Race and health demonstrations (−$5 million), which will impair better understanding of how to reduce racial disparities in health; and,

Health statistics (−$10 million) for key data collection activities such as the National Health and Nutrition Examination Survey and health information on racial and ethnic population groups.

The Congress has failed to fund any of the $59 million increase I requested for the Mental Health Block Grant, which would diminish States' capacity to serve the mentally ill.

In addition, the Congress has underfunded my request for the Substance Abuse Block Grant by $30 million, and has underfunded other substance abuse treatment grants by a total of $45 million. These reductions would widen the treatment gap in FY 2000 and jeopardize the Federal Government's ability to meet the National Drug Control Strategy performance target to reduce the drug treatment gap by 50 percent by FY 2007.

The bill provides only half of the $40 million requested for graduate education at Children's Hospitals, which play an essential role in educating the Nation's physicians, training 25 percent of pediatricians and over half of many pediatric subspecialists.

The bill underfunds the Congressional Black Caucus' AIDS Initiative in the Public Health and Social Services Emergency Fund by $15 million, thereby reducing current efforts to prevent the spread of HIV. By not fully funding this program, the scope of HIV/AIDS prevention, education, and outreach activities available to slow the spread of HIV/AIDS in minority communities will be more limited.

The bill fails to fund Health Care Financing Administration (HCFA) program management adequately. These reductions would severely impede HCFA's ability to ensure the quality of nursing home care through the Nursing Home Initiative. The bill does not adequately fund the request for Medicare+Choice user fees. This decrease would force HCFA to scale back the National Medicare Education Campaign. The Congress has not passed the proposed user fees totaling $194.5 million that could free up resources under the discretionary caps for education and other priorities.

The bill includes a provision that would prevent funds from being used to administer the Medicare+Choice Competitive Pricing Demonstration Project in Kansas and Arizona. These demonstrations which are supported by MEDPAC and other independent health policy experts, were passed by the Congress as part of the Balanced Budget Act in order to provide valuable information regarding the use of competitive pricing methodologies in Medicare. The information that we could learn from these demonstrations is particularly relevant as we consider the important task of reforming Medicare.

The bill contains a highly objectionable provision that would delay the implementation of HHS' final Organ Procurement and Transplantation rule for

90 days. This rule, which was strongly validated by an Institute of Medicine report, provides a more equitable system of treatment for over 63,000 Americans waiting for an organ transplant; its implementation would likely prevent the deaths of hundreds of Americans. Since almost 5,000 people die each year waiting for an organ transplant, we must be allowed to move forward on this issue and implement the rule without further delay.

The bill does not provide any of the $9.5 million I requested for HHS' Office of the General Counsel and Departmental Appeals Board to handle legal advice, regulations review, and litigation support, and to conduct hearings and issue decisions on nursing home enforcement cases as part of my Nursing Home Initiative. This would increase the backlog of nursing home appeals and impair Federal oversight of nursing home quality and safety standards. A reduction in funds for enforcement is inconsistent with the concerns that the GAO and the Congress have raised about this issue.

The bill cuts funds to counter bioterrorism. It funds less than half my request for CDC's stockpile, limiting the amount of vaccines, antibiotics, and other medical supplies that can be stockpiled to deploy in the event of a chemical or biological attack. In addition, the bill does not include $13.4 million for critical FDA expedited regulatory review/approval of pharmaceuticals to combat chemical and biological agent weapons.

The bill provides full funding of $350 million in FY 2002 for the Corporation for Public Broadcasting. However, the bill provides only $10 million of the $20 million requested for the digital transition initiative in FY 2000. This funding is required to help the public broadcasting system meet the Federal deadline to establish digital broadcasting capability by May 1, 2003.

The enrolled bill delays the availability of $10.9 billion of funding until September 29, 2000. While modest levels of delayed obligations could potentially be sustained without hurting the affected programs, the levels in the enrolled bill are excessive, resulting in delays in NIH research grants, delays in CDC immunizations for children, and delays in the delivery of health services to low income Americans through community health centers and rural health clinics.

The bill also seriously underfunds critical Departmental management activities in the Departments of Labor and Education and the Social Security Administration (SSA). For Education, these reductions would hamstring efforts to replace the Department's accounting system and undermine the new Performance-Based Organization's plans to streamline and modernize student aid computer systems. Reductions to the Department of Labor (DOL) would undercut the agency's ability to comply with the requirements of the Clanger-Cohen and Computer Security Acts, adjudicate contested claims in several of its benefits programs, and examine and update the 1996 study on Family and Medical Leave policies. For SSA, the reductions would result in significantly longer waiting times for disability applicants and millions of individuals who visit SSA field offices.

In adopting an across-the-board reduction, the Congress has abdicated its responsibility to make tough choices. Governing is about making choices and selecting priorities that will serve the national interest. By choosing an across-the-board cut, the Congress has failed to meet that responsibility.

This across-the-board cut would result in indiscriminate reductions in important areas such as education, the environment, and law enforcement. In addition, this cut would have an adverse impact on certain national security programs. The indiscriminate nature of the cut would require a reduction of over $700 million for military personnel, which would require the military services to make cuts in recruiting and lose up to 48,000 military personnel.

In adopting this cost-saving technique, the Congress is asserting that it will not have to dip into the Social Security surplus. However, this cut does not eliminate the need to dip into the Social Security surplus.

For these reasons, this across-the-board cut is not acceptable.

In addition to the specific program cuts and the 0.97 percent across-the-board reduction, the bill contains a $121 million reduction in salaries and expenses for the agencies funded by this bill, exacerbating the problems caused by the bill's underfunding of critical Departmental management activities. If, for example, the $121 million reduction were allocated proportionately across all agencies funded in the Labor/HHS/Education bill, HHS would have to absorb an approximately $55 million reduction to its salaries and expenses accounts, Labor would be cut by about $14 million, Education by about $5 million, and SSA by some $45 million. This would dramatically affect the delivery of essential human services and education programs and the protection of employees in the workplace.

With respect to the District of Columbia component of the bill, I am pleased that the majority and minority in the Congress were able to come together to pass a version of the District of Columbia Appropriations Bill that I would sign if presented to me separately and as it is currently constructed. While I continue to object to remaining riders, some of the highly objectionable provisions that would have intruded upon local citizens' right to make decisions about local matters have been modified from previous versions of the bill. That is a fair compromise. We will continue to strenuously urge the Congress to keep such riders off of the FY 2001 D.C. Appropriations Bill.

I commend the Congress for providing the Federal funds I requested for the District of Columbia. The bill includes essential funding for District Courts and Corrections and the D.C. Offender Supervision Agency and provides requested funds for a new tuition assistance program for District of Columbia residents. The bill also includes funding to promote the adoption of children in the District's foster care system, to support the Children's National Medical Center, to assist the Metropolitan Police Department in eliminating open-air drug trafficking in the District, and for drug testing and treatment, among other programs. However, I continue to object to remaining riders that violate the principles of home rule.

I look forward to working with the Congress to craft an appropriations bill that I can support, and to passage of one that will facilitate our shared objectives.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *November 3, 1999.*

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal, and the message and bill will be printed as a House document.

Mr. ISTOOK. Mr. Speaker, I ask unanimous consent that the message of the President and the bill be referred to the Committee on Appropriations.

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

There was no objection.

□ 1845

REPORT ON RESOLUTION WAIVING REQUIREMENTS OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO THE SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE COMMITTEE ON RULES

Mr. DIAZ-BALART, from the Committee on Rules, submitted a privileged report (Rept. No. 106–442) on the resolution (H. Res. 356) waiving requirements of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

WHEN ONE READS THE PRESIDENT'S SUBMITTAL ON STRENGTHENING SOCIAL SECURITY, THE NUMBERS DO NOT ADD UP

(Mr. OSE asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include therein extraneous material.)

Mr. OSE. Mr. Speaker, I rise again today to highlight the President's submittal to the House on strengthening Social Security, the Medicare Act of 1999.

I will caution again all the Members here, and those who are not, that they need to read this plan because this plan, in fact, does request and require a 2½ percent reduction in discretionary outlays.

This is not Republicans; this is the President of the United States who is suggesting this.

Now I would just like to remind everyone that we are having a dickens of a time negotiating a 1 percent reduction in discretionary outlays, and the President is suggesting that his plan to save Social Security is based on a 2½ percent reduction in discretionary outlays.

I urge Members to read this plan. The numbers do not add up. The numbers do not add up, Mr. Speaker. Please read the plan.

ROLL-CALL VOTES ON THE PASSAGE OF THE ORIGINAL 1935 SOCIAL SECURITY ACT

CONGRESSIONAL RESEARCH SERVICE—LIBRARY OF CONGRESS

In response to numerous requests for information on the Senate and House roll-call votes on the original 1935 Social Security Act (H.R. 7260/P.L. 74–271), we have compiled this packet. The Social Security Act was signed into law by President Franklin D. Roosevelt on August 14, 1935. The following roll-call votes were taken on the measure:

House—April 19, 1935: *Yeas: 372* (288 Democrat; 77 Republican; 7 Independent); *Nays: 33* (13 Democrat; 18 Republican; 2 Independent); *Answering Present: 2* (2 Republican); *Not Voting: 25* (18 Democrat; 6 Republican; 1 Independent).

Senate—June 19, 1935: *Yeas: 77* (60 Democrat; 15 Republican; 2 Independent); *Nays: 6* (1 Democrat; 5 Republican); *Not Voting: 12* (8 Democrat; 4 Republican).

In 1935, there were only 48 states, since Alaska and Hawaii were not admitted to the Union until 1958 and 1959, respectively. So, the Senate had 96 seats in 1935, according to Stephen G. Christianson's *Facts About the Congress* [New York, H.W. Wilson, 1996], 339). Also, ''[t]he current House size of 435 Members . . . was established in 1911,'' according to CRS Report 95–971, *House of Representatives: Setting the Size at 435*, by David C. Huckabee. Thus, 95 of the eligible 96 Senators and 432 of the eligible 435 Representatives participated in the bill's roll-call votes. The roll-call vote charts following this page, which are organized by chamber, are arranged alphabetically by last names, then, where necessary, by first names. Party and state information is provided for all Members, and district information is also given for each Representative.

The original House and Senate roll-call votes can be found on p. 6069–70 and p. 9650, respectively, in the 1935 edition of the CONGRESSIONAL RECORD. Copies of bound volumes of the RECORD may be available for use at the nearest federal depository library. Addresses of the closest depository libraries can often be obtained: through a local library; from the office of Depository Services of the U.S. Government Printing Office, (202) 512–1119; or at the following Internet address: [http://www.access.gpo.gov/su_docs/dpos/adpos003.html].

Information Research Division.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. FLETCHER). Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

ADDITIONAL ALL-CARGO SERVICE TO CHINA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. LIPINSKI) is recognized for 5 minutes.

Mr. LIPINSKI. Mr. Speaker, in April of this year the United States and the People's Republic of China signed a new civil aviation agreement. In addition to doubling the number of scheduled flights between the two countries, the agreement allows one additional carrier from each country to serve the U.S.-China market beginning in the year 2001.

Currently, three U.S. and three Chinese carriers have the authority to serve the U.S.-China market. The Department of Transportation will soon grant an additional U.S. carrier the right to fly directly to China.

China is the largest market in the world, as we all know, and holds great trading potential for the United States.

All-cargo carriers that provide time-sensitive express service play an important role in promoting trade opportunities for U.S. companies large and small. Express all-cargo carriers are able to connect every business and residence in the United States every day to China. Unfortunately, of the three U.S. carriers allowed to fly directly to China, Federal Express is the only all-cargo carrier serving the market. For this reason, United Parcel Service is now applying to the Department of Transportation for the right to fly directly to China.

United Parcel Service has served the nations of Asia since 1988 and already operates an extensive ground network in China. By applying for the right to fly directly to China, United Parcel Service hopes to expand its Chinese service by using United Parcel Service jet aircraft. United Parcel Service would also provide needed competition in the all-cargo express market.

As the only all-cargo U.S. carrier, Federal Express now enjoys a monopoly advantage in the Chinese market. Allowing another all-cargo carrier like United Parcel Service into the vast China market would provide U.S. consumers and exporters with increased access in competitive service.

More importantly, United Parcel Service would help meet the growing demand for air cargo service. Even with Federal Express in the market, roughly 60 percent of the cargo that is transported between the United States and China is carried on third-country carriers. In other words, foreign carriers benefit the most from the growing trade between the United States and China. This just is not right.

However, if United Parcel Service is allowed to fly directly to China, then a U.S. carrier would be able to benefit from the growing demand for cargo service between the United States and China.

This would, in turn, benefit the U.S. economy and U.S. workers. In fact, a recent study found that for every 40 additional international packages delivered by United Parcel Service each day, a new job is created at United Parcel.

Let me run that by once again. A recent study found that for every 40 additional international packages delivered by United Parcel Service each day, a new American job is created at United Parcel Service.

In summary, Mr. Speaker, I would like to strongly urge the Department of Transportation to grant United Parcel Service the right to serve China. Awarding that right to United Parcel Service will bring competition to the marketplace, provide much needed service in the air cargo market, and provide substantial economic benefits to the United States and its citizens.

INVESTIGATING WACO

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE) is recognized for 5 minutes.

Mrs. CHENOWETH-HAGE. Mr. Speaker, as we continue in this body with the day-to-day debate over next year's budget, I would like to take a moment to help refocus our attention on an issue that demands the attention and the action of Congress, an issue that is not necessarily pleasant to deal with but one that we must deal with, and that is the role of the Federal law enforcement and the military in the Waco tragedy.

Mr. Speaker, I would like to share with my colleagues an article written by George Nourse, who is a sheriff of Canyon County in my State of Idaho. This article is about the outstanding and relentless work of the Texas Rangers in seeking justice in the Waco tragedy and is appropriately entitled, quote, ''Spin is Not an Investigation,'' end quote.

Mr. Speaker, I will read only a portion of this article and would submit the remainder of the article to be included in the RECORD.

It is imperative that we investigate what went wrong in Waco and that we consider the view of those who know how to do it right, the many dedicated and honest law enforcement officials throughout this great country. In commenting on how Washington works when it comes to investigations, Sheriff Nourse, in his article, profoundly states, quote, ''Washington does not investigate. It spins. The spin in Waco was to demonize the people who were killed. The Feds killed more people at Waco than all the school violence and wacko shootings added together over the last 6 years. Seventeen of the 24 Waco children were under the age of 10. Think about it.''

He wrote, ''The terror! The pain and confusion those young children went

through before they died. However, the media bought Washington's spin, plain and simple,'' end quote.

Sheriff Nourse contrasts the Federal spin with the real investigation by the Texas Rangers in pointing out the following: He said, ''The investigation by the Texas Rangers is not spin. A dozen spent rifle cartridges preferred by sharpshooters, as well as the FBI and ATF, were found in a house near the Davidians' compound that was occupied by Federal agents during that stand-off. Both agencies denied firing a single round during that stand-off that followed the initial attack.''

Mr. Speaker, Sheriff Nourse also asked the puzzling question that every single county sheriff must grapple with. He wrote, ''The question that really bothers me is how did the Federal Government take over such an operation? And why the total absence of local law enforcement on the scene? And what was the local sheriff doing while all of this was going on?''

Sheriff Nourse continued, ''I have never been told this part of the story and it deeply worries me. I know what my position would be here in Canyon County and I am more than a little concerned as to what that might lead to.''

Finally, Mr. Speaker, Sheriff Nourse, who has himself participated in numerous law enforcement activities, makes an observation that dumbfounds us all. States Nourse, ''Think about it. Law enforcement officers shooting fully automatic weapons at a building knowing there are 24 small children inside. That is not law enforcement,'' the sheriff writes. ''It is an act of war at its worst.''

Mr. Speaker, I again urge my colleagues to join me in seeking hearings on this tragic epic in American history. We must get to the bottom of why the Federal Government waived the Posse Comitatus Act and involved the military in this domestic law enforcement action. This is a decision that could only have been made at the very top levels of government and we must find out who exactly made that decision at that top level.

Outstanding Americans such as Sheriff Nourse are demanding answers to these questions. We must join him. Let us not make this same tragic mistake, as Federal law enforcement, by spinning instead of conducting real bona fide investigations.

THE SHINING STAR: SPIN IS NOT AN INVESTIGATION!

(By Sheriff George Nourse)

Janet Reno's Whacky War on Waco is back in the news. And Washington D.C. is gearing up to give it a second coat of whitewash.

Democrat Henry Waxman is leading the defense, saying the Republicans just overlooked the evidence that the F.B.I. shot incendiary devices into the Davidians' compound. It was not a cover-up? This, of course, conflicts with Janet Reno's statement that the F.B.I. assured her no incendiary devices were used.

Washington doesn't investigate. It spins! The spin in Waco was to demonize the people who were killed. (Demonizing people was the tactic used to justify the killing of innocent people as witches in our early history.) The feds killed more people at Waco than all the school violence and wacko shootings added together over the last six years. Seventeen of the 24 Waco children were under the age of ten. Think about it! The terror! The screaming and confusion those people went through before they died. Compare how the national news media beat us over the head with all the lurid details of Columbine, and the absence of such details at Waco. The media bought Washington's spin, plain and simple.

My hat is off to the chief of the Texas Rangers. After 6 years the truth about the Waco War may come out. But don't bet on it; the Washington spin machine is hard at work.

The investigation by the Texas Rangers is not spin! A dozen spent rifle cartridges preferred by sharpshooters, as well as the F.B.I. and A.T.F., were found in a house near the Davidians' compound that was occupied by federal agents during the stand-off. Both agencies denied firing a single round during the stand-off that followed the initial attack.

The reason I call it the ''Waco War'' is because the mentality used by the A.T.F. and F.B.I. was identical to the mentality used in fighting a war. They certainly were not there to solve a social problem in the sense local law enforcement applies. The question that really bothers me is, How did the federal government take over such an operation? And, Why the total absence of local law enforcement on the scene? What was the local sheriff doing while all of this was going on?

I have never been told this part of the story, and it deeply worries me. I know what my position would be here in Canyon County. And I'm more than a little concerned as to what that might lead to.

Think about it! Law enforcement officers shooting fully automatic weapons at a building, knowing there are 24 small children inside. This is not law enforcement! It is an act of war at its worst.

Reflect on what happened in the local law enforcement agency involved with Rodney King: officers caught on video hitting King with night sticks. King was high on P.C.P., and led officers on a high-speed chase that threatened the lives of anyone in his path. King wasn't killed. In fact, he wasn't even hospitalized.

Result? King got $1,000,000; two police officers went to prison; and the police chief got fired. Compare this to Waco, and you come up with a huge credibility gap.

If the American people are counting on Detective Janet Reno for answers on Waco, they should know by now she can't detect a giraffe in a band of sheep! It's all a spin!

□ 1900

The SPEAKER pro tempore (Mr. COOKSEY). Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

(Mr. BROWN of Ohio addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. RYAN) is recognized for 5 minutes.

(Mr. RYAN of Wisconsin, addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HONORING THE LIFE OF WALTER PAYTON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, I rise today to pay tribute to a tremendous American, a great individual who was known perhaps best for being an outstanding football player. I guess he was, indeed, an outstanding football player, Walter Payton, who broke every record, set every record at the position which he played.

Chicago is a great football town. For many years, our football fortunes were not where we wanted them to be. There was not much to cheer about. There was not much to bring the people out. But then, from a small historically black college came Walter Payton, a college that not many people necessarily knew about, had heard about, Jackson State. Here comes a young man with the grace and finesse of a wizard, one who could sneak and weave through lines no matter what the linemen looked like.

While Walter set all of these records and we talk about his greatness as an athlete, if one ever had an opportunity to interact with him, to see him up close, to know the man, to talk with him, to understand him, then one saw much more than an athlete. One saw much more than a football player. One saw a role model. One saw a humaneness that existed. One saw just a good solid human being. Walter was well coached and was ready for the National Football League when he came.

I always felt a tremendous sense of pride in his accomplishments because I, too, attended one of the historically black colleges or universities. We were in the same conference, and I must confess that Jackson State usually beat the University of Arkansas at Pine Bluff more than we beat them.

But also in that conference was Alcorn University, Grambling, Southern, Texas Southern, Prairie View, sometimes Wiley College, sometimes Bishop, sometimes Mississippi Valley.

The real point is this is an opportunity to highlight the contributions of historically black colleges and universities, not only academically, not only athletically, but in a total sense of what they meant.

Walter died needing an organ transplant. This is also an opportunity to urge all Americans who are able to participate in organ donation programs to help give and sustain life to those who might need an organ, especially if ours is no longer going to be useful to us.

So, Walter, even in your death, you win out victorious because you raised the question, you raised an issue, and you helped America understand the need for a program, an organ donation program and policies which will assure that, when people need organs, they are in fact available. You will be in the other Hall of Fame. Rest easy.

RECENT TRIP TO CUBA BY ILLINOIS GOVERNOR GEORGE RYAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. DIAZ-BALART) is recognized for 5 minutes.

Mr. DIAZ-BALART. Mr. Speaker, I would like to say a few words, just a few, about Mr. Ryan, the Governor of Illinois, and his recent 5-day propaganda junket to Cuba.

I know that Mr. Ryan was motivated by large business interests which hope to profit from deals with the Cuban dictatorship, but that does not excuse his conduct.

Mr. Ryan displayed a pathetic lack of sensitivity and common sense that history will record as constituting a great disservice to the freedom loving people of Illinois.

For example, Mr. Ryan knows that there is a system of medical as well as of tourism apartheid in Cuba. He was specifically made aware of the case of a 2-year-old Cuban child, Christian Prieto, who fell from the second story of a building some months ago and was denied medical treatment at the CIMEQ hospital in Havana, a hospital with the necessary facilities to treat the child's severe neurological injuries, because the child is Cuban and his parents are not tourists with dollars or high ranking officials of the Cuban dictatorship. Only they have access to the CIMEQ, tourists with dollars or members of the regime's hierarchy.

Yet, after bringing up the case of this 2-year-old Cuban child, Mr. Ryan just accepted the hysterical explanations of the case brought forth by Castro.

Mr. Ryan refused to acknowledge the medical and tourism apartheid that the Cuban people have to suffer. In fact, Mr. Ryan demonstrated cold-hearted cynicism when, after referring to hospitals that he visited in Cuba as not meeting conditions that would make them certifiable anywhere in the United States, and knowing that Cubans are denied adequate medical care in that country because it is only available to tourists with dollars and the family of high government officials, Mr. Ryan nonetheless referred to Castro's health care system as an inspirational model for the entire Western Hemisphere.

Mr. Ryan demonstrated another trait, cowardice, when he delivered a speech at the University of Havana. His written prepared remarks included various eloquent quotes from Abraham Lincoln about human dignity and freedom. The Cuban dictator, however, unexpectedly showed up to listen to the speech and sat in the front row. Ryan then proceeded to omit the calls for human rights. But, oh, yes, he did reiterate his brave call in front of Castro for an end to the cruel U.S. embargo on the Castro regime.

Notice how Castro refers himself now to the Ryan speech. Mr. Speaker, if my colleagues want to learn the truth with regard to anything that Castro says, look for the opposite of what he says.

So what does Castro say now about Ryan? ''Governor Ryan is a man of firm character, a man of frankness.'' Castro says that Ryan ''gave a great speech, it is nothing like the speeches we are used to hearing, it was without arrogance or superiority, he said rational things, and he was greatly applauded.''

Mr. Speaker, I think it is shameful that an elected official from the United States of America be held in such high regard by this hemisphere's last decrepit dictator.

Nevertheless, despite what Castro now says of Ryan, the Cuban dictator did not fail to embarrass Ryan while the Governor was in Cuba. When Ryan gave Castro a letter asking for the release of Cuba's four best known political prisoners, Castro publicly joked that he would put the letter in the same stack with the hundreds of other letters that he has received asking for the release of those four dissidents.

Castro ridiculed Ryan, but Ryan simply responded by continuing to ridicule himself, repeatedly calling for the number one foreign policy and economic objective of the Cuban dictator, the unilateral lifting of U.S. sanctions with absolutely no conditions, no call for the release of political prisoners in exchange for lifting sanctions, no call for the legalization of political parties or labor unions or the press, there was no call for free elections in exchange for lifting U.S. sanctions from Mr. Ryan.

No, Mr. Speaker. I do not know what business deal Ryan is seeking from Castro for himself or for a family member, but have no doubt that seeking a business deal for himself or a family member he is.

Also have no doubt, Mr. Speaker, that, when the Cuban people are free, they will refer Mr. Ryan to make certain that his Cuban business dreams remain unfulfilled.

GENERAL LEAVE

Mr. BLAGOJEVICH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of my special order today.

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

There was no objection.

TRIBUTE TO WALTER PAYTON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. BLAGOJEVICH) is recognized for 5 minutes.

Mr. BLAGOJEVICH. Mr. Speaker, as a native Chicagoan and a pro football fan and a devoted and lifelong Chicago Bears fan, I rise today to pay tribute to Walter Payton, who died Monday at the age of 45.

Different sports heroes define different generations. For my generation, Walter Payton was the Chicago Bears.

Walter Payton will long be remembered, Mr. Speaker, as a player who rewrote football's record books. He is the National Football League's all-time leading rusher. He ran the ball more times than anybody else in history. On a day in November, in 1977, against the Minnesota Vikings, he set the record for the most yards in a single game, rushing for an amazing 275 yards.

But though these records of achievement on the football field endure, the history of Walter Payton that will be written in books will never compete with the history written deep in the hearts of his fans, for Walter Payton's records are merely the product of his remarkable character and drive.

Walter Payton made football history because of his will and his legendary determination. During his 13 seasons for the Chicago Bears, he missed only one football game, in his rookie year, because of a twisted ankle. In that game, he said he could have played, but his coaches kept him on the sidelines. This is remarkable considering the position he played and the punishment running backs in the NFL must withstand.

Mike Ditka, his former coach with the Chicago Bears, was fond of talking about Payton's unique style of running. There were bigger, faster, and more elusive runners, but Payton was the best running back he ever saw. Payton attacked would-be tacklers, he never ran out of bounds, and was always reaching for the extra yard.

This way of running the ball made him a natural for fans in a city like Chicago that prides itself on its work ethic. As Don Pierson wrote in yesterday's Chicago Tribune, ''He captured the soul of a city with work habits and results that made steelworkers and ditchdiggers proud.''

But the special thing about Walter Payton was not the 16,726 rushing yards he accumulated in his career. It is the way he lived his life and the kind of person he was. Several of Walter's teammates have, since his passing, talked about Walter Payton's favorite saying, ''tomorrow is promised to no one''. He played football that way. The way he played was a metaphor for the way he lived, with energy and with enthusiasm. Payton's style of running was aggressive and punishing. He blended a no-holds-barred style with the agility of a ballet dancer.

One Chicago sportswriter said his style was a ''combination soul train and freight train.'' But the name sweetness was not based solely on his style of play. It was based on his personality.

He had an infectious smile and warmth that reached out through the television sets. As a fan, one just knew that here was a guy who was as likable a person as he was a player. That is why, I believe, the people of Chicago were so touched, first by his illness and then by his passing.

When Walter announced his illness, when Chicago saw a man who was so

much a part of the life of the city confronting the reality of his condition, we all felt his sorrow. I, like I suspect most Bears' fans, never knew Walter Payton. But his passing has left us, his fans, with a profound sense of loss.

For those of us who are Walter Payton fans, we have to remind ourselves that life is filled with the bitter and the sweet. For me, I find peace in the belief that good people go to heaven. It is nice knowing that today heaven is where sweetness is.

Mrs. BIGGERT. Mr. Speaker, I rise today to honor the life of Walter Payton, number 34 for the Chicago Bears. The tragic, and all too early, end to his life on Monday cannot obscure his greatness, not only as a football player, but as a person. He holds eight NFL records, from career rushing yards to number of 1,000 yard rushing seasons to yards gained in a game. He holds 28 Bears records. But the Bears often had great individuals. Walter Payton meant so much more to the team than just individual statistics.

I had the privilege of going to the 1963 NFL Championship game in Chicago where the Bears beat the New York Giants 14–10. Unfortunately, that would be the last time any of us would see the Bears in the playoffs until Walter Payton arrived. And he carried the Bears with his work ethic, determination, and relentless pursuit of excellence. Sometimes it seemed that he was the only weapon the Bears had. But, finally, he led the Bears back to the top in Super Bowl XX. Over the time that Walter Payton played, Chicago saw a renaissance in its sports teams—the White Sox and the Cubs were in the playoffs and Michael Jordan was on his way to taking the Bulls to the top. But Walter Payton was the first and the brightest and the Bears owned Chicago because of him.

More importantly, Walter Payton made his mark off the football field in a way that few athletes do. In truth, he gave back to Chicago more than Chicago could ever have given him. He coached high school basketball, read to children in a literacy program, and made significant charitable contributions during and after his NFL career, including through the Walter Payton Foundation, which funds educational programs and helps abused and neglected children. He was a successful businessman, always into new ventures, from his restaurants to an Indy car racing team.

And clearly, he was a successful father and husband. When his daughter Brittney and wife Connie accepted the Life Award for him at the Arete Courage in Sports awards less than 2 weeks ago and when his son Jarrett addressed the media yesterday, you could see the same poise in them as we saw in Walter. I never had the opportunity to meet Walter Payton personally. But like most Chicagoans, I felt like I somehow knew him, that he was one of us. And we were all better off for that.

Mr. THOMPSON of Mississippi. Mr. Speaker, although it saddens my heart to stand here before Congress today, it is an honor to pay tribute to one of the greatest football players in the history of the National Football League. Walter Payton, a giant of a man, died November 1, 1999 at the young age of 45. He is survived by his wife Connie, two children Jarrett and Brittney, his mother Alyne, brother Eddie, and a sister Pam.

There is a saying that states, ''Big things come in small packages.'' This holds true for Walter. Hailing from Columbia, MS, Walter did not play organized football until the tenth grade. It was in Columbia, where he began to amaze everyone who saw him play. In 1970, Walter attended Jackson State University where he began his assault on NCAA history by becoming the all time leading scorer, a distinction which earned him a fourth place finish in the Heisman Trophy race in 1974. In 1975, Payton was selected by the Chicago Bears as the fourth selection overall. From that point, Payton began a career that would include many awards, including his externalized place of honor at the Pro Football Hall of Fame in Canon, OH.

The people who were fortunate enough to see him play were entertained at every level. Whether it was a run, block, kick, pass, or a reception, Walter gave the crowd everything at 100 percent. His running style earned him the nickname ''Sweetness.'' To see him punish would-be tacklers was definitely a delight. He was a total player, involving himself in every aspect of the game. He was unselfish in his play and always put the team first. It was this unselfish attitude that fueled the Chicago Bears to a Super Bowl Championship in 1985. A fitting award for a well deserving athlete. In 1987, Payton left the game to pursue other goals. He left the game, but not after setting many records including the all time leading rushing record of 16,276 yards. A record that still stands strong to this day.

After football, Payton became as dedicated to being an effective businessman as he was to being an effective football player. He became heavily involved in auto racing, both as a driver and owner. This led him to many business interests and holdings including an attempt to become the first African-American owner of a NFL franchise. In a world where diversity is expanding and new arenas are being opened for people of color, it is refreshing to know that Walter attempted every day to venture into different markets that were not so accessible before. I had the pleasure of meeting Walter in my office here in Washington. Walter exemplified the same passion and fire for his business as he did for the game of football.

After his final game, Payton was quoted as saying he played because it was fun and that he loved to play. Mr. Speaker, the next time we see a football game where a player dives over the heap for the extra yard or goal line or when a player breaks free from the pack and high steps into an end zone, let's take a moment and remember who introduced these moves to us, let's take a moment and remember Walter Payton.

Mr. LARGENT. Mr. Speaker, Walter Payton was my hero and my friend. I never met a man with more heart for the game of football or for people. He wore a perpetual smile. That's what I'll never forget about Walter. He touched my life. I pointed to him when ascribing role models for my boys. And if my three sons have the same zest for life, love for people, and positive outlook on the future, I will be one proud father.

I will greatly miss Walter but I will never forget him. He changed football; he changed the record books; he changed the Bears; he changed Chicago; he changed me. I'm a better man and the world is a better place because of him. I hope the same will be said of me.

Mr. HYDE. Mr. Speaker, above all else, the death of Walter Payton yesterday calls to mind a simple word: Courage.

Nothing I can say could do justice to the man who brought so much joy and class to the City of Chicago for over a decade. On the field, though he often said he ''was not the fastest, not the strongest, not the biggest,'' Walter Payton was truly a giant. For 13 years he ran roughshod over the NFL, shattering records and defenses along the way. A quick perusal of his statistics reveal a career nothing short of legendary.

For the first several years of his career, he was the lone high-point of many woeful seasons at Soldier Field. Week after week, he racked up the yards . . . while the Bears racked up the losses. That never seemed to effect him on the field. His hard running, his ferocious blocking, and his indomitable spirit never waned during the lean years of the Chicago Bears. Those years solidified his place in football history as the class act who left it all on the field, even in a hopeless game playing for a mediocre team during a disappointing season.

But it was Walter Payton the man—more than the football player—who truly touched the lives of the American people, and especially those of us lucky enough to have lived in and around Chicago, IL, during his career. His old coach, Mike Ditka, said yesterday that ''Sweetness'' was not a nickname describing Payton's playing, but the way he treated other people. His commitment to his family and friends, to children in the Chicago area, and his deep faith were all evident in his day-to-day life.

Earlier this year, Payton learned of the liver disease which would eventually take his life. Even as it became clear his health was slipping from him, Sweetness again rose to the occasion, never losing hope, and in fact, by all accounts, growing in his religious faith, displaying all the courage and class we had grown to expect from him. Just as he did during those losing seasons early in his career, his courage reaffirmed Lawrence of Arabia's great lesson, that ''There could be no honor in a sure success, but much might be wrested from a sure defeat.'' Facing the most tragic defeat of his life against the most daunting opponent, Walter Payton was the personification of courage, and that is why we honor him here.

Payton once wrote, in a ''practice'' retirement speech to the City of Chicago and his fans, ''If I've done anything that has helped your lives, please use it.'' It is his courage—even in the face of sure defeat—that I hope will be Walter Payton's legacy to the world, and we certainly should use it.

I recall that courage was defined by a World War II bomber-pilot as, ''The guy who was afraid . . . but went in anyway.'' Whether a defensive lineman twice his size or the debilitating disease which finally tackled him the other afternoon, Walter Payton never failed to drop his head, lower his shoulder, and drive through for a few more yards. We will truly miss him.

Mr. CRANE. Mr. Speaker, earlier this week, we lost one of football's all-time greatest players and a great American—Walter Payton, who lived in my district and touched the lives of so many on and off the field. After announcing earlier this year, he was battling a liver disease, which later turned into cancer, Walter fought the good fight and kept the faith until the end.

Between 1975 and 1987 there were three givens in Chicago: The wind was blowing off

the Lake, the Cubs were not in the World Series, and Walter Payton No. 34, also known as ''Sweetness'' for his silky smooth moves, was in the backfield for the Bears.

Inducted into the Hall of Fame in 1993, Walter Payton carried the ball more often (3,838 attempts), for more yards (16,726), than anyone who has ever played the game. There is no question, Walter Payton was the best at taking the ball and running with it. Against Minnesota in 1977, he carried 40 times for 275 yards, a National Football League (NFL) single game record.

It's not that Walter Payton is the all-time leading rusher and holds 28 NFL and Bears records and could throw the most punishing block on the biggest defensive linebackers that made him a great person. Walter Payton was a great man because of his commitment to his family and faith. Being a family man and active in his community, he was regularly seen at St. Viator High School sporting events supporting his son. In addition, Payton volunteered to help coach the boys' basketball teams at Hoffman Estates High School in 1993–1994.

Walter Payton's quiet attitude of giving earned him a spot in the Arlington Heights Hall of Fame in 1988 and 4 years earlier a one-block stretch of downtown Arlington Heights was named Payton Run. Walter Payton owned businesses in my district, two nightclubs in Schaumburg—Studebaker's and Thirty Four's—ran Walter Payton Power Equipment in Streamwood and headquartered his corporate offices in Hoffman Estates. He was also active in several charities and helped whenever and wherever he could in the community. Even though he denied it, he was an all around role model to which every pro-athlete or average ''Joe'' should aspire.

Quite simply, Walter Payton was a great citizen, on and off the field, who will be forever remembered as a champion. His former coach Mike Ditka once remarked to his players in training camp, ''If everyone came to camp in as good of shape as Walter we'd have a good team''. He had a superior training ritual. In his 13-year career, he played in pain and missed only one game. Ditka when he came to coach the Bears said ''Walter Payton is my idol.'' Have you ever heard a coach say that about a player? I think a quote that sums up Walter Payton's life was from Coach Ditka when he said, ''It's sad to me (Walter's death) because he had a lot greater impact on me than I had on him. He was the best player I've ever seen. And probably one of the best people I've ever met''.

Having lost a daughter to cancer 2 years ago myself, I understand the pain the Payton family is feeling in their loss. I can only assure them that in time, the family will be reunited and what a joyous occasion it will be for the Payton family.

Walter never gave up hope in his fight. It is for that spirit that people everywhere will remember him forever.

WOMEN BORN INTO A WORLD OF VIOLENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. KELLY) is recognized for 5 minutes.

Mrs. KELLY. Mr. Speaker, during the 5 minutes that I deliver this speech, 33 new lives will begin, 17 males and 16 females. They enter a world on the brink of the 21st century and where possibilities are limitless.

Of the 16 females born during this speech, at least two will be the victim of rape or attempted rape, one of whom will be violated before she reaches the age of 18, five will be the victim of abuse by an intimate partner, and one will be stalked. She will join the ranks of the 1 million women who have been stalked this year. This is the world that these new lives are being brought into.

As a former rape crisis counselor, I know firsthand the devastation caused by this type of violence. I have been in the emergency room when a raped woman has come in to be treated. I have seen the fear, the shock in these victims who have been so horribly violated. In 1998, forcible rape ranked third for violent crimes reported to law enforcement officials, but that number may be grossly underestimated because, according to the Justice Department, only one-third of all rapes are reported to the authorities.

Over the last 2 years, as I worked to develop stronger antistalking legislation, I have met with the victims of stalking and heard of the damage brought on their lives because of the constant threat from a stalker.

My legislation, which was marked up earlier this week in the Committee on the Judiciary, expands and broadens the definition of stalking to include interstate commerce.

□ 1915

This would include e-mail, telephone, and other forms of interstate communications as a means of stalking. In addition, it also expands the definition of immediate family to include persons who regularly reside with the victim.

During the hearing on this bill, one stalking victim testified about her experiences with cyberstalking. This woman was stalked by three people she had contacted a year earlier to answer an ad for a children's book newsgroup. They were located in New York and claimed to be a literary agency looking for new authors. She called them, sent her proposal, and was asked for money for a reading fee. However, real agents do not charge for reading, editing or other fees. Later, she learned from other on-line writers that this so-called agency was a well-known on-line problem. When writers who actually paid this agency money came to her for help, she contacted the New York attorney general, who opened an investigation. Her stalking came as a retaliation for her part in that investigation.

Stalking comes in all forms. It is not only a physical crime; it is also a psychological crime. For this victim, the psychological harassment ranged from prank phone calls to libelous messages about her being posted on the Internet. Physical threats came, too, for the victim, her family, and her lawyer. In an attempt to end this harassment and protect themselves, this victim and her husband moved to another State. Once there, they took their name off public records and directories and they have an unlisted phone number. However, this, too, proved futile. The stalking has continued.

Just today alone, approximately 2,750 women will join this tragic sorority of women who have been stalked. Stalking takes many forms. Unfortunately, in this age of technology it has the ability to take on a nameless and faceless electronic form, where the perpetrator has the ability to invade every aspect of life.

I look forward to seeing this legislation come before the House. Violence against women happens in many ways, physical and mental, by strangers and intimates. In this, these crimes share a common bond. And please listen to this: as I leave the House floor this evening, at the end of my 5-minute speech here, one more woman will have been raped.

It is my hope that as a governing body and as a society we will be able to address and work to eliminate these horrible acts of violence. In doing so, we will make this world a safer and a kinder place for those 33 new lives born these last 5 minutes.

The SPEAKER pro tempore (Mr. COOKSEY). Under a previous order of the House, the gentleman from Mississippi (Mr. SHOWS) is recognized for 5 minutes.

(Mr. SHOWS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

BRING U.S. FUGITIVES HOME TO FACE JUSTICE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. MILLER) is recognized for 5 minutes.

Mr. MILLER of Florida. Mr. Speaker, this month marks the 2-year anniversary of the murder of Sheila Bellush in my Congressional District in Sarasota, Florida. The alleged killer, Jose Luis Del Toro, fled to Mexico, and U.S. authorities spent almost 2 years trying to get him back. I am very pleased and relieved to report that Del Toro was extradited back to the United States on July 12 of this year to stand trial for murder. Even though it was a big relief to get Del Toro back in Sarasota, it was a big disappointment to have been forced by the Mexican government to give assurances that he would not be subject to the death penalty.

Our local prosecutors have dealt with this problem of international flight to avoid prosecution more frequently than the Justice Department wants to admit. The Departments of Justice and State claim that they do not have statistics on extradition cases, even though both Departments play a key role in the extradition process. If statistics were available, I suspect that

the total unresolved cases or denied requests might surpass those that were eventually resolved like Del Toro's.

There is no doubt that when individuals flee across the border, they succeed in evading justice in varying degrees. In the Del Toro case, the suspect was spared the threat of the death penalty. The same can be said of Charles Bradley Price, one of two suspects in the 1997 Oregon killings who murdered two people for ''the thrill of it'' and then fled to Mexico. When Martin Pang fled from Seattle, Washington, to Brazil in 1995, after setting a fire that killed four firefighters, Brazil would only allow the U.S. to try Pang for arson and not for the four deaths. Francisco Medina is wanted for the murders of at least 17 people in New York, but he is living the high life out of reach in the Dominican Republic. Convicted murderer Ira Einhorn has alluded extradition for over 18 years now and continues to live comfortably in France. Samuel Sheinbein, who is responsible for a brutal murder only a few miles from here, will walk free from Israel when he is only 33 years old.

Unfortunately, these horrible examples only scratch the surface of this problem. It is our responsibility as Federal legislators to do what we can do to improve our odds of getting these suspects back so our local prosecutors can do their jobs without their hands tied behind their backs. Preventing criminals from escaping justice should be a priority of U.S. foreign policy.

That is why I am here today to introduce the International Extradition Enforcement Act. This bill will hold foreign nations accountable for their level of cooperation with our crime-fighting efforts by placing their foreign assistance in jeopardy if they harbor U.S. fugitives. It will require the administration to produce an annual report on extradition, including the total number of pending extradition cases per country and the details of each case. This report will then be used by the administration to assess the level of cooperation for each country on extradition, and uncooperative countries could lose their foreign aid. My legislation would give the administration the ability to waive this provision if the President deems it to be in the national interest. But Congress would also have the ability to overturn the waiver with a vote.

There are also additional criminal provisions provided in this legislation. This bill would increase the maximum sentence under Federal guidelines for flight to avoid prosecution from 5 years to a maximum of 15 years. And it will make the act of transferring anything of value to someone with the intent to assist that person in resisting extradition to the United States a criminal act subject to a maximum of 10 years in prison.

Dealing with extradition cases such as Jose Luis Del Toro has been one of the most frustrating things I have faced as a Member of Congress. I learned through the process that the victims, their families, State and local law enforcement and our prosecutors, and even Members of Congress, are helpless to do anything other than to draw attention to their cause.

And the fate of justice lies in the hands of a foreign entity, which often may have no legitimate interest in this case. This is just plain wrong. This is not justice. Every country is entitled to its sovereignty, but when the U.S. is providing a nation with millions or billions of dollars in U.S. aid, I believe we have a right to expect and demand cooperation with law enforcement efforts.

I hope that Congress will pass the International Extradition Enforcement Act next year to improve international cooperation with U.S. law enforcement. We need to ensure that criminals cannot find a safe haven anywhere in the world.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. GOSS) is recognized for 5 minutes.

(Mr. GOSS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. GILLMOR) is recognized for 5 minutes.

(Mr. GILLMOR addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

TRIBUTE TO WALTER PAYTON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Mississippi (Mr. THOMPSON) is recognized for 5 minutes.

Mr. THOMPSON of Mississippi. Mr. Speaker, although it saddens my heart to stand here before Congress today, it is an honor to pay tribute to one of the greatest football players in the history of the National Football League. Walter Payton, a giant of a man, died November 1, 1999, at the young age of 45. He is survived by his wife, Connie; two children, Jarrett and Brittney; and by his mother, Alyne; a brother, Eddie; and a sister, Pam.

There is a saying that big things come in small packages. This holds true for Walter. Hailing from Columbia, Mississippi, Walter did not play organized football until the 10th grade. It was in Columbia where he began to amaze all who saw him play. In 1970, Walter attended Jackson State University where he began his assault on the NCAA history, becoming the all-time leading scorer, earning a fourth place finish in the Heisman Trophy race in 1974.

I might add that I had the opportunity to see Walter in his many games at Jackson State University. He was, indeed, a breath of fresh air for black college football.

In 1975, Payton was selected by the Chicago Bears as the fourth selection overall. From that point on, Payton began a career that would include many accolades, including his place of honor in Canton, Ohio, at the Pro Football Hall of Fame.

For those who saw him play, you were entertained at every level. Whether it was a run, block, kick, pass or reception, Walter gave you everything at 100 percent. His running style deemed him the nickname ''Sweetness,'' because to see him punish would-be tacklers was definitely a delight. He was a total player, involving himself in every aspect of the game. He was unselfish in his play and always put the team first. It was this unselfish attitude that fueled the Chicago Bears to a Super Bowl Championship in 1985, a fitting award for a well-deserving athlete. In 1987, Payton left the game to pursue other goals. He left the game, but not until setting many records, including the all-time leading rushing record of 16,276 yards, a record that still stands strong to this day.

After his final game, Payton was quoted as saying he played because it was fun, and that he loved to play. Mr. Speaker, the next time we see a football game where a player dives over the pile for the extra yard or a goal line, or when a player breaks free from the pack and high-steps into the end zone, let us take a moment and remember who introduced it to us. Let us take a moment and remember Walter Payton.

WHAT SHOULD BE DONE WITH THE PEOPLE'S MONEY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. FOSSELLA) is recognized for 5 minutes.

Mr. FOSSELLA. Mr. Speaker, there is a constant debate around here in Washington as to what to do with the people's money, and it seems that very often, too often as a matter of fact, there is a dismissal of the notion that the American people deserve tax relief. Right now Congress and the White House are negotiating the appropriations bills that essentially are supposed to prioritize how the American Government spends its money.

Now, Congress has done a great job, I believe, in bringing forward and passing out bills that establish priorities, like strengthening national defense, and trying to stop the raid on Social Security for the first time in years; strengthening education and trying to empower parents, as opposed to just enhancing the bureaucracies and defending the status quo and, in essence, failing our kids. And some important programs, like protecting our environment and giving our military the money and the sources they need to defend our country. But somehow, when it comes to tax relief, it becomes a taboo subject.

We constantly hear, well, the American people do not want tax cuts, so

some claim; or we are giving a tax cut to people who do not deserve it. Well, I would just urge Members here to understand that there are millions of hard-working Americans, and I know this because where I come from, in Staten Island and Brooklyn, I know that there are people working every single day, 6, 7 days a week, sometimes the parents are working two or three jobs, the father is a fireman who works at night, the mother is a teacher who works during the day, and they are juggling responsibilities, who is going to watch the kids, and they just want to put a little money aside to buy a washing machine or to buy the kids' clothes for school, or to save a little money for their education or perhaps a great treat like going away on vacation. But somehow, when we have the opportunity to send some of the money back to them, there are those here who say, oh no, they do not deserve it.

Well, I suggest strongly that we stand for tax relief for the American people. Yes, we should fund the priorities for the American Government and the American people; we should fund things like our defense and education and protecting our environment, and keeping our hands off Social Security and protecting and strengthening Medicare.

□ 1930

But why can we not cut taxes? For years I heard when I was not in Congress that, well, we are facing a deficit and we cannot afford to cut taxes. Now we hear, well, we are going to face a surplus and we cannot afford to cut taxes. Well, if we cannot do it when we have a deficit and we cannot do it when we have a surplus, when can we?

I suggest that we put our faith in the American people, put our faith in their spirit and their ingenuity and their creativity to go out there and provide incentives to work hard, put a little more money in savings, put a little more money back in investment not only in themselves and their family but in their neighborhoods in this country.

Just look at Erie County in upstate New York. A 12-year incumbent who ran on a platform of he was going to spend more and more of the people's money, as opposed to the Republican candidate who said, you know what, you work too hard. I am going to run primarily on one issue. I am going to run on a 30 percent tax cut. Well, no surprise. He won handily.

I again submit to the Members of this body, and I believe I speak for the vast majority of Americans, is the American people deserve tax relief. If we truly believe in the notions of personal freedom and individual liberty and if we want to instill in our children a sense that if they work hard in this country and they go to school and do the right thing and work and do the right thing in their community and they are able to give back and invest not only in themselves but again in their community and their family, that they will benefit and our country will be richer and better for it.

But, instead, we are constantly barraged by those who say, huh-uh, you do not know how to spend your money wisely, the American people.

In fact, we hear about these bills that come through and they are vetoed, as another one was vetoed today by the White House, and we heard recently the litany of reasons why. Why? Because it does not spend enough money.

Well, where is that money coming from? The cherry trees here in Washington only bloom once a year. They do not bloom every day with money. I would just hope that the people of reason and common sense would understand that the American people work too hard for their money. They deserve more of it back.

TRIBUTE TO FAMILY AND LOVED ONES OF EGYPTAIR FLIGHT 990

The SPEAKER pro tempore (Mr. COOKSEY). Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

Mr. CUMMINGS. Mr. Speaker, this evening I stand before my colleagues with a heavy heart in the wake of the EgyptAir Flight 990 tragedy. The unsettling news of the plane crash struck a particular cord within me, as several of the passengers on that flight were in some way connected to my home district in Baltimore.

Arthur and Marie Simermeyer were both active and upstanding seniors who were citizens of my home district and were on that plane. They volunteered at the Sacred Heart Roman Catholic Church in Glyndon and were described by family and friends as having a kind and giving nature that was surpassed only by their love of life even in their elder years.

These were people who made positive contributions to the community and helped keep the neighborly spirit, which can sometimes be rare, very much alive among those who knew them. Yes, this tragedy was indeed a major loss. But the Simermeyers were special people who gave to a special location.

We also had some students that were killed in the EgyptAir flight. They were exchange students from Egypt. As I thought of the situation over in my head repeatedly, I searched for an answer, a positive amidst the sea of disaster and despair, any silver lining that would help me and others feeling the pain of this tragedy pass this deep and dark cloud. Then I realized that, just as there is a lesson in everything, there is something that we all can take away from this unfortunate occurrence.

We can all at some point identify with the loss of a loved one, a friend, or a dear community member. Still, just as we here in the United States grieve over the death of those Americans on Flight 990, we must remember those teenagers returning home and show our support to the Egyptian communities that mourn their deaths as well.

This is an important opportunity for the strength and support from one person to another to transcend ethnic, racial, and national boundaries. This is the time where we must come together across international lines and show our sympathy and compassion as we all share in the unexplainable loss of good and innocent people.

Just as pain knows no color, country, or social class, support, compassion, and comfort should not know the difference between nations, either. Just as we mourn the loss of the Simermeyers and the other passengers on that flight, our hearts and prayers are also with the families and friends of those Egyptians who also perished in this tragedy.

We must seize this opportunity before us and learn the lesson that we must all come together to help each other cope with the results of disaster.

As I close, I feel compelled to focus on the newly developed friendship between a Baltimore teen, Shantell Rose, and Walaa Zeid of Egypt. The two had been inseparable as they lived, studied, shopped, and played together for 2 weeks as a part of the exchange program. At the end of this precious time, Shantell stated that, as they parted, they said, ''I love you.'' In describing this experience, she said that they had started a relationship that will last for decades and cross continents.

I say to Shantell Rose, other students, and to all the loved ones of those that have departed us in this tragedy that the journey of life takes us through many times of happiness and sadness. We remember the happy times as the most loved and enriching experiences of all. Although the sad times do not outwardly appear to benefit us, they are, in reality, what builds strength and character in all of us.

Remember that our relationships will still last decades and the new relationships that Americans and Egyptian families will make will continue across the continents. These relationships will build your strength and character and allow you to say these simple words: Do not cry for me, for the time we shared will always be.

THE CUBA PROGRAM: TORTURING OF AMERICAN POW'S BY CASTRO AGENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to thank the gentleman from New York (Chairman GILMAN) for convening tomorrow's hearing on the Committee on International Relations on ''The Cuba Program: The Torturing of American POWs by Castro Agents,'' and for his ongoing leadership and commitment to veterans' issues.

This issue is particularly important to me for various reasons. But, more importantly, as I read through the accounts of what our men and women in uniform have endured through this century of war, I think of my husband, Dexter Lehtinen, who served in the special forces in Vietnam and was injured in combat. He was relatively fortunate, but so many of his colleagues were not.

The Geneva Convention prohibits ''violence to life and person, in particular murders of all kinds, mutilation, cruel treatment and torture'' and ''outrages upon personal dignity, in particular humiliating and degrading treatment.''

This is exactly what took place in a prison camp in North Vietnam known as ''The Zoo,'' seen here in a declassified photo, the site where 19 of our U.S. military officers were tortured.

During the period of August 1967 to August 1968, 19 of our courageous servicemen were psychologically tortured, some brutally beaten, by interrogators assessed to be Cuban agents working under orders from Hanoi and Havana.

Described by some to be a psychological experiment, the goals of The Cuba Program, as the torture project has been labeled by our Defense Department and by our intelligence agencies, has been described in different ways as an attempt to test interrogation methods, to obtain absolute compliance and submission to captor demands, or ultimately to be used as a propaganda tool by the international Communist effort, as Mike Benge will elaborate upon during tomorrow's congressional hearing.

Some POWs were tortured and then instructed to write a series of questions and answers given to them by their interrogators. These scripts on most occasions included statements declaring that the United States was waging an illegal, immoral, and unjust war. Prisoners were tortured, again some psychologically and others physically, to ensure cooperation in appearances they were forced to make before visiting dignitaries. Refusal to comply with the captors' commands usually meant that Fidel, Chico, and Poncho, as the torturers were called by the POWs, would be called in for intense beatings of the prisoners.

The ruthless nature of the interrogators and the severity of their actions led prisoners such as Captain Raymond Vohden, Colonel Jack Bomar, and Lieutenant Carpenter to question how human beings could so brutally batter another human being.

Captain Vohden and Colonel Bomar will offer compelling and detailed testimony to us tomorrow, describing the heinous acts committed against them by Cuban agents at The Zoo, acts which are in direct violation of the Geneva Convention on Prisoners of War.

Survivors of The Cuba Program have been eager to identify and trace the Cuban agents who systematically interrogated them and tortured their fellow Americans. Yet, despite their efforts, a successful resolution of this matter has not been achieved. We hope that tomorrow's hearing will be the first of many steps aimed at changing that outcome.

The first is to get leads that could take us closer to an identification of the Cuban torturers.

Our second goal is to provide the basis for an ensuing interagency investigation of the new evidence that has been uncovered, including a search for pertinent data and sources previously unavailable under the Cold War parameters.

We want our State Department, the CIA, the FBI, INS, and the Defense Intelligence Agency to coordinate a comprehensive approach to this case.

Lastly, this hearing will begin to establish the foundation for future action against the torturers. On a broader scale, this investigation will serve to highlight the brutal nature of the Castro regime and the historic and ongoing threat that it poses to the American people.

Ultimately, our hope is that tomorrow's hearing will serve to honor those POWs, and I will show my colleagues a poster that has their picture, 9 of the 19 who were involved in The Cuba Program. We hope that tomorrow's hearing will serve to honor these POWs, who were willing to give life and limb so that we may all be free. We will honor them by finding out the truth about Castro's participation in Vietnam known as The Cuba Program.

CURRENT EVENTS IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. DUNCAN) is recognized for 5 minutes.

Mr. DUNCAN. Mr. Speaker, today in a hearing before the full Committee on Resources we discussed the President's proposal to lock up some 40 million acres of our national forests.

I am sure this sounds good to some. But what it mainly will do is drive up prices on houses and everything else that is made from wood, and it will destroy jobs.

So if my colleagues want to hurt poor and working people by driving up prices and destroying jobs, then they should support this proposal to lock up our national forests.

In the 1980s, the Congress passed what was then thought to be a very strong environmental statement that we should not cut more than 80 percent of the new growth in our national forests.

Today we have reduced logging down to less than one-seventh, less than 14 percent of the new growth. Today we are not even cutting half the number of dead and dying trees each year.

This is causing so much fuel buildup that the Forest Service tells us now that 39 million acres are in great risk of burning. Actually, we need to cut some trees to have healthy forests. And we are not even coming close to doing that.

Today, in my part of the country, the Forest Service says that only .02 percent of the trees in the Cherokee National Forest is being harvested annually, two-tenths of one percent. Yet, the July-August issue of the Sierra Club magazine said that the Cherokee is being logged at a ''furious pace.''

Much of the environmental movement has been taken over by extremists. Some are putting out very false or very distorted or very exaggerated information because they know they have to scare people to keep their big contributions coming in. Many of these environmental extremists are wealthy or upper-income people who simply do not realize how much some of what they advocate hurts the poor and working people.

Also, some of this environmental extremism is financed by extremely big business because they know the stringent rules and regulations and red tape about the environment drives the small farmers and small businesses out. Thus, the big guys have less bothersome competition to deal with.

Which brings me to my second topic, the Kyoto agreement.

□ 1945

I read in one of the nonpartisan congressional publications this week that the administration knows it cannot get the Senate to ratify the Kyoto Agreement, so it is trying to get it enacted through the back door. This report said that Federal agencies hope to build big business support for Kyoto by giving favorable treatment on regulations, contracts and so forth to businesses that will voluntarily comply in advance. Then they believe these big businesses would then lobby the Senate for the agreement in order to force everyone else to comply.

Many people around the world and some rich socialists in this country think it is unfair that with just 5 percent of the world's population, the U.S. consumes about 25 percent of the world's goods. This is really what was behind the Kyoto Agreement. The administration was apparently so eager to say that an agreement had been reached that it approved a very bad deal. The Senate passed a resolution 95–0 saying that if an agreement was reached in Kyoto, it should apply to all countries and should not harm the U.S. economy. This agreement exempts 129 of 173 countries including China and Mexico. The Global Climate Information Project says: ''So while the U.S. cuts energy use by more than 30 percent, most U.N. countries get a free ride. Because U.S. energy prices will rise, American products could be more expensive at home and less competitive overseas. That will slow down our economic growth and cost American jobs. All for a treaty that will produce little or no environmental benefit.''

One thing it would do for sure is speed up the transfer of wealth and

jobs from this Nation to underdeveloped countries. Unless we want to make our constituents' jobs even less secure and force them to cut their energy use by 30 percent or more, we had better oppose the Kyoto Agreement.

Finally, Mr. Speaker, in talking about big business and big money in politics and government today, let me briefly mention campaign finance reform. This administration has done more to get around or flout or violate our campaign finance laws than any in history. Over 90 people pled the fifth or even fled the country to avoid testifying in the various campaign finance investigations. It is ironic that some of the leaders who are the loudest in support of campaign finance reform are some of the biggest violators of our present campaign finance laws.

What people should think about, Mr. Speaker, is that when the Federal Government was small, we did not have all this trouble with big money influencing politics and political decisions. If we really want to remove the influence of big money and big business in government today, then the best way to do so is to downsize the Federal Government and decrease its costs. Big government liberals who always say they are for the little guy have done more to help extremely big business than any conservative ever dreamed of doing. It is no accident that the bigger our Federal Government has become, the harder it has become for small businesses and small farmers to survive, and the more the gap between the rich and the poor has grown.

SALUTE TO WBLS DJ DR. BOB LEE: MAKING A DIFFERENCE IN THE LIVES OF YOUNG PEOPLE

The SPEAKER pro tempore (Mr. COOKSEY). Under a previous order of the House, the gentleman from New York (Mr. TOWNS) is recognized for 5 minutes.

Mr. TOWNS. Mr. Speaker, I rise tonight to talk about Dr. Bob Lee of WBLS, a man that is really making a difference. When young people hear his name and when they come in contact with him, they get excited. He has been with WBLS for 20 years doing this. I think that the board of education and people that are in education should really take note of the fact that this man has the way to motivate young people, to get them to get up in the morning and go to school and, of course, he has been doing this and doing it so well.

So being as he is doing it so well, it seems to me that educators some way or another should sit down with him, have a summit and talk about how he is able to get the young people involved in a positive kind of way. When I think about the things that he is doing, it bothers me that we do not highlight it enough, because when something negative is going on, we readily will talk about it. When something bad is going on, we will get it throughout the city, get it throughout the town in no time flat. But when something positive is going on, we have difficulty getting that message around.

Dr. Bob Lee is doing something positive. Of course, when you have a high dropout rate, he is able to go into those areas, talk to the kids, motivate them and get them to return to school. When they are not doing well in school, he is able to sort of talk to them and sort of get them involved in a very positive kind of way, get them to know how important it is to do their homework. So if he is able to do this on such a small scale, it seems to me that we should be able to capitalize on his skills throughout this Nation.

I am hoping that those that are in education are listening tonight, that will be able to go and to sit down with him and to find out how he is doing it and, of course, encourage him to do more. I think that one way to do that would be to expand it by funding the program of some sort and to be able to get the word out to people.

I would like to say tonight, I salute Dr. Bob Lee for the outstanding work that he is doing. I have watched him on various talk shows when he has been on to talk about how he feels about working with young people and how important he thinks it is. Just recently, we had a toy gun turn-in drive and Dr. Bob Lee got involved in that. Of course, we were having trouble on getting the media, but when he got involved in it, of course, people began to respond, because they recognized the fact that it is a very serious issue. And toy guns, as you know, is something that we need to deal with, because many of our young people are getting killed because of toy guns.

In my own district, we have had several youngsters to be killed because they had a toy gun. We have had youngsters to be shot. But Dr. Bob Lee has been working with us in terms of getting this message out to adults, letting them know that toy guns is something that you should not buy for your son or your daughter. I think that this is the kind of message that we have to send, because even the police department, they are saying that toy guns are very dangerous because they are saying that if it looks like a gun, as far as they are concerned, it is a gun. And I think that we do not expect them to stop and interview somebody as to whether or not the gun is real. If it looks like a gun, as far as the police department is concerned, it is a gun.

I want to thank Dr. Bob Lee and all those people out there helping to make certain that we get the message across to people that toy guns are not something that our young people should have and that people should not purchase them for them. It is not the kind of toy that you want to give. Give an educational toy, give something that is going to bring about life, give something that is going to encourage people to be able to grow and to develop, not to give them something that they will probably get killed because they have it.

I would like to salute him tonight and to say, Dr. Bob Lee, we applaud you for the outstanding job that you are doing on behalf of the young people in this Nation and we hope that you will be able to continue to expand it as well.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Illinois (Mrs. BIGGERT) is recognized for 5 minutes.

(Mrs. BIGGERT addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. METCALF) is recognized for 5 minutes.

(Mr. METCALF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. EHLERS) is recognized for 5 minutes.

(Mr. EHLERS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

DEMOCRATIC LEGISLATIVE AGENDA HELD HOSTAGE BY DO-NOTHING/DO-WRONG REPUBLICAN CONGRESS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from New Jersey (Mr. PALLONE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, my colleagues are joining me tonight because we really want to make the point before this Congress adjourns for the recess over the next couple of weeks that it really has been a very unproductive session because of the Republican leadership's lack of an agenda, or perhaps because they have the wrong agenda. Many of us know that at some point over the next week or perhaps 2 weeks when the appropriations bills are finally completed that the Congress will adjourn, probably until sometime in January. But this has been a terribly unproductive session.

The Democrats want Congress to get to work on the real priorities for middle-class families, priorities the Republican leadership has once again ignored in favor of the needs of special interests. Democrats want to get the job done this year. We do not want to wait until the next year, the next session of Congress, and have another year of unfinished business, because that is simply unacceptable. Democrats still believe that we can get action on an agenda that matters. I wanted to talk briefly if I could, to mention some of the major priorities that the Democrats have put forward in this Congress

that the Republicans have either refused to act on or have sent off to conference between the Senate and the House where they have essentially been buried because the conference has never met or in some cases the conferees have not even been appointed.

What we have done to sort of highlight the number of important issues, if you will, that are part of the Democratic agenda that have not been addressed by the Republican leadership is to put some of those major issues, if you will, on tombstones to sort of highlight the fact that they are resting in peace rather than being accomplished in this session of the Congress. I just want to point to a few of them and then I would like to yield to some of my colleagues to talk a little more about some of these issues.

The first one and the most important for me is the Patients' Bill of Rights. That was killed by the GOP, in this year, 1999. I think you may know that today, the Republicans finally appointed conferees on the Patients' Bill of Rights, but there has been no indication that the conference is actually going to meet and we have had this one basically hanging around for several years, where the Republicans fooled around, tried to load down the Patients' Bill of Rights with whatever kind of poison pills, if you will, imaginable to make sure that it never passed, and then when it finally did pass over their protests a few weeks ago, they are still stalling by either not appointing the conferees or having the conference actually not meet.

The Patients' Bill of Rights is in my opinion the most important legislative priority, the one that my constituents talk about the most, because they are worried that if they are in an HMO or a managed care organization, that oftentimes they cannot get quality care or they cannot get the kind of care they want because they are denied an operation, they are denied a particular procedure, they are denied a length of stay in the hospital, because basically the insurance company decides that they should not get it.

The other priority, and this one is just as important, the other priority that the Republicans have buried, again resting in peace, is the Medicare drug benefit. The President in his State of the Union address earlier in this year basically pointed out that the cost of prescription drugs for seniors is skyrocketing, many of them cannot afford it, many of them do not have prescription drug coverage as part of certainly Medicare, even if they do have it in some cases if they are in an HMO or part of their MediGap insurance, and so far the Republicans have refused to even address this one at all. Democrats keep talking about it as an important priority for America's seniors. It is not being addressed by the Republican Congress.

Another one, I hate to even mention this in the context of a tombstone because we know in fact that many Americans, including young Americans, have actually been killed because of the neglect to deal with gun safety issues. Mr. Speaker, several months ago we tried here on the floor of the House of Representatives to pass gun safety legislation. We were able to get a few things passed, but essentially because of the Republican inaction, the major priorities are still not addressed, and certainly nothing has been done in conference to address the gun safety issue. Every day that goes by, we hear about more Americans being killed, more Americans being maimed, and yet the gun safety issue remains unaddressed, killed by the GOP in 1999. It is resting in peace as well.

And then also, a major issue which again has been hanging around here for several years, the Democrats have demanded campaign finance reform. We know that our constituents want it, the editorial writers talk about campaign finance reform because we know that what is happening now is that so much soft money, corporate money, if you will, not individual money, is being used either to finance campaigns through the political parties or through independent expenditures, that the reality is that the campaign finance system has fallen apart, and there is no accountability, no disclosure anymore of the soft money that is being used. Well, we passed the Shays-Meehan bill finally a couple of months ago but again there has been no conference, there has been no action between the House and the Senate by the Republican majority.

There are a few more issues, and I am not going to go into all of them, but I did want to mention a few more if I could. Very important, the President a couple of years ago talked about the need to have Federal dollars go back to school districts to hire 100,000 new teachers in the elementary grades in order to try to reduce class size, because we know that if you reduce class size, it has a real beneficial impact on students', in the younger years in particular, ability to learn. We know that in this Congress again the Republicans are willing to provide some money for education but not to give back to the town specifically to hire more teachers. Again, I hear from my own constituents how important that is. Not addressed by this Republican Congress. That one rests in peace as well.

And finally, the Republicans have made a lot of noise about how they want to give tax breaks, but the tax breaks are all for wealthy individuals. They passed a trillion-dollar, almost a trillion-dollar tax break, primarily for wealthy people, for the corporations, for special interests, but we as Democrats are saying, look, we need tax relief but we would like it to be targeted tax relief, that helps the average working person, that is actually used, if you will, to allow people to send their kids to college, to help with their education, higher education expenses, to provide, if you will, for day care in some cases through tax credits or tax deductions. But, no, the Republicans insist on the trillion-dollar tax break plan primarily for the wealthy and the special interests. They will not provide the targeted tax relief that will help working families and the average American. That again is resting in peace, killed by the GOP leadership, the GOP Congress in this year, 1999.

Mr. Speaker, I am not trying to poke fun at this issue, I think these issues are very important, they are part of the Democratic agenda, they would be, I think, a part of the Republican agenda if only they would understand that this is what the American people want. But the Republican leadership refuses to address the concerns of the American people and instead they just want to pull their own priorities, their own agenda, which is primarily a major tax break, if you will, for wealthy Americans and for the large corporate interests.

I would like to yield now, if I could, to some of my colleagues to talk a little more about this do-nothing Congress and this Congress that with the Republicans in charge essentially has the wrong agenda. I yield now to the gentleman from New York.

□ 2000

Mr. CROWLEY. Mr. Speaker, I thank my good friend the gentleman from New Jersey (Mr. PALLONE). I also want to thank the gentleman from New Jersey (Mr. HOLT) as well as the gentleman from Michigan (Mr. STUPAK) for this evening's address. Few have done as much to express the frustration that we are feeling on this side of the aisle as the gentleman from New Jersey (Mr. PALLONE) has so readily done on a weekly and daily basis here in the House.

Mr. Speaker, I rise today to express my outrage and my disappointment as a freshman Member of this House with the actions, or should I say, the inaction of this body.

Mr. Speaker, we are more than two-thirds of the way through this session, and the Republican-led Congress has had no major accomplishments. This is despite the efforts from within their own party and by Democrats, working together, to pass meaningful HMO reform, school construction legislation, and even a minimum wage bill. Instead, the Republican leadership has been playing games with the budget, giving tax cuts to the wealthiest 1 percent of the people in this country and their special interest friends, blocking meaningful attempts at gun safety legislation and taking money away from class size reduction and new teacher initiatives.

As a freshman, I arrived last January prepared for action, and believed that with GOP promises of less partisanship that we could all work together to help the American people. Yet the last 10 months have been partisan and without any intelligible agenda. Instead, the special interests and their whims have

dominated, leaving the American people out in the cold.

Rather than passing a meaningful tax bill, complete with estate tax and marriage penalty changes and modest tax cuts, the Republican leadership pushed through a tax package that benefited only the wealthy and corporate special interests, almost $1 trillion to the wealthiest in this country. In fact, if you are not in the top 1 percent of wage earners, the tax cuts would not mean anything to you, or very, very little. Now, maybe all the constituents in Republican districts make that kind of money, but the working class people in districts like mine do not.

Why not provide a family of four living in a place like New York City, a high cost place like New York City, in the Bronx, in Queens, in my district, earning $40,000 annually, some tax relief? What is wrong with that? Well, it is probably because they will not be contributing to the Republican leadership's political action committee this year, or next year.

What about our Patients' Bill of Rights? We finally voted today on a motion to go to conference on the bipartisan Patients' Bill of Rights. It has been 4 weeks since the House passed by an overwhelming bipartisan vote of 275 to 151 the Norwood-Dingell bill. The Senate appointed conferees back on October 15, and yet it is only today, November 2, that the House GOP leadership is finally bringing up a motion to go to conference. As far as I can see, this delay strategy by the GOP leadership is their attempt to stop the momentum that was obtained by very strong bipartisan vote in favor of the Norwood-Dingell HMO reform bill.

Mr. Speaker, why are we stopping what Members of your party want, what the American people overwhelmingly want? Why are we stopping it? We cannot even get on the runway or get off the charts a prescription drug bill to reduce the cost of prescription drugs to our senior population.

Let me tell you a story that I heard recently. I received a letter from two constituents, Mr. and Mrs. Done and Gertrude Schwartz of Long Island City in Queens. He is 89 and she is 84 years of age. Recently he went to have a prescription filled for his wife. He bought 100 tablets of Prilosec, an extremely popular drug among our seniors. It cost him $394.89, $394 for 100 tablets of a vitally needed prescription.

People are making life and death decisions as to whether they will pay the rent, buy needed groceries, or skip a day of taking a needed prescription drug, or simply not buying the prescription drug at all, and we are here in Congress doing nothing, as far as I can see, to help them.

Then there is the budget debacle. We are 34 days into a new fiscal year, and still we do not have a budget. What is the Republican solution? To send the exact same D.C. appropriations bill that we have seen vetoed twice to the floor again today, without removing the riders that caused the vetoes in the first place. It makes absolutely no sense to me.

The Republican leadership did not even bring to the floor the labor-HHS appropriations bill for a debate. They went straight to conference without any Democrats represented at all at any point in time.

But, having said all I have said, it is education that is most troubling to me. We passed ED-FLEX, which impacts the Elementary and Secondary Education Act, before we even considered ESEA reauthorization. Then the Republican breakup of ESEA into pieces, passing the flawed Teacher Empowerment Act, and I want you to know this was not supported by one, not one teachers organization, we just passed a dramatically underfunded Title I bill.

When crafting tax packages the Republican majority will not even consider adding school construction assistance, even though our deteriorating school infrastructure and classroom overcrowding is a national crisis.

Then we have Social Security. Republicans say they want to save Social Security. Well, we will just go back to history a little bit here. Back in 1935, in the early thirties, nearly 40 percent of Americans were dying in poverty. It was a Democratic-led Congress and a Democratic President who signed into law the current Social Security system, this despite fierce opposition from the Republican Party. In fact, all but one Republican in the House voted for a motion to recommit Title II of the bill to conference, and would have thereby struck the Social Security Act and killed Social Security as we know it today, only one Republican in that entire conference.

Now we are to expect that the Republicans are going to protect and save Social Security, something they never wanted in the first place. In fact, let me just show you some of the comments made by majority leader DICK ARMEY when he ran for Congress proposing to abolish the Social Security system.

''Ultra-conservative economics professor DICK ARMEY, who has based his campaign on his support for the abolishment of Social Security, the Federal minimum wage law, the corporate income tax and the Federal aid to education.'' That is from United Press International, October 31, 1984.

Again we see Mr. ARMEY in 1984 said that Social Security was ''a bad retirement and a rotten trick on the American people.'' He continued, ''I think we are going to have to bite the bullet on Social Security and phase it out over a period of time.''

See, that is the Republican side of this issue. They never wanted it in the first place. I do not see how we can expect them to save it.

Mr. Speaker, the American people do not want this. They do not want a partisan Congress living up to its do-nothing billing. I urge you to work with the President and the Democratic leadership to craft budget bills we can all support. I implore you to let the majority rule and move the bipartisan Norwood-Dingell bill on to the President unchanged.

Finally, I want to invite you to come to my district and tell the students that are being taught in closets, in hallways, tell the children in kindergarten classes with 60 kids and two teachers, tell those children, going to school in buildings that are still burning coal, that they do not need to have school modernization provisions added to any tax bill.

Now, I know there are very decent people on the Republican side of the aisle. I have had the pleasure to work with so many of them in this, my first term in Congress, and I can call many of them my friends. But I am not giving up on the rest of you either. But we need to work together. We need to end the partisanship and do what is right for the American people, and do what is right for the American people today, not tomorrow, not next week, not next year.

Mr. PALLONE. I want to thank the gentleman from New York for the statements that he made. Essentially the gentleman is pointing out what we have been saying, which is that here we are, I guess it is over a month since October 1, which was when the new fiscal year was supposed to begin, and we are just basically staying here while we watch the Republicans try in some fashion to put together a budget. But it is virtually impossible for them to do so, because essentially their priorities are off base.

Unfortunately, while we wait here, they do not move on this agenda, which we think is important, the Patients' Bill of Rights, trying to come up with a Medicare drug benefit, the education initiatives that the gentleman mentioned.

I just wanted to point out very briefly, because I would like to introduce another one of my colleagues, this is from a summary that was put together today that when Speaker HASTERT started the year he made three promises in regards to the budget. One, he said that the Republican Congress would pass the budget on time, stay within the spending caps, and do it all without spending Social Security.

They have failed on each one of these counts.

Mr. HOLT. Strike three.

Mr. PALLONE. Exactly, strike three. We are now four weeks past the budget deadline, which was October 1. It is now November 3rd. Even the gentleman from Ohio (Mr. KASICH), the chairman of the Committee on the Budget, said this morning, and this is from The Los Angeles times, that the Republicans had not stayed within the budget caps, and both the Congressional Budget Office and the OMB have reached the same conclusion, that Republicans are spending as much as $17 billion into the Social Security surplus. None of these

promises have been kept, and we are still here.

I yield to my colleague from my neighboring district in New Jersey (Mr. HOLT).

Mr. HOLT. I thank my colleague, the gentleman from New Jersey (Mr. PALLONE), and I am pleased to be here with the gentleman from Michigan (Mr. STUPAK) and my colleague the gentleman from New York (Mr. CROWLEY).

You know, when the gentleman from New York (Mr. CROWLEY) and I and the other freshmen Members of Congress in both parties arrived here, we thought perhaps there would be less partisanship than we had seen in the preceding years here in Congress. As the gentleman may recall, the previous Speaker left following a less than stellar performance in the last election, and we find now, unfortunately, as the gentleman from New York (Mr. CROWLEY) was saying, that partisanship did not depart with the previous Speaker.

We end up with important legislation that the public wants, and the gentleman has been through it with your tombstone illustrations, and the gentleman from New York (Mr. CROWLEY) has repeated these. These are things that people want, Americans of both parties, Republicans and Democrats, and, in fact, I would say many of the moderate Democrats with whom we serve here in the House of Representatives and many of the moderate Republicans with whom we serve here in the House of Representatives. But the leadership that controls the agenda of the House will not let these come up.

We are, by most accounts, nearly done with the first session of Congress and the leadership is now preparing to adjourn for the year without having done these things that the Americans say are important, that I hear about in my district in New Jersey: Campaign finance reform, gun safety. You know, they think maybe the public will not notice that we have not dealt with gun safety because they scheduled it so the votes would occur in the middle of the night, but my constituents notice that it has not been dealt with.

The Patients' Bill of Rights. Well, yes, we passed it by a large majority here in the House, but the leadership, again, who control the schedule of these things, weeks later are only beginning to get around to the conference that would be necessary for this to actually become law.

□ 2015

A Medicare prescription drug benefit, nowhere to be seen; the Elementary and Secondary Education Act, not ready yet; school construction, school construction assistance, that so many school districts in urban areas, in fast-growing suburban areas, really all over the country need, and the smaller class size and more teachers, more well-trained teachers, nowhere; paying our obligation to the United Nations, I hear about that from my constituents, not done.

Among all these priorities left untouched is social security, so let me touch on that for a minute. Protecting social security I think should be our first priority. The President, in his State of the Union addresses this year and the previous year said, save social security first.

Protecting social security is so important to me that the first bill I brought to a vote here on the floor of the House of Representatives was the social security and Medicare Lockbox Act of 1999. This bill would have preserved social security and Medicare. It would have forced us to deal with this issue.

The first speech that I gave on the floor of the House even before that was about the need to protect social security. I even voted for the bipartisan lockbox legislation to preserve social security, which did eventually pass the House, but really went nowhere because the leadership was too busy concocting an $800 billion tax cut.

So throughout the past several months I have served on the bipartisan Social Security Task Force. I must say that preparing for the retirement of the baby boom generation looms as one of the Nation's challenges. I am very disappointed by the lack of commitment in finding a long-term solution.

When social security was passed in 1935, as my colleague, the gentleman from New York (Mr. CROWLEY) points out, to be old was usually to be destitute. Social security has changed that. Social security has worked. People in the U.S. believe that it is of fundamental value to help workers save for retirement.

But the leadership has not shored up social security. Instead, like magicians engaging in misdirection, they have instead accused the Democrats in the press and in paid political advertisements that we, we in the minority, are spending social security.

Not only have they not gotten around to this central problem, but they spent so much of this year developing this exorbitant scheme to spend money that we do not even have and may never have; in other words, a scheme that would in fact take us into spending social security funds.

In fact, they are already spending social security funds by virtue of the fact that they have failed to complete the appropriations for the current fiscal year by the end of the month of September, as they had promised and as is expected. So in fact they are spending at last year's rate, which means they are exceeding this year's caps.

So what are we going to do about social security? Social security pays benefits to more than 4.7 million disabled workers. Because about 25 to 30 percent of today's 20-year-olds will become disabled sometime before retirement, the protection provided by the SSDI program is extremely important.

Today nearly every wage-earner now pays into the social security system. We have to assure them that this is a sound investment. We do not have to ask a retiree if social security is a good program, they know it is. They want it preserved. We need to reassure the younger workers that this is such a good program for them. Younger workers are skeptical.

The fact remains that few of today's young workers are likely to have enough personal savings or private pension benefits to support themselves in the appropriate style after their retirement. Like the current generation of elderly, they will be heavily dependent on social security. It is incumbent on us to deal with that.

Social security is the most successful program of government in the United States in the 21st century. We must not forget that it provides vitally important protections for American seniors. The majority of workers have no pension coverage other than social security, and more than 60 percent of seniors depend on social security for the bulk of their livelihood.

This is just one of the many priorities that this Congress has failed to deal with in this session, which is rapidly approaching the close. I do not know what more we can do except say, as my colleague, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Michigan (Mr. STUPAK) and others of us have said night after night, these are important issues, let us deal with them. Let us deal with them in a bipartisan manner. What more can we do?

Mr. PALLONE. We can only do what we are doing now, which is to speak out and tell our colleagues and tell the American people what is really going on here. What is really going on here, again, is the wrong agenda. The only agenda that I see that the Republican leadership has is tax cuts for wealthy Americans and for corporations and special interests.

Every proposal that the gentleman and our other colleagues here tonight have put forward as part of the Democratic agenda, and I hesitate to even call it a Democratic agenda, because as the gentleman from New Jersey (Mr. HOLT) said, it is really the American people's agenda. It should be a bipartisan agenda, and we even have some colleagues on the Republican side who have supported some of these initiatives, like the Patients' Bill of Rights.

But the Republican leadership, because they are so dependent, if you will, on special interests, refuse to let any of these bills come up; or if they come up, they basically try to load them up with all kinds of poison pills or kill them in conference, use all kind of procedural techniques to kill them.

I appreciate the fact that the gentleman did bring up the social security again, because I know, when I am back in my district in New Jersey, I know they have those radio ads on basically accusing the gentleman of using the social security surplus, which is a total lie.

In fact, what they have done is what they accuse the gentleman of, which is,

they have spent $17 billion into the social security surplus already. That comes from the Congressional Budget Office and the OMB. How could it be more clear? I have never in my entire life seen a political party or leadership actually put on ad accusing their opponents of doing what it is documented they are doing themselves.

Mr. HOLT. If the gentleman will continue to yield, Mr. Speaker, it is what magicians learn in their early courses of misdirection. If they have their hand in the cookie jar, point to the other person and accuse them of engaging in thievery or lockpicking, or whatever it is that they are accusing us of.

It is preposterous, insulting, and insulting to the American people.

Mr. PALLONE. It really is insulting, I agree with the gentleman. I appreciate that he brought that out.

Mr. Speaker, I yield to my colleague, the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. Mr. Speaker, I thank the gentleman for yielding. I appreciate him for putting together this special order now. I also thank the gentleman from New York (Mr. CROWLEY) and the gentleman from New Jersey (Mr. HOLT). I really appreciate the gentlemen. They are new Members, and they bring a lot of enthusiasm to the job, and a good, practical approach to government. We really need that in this body at times.

I think it is very unfair how the Republican majority are running ads against the gentleman from New Jersey (Mr. HOLT) on spending social security, yet he is the person who came up with the social security lockbox idea so that we cannot spend social security; the gentleman is absolutely right, like the cookie jar thing where they point at you while they are sticking their hand in the cookie jar, taking $17 billion from the social security surplus to try to pay for this faltering budget that they have put forward.

All the colleagues who join us here were here in November, and quite frankly, the Republican-led Congress has done very little. They have passed 13 appropriation bills, knowing five of them are going to be vetoed. So the appropriation bills languish, and the needs of the American people. And the gentleman from New Jersey (Mr. PALLONE) is right, it is not a Democratic agenda, but the needs of the American people are not being met, are not being met at all.

The Republicans have spent a year trying to convince the American people that they need this $792 billion tax cut, which would benefit the wealthiest Americans. But America saw through that. They said, put the money to pay the debt and strengthen social security. Do not give this money in a tax break. Do not raid our social security. They rejected it.

Did they understand that? No. Look at this, Congress Daily, Wednesday, November 3: ''Hastert Pledges New Tax Cut Push.'' It is here. He is going to push another tax cut.

How is he going to pay for it? We do not have enough money to pay for the current appropriation bills. There is $17 billion taken out of social security to pay for the current budget, and we are not even done with it. While they are spending that, now they want another new tax cut push. This is Congress Daily, nothing we made up. This is what we get every day. Sure enough, they are going to push another big tax break to benefit the wealthy.

How are we going to pay for it? Back to raiding social security? Why do they not accept the gentleman's proposal and do a lockbox? Why do they not take those false ads off the air and thank the gentleman from New Jersey (Mr. HOLT) for putting on the lockbox, for saving the social security surplus so the Republicans cannot use it for tax breaks.

Mr. Speaker, as we take a look at it, they have had the wrong priorities. They have tried to use gimmicks to pass the budget. I remember about 6 months ago, as we got toward the October 1 deadline, they came up with this great idea, let us call it the 13th month, the 13th month. We all know there are 12 months in the calendar, but they want to create a 13th month. That way they can stay within the budget caps by creating this fictitious 13th month. Sometime, somewhere, we have to pay for that 13th month.

So I am proud of Democrats standing up and saying, we are not going to accept that gimmick. Take away the 13th month.

Then they said, let us declare everything an emergency, everything we do not have money for. If we declare an emergency, we do not have to stay within the budget caps. Let us declare an emergency things like the Census. We have to count the American people. It is in our Constitution for over 200 years. Every 10 years we count the American people. It is 2000, the 2000 budget, and we have to count the American people.

Well, we will declare that an emergency. That way we can spend money, spend the social security trust fund and not have to declare it as part of our budget.

My colleagues are right, this GOP Congress is really the do-wrong Congress, not do-nothing. What they do, they do it wrong. It is a do-wrong Congress, instead of listening to the American people and working on the programs that would cost very little and really would improve the lives of the American people, like a real Patients' Bill of Rights, so Americans and their doctors would make medical decisions, and not the insurance companies and HMOs; like increasing the minimum wage, since we have this robust economy. Why cannot those who are struggling to get by enjoy the strong national economy by increasing the minimum wage?

Or how about 100,000 more teachers, 100,000 more teachers, and we can have smaller class sizes, so students who are most at risk can get a helping hand to learn, so we can bring some discipline back into the classroom? Why not?

Why not, I would ask, Mr. Speaker, why should we not enforce all the gun laws that are on the books, and do background checks on every commercial sale of a gun, even those at gun shows? Let us treat everyone the same. No more excuses, no more exceptions. We should be working for the American people.

Unfortunately, the Republican-led Congress has the same old song: more tax breaks here for the wealthy and more tax on government.

What America wants us to do, they want a Congress that will work for them, like the plans that the Democrats are fighting for: 100,000 teachers that we need for smaller classrooms; 50,000 more police officers in the Cops II program that we have all fought for, and we see it works across this great Nation; a real Patients' Bill of Rights.

We need to protect our environment, and we have to provide prescription drug coverage for our seniors. That is not asking too much. We can pay for it, and it is paid for without busting the budget or raiding social security.

We have talked about HMO reform and a real Patients' Bill of Rights. We passed it here by an overwhelming bipartisan vote, 275 to 151. So what do we do today? Appoint conferees. Who appoints conferees? The Speaker. Who are the Republican members of the conferees that were voted on today? Not the gentleman from Georgia (Mr. NORWOOD), who is the sponsor of the bill; not the gentleman from Iowa (Mr. GANSKE), who knows something about medical stuff; or the gentleman from Oklahoma (Mr. COBURN).

Why? Because they all voted for a Patients' Bill of Rights. They are doctors. Who did they appoint? They put on people, some of these 151, the people who voted against the bill. Tell me, are we going to get a real Patients' Bill of Rights when the conferees who work out the difference all voted against the bill? We do not have one Republican member who voted for it on that conferee; another gimmick, another gimmick. These guys vote for gimmicks instead of reality and practical government, and try to move the effort forward.

Look, we ran the bill and they lost. Accept it. What happens when we have a conference? The major sponsors of the legislation are the conferees, not those who are going to vote for special interests; in this case, the insurance companies. I cannot believe they do this stuff.

When we talk about the Patients' Bill of Rights, the medical needs of the American people, I want to share one story. I just got a call in today. I am not quite sure how I can help the individual.

□ 2030

In my hometown in Menominee, in the Upper Peninsula of Michigan, this

gentleman owns a small business, been going great guns, been expanding and doing well, an employer. He has full-time benefits for his employees and health insurance for his employees and their families. He was telling me he has 90 employees. It used to cost him $17,000 to $19,000 to pay for health insurance.

Unfortunately, one of his employees, their wife had open heart surgery. So they had to renew their insurance.

The insurance company says, not going to cover you anymore. You have a claim against us.

No, we did not have a claim.

Yes, you did. One of your employees, their spouse had open heart surgery. We will insure you but it will now cost you $49,000 a month.

One claim, 90 employees. It used to be $17,000 to $19,000 a month. Because of this one claim, open heart surgery, it is now $49,000. That is more than triple the premium went up because of this.

So in our Patients' Bill of Rights, what we say, let us enforce these rights, and there is a carryover provision. So if your coverage gets dropped by the insurance companies, you can stay with that doctor and continue care.

What happens to the lady who just has open heart surgery and the company can no longer afford the extortion by the insurance companies and has to drop the insurance? How does she get her follow-up care? How does she do it without bankrupting that family?

So I think the Democratic Party or the American people have the right agenda. They want us to do things that will keep us within the budget. They want us to do things that affect their everyday life.

I do not know about my colleagues but after the debacle of the Republicans before with the $792 billion tax break, no one in my district was pounding on my door saying give me the tax break. Every time they heard about it, they pounded on my door and said do not give the tax break. Put money in Social Security. Put money in Medicare. Give us some prescription drug coverage, and if there is $3 trillion, is it not time we pay down that debt?

The American people know what they want. They know what they need. And they said, you know, geez, you guys had a good start with 100,000 teachers last year. We have about 30,000. Can you get the other 70,000 in there, because we do want the smaller class sizes, whether it is New York or upper Michigan or New Jersey, and they are not having students out in the hallways because classes are expanding. Right now, in this country we have more people in K through 12 education than ever before in our Nation's history, but we are not helping them out. We are not helping them out.

Why not the 50,000 police officers? Why not? Crime is going down. Everything is going well. Now you stop, you throw in the towel and say we do not have to do anything else to fight crime; let us get rid of the cops? It just does not make any sense to me whatsoever.

What we have seen is a Republican-led Congress, all kinds of gimmicks, an agenda that has been rejected by the American people. That is why I call it the do-wrong-thing Congress.

We have done some things. It has all been wrong. The American public rejects it. The people who we have talked to reject it. They just need a little helping hand from government. So I am pleased that they have spoken up and we will continue to speak up for the American people through these special orders.

I want to thank the gentleman from New Jersey (Mr. PALLONE) for allowing us some time to come down and join him here tonight, and my good friend the gentleman from New Jersey (Mr. HOLT). I would say to the gentleman from New Jersey (Mr. HOLT), tell them to pull those ads and put the truth on TV. The gentleman is the one who did the lockbox for the Social Security trust fund, not raiding it, and of course the gentleman from New York (Mr. CROWLEY) who does well with New York and the conditions there in trying to educate the children in a big metropolitan area where they have overcrowded classrooms, and even up in my northern district, northern Michigan district, we do not have the size of New York but we still have students being taught out in those temporary trailers.

I think it has been 15 or 20 years now. The temporary trailers are still there falling apart. We certainly do need help with more teachers and a bond proposal to help school construction.

I appreciate the opportunity. That is what I am hearing from my constituents. I wish we could work in a bipartisan manner like on the Patients' Bill of Rights and then do not give us a gimmick in appointing conferees who all voted against us and then say we are going to give a fair conference on Patients' Bill of Rights. It does not make sense to me.

Mr. PALLONE. Mr. Speaker, I want to thank the gentleman from Michigan (Mr. STUPAK), particularly when he points out the gimmicks that are being used by the Republican leadership because that is what it is all about. They have the wrong agenda and they want to do whatever they can to block the right agenda, which is the legislation we put forth.

I was talking to some of my colleagues, even some of my Republican colleagues at lunch today, and I found out, and I do not know that it is true in New Jersey but there apparently are a number of State legislatures where they have rules that the conferees have to be the people who supported and voted for the bill, and it is not even allowed under the rules of certain legislatures in certain States to appoint conferees who did not support the bill.

It makes sense, if one thinks about it. By saying that they are going to appoint conferees that actually did not support the bill, they are basically sending the signal that this conference is not going to allow the provisions of the bill to be upheld, and that is the signal that they are sending

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

Mr. PALLONE. I yield to the gentleman from New Jersey.

Mr. HOLT. Mr. Speaker, for 200 years this body has operated most of the time in a bipartisan, courteous way. As my colleague was saying a moment ago, if the Speaker's party lost on a vote, the Speaker said, well, we gave it a good shot. We made our best case. The other side won. That is the way representative government works, and the Speaker would appoint people who would see that the best legislation came out of that vote.

Mr. STUPAK. Which reflects the wishes of the House, not their personal agenda or the agenda of special interests but the will of the House. Let the will of the House prevail in this conference report, in this conference committee. Also, if one takes a look at the rules of the House, they do not say it is mandated but they certainly suggest that the sponsoring people of the legislation, the bulk of them would be conferees, should be conferees. They do everything but say they must be the conferees.

I think it just adds to the poison atmosphere we see around here, and again just another gimmick to defeat things that the American people are demanding.

The conference report no one sees that, conference committee, so we can kill it right there and nothing ever happens. We do not have to worry about real reform. It is just ridiculous.

Mr. HOLT. The American people are not interested in gotcha strategies within the internal politics of this body. They want legislation that deals with issues that they deal with at home, that they talk about at their kitchen tables.

We have just been through a long list of those that could have and should have been dealt with in the past 10 months.

Mr. PALLONE. I agree, and I appreciate the gentleman bringing it to our attention.

Let me now yield, if I can, to the gentleman from Massachusetts (Mr. OLVER) who has joined us.

Mr. OLVER. Mr. Speaker, I am very happy to join the distinguished group of Members from New Jersey and New York and Michigan who have been here speaking about these issues, and to bring a Massachusetts point of view to some of what is being said.

Here we are, we are almost finished with the 1999 congressional session. We have five major budgets yet to go. We are only 5 weeks late. Some of the States have been later than that but we are very likely going to be done in a couple of weeks and maybe even some are saying within one week. Yet this

has been really a strange session.

Legislative bodies usually try to do the things that meet the popular will, but the Republican leadership of this Congress, in 1999, does not even try to deal with issues that the largest number of Americans say again and again that they want done. For the first time in 30 years, we have the prospect for modest and growing surpluses. We have the money to do those most important things that people really want done, and yet the Republican leadership has refused to bring forward a bill that would extend the Social Security system so that the next generation would have the same opportunity to have the Social Security system for them that my generation has and will have secure for them.

The same leadership, the same Republican leadership, has refused to extend the life of the overall Medicare program that has been such a boon for our senior citizens in making certain that they could have quality health care that they can afford. It is clear, as has already been said from the way they have set up the conference committee on the Patients' Bill of Rights, that they really do not intend to pass a patients' bill of rights that would take the medical treatment decisions for every American family away from insurance executives and accountants and give those treatment decisions back to doctors where they belong.

The same Republican leadership has refused to add even a modest prescription drug benefit to the Medicare program. We have millions of senior citizens who are paying $200 or $300 for prescription drugs. Well, maybe not millions but we have a lot of senior citizens who are paying $200 and $300 a month for their prescription drugs and they really cannot afford it.

By the way, we have seen the spectacle of this House passing a campaign finance reform bill in a matter of just a few weeks, with the votes of dozens of Republican members who courageously refused to follow their leadership in weakening that legislation; only to see the bill killed in the other body, in the Senate. There simply is not going to be any campaign finance reform this year or in this 106th Congress and very likely in this century along the way.

Why? Well, just as an example, it should not surprise anybody out here in the watching audience that drug companies steadfastly oppose the creation of a prescription drug benefit to the Medicare system because they are making great profits off drug prescriptions for senior citizens, and those end up substantially being paid by the government. They are making great profits and, oh, by the way, it should not surprise people that of the 10 largest corporate contributors to Republican leadership political action committees, that a majority of those are themselves the drug companies.

So then we have among those other things that have not been done this year, there is a proposal to increase the minimum wage by $1 over 2 years. We have had an unprecedented good economy, growth in our economy over an 8-year period. We have the lowest unemployment rate in decades. We have people working at minimum wage who deserve to see some benefit for their work, and only get to see that benefit if there is an increase in the minimum wage.

By the way, 80 percent of Americans favored an increase in the minimum wage. Just as similar numbers favor a Patients' Bill of Rights and favor the prescription drug benefit for senior citizens to be added to our Medicare program and favor the extension of our overall Medicare program so that the life of that program will go beyond the year 2015, which is now the time when it will go bankrupt.

Well, the extension of the Social Security system for the next generation, all of those things are favored by 75 percent or 80 percent of Americans, and even 67 percent of Republicans favor the minimum wage bill, a bill that we could pass in a clean way in a day. The Republican leadership is going to allow to come to this floor only a bill, only a bill, that carries with it about $70 billion of tax breaks for the 1 percent of Americans who make over $300,000 a year.

Now, they are going to hold a simple minimum wage increase, a $1 wage increase, for the lowest income workers in this country. They are going to hold that bill hostage to a huge tax reduction for the wealthiest 1 percent of Americans, who are the people who contribute mostly to political campaigns, to their own political PAC campaigns and such. So all of these things are interconnected. Many people do understand how interconnected, why we get the legislation that we get; why we do not get the bills that the gentleman has shown so graphically, the rest in pieces.

The campaign finance is a pretty critical question in these.

□ 2045

The influence of money in the passage of legislation, in what legislation comes up before us, and what is allowed to be debated, and what ends up being passed by this Congress in this 106th Congress is a critically important matter until we can get campaign finance reform to pass through here and not be juggled between the two branches and killed by the one branch, and maybe next year it will end up being killed by this branch, and it is passed by the Senate or something.

It is critical that we do something about campaign finance reform, or we are going to continue to see this musical chairs process by which those bills that the Americans by the largest numbers say they want us to do because those are important to them in their daily lives, those bills are not going to be handled this year or next year and the second year of this session.

So I am very happy to join with the gentlemen that have been here tonight. The gentleman from New Jersey (Mr. PALLONE) has shown such leadership in bringing to the attention of the American people these kinds of ironies in how we are functioning, what we are not doing, what we should be doing, what the American people want us to do that is not getting done. I am very happy to add a Massachusetts view to what has already been said.

Mr. PALLONE. Mr. Speaker, I want to thank the gentleman from Massachusetts (Mr. OLVER). There were two points that he raised that I just wanted to mention briefly, because I think we only have a few minutes left. But he brought out the fact that the Republicans have not even looked at the long-term solvency of Social Security and Medicare, in other words, this debate that we have discussed tonight and we have had about whether or not the Republican appropriation bills and their budget actually spend the Social Security surplus. We know that it has about $17 billion that has come from this Social Security surplus in order to pay for their budget.

But that is really a minor issue compared to the fact that, over the long-term, we need to address the financing of Social Security and Medicare for future generations.

President Clinton has actually put forth proposals in both of those areas, primarily by saying that whatever surplus is generated through general revenues over the next 10 years, a good amount of that be used to shore up Social Security and Medicare for long-term purposes. The Republicans have not even looked at that. That is an agenda they have not even touched. The bottom line is it is going to come home to roost at some point.

Mr. OLVER. Mr. Speaker, will the gentleman yield?

Mr. PALLONE. I yield to the gentleman from Massachusetts.

Mr. OLVER. Mr. Speaker, it should come home to roost. But the reason they have not touched it is a very deliberate reason. As has already been discussed here this evening, they opposed the creation of Social Security. They opposed virtually to a person the creation of Medicare 30 years ago. Of course, earlier this year, they rammed through the Congress very quickly and then, because it was not very popular out in the general populace, sort of backed away from it, but they ran through a huge, a huge tax reduction using every penny of the projected surpluses while not a penny of those had yet been produced, but only were projections, but used every penny of it that would have been necessary, very deliberately used every penny of it that would have been necessary if there ever was a possibility of extending Social Security and Medicare for the generations to come. It was a very deliberate, a very cynical kind of a move. They have done that, and they will do it again, because they never were in favor

of Social Security or Medicare in the first place.

Mr. PALLONE. Mr. Speaker, that is a very good point. The other thing the gentleman mentioned, I just wanted to briefly say, is about the prices of prescription drugs and the need for a Medicare prescription drug benefit.

I just wanted to mention that today Families U.S.A. came out with a report that really documents very well the problem of high drug prices and the fact that so many senior citizens, they say 35 percent of Medicare beneficiaries, 14 million people, have absolutely no coverage for prescription drugs. The 65 percent that do have some coverage, it is limited. Increasingly, because of deductibles, co-payments, caps on the amount that is provided under the prescription drug coverage, they see a decline in their ability to obtain prescription drugs and increase costs out-of-pocket.

So this is, again, the issue of a Medicare prescription drug benefit is not pie in the sky. This is responding, as the Democrats have, to real needs, to concerns that people express to us every day; and, yet, the Republicans refuse to acknowledge it and refuse to act on it.

So I want to thank the gentleman again. I think we have run out of time, but I do want to say that we are going to continue to be here over the next week or two, before this House adjourns for the recess, to point out that the Republican leadership has the wrong agenda. They are not addressing the real priority of the American people. We are going to keep pressing that those priorities be addressed.

UPDATE ON SOCIAL SECURITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Texas (Mr. SESSIONS) is recognized for 60 minutes as the designee of the majority leader.

Mr. SESSIONS. Mr. Speaker, tonight what we would like to talk about is an updating for the American public about, not only what is happening currently in Washington, D.C., but to give people an understanding about why Republicans are standing up essentially on several themes.

One is Social Security, people's retirement. The future of people's retirement should not be taken to fund the government. Social Security should be used for that which it was intended, and that is to be put aside for people's future retirement like myself. I have paid in 27 years into Social Security, 27 years, both my wife and I, and we want to make sure Social Security is there.

Second thought process, we must continue to balance the budget. By balancing the budget in Washington, D.C., and not spending Social Security, we will make sure that government has to look internally for its needs to prioritize, to provide those things that the government has to do. It has given lots of money, and it needs to set priorities and make tough decisions just like people out in the States do, people who have families, people who run small businesses, people who work for corporations.

The last thing is no means no. Mr. President, we are not going to spend Social Security. One hundred percent is larger than 60 percent.

Lastly, that we want the government to do those things that the American public has done for many years, and that is look internally, set priorities, and try and meet those obligations and needs that one has.

Today, also, I am joined by the gentleman from Arizona (Mr. HAYWORTH), one of my fellow members of the Republican conference, and I yield to the gentleman from Arizona.

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from Texas for yielding to me, and I appreciate the fact that he has organized this time, Mr. Speaker, to go directly to the American people. Indeed, following, as we do, our colleagues from the left, I think it is important, even as much as we would like to set this up with a very positive dynamic, we are also compelled by the instant revisionism of the left to address a couple of their arguments.

Indeed, Mr. Speaker, as we hear the ferocity of the denial of what has gone on for so many years on the left, as the folks stepped up to the plate tonight, Mr. Speaker, I think it is important to set the record straight.

First and foremost, the fact is, before the gentleman from Texas and I came to the Congress of the United States, for 40 years the Social Security surplus was routinely spent on pet programs of the left. Indeed, so much money was spent that the country was taken further into debt.

We heard all the name calling about the notion that Americans keeping more of their hard-earned money was somehow unpopular. Mr. Speaker, what is really unpopular on the left, sadly, is a failure to step up and recognize fiscal responsibility.

Mr. Speaker, what we are talking about is a 1 percent solution. There is a success we can already celebrate. The budgeters, the folks who take care of all the numbers, have done some studying. They tell us for this fiscal year, fiscal year 1999, for the first time since 1960, for the first time since Dwight Eisenhower was ensconced in the big White House at the other end of Pennsylvania Avenue, this Congress balanced the budget, and did so using none of the Social Security surplus and, also, we might add, generated a surplus over and above the Social Security funds to the tune of $1 billion.

That is cause not only for celebration, Mr. Speaker, it is cause to signal our commitment. Now that we have done that, we dare not go back and to hear the charges from the left.

Let me offer what any computer student knows, what most folks understand here in the United States, one of the oldest games in the world, and, sadly, one of the first casualties in dealing in debate with the left, one of the first casualties of such debate is truth.

When one sends the folks in the budget office a set of false assumptions and one says, assuming the following things, then what does one see? The folks who crunch those numbers are honor bound to say, well, making those assumptions, we expect X, Y, and Z.

In the popular vernacular, Mr. Speaker, that comes down to garbage in, garbage out. My friends who preceded us here on this floor involved in the instant revisionism were offering a clear example of that.

I mentioned just a minute ago the 1 percent solution. Mr. Speaker, I hold here a shiny new penny, made, no doubt, with Arizona copper. What we are saying through this appropriations process, through what the media calls the battle of the budget is as follows: Cannot we step up and save one penny out of every dollar given the massive waste, fraud, and abuse fraught on the American people by Washington, D.C., cannot we save one penny out of every dollar to save Social Security?

An example is as follows here with this chart, which graphically demonstrates what has transpired. It is entitled, Mr. Speaker, ''Mr. Clinton goes to Africa.'' My colleagues may remember the trip in the news, a few positive policy notions discussed there.

But what was disturbing about the trip, Mr. Speaker, was the President took along 1,300 people. Included in his entourage were some Members of this body, the mayor of Denver, Colorado, and others. Mr. Speaker, what is compelling is the cost of that trip was almost $43 million, including an entourage of 1,300 folks.

Now, under our modest proposal, the 1 percent solution, saving a penny out of every dollar, what would have happened was that 13 members of this 1,300 member delegation would have had to stay home. Maybe the mayor of Denver had concerns he could have better added in Colorado within the environs of the city limits of Denver. Maybe 12 other folks could have stayed home. I believe Mrs. Curry, the White House secretary for the President, was also on the trip. Maybe she could have tended to things back here.

But all we are saying is this is not a draconian cut. My goodness. If anything, it is somewhat modest. But this demonstrates the waste. Let me point out to the gentleman from Texas, Mr. Speaker, and others who join us, understand, the 1,300 people in this entourage did not, I repeat, did not include the security personnel that every American understands a President, given these trying times, needs both at home and abroad.

We are not talking about secret service. We are not talking about a security entourage over and above that. We are talking about 1,300 people. You combine this number of folks with

other trips to China and Chile, and you are looking at a bill of close to $70 million.

Mr. SESSIONS. Mr. Speaker, just to prove the gentleman's point, the President just today has vetoed the bill that was known as H.R. 3064 for Labor, Health and Human Services and the District of Columbia.

Today, and I will quote from what the President has sent to the House of Representatives, ''I am vetoing H.R. 3064 because the bill, including the offset section, is deeply flawed. It includes a misguided .97 percent across-the-board reduction that will hurt everything from national defense to education and environmental programs. The legislation also contains crippling cuts.''

Well, what we have done in the Congress is we have tried to make sure that government was fully funded. An example of this in this bill, since the time that I have been a Member of Congress, former Speaker Newt Gingrich said it should be a national priority that this Republican Congress would double biomedical research over 5 years. We are now in the very midst of that. In fact, the Republican bill increased funding for the National Institutes of Health by 15 percent, that was in 1999, and 14 percent for the new year's budget.

□ 2100

The President asked for $15.9 billion, and we gave him $17.9 billion. That is $2 billion more.

Mr. HAYWORTH. Mr. Speaker, would my friend please repeat those numbers, because I think it is important; and it is something, given the many curious mathematics of Washington, D.C., and the failure of both accountancy and accountability at the other end of Pennsylvania Avenue. Would my colleague repeat those numbers. That is actually an increase, is it not?

Mr. SESSIONS. Mr. Speaker, it is a huge increase in some of the most fundamental things that are important for biomedical research and things that we are doing, funding in Washington, D.C., to solve medical problems of Americans that would be open then for the world.

What we did is we increased it $2 billion. Yet the President has said it is misguided. When we asked, after fully funding and more than funding this, the President said it is misguided to ask for a .97 percent of the budget to be looked at internally.

Mr. HAYWORTH. Mr. Speaker, reclaiming my time, what we are talking about here, we need to point out facts are stubborn things. And the chart, basically, sums it up right here.

In terms of spending, we see what is going on here. We are just simply talking about reducing spending, realizing savings of 1 cent, 1 cent on every discretionary dollar. My colleague from Texas pointed out the fact, and again, facts are stubborn things despite what some of this town call spin, others would more properly label as propaganda, how can you spend $2 billion additionally funding priorities and at the same time be accused of irresponsibility.

Mr. Speaker, my colleagues remind me of George Orwell's seminal book ''1984'' where the mythical republic of Oceania embraced slogans such as ''Ignorance is strength.'' ''War is peace.'' Now we are hearing in this town that fully funding, and then some, is a draconian cut. It just does not add up.

Mr. SESSIONS. Mr. Speaker, could it not really be that what has happened is that the priorities that we have had to establish, in other words, ''no'' means no, no, we are not going to keep spending more and more and more; and, no, we are not going to spend one penny of Social Security, we mean we have to make tough decisions here in Washington, D.C., set priorities, determine what money will be spent on, is it not probably that it is too tough a decision for evidently some people to make?

Let me give my colleagues an example. When asked if there was absolutely no waste in his department, Is there no waste in your department, Bruce Babbitt responded, You got it exactly right, no waste in my department.

The Deputy Attorney General Eric Holder, when asked about the administration's position on, we should not reduce at all the size of the Federal budget, Eric Holder said, That would be my view.

When Joe Lockhart, the President's spokesman, has talked about whether it is okay to spend Social Security, is it dipping into Social Security, should that not be a choice, he said, Listen, if you look at the budget that Congress has produced over the last 15 or 20 years, they have every year dipped into that.

And there is more. The more is, when Secretary of Education Riley was asked about how much money would be given to his department he said, The Republican plan slashes critical resources and schools well below the President's request.

And yet, we gave them our education budget, the Republican budget, $88 million more than what the President was allowing for or asking.

So, in fact, what we are doing is we are making tough decisions. And they want more and more and more.

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

Mr. KINGSTON. Mr. Speaker, I think it is ironic that the Education Secretary, the man who is in charge of teaching children math, misunderstands the fact that when our budget is over the President's that we are slashing education. I think there is certainly a math deficiency there. Maybe we should have an investigation of that in itself. I know the Clinton administration loves studies. I am sure they would want to fund it. But it would also be a waste of money, so I am being sarcastic.

I wanted to point out to my colleagues that the Lockhart quote, the White House spokesman, when he said, yeah, Congress should go ahead and spend the Social Security funds because they have done it for 20 years, well, there are a lot of things that have been going on for 20 years in this town that we are slowly putting a stop to.

Now, the three of us wanted to put a stop to it really quickly in 1994 when we became the majority, but we could not. So it is kind of like stopping a runaway train. You just got to go slowly. You just cannot stop these things suddenly.

The gentleman from Arizona (Mr. HAYWORTH) has the same quote, basically, from the Democrat leader, the gentleman from Missouri (Mr. GEPHARDT) saying, just take a little bit out of Social Security.

Mr. HAYWORTH. Mr. Speaker, I thank my colleague from Georgia for his comments.

Two points. Number one, again, in the vernacular of this town, which some folks who are onlookers call spin, or should properly call spin propaganda, there is also something known as message discipline. And our colleague from Texas recites not only the statements of the White House press secretary but several cabinet officials involved in message discipline, to use the vernacular of the city.

How unfortunate, Mr. Speaker, that they cannot be involved in fiscal discipline, stepping up with us with a 1 percent solution. A penny saved out of every dollar of discretionary spending goes a long way toward protecting the Social Security Trust Fund. It is summed up like this: a penny saved is retirement secured.

My colleague from Georgia alluded to this. This was 2 weeks ago, October 24 of this year, the gentleman from Missouri (Mr. GEPHARDT), the House minority leader, appeared on this week on ABC. The question was, ''What's the problem with spending the Social Security Trust Fund? You've been doing it for years,'' which sounds to me like a set-up question just as an average citizen in addition to a Member of Congress. But here is what the gentleman from Missouri (Mr. GEPHARDT) said: ''I understand. But there is a feeling now that since we have a surplus and since we got to get ready for the baby-boomers,'' and this is the key clause, Mr. Speaker and my colleagues, ''that we really ought to try to spend as little of it as possible, none if possible. We really ought to spend as little of it as possible.''

This is not rocket science, Mr. Speaker. What you see are two very different visions of government. We believe to help Americans realize the limitless nature of their dreams, we should put limits on wasteful spending in Washington. The other side says, let us never put limits on spending. There is always more and more and more to be spent, and they engage in dubious mathematics and spin.

The President of the United States stood here in January of this year and

talked about putting Social Security first and then had the audacity to say let us save 62 percent of the Social Security surplus. Now, a quick check of math, Mr. Speaker, indicates that that evening he was prepared to spend 38 percent of it on other priorities. And that is the operative factor: spend, spend, spend, spend some more.

Mr. SESSIONS. Mr. Speaker, it sounds like to me that it is another example where the truth is held hostage in Washington, D.C., where we have gotten so much into spinning the message that we have forgotten what the truth is.

I would like to go back to the President's letter to the House today upon why he vetoed the bill and then, perhaps, to give the facts of the case.

The President, on page 8 of the veto, says, ''This across-the-board cut would result in indiscriminate reductions in important areas such as education, the environment, and law enforcement.'' In addition, this cut would have an adverse impact on certain national security programs. The indiscriminate nature of the cut would require a reduction of over $700 million for military personnel, which would require the military services to make cuts in recruiting and lose up to 48,000 military personnel.

Let us now do a fact check. A fact check says, despite the 1 percent that we are asking this administration to look internally for efficiency for them to save the money, Congress has appropriated, that is, the Republican Congress has appropriated more money to critical areas of the Government than President Clinton ever even requested.

For example, in defense the President requested $263.3 billion. After the 1 percent savings that we are after, we appropriated $265.1 billion. That is $1.8 billion above what the President even requested.

For education, the President requested $34.71 billion. After the 1 percent savings, we appropriated $34.8 billion. That is $90 million above what the President's request was.

For crime, the President requested $2.854 billion for State and local law enforcement assistance, which includes his COPS programs. After the 1 percent savings that we are after, we appropriated more than $397 million more than the President requested.

And yet, if we look at what the President is saying is that, if he has to make this 1 percent savings within the administration, they will have to take the loss of up to 48,000 military personnel. We are talking about we fully funded above what the President ever even asked for, and he is still going to have to cut.

So it makes us wonder what is the truth and why should it be held hostage in Washington.

Mr. KINGSTON. Mr. Speaker, if the gentleman would continue to yield, what I find ironic is, frankly, these numbers are staggering to me as a conservative, as a Republican. I think that, in many cases, we as a Republican party spend too much money. But I understand we have got to work through the process, we have got to have 218 votes, we have got to have 51 votes in the Senate, we have got to have a bill that the White House will sign. So we, reluctantly sometimes, have to spend more money than our constituencies want us to spend.

But when the Democrats vote no on the appropriations bills because we do not spend enough and then say they do not want to take it out of Social Security, we want to say, okay, I give up. This is some kind of game. Clue me in. What is the missing element here?

The money that my colleague is talking about spending comes out of Social Security. And yet they say they do not want to spend it.

Of course, now the gentleman from Missouri (Mr. GEPHARDT) says go ahead and spend it. Joe Lockhart, the AL GORE spokesperson and administration spokesperson, says go ahead and spend it. And AL GORE's own budget, which he is tooting around the country talking about, spends lots of Social Security money.

I think that is maybe where the hope is that, perhaps because of the presidential year, the Vice President will come to his senses. But the reality is Al Gore is very much in favor of us spending Social Security money. We have got to put a stop to this.

I do not know, I guess this is maybe being an alpha male, you raid your grandmother's trust fund so you can go around telling your friends, I wear opaque shirts, or whatever the color is that alpha males are supposed to wear. I do not keep up with these kind of subliminal things outside the Beltway.

But the reality is, here is a guy running for President who wants to spend Social Security money and is fighting our budget because our budget does not spend enough money.

What we are saying to the Vice President is, hey, look, all we are saying is take a penny out of the dollar. That is all you got to do is take one cent and then you do not have to spend any of the money out of Social Security. Cut out some of the waste.

My colleague talked about Secretary Babbitt saying there was no waste in the Department of Interior, and you may have already mentioned this about the $30 million duck-breeding island in Hawaii. The Department of Interior has bought a $30 million island for ducks to breed on in Hawaii.

I was a honeymooning duck, I might want to go to Hawaii myself if I could fly over there. But the problem is only 10 ducks took them up on the offer.

□ 2115

So now at a cost of $3 million per duck, we have got an island. As the majority leader says, that is a lot of quackery.

Mr. SESSIONS. The gentleman from Georgia is suggesting that the money that has been appropriated is more than what the President asked for in this bill that he vetoed. We have wisely provided it for not only the National Institutes of Health but $88 million more for education, and yet the President and the administration refuses to find one penny of taking out waste, fraud and abuse which we know is rampant, and the administration is even unwilling to look at the $30 million. Yet I know at Glacier National Park this year, the administration put a million-dollar toilet that took 800 trips from a helicopter to place this outhouse at 7,000 feet. It is incredible. One would think that they could utilize some common sense just like what is done at my table, I am sure at your tables, where you have to make decisions just on one penny out of a dollar.

Mr. HAYWORTH. It is amazing the efforts which the left will employ to avoid common sense savings. I was especially surprised and sadly disheartened at the comments of my fellow Arizonan the Secretary of Interior, our one-time governor Mr. Babbitt to now say that there is no waste in that department. I would simply refer the Secretary to a finding made just a few years ago, in my first term in the Congress of the United States when I was privileged to serve on the Committee on Resources and we had the Interior Department's accountant, in Washington, we give accountants fancy names, the Inspector General was there, that is the accountant who takes care of all the books, conducts the audit, and sitting alongside him at that point in time was the director of the National Park Service. The accountant, the Inspector General for the Interior Department, reported to our committee that for that fiscal year, the National Park Service could not account for over $70 million in funds authorized and appropriated to be spent by the National Park Service. They could not account for it.

Mr. Speaker, we have the crown jewels of the Park Service in Arizona, the Grand Canyon, Canyon de Chelly, a variety of amazing sites of natural splendor. We depend on the Park Service to be good stewards of those national treasures. But is it too much to ask the Park Service and other Washington bureaucrats here to also be good stewards of the treasure of the American people, the tax money they send here year in and year out? And so, Mr. Speaker, I would invite my fellow Arizonan to take a very close look, mindful of that report of a few years ago. Certainly there is savings of one cent on every dollar spent, because I know a whole lot of Arizonans who sit down every Sunday with their newspaper and start to clip coupons, because they need to save 50 cents on a box of cereal. This is something that is not foreign. This is something that we do not need any highfalutin economics for. It is just common sense. We can do better.

I yield to my friend from Georgia.

Mr. KINGSTON. The gentleman from Arizona holds up the penny. I have got

a dollar here. All we are saying is find a penny. You know about clipping that 50 cents off on the Special-K or the corn flakes made by Kellogg's versus buying the house brand which always is cheaper but not always up to the taste quality. It is not just a matter of having to do it, it is also a matter of wanting to do it, because it is stupid not to. That is the way Americans buy things. We are a country of hardworking, middle-class people. If we can buy gas for $1.12 a gallon, we are going to drive two blocks past the $1.15 a gallon station because we can save the three cents per gallon. If we can buy our clothes cheaper when they are on sale, we are going to wait until the suits go on sale before we buy one. If we go to a restaurant, and I know the gentlemen here are both fathers. When was the last time you bought steak? You always are buying chicken and the first thing your eyes go to in the restaurant is the right side of the menu where the prices are, and then you work your way back to what the food items are you can buy for that price. For the people who have to decide between buying a new piece of furniture or a new dress or probably not buying either because the dryer breaks or you need a new set of tires on your car, or if you are a runner, buying jogging shoes when they are discontinued because they have been marked down 50 percent, if you go to Wal-Mart every Saturday or Sunday to buy anything from shampoo to cleaning fluid for your car or anything else, this is what we are saying, this is all we are talking about, finding that one penny on the dollar.

All over America, it is easy to do, from Maine to Miami to San Francisco. But somehow in this little 50-mile radius of an area of Washington, D.C., and not even that, really just maybe about a five-mile radius in the inner city here of government, it is impossible.

Mr. SESSIONS. We are talking about the things that happen back home. We are talking about decisions that families have to make. Sometimes you sacrifice, perhaps for a child. Sometimes you might sacrifice for a parent. But I would like to give some examples about how Washington, D.C. can make some tough decisions. It started with taking control of the House of Representatives that Republicans did in 1995. I would like to give some information about that.

Since 1995, the legislative branch funding has produced a savings of $1.2 billion below the trend line. In other words, if you had put the trend line of where it was headed from 30 years' worth of Democrat control, we have now reduced that $1.2 billion. This year, for the year 2000, legislative appropriations is $124 million below the current year. That is a 4.8 percent reduction. That means from 1999 to year 2000, the legislative branch, which is run by Republicans, has reduced their budget 4.8 percent. The legislative branch has downsized by 4,380 employees since 1995. That is a 16 percent reduction. We have cut the number of printed daily congressional books by 8,200 copies. We have cut the number of House committee staffs by one-third. We have privatized the House barber shop and beauty shops and custodial care and the parking lot and transferred the House post office to the U.S. Postal Service. We have done things that made sense in Washington, D.C. But those were things that were underneath our own control. That was because we were able to make the hard decisions. That is what we are doing now. That is why Members of Congress, at least Republicans, said we believe that it is so important not to spend Social Security that Members of Congress should take a 1 percent cut in pay next year. Lo and behold, what happens? It gets to the President, wholly unacceptable. So the things that take place every single day back home, somehow is just not acceptable, will not cut it up here.

Mr. KINGSTON. If the gentleman will yield, we are all about the same age, born in the 1950s, raised in the 1960s. Just describing my home, and I know the gentleman from Texas, he may not know this, but I was actually born in Brazos County, Texas, and the gentleman from Arizona and I found out today we have cotton and a lot of other crops in common, and the folks back home live in a world totally different from the spending other people's money philosophy of Washington, D.C.

I was raised in Athens, Georgia, on Plum Nelly Road, plumb out of the city and nelly in the county. In that house, 215 Plum Nelly Road, Ann and Al Kingston did not let children leave the room with the light on. If you left the light on, dad would let you know you were wasting money. We did not pay the power company extra money by leaving a light on in an unoccupied room. If you left the water on when you were brushing your teeth, not after you finished brushing but during the act of brushing your teeth, you were also called to the mat for a little dialogue, and sometimes that dialogue was not always verbal.

Now, you washed your own car. My little sister Jean who had two older sisters, she did not know there were such things as new clothes until she got to be a teenager and was on a clothing allowance. She wore hand-me-downs. That is just the way we were raised. I will never forget walking to the Beachwood Shopping Center from my house with Jimbo Ray, we would pick up Coca-Cola bottles on the way because they were 2 and 3 cent return bottles. We were frugal but it was not because we were poor, it was just that was the culture. You did not waste money. That is the way people did in Arizona and Texas and California and all over. And somehow they come to Washington and forget that whole value system. It is bizarre. Because I know lots of good people in government, Democrats and Republicans.

Yet one of the absurd things, the Pentagon lost two $850,000 tugboats. They lost one $1 million missile launcher. Now, I ask my colleagues, has anybody seen the missile launcher? Who has got it? Come on, fess up. Somebody has got to have it. It just goes on and on and on. A contractor for the Pentagon paid $714 for an electric bell that was only worth $46. It is absurd. We pay $8.5 million to 26,000 dead people for food stamps. Hey, why do we not start paying the money to live people, and we might have less of a need for health care if we start feeding live people. But can you imagine $8.5 million worth of food stamps to dead people? It is unbelievable. And it only happens in Washington, D.C. It does not happen in large businesses, it does not happen in small businesses, it does not happen in Georgia, it does not happen in Arizona, it does not happen in Texas, it does not happen with my family, with your family, with my neighbor's family down the street and turn the corner and go up one, it does not happen in that household, but here in Washington, D.C., it is the rule and not the exception.

Mr. SESSIONS. We were talking about Bruce Babbitt, saying that there was not a penny that he could find in his department. Yet we go back just 4 months to August 11, 1999, and here is the headline out of the Washington Times. Junkets Found in Wildlife Service. Trips to Brazil and Japan to promote a logo cost $26,000. This is very similar to the number of people that this President takes when he travels around the world. We are not saying you cannot travel. We are saying reduce what you are doing. This is $26,000. Here is what it says:

A U.S. Fish and Wildlife Service's employee spent $17,600 to travel from Brazil and Japan, including two junkets to promote the use of the sport fish logo, according to documents found by the Washington Times.

What we found out is that a gentleman made four trips to Rio de Janeiro and Sao Paulo, Brazil in 13 months at a cost of $9,084, according to the travel vouchers. And the director of the institute where they went said there is absolutely no reasonable justification for using the money to travel to these places. Here is what he said. His voucher stated that it was for the purpose of encouraging these manufacturers that he was going to meet with to use the sport fish logo on sport fishing equipment imported into the United States. In other words, he spent $26,000 to travel outside the country so that we could provide information so that our consumers in this country would want to see that sport fish logo. And yet the Secretary says he cannot find a penny.

What really happened here after the Government Accounting Office did this investigation? Mr. Gordon said his organization requested vouchers from other employees after receiving information from agency workers of financial irregularities. ''This doesn't surprise me. I find that this is consistent with what we found in our organization.'' The GAO finds this every single day. Yet the administration refuses to find just one penny on their own and take action about it.

□ 2130

Mr. HAYWORTH. I would say to my friend from Texas, I am indebted to him for pointing this out, and for my colleague from Georgia, who I think used a term that is all too revealing about the mind set of Washington and the wasteful spending therein and what transpires. The phrase is ''other people's money.''

Some folks in this town come to view the Federal Treasury as one big piece of pie, or, perhaps more appropriately, as the ultimate lottery winnings of all times, equating with trillions of dollars, rather than realizing this money belongs to the American people we are entrusted with.

While my friends talk about the accountability, we are also indebted to our colleague the gentleman from Michigan (Mr. HOEKSTRA), who serves on the Committee on Education and the Work Force, who has gone back and done some checking, because our good friend, the former Governor of South Carolina, the Secretary of Education, Mr. Riley, has also said that there can be no reductions.

Mr. Speaker, our colleague the gentleman from Michigan (Mr. HOEKSTRA) points out that the Education Department cannot account for $120 billion of taxpayer money. Today, more than 7 months after the March audit deadline, the Department of Education still cannot produce the required paperwork to allow their financial works to be audited by the GAO. In other words, they cannot even supply the information, and they cannot use the excuse that the dog ate the homework.

The Department of Education is the only Federal department that has not been audited for fiscal year 1998. The Department of Education is responsible for distributing $120 billion a year in education spending, $35 billion in appropriated funds and approximately an $85 billion loan portfolio. Unfortunately, they do not know where the money is going.

Mr. Speaker, is it too much to ask for accountability? Is it too much to say based on the fact that the figures are incomplete, that apparently our friends in the Department of Education do not know where the funds are going, could they not at least take the modest step of trying to find one penny in savings out of these $120 billion?

I see we are joined by our colleague from South Carolina, who has helped to make a difference from the low country, who must hear with interest the comments of the former Governor of South Carolina, the current Secretary of Education, about this topic, the out and out refusal of the administration to join with us to find savings of one penny on every dollar. I yield to my friend.

Mr. SANFORD. Mr. Speaker, I thank my colleague for doing so. I was sitting in my office catching up on paperwork and saw you over here and heard what you are talking about, which is this notion is it or is it not impossible to cut one cent out of every dollar spent in Washington? And the answer is a resounding yes based on what I hear from folks back home in South Carolina, and the answer is a resounding yes, in that if we are ever going to get serious about limiting the size of government, about limiting its growth, you have to establish precedent with this idea of a penny on the dollar. I think it is a great idea, and it is something that has got to happen.

One of the things that I think is interesting was I am on the Committee on International Relations, and I remember looking at a GAO report that talked about surplus properties within the inventory of State Department. As you know, we have got embassies around the globe.

Well, they had a surplus list of properties, and I remember in looking at this list, for instance, the State Department had a $90 million residence in Japan that was surplus. In Buenos Aires, the ambassador's residence down there is a $20 million home. You look at this, the State Department just got through selling the residence in Bermuda for I think it was $12 million or $14 million. You look at the amount of money that is out there, and, again, this was a GAO report that said you guys have too much in inventory, you might want to consider a little bit simpler accommodation. A $90 million residence in Tokyo is probably a bit much. It is not necessary to have that to do the job that has to be done.

So, one, there is a lot of fluff in the system, based on the inventory according to the Government Accounting Office.

The second thing that is interesting is this week we had a hearing on our policy with North Korea, and there is a new Government Accounting Office study that shows that over $365 million has been spent by the American taxpayer in food aid to North Korea. Never mind the fact that North Korea is testing missiles over Japan and basically disrupting the neighborhood, but you look at $365 million in food aid, the whole point of the GAO study was they could not quantify where the food was going.

So you have somebody that has declared themselves an enemy of the United States taxpayer, who at the same time is getting over $300 million worth of food aid that the Government Accounting Office says we cannot account for. We do not know if it is going to feed the army or if it is going to feed starving people in Northern Korea.

Mr. SESSIONS. If the gentleman would yield, what we are talking about tonight is waste, fraud and abuse. We are challenging the President to find a way within this administration to find one penny's worth of saving, without spending Social Security, and balancing the budget, and that is what we are asking the President to do.

I would like to go back and give a history of what 30 years of Congressional overspending does. What it does is very clearly seen on this chart. For those of you who might be a few feet away, the lower part here is deficits. This is spending too much money. This part that is on the right is the surplus.

For 30 years, from 1970, when we first put a man on the moon was when we began ending surpluses in this government. For 30 years we have run deficits, and, for the first time, now, we have had 3 years worth of surpluses.

But we Republicans recognize that we should not with a straight face say that the work is done, because we recognize that what has happened is we are operating under rules that even today allow Social Security to be raided and to be used for regular government spending.

Since 1984, $638 billion that was given by people for their retirement, taken by this government, has been spent. So what we are trying to do is to say now that we are at zero in 1999. For the first time in 39 years, Republicans did not spend a penny of Social Security.

We are trying to challenge the President now to say Mr. President, let us put it in writing. Let us have an agreement that we will not spend the Social Security. We provided the President millions of dollars more in many areas as a result of us making tough decisions, but we have had to prioritize. We are going to keep challenging this President and keep showing ways, which there is plenty ways.

Mr. KINGSTON. If the gentleman will yield, I think it is important to say that this is not the President alone, this is the Vice President. Indeed, Mr. GORE's entire proposed budget spends all of the surplus that you are talking about. It goes right through the operating surplus and then goes right into the Social Security surplus. So, you know, this is not a problem that necessarily ends with the Clinton administration should the baton be passed on to the Vice President, because the vice president is very much in favor of spending the surplus.

Mr. HAYWORTH. Or, if my friend would yield, given the rather considerable elector difficulties that this Vice President is encountering, we should point out that our former colleague in the other body, former Senator Bradley, would not end this either.

Indeed, we should point out that the Washington Post, not exactly a bastion of conservative values, the Washington Post in work done in part by reporter C.C. Connelly pointed out 2 weeks ago that the campaign promises of Messrs. Bradley and GORE alone would require all of the surplus funds, including Social Security.

It boils down to a very simple choice, Mr. Speaker: If you want to empower the culture of spending and having Washington take more and more and more of your family's budget to spend on the national budget, well, the standard to follow on the left is pretty clear. It is offered unapologetically by their 2 presidential candidates. If, however, you believe the money you earn and

the sacrifices that my colleague from Georgia pointed out as a common notion of light, if you believe for too long you have been asked to sacrifice so that Washington can allegedly do more, and we need to reverse that, as we have done with common sense priorities in this House, and make sure that Washington saves so your family can have more, then, Mr. Speaker, we should invite the American people to join with us to be understandably wary of the bill of goods offered by the left and to point out again the comments of the minority leader of this House, who now tends to hedge and says on national television, ''Well, we ought to try to spend as little of the Social Security surplus as possible.''

Again, Mr. Speaker, it is a very simple notion: A penny saved, one penny, out of every discretionary dollar spent, one penny saved, is retirement secured.

Mr. SESSIONS. Is it not interesting that as we go about telling the American public that it is their retirement, it is a savings that is for their future, and as we play this scenario out, that all of a sudden we are at zero, and now what we are trying to do is to fight the President, who says we should not spend any Social Security. He wants us to spend more and more and more. And even though this government is at $1.8 trillion, that he cannot find one penny. He will not even accept the challenge. He will not even accept the challenge to find one penny out of a dollar. And yet routinely in our family, and I am sure my colleagues, that happens every day.

It happens in small businesses. It happens all across this country, where families and small businesses and even large businesses have to do this. Exxon. Exxon is one-eighteenth the size of this government, and yet every single year they make tough decisions where they reinvigorate themselves.

I would suggest to you, and I have done this, that when I lost weight, I not only became healthier, but more efficient and things worked better. If this government looked inwardly to itself to take off the bloated fat that is in the bureaucracy, to exercise a little bit, to have to go and do something that it has never done, then I would suggest to you that we would have better employees also.

Can you imagine an employee who may have been with the government for 30 years, never being challenged to have to look for a better way to do his job or her job? Can you imagine the employees that still do have a sense of financial integrity with them, now, for the first time, being able to come to their bosses in the government and say, ''I think we should accept this challenge. I think I have found a way,'' we called it in my company an idea forum, ''a good idea. Here is what I think we can do to run ourself more efficiently and to be prepared to meet whatever our mission statement is.''

For the first time, Republicans challenged the administration openly, put our paycheck on the line to take a 1 percent pay cut, challenged the government to simply find what it could to eliminate waste, fraud and abuse to find the savings, and the President, our leader, was unwilling to accept this from the get-go.

Unilaterally he said, it is not something I wanted to engage in. Bruce Babbitt, there is no waste, fraud and abuse here. Can you imagine the disappointment on the faces of Federal employees when they came to work and found out that those good ideas that they could be presenting, those good ideas maybe that they had been trying to get up the ladder for a long time, can you imagine now that they were rejected by the President?

Mr. SANFORD. You mentioned the idea again of a penny on a dollar. Again, one of the committees that I serve on is the Committee on International Relations. It was interesting, we had an amendment last year that dealt with a number of these international study organizations that we fund indirectly through the foreign aid bill.

□ 2145

One of them was the Bureau for International Expositions. Another was the International Lead and Zinc Study Group. Another was the International Rubber Organization. Another was the International Vine and Wine. There are a lot of strange organizations out there that we fund. The idea that there is not a penny worth of waste in maybe some of these studies.

For that matter, we had another amendment that looked at three foundations. There are a lot of foundations around the country are privately funded. They go out there in the marketplace, they compete for funds. Yet, there are three Cold War era foundations that are still funded through the Federal government, and compete with a foundation in any one of the 435 congressional districts for funding.

So we went and said, you cannot have your cake and eat it too, except for in Washington. You cannot be funded through the Federal government and also compete in the private marketplace for research dollars.

A lot of the research topics were bizarre. I remember one of the studies was to identify the causes of premarital sex in Southeast Asia. Call me old-fashioned on this, but I think it has a lot to do with simple attraction. But anyway, there were these bizarre studies. I do not know that there would not be a penny worth of savings out there in one of these studies, much less the overall organizations that were being funded that were, again, offering the research for the studies themselves.

Mr. KINGSTON. If the gentleman will yield, Mr. Speaker, I am on the spending end on that particular Subcommittee on Foreign Operations, Export Financing, and Related Programs, with the foreign aid bill.

If we follow the Clinton travel thing, $42.8 million, taking 1,300 Federal employees to Africa, and $8.8 million to go into China, and $10.5 million to go into Chile.

Mr. SANFORD. Mr. Speaker, could the gentleman tell me the Africa number again?

Mr. KINGSTON. That was $42.8. The gentleman from Texas has a chart on what we are talking about here, just to show the absurdity of this, 1,300 employees who went.

Mr. SANFORD. To me, it would not matter whether it was Africa or whether it was Chile or whether it was Australia or Great Britain, but the notion that there is not a penny worth of savings on one of those trips is just absurd to me.

Mr. KINGSTON. Five hundred people went to China. I do not know why we need five hundred advisors. These are Federal employees, and there are also private citizens who go who allegedly pay back the money.

I called the General Accounting Office, the accountability people in Washington, and I said, how many of the private citizens paid back their money? They said, well, you would have to ask the State Department. The State Department would have to get it from the White House, and we will never find out the answer to that.

If we look at the chart here, tell me, 13 of those people could not have stayed home? That is all we are talking about, 1 percent, 13 of them have to stay home. I would say the mayor of Denver, I know Colorado is very important to our African policy, but if it is the case, why cannot the people in Colorado pay for the mayor of Denver to go on this junket?

That is not even the expensive part. When Vice President GORE and President Clinton travel, the expensive part is the promises they make. In 1993, they promised $1 billion to Russia. In 1999, they urged the International Monetary Fund to release $4.5 billion in aid to Russia, one of the most corrupt countries in the world right now, and $400 million promised to the Ukraine, and then another $5 billion through the International Monetary Fund, and $1.8 billion to close Chernobyl, another $2 billion promised in 1995 by Clinton to Poland.

He promised $260 million to South Africa. He promised them $650 million, and do they not have the largest diamond reserves in the world, and we are going to pay $650 million for infrastructure development? To Costa Rica he promised $2.2 billion to extend the Caribbean Basin initiative, which the gentleman and I both know has absolutely decimated the textile industry in the Southeast United States, basically taken all of our jobs out of South Carolina and Georgia and put them in the Caribbean. He promised $360 billion to train soldiers in Bosnia, even though we have already spent $12 billion in the Balkans. It just goes on and on and on.

When the President travels, yes, it is expensive for his entourage, but it is even more expensive to hear what he promises to people.

Mr. HAYWORTH. If I can just make the point, I thank my colleagues from Georgia and from South Carolina, and our other good friend who serves on the Committee on Appropriations, the gentleman from Oklahoma (Mr. ISTOOK) put pen to paper and started to estimate all the promises in the last 7-plus years.

Mr. Speaker, and I am glad the Speaker is seated, there are $22 billion in promises of American funds to foreign governments on the road, and Mr. Speaker, we ought to issue this travel advisory, the President again, following Veterans Day, November 11, I believe November 12, is scheduled to make another trip to Europe.

Mr. Speaker, we should ask the President to uncharacteristically restrain the price of his promises. We do not need finger wagging or redefinition of the word ''is,'' we need old fashioned fiscal discipline. We invite the President and the administration and our friends on the left to join us in that process.

Mr. SESSIONS. Mr. Speaker, I want to thank my colleagues tonight who have joined me, the gentleman from Georgia, the gentleman from Arizona, the gentleman from South Carolina, for having what I think is a very interesting talk about a way that we can ask this president and challenge this president to save one penny.

We know what happened, today the President vetoed the bill because he wants more and more and more and more spending. He wants less accountability, and the worst part is that what it means is it would be spending our Nation's future social security.

Republicans will not allow this to happen. The gentleman from Texas (Mr. ARMEY) will not allow a bill that places social security in danger. I thank the gentlemen.

AMERICA'S EDUCATION CRISIS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from New York (Mr. OWENS) is recognized for 60 minutes.

Mr. OWENS. Mr. Speaker, I am again here to talk about the education crisis and the failure of our elected decision-makers to respond to that crisis.

I have been asked by people, why do you continue to come back and talk about the same subject? Well, I do that because the American people have made it quite clear in poll after poll and focus group after focus group that education is their number one priority.

No matter how we approach it, and I know ABC has now a series on it, because of the fact that they have recognized and want to pay tribute to the fact that continually the American people say education and the problems related to education should receive the highest priority when it comes to government assistance and the attention of our decision-makers in the Nation.

A poll was recently taken for the State of Ohio, and it came up 90 percent of the people said education is the number one priority. No matter how we approach the problem in this democracy, the people speak with one voice, that they understand what the most important priority is.

What is amazing, what I cannot comprehend, is why in this democracy elected officials do not respond to that clearly-designated priority. How many times do the American people have to say it? How many ways do they have to say it? Well, there are some people who say we are responding to the priority, and I want to talk about that mistaken assumption.

I think that there is a lot of activity, a lot of rhetoric, related to education as a result of understanding that the general public, the overwhelming majority of the American people, want some action of great significance on education. Instead of acting, there is a lot of rhetoric. There is a lot of posturing.

I think we might call education the most trivialized priority in the history of political dialogue in this country. Education is the most trivialized priority. That is the response of a collective elected official community.

Too many of our elected officials are like the group of whales that were documented recently. There was a documentary where a group of whales were filmed beneath the ocean tossing a bloody baby seal around as sort of a game. I suppose eventually they ate the seal, but they tossed it around for a long time, and played with it. When we look at what is happening with education, the political functionaries who have the power to do something of great significance, the Governors, the mayors, the Congressmen, the White House, everybody seems to be willing to toss the bloody baby seal, instead of dealing with the problem.

Now, there are some of these whales, and whales come in many species, some whales are truly without vision. They do not understand how to deal with the problem. Some whales do not care. They understand the problem. They do not care about the public school system. Public education in America is like a baby seal bleeding and they do not care whether it bleeds to death or not. They do not care how long they play with it. They really do not intend to do anything about it.

Then there are some other whales that are too cautious, too frightened. They understand the problem but they do not dare venture out and talk about a real solution to the problem. So the bleeding baby seal keeps dying, and we keep tossing him about, but nothing is happening of great significance.

The public school system needs to be saved. We need to do it with some kind of activity comparable to the kind of activity exhibited by Thomas Jefferson when he decided he would purchase a territory which was larger than the United States at that time, it was a big, significant action; or when they decided to build the transcontinental railroad.

The transcontinental railroad was built not by private industry, as most people think, it was built by the government subsidy. The government hired private companies to do it, but the money came from the taxpayers. The initiative came from the government. The transcontinental railroad which linked the East and the West Coast was a monumental undertaking.

The Morrill Act, the Morrill Act which established land grant colleges in every State, it took Morrill a long time to get the idea across, but finally he did. That was a huge undertaking which transformed the American education system in very important ways. Especially, it gave to the agricultural industry a scientific engineering base that has made agriculture in America something that no other Nation has ever been able to get close to, agricultural production in America.

We have undertaken the Marshall Plan. The Marshall Plan was no small, trivialized step toward the rebuilding of Europe. It took billions of dollars. If we look at the Marshall Plan dollars in terms of today's dollars, it was fantastic.

Somebody could have been sitting in the corner saying, look, we cannot solve the problem of the revitalization of the European economies by throwing money at it. Let us not do it. Europe would have probably gone Communist in a few years if they had not moved in a dramatic fashion with an overwhelming amount of aid.

So we know how it is done. There is an American way of approaching the problem if we really want to solve it. But when it comes to education, we seem to think that the American public will soon get tired. There is no issue, there is no phenomenon which maintains and holds onto the attention of the American public indefinitely. There is always the hope that it will go away, that the concern will cease.

I hope not. That is why I make the trip here as often as I can to remind the voters that they are right, and the elected officials and their failure to respond places them in a situation where they are wrong. The American people are right. The American voters, they are right. Their common sense is on target. Do not give up. Do not stop demanding.

At the focus groups when they call you on the phone, keep saying, we want government to provide some significant assistance to education. We want to go on in some overwhelming way and deal with the problem, instead of playing games with it.

There are a lot of things that are happening in the area of education which we have to look at. It is such a complex problem until, like the blind men feeling the elephant, you can get a part of it and tell the truth. If you feel the trunk, you may describe the elephant one way. If you feel the tail, you describe him another way.

It is a complex problem, education. I do not want to belittle any aspect of

the problem. They all deserve attention. We have to deal with reading, we have to deal with science laboratories, we have to deal with libraries, we have to deal with certification of teachers, we have to deal with standards, testing, and most of all we need to deal with what I call the opportunities to learn.

We have had some great strides in the establishment of new curriculum standards. We have had some great strides in the area of testing. It is the area of opportunities to learn which seems to be the area where we lose vision, and that is the most important area of all.

The opportunity to learn involves what are you going to do. The question is, what are you going to do to make certain that the students in the schools have what they need to deal with the curriculum that we have established and to be able to pass the tests that we are establishing.

I have served on the Committee on Education and Labor, and what is called now the Committee on Education and the Workforce. I have served on that for the entire time I have been in Congress.

On the occasion of the reauthorization of the Elementary and Secondary Education Assistance Act 5 years ago we had a great debate about this whole matter of establishing curriculum standards and establishing testing standards.

□ 2200

We were, in the case of a group of Democrats on the committee, afraid that if you established curriculum standards that are national, although States have the freedom to deal with their own standards but they do not have to be dragged into it, but if you established models that are replicated State by State and then you established the testing standards and that became some national testing standards that were going to be used all over the country, if you did all of that, there is a danger that you could ruin the lives of youngsters by having these high-stakes tests circulating all over and determining who gets pigeon holed for the time that they are in school and college or for determining their ability to get a job.

There were a number of reasons why we were afraid of testing, but those of us who were afraid of a national testing policy to accompany a national set of curriculum standards agreed that we would accept national testing standards and national curriculum standards if you also had a national opportunity to learn standards. Opportunity to learn standards was the third set of standards. We called it a troika for education reform. And after many weeks of debate, finally we got that passed into the legislation. It was added to the legislation. Of course, Democrats were in control of the House at the time. We had the majority and we were able to prevail, and the opportunities to learn standards are included with the curriculum standards and the testing standards.

The problem now is that our schools are not going forward. We are not getting results, because we have eliminated a part of the troika. Actually, in a back-room deal, the Committee on Appropriations which had no authority to do it but all parties agreed, the administration agreed, both parties agreed, they took out the opportunity to learn standards, and we are zooming forward with the curriculum standards and with the testing standards.

Every State, every local education agency is now dealing with ways to tell the students that you have to measure up to certain standards. The curriculum is going to be tougher, but what the States and local education agencies are not willing to deal with is we are also going to provide you with the opportunities to learn; that what you need, we are going to provide you with whatever you need in order to be able to measure up to these standards; pass the tests. We are going to provide you with decent buildings, decent libraries. We are going to provide you with laboratories. We are going to provide you with necessary books. We are going to provide you with teachers who are able to teach what they are assigned to teach in the classrooms, certified, competent teachers. Those are the things we backed away from.

In New York, you have a new set of tests. All students have to pass certain regents tests. Otherwise, they do not get any type of paper. There was a time when you get what you call a general diploma which said you were sitting in the seats when you were in high school and you attended, you met certain minimal standards, so here is a general high school diploma. That is being eliminated. You have to pass certain tests.

I have no problem with the tests. I have no problem with the curriculum standards, if only we can add some opportunity to learn standards. We do not want children who have to sit in classrooms that are still threatened with asbestos. We do not want children to have to sit in classrooms that have the pollution from coal-burning furnaces. We do not want children who have to sit in overcrowded classrooms where there are too many in there.

We do not want children who have to eat lunch at 10:00 in the morning because the school has twice as many students as it was built for. In order to cycle them through the lunchroom, you have to have three different lunch periods or four different lunch periods. The first lunch period has to begin at 10:00. The last one ends at 1:30 or 2:00. So the children who eat last are very hungry excessively and the children who eat first are being force fed after they have already had breakfast.

We do not want these atrocities to go on. You have to deal with opportunities to learn by guaranteeing the right kinds of facilities and the right kinds of materials and conditions. If you take New York as a case study, and I think that whenever I talk about New York I later on get comments that are e-mailed or faxed or come over the telephone where people indicate that it is not unique to New York.

You have got similar problems in many other places. There are other places where children have to eat lunch at 10:00 in the morning, I found out. There are numerous places where the overcrowding has reached a point where it is almost impossible to conduct classes. Even after the trailers are added and the kids have to walk through the snow to get to the restroom from the trailers, or even after you add trailers in order to bring down the class size, the conditions still continue to be detrimental to learning. It is not just New York. It is not just big cities. The reason we keep getting the polls which show that the American people want education to be treated seriously, as a high priority item from all over the country, is because the situation does exist in most parts of the country; but New York is a good case study.

Whatever I discuss with respect to New York is applicable elsewhere in the country. I got a letter from some people who were working very hard in New York about some of the comments that I have made previously. In essence, a very respected retired judge, Thomas Russell Jones, who is a retired judge who works very hard to try to improve education, he is the president of an organization that he and his wife established called the Children's Times. The Children's Times continues to work away at the problems.

To carry my analogy of the ocean a little further, they are not whales tossing a bloody baby seal. They are people who desperately at the bottom of the sea are searching for pearls, polishing those pearls and trying to in every small way do something significant to help improve education. I applaud all of the efforts, no matter how small they are, to try to come to grips with problems related to our educational system.

I don't mean to say that those people are not serious. I am talking about public officials with power, Members of Congress, governors, mayors, people with power are the whales who are playing with the bloody seal.

We can do far more, and I suppose what Judge Jones was saying to me is that he would like to see me stop talking so much and do more. I agree with the judge's comments in the letter he wrote.

He says of my October speech, he criticizes me for not proposing any real solutions. He must not have listened to the very end because I always propose solutions. The solutions that I propose are not small ones, however. They are not nickel and dime solutions. They are solutions that are worthy of government action, certainly Federal Government action, but I will just quote a little from Judge Jones' letter.

DEAR CONGRESSMAN OWENS, your October 12 speech to the House of Representatives as the designee of the Democratic minority informs the American people about a number of problems with education. You inform us that 81 percent of the American people favor placing computers in the classrooms of all public schools. You inform us that students in our country are going to have to seek jobs in a world where if one cannot use computers and use them effectively there is little hope for them to make a decent living. You have said that, quote, ''black parents do not have any faith left in the public school system. They have given up hope.'' The Children's Times' directors agree with your findings and conclusions. We congratulate you for focusing attention on the findings of the Washington Post poll released on September 5, 1999, which reports that the American people place the immediate improvement of public schools at the top of their agenda year after year. Your statement, however, does not present any concrete, practical proposals to guarantee a modern education to 1.1 million children who attend public schools in New York City. The Children's Times petitions you to address the critical deficiencies in the elementary schools of New York City with respect of computer equipment in the classrooms and the effective closing of libraries in all public schools. I respectively request that you publicly endorse the statement of United States Senator Edward Kennedy of Massachusetts delivered to the U.S. Senate on July 29, where he reported that the teacher shortage has forced many school districts to hire uncertified teachers or ask certified teachers to teach outside their area of expertise. Each year more than 50,000 underprepared teachers enter the classrooms. One in four new teachers do not meet standard certification requirements. Twelve percent of new teachers have had no teacher training. Students in inner city schools have only a 50 percent chance of being taught by a qualified science or math teacher.

I agree with all of these observations by Judge Jones and his son David Jones, who as the head of the Community Service Society some years ago was responsible for a survey which showed that in two-thirds of the schools in the city, those schools that were serving Hispanic and African American children, practically all the teachers who were teaching science and math had not majored in math and science in college.

So, Judge Jones, you have laid out several different aspects of the problem. I will not belittle any of them. Everything that you point out is correct. I applaud the Children's Times for staying on the case, but listen carefully. I do propose solutions. I propose solutions at all levels. On several previous occasions I said that New York City had part of the solution to the problem in its hands. New York City had a $2 billion surplus last year. Their budget had $2 billion left over after they met all city obligations, and the city could have moved to begin to deal with some of these problems without Federal assistance.

New York State had a $2 billion surplus last year and New York State not only did not do anything about the problem, when the State assembly and the State Senate finally reached agreement that they would appropriate $500 million of that $2 billion for school repairs, the governor of the State vetoed that part of the budget. He would not use $500 million out of the $2 billion for school repairs all across the State.

So these problems deserve attention, and I am a Member of Congress and am here to represent my constituency at the Federal level. The Federal Government must lead the way because that is where most of the money is.

All taxes are local. All the money in Washington came from the local level, and we should not flinch or hesitate to send some of that money back to deal with basic problems like the public school system.

I also received a letter from Mrs. Jones, Bertha Jones, Judge Jones's wife, who is a secretary of the Children's Times, at a later date, and she is talking about our libraries. The Children's Times Associates has launched a campaign to reestablish functioning libraries in the elementary schools of the City of New York.

The facts, the New York State Department of Education Division of Library Development, the State agency which supervises public school libraries throughout the State, informed the Children's Times Associates by a written memorandum dated August 23, 1999, that 550 elementary schools out of a total of 672 schools report a shortage of 550 certified librarians.

The memorandum adds that many public school libraries are presently staffed by teachers who have no library or technological training, or by paraprofessionals who lack expertise of any kind. I would not say para-professionals lack expertise of any kind, but certainly they are not qualified to run school libraries.

The United States Department of Education statistics reported recently that the New York City School System has hired fewer than one library media specialist for every 1,042 students. Library media specialists are trained to provide local media and telecommunications materials and access to experts whose advice and instructions teach children how to prepare classwork and homework on their own.

The Children's Times Associates predict that if children do not learn to read and do basic arithmetic by the fourth grade, they will be playing a losing game of catch-up for the rest of their academic lives, which may not be very long.

When libraries are reestablished in all elementary schools in New York City, under the supervision of library media specialists, in compliance with the New York State education law and the commissioner's regulations, 533,695 students will have access to the instructions and technology they need to work for their livelihoods as adults in 2000 and beyond, and that is signed by Bertha Jones, the secretary of the Children's Times Associates.

□ 2215

Again, as a former public librarian, my profession is library science, I have a master's degree in library science, I wholeheartedly agree that this is a very devastating report of a blind spot in the public school system.

Libraries have always had to fight to exist in elementary schools. It looks as if we are losing that battle in New York City. Nothing is more important than what goes on with respect to libraries and the processes that children learn there about how to learn on their own, how to use the great fountain of knowledge that exists to take care of their own needs and to facilitate ways to educate themselves. Nothing is more important than encouraging youngsters also to do as much reading as possible.

I wholeheartedly agree with Mrs. Jones. I talk a lot about computers. I talk a lot about the need to bring our students to the level where they can run a cyber civilization, where they can deal with the fact that the world is now being more and more digitalized. It is not computer literacy, it is computer competence. The ability to work with imagination dealing with computers and web sites and the whole telecommunications revolution requires very well educated people. I have talked a great deal about that.

But do not misunderstand me. I know that begins with reading. Nobody learns how to deal with the information technology if they do not know how to read, if they do not know basic arithmetic. It all begins with the basics, and I do not want to ever appear to have down played that.

In response to the Children's Times Crusade to provide libraries for the schools in New York City, let me say that I have joined with my colleague in the Senate, JACK REED, and Senator JACK REED was a member of the Committee on Education and the Workforce when we passed the last Elementary and Secondary Assistance Act, and we placed in that act the opportunity to learn standards.

So he knows very well that one of the things we have to do if we are going to improve education in America is to go beyond curriculum standards, go beyond national testing, and deal with providing opportunities to learn.

So Senator REED has already introduced a bill, and I have introduced the same bill, companion piece October 4, a few weeks ago, which provides for amending the Elementary and Secondary Education Act of 1965, to provide up-to-date school library media resources and well-trained professionally certified school library specialists for elementary schools and secondary schools and for other purposes. This bill's number is H.R. 3008, H.R. 3008 in the House. The companion Senate bill is S. 1262. Now, I have just recently put out a Dear Colleague letter asking all of my colleagues to join me on this particular piece of legislation.

Going beyond the statistics which Mrs. Jones cited for New York City, let us talk about the whole country. Looking at libraries in the whole country,

we are talking about almost one-third of the U.S. public schools lack a full-time school library media specialist.

The national average is one library media specialist to every 591 students in American elementary and secondary schools. The ratio of students to school library media specialists varies widely from one school library specialist for every 287 public school students in Montana to one library media specialist for every 942 public school students in California.

A 12-State U.S. study found that funding for school library materials annually vary from $15 to $58,874 for elementary school libraries and $155 to $100,810 for secondary school libraries. In other words, the funding for some elementary school libraries as low as $15. For others, for some high school libraries as low as $155, this funding for school library materials. But in some schools, it was as high as $58,874 in some elementary schools and as high as $100,810 in some secondary schools.

So the disparity is obviously there. It is one of the problems which the Federal role in education has always sought to address, the great disparity between the richest districts and the poorest districts.

Reading further in terms of the findings that make this school library bill important, the median per pupil expenditure by school library media centers in America in the 1995–1996 school year was $6.73 for elementary schools. The per pupil expenditure, the median was $6.73 for elementary schools, that is all, and $7.30 for middle schools, $6.25 for senior high schools. In a Nation which is enjoying unprecedented prosperity, we can do better.

Mr. Speaker, I will not read further from this Dear Colleague letter, but I include for the RECORD, as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 3, 1999.

DEAR COLLEAGUE: Almost one-third of U.S. public schools lack a full-time school library media specialist. The national average is one library media specialist to every 591 students in American elementary and secondary schools.

The ratio of students to school library media specialists varies widely: from one school library specialist for every 287 public school students in Montana to one library media specialist for every 942 public school students in California.

A 12-state U.S. study found that funding for school library materials annually varied from $15 to $58,874 for elementary school libraries and $155 to $100,810 for secondary school libraries.

The median per pupil expenditure by school library media centers in America in the 1995–1996 school year was $6.73 for elementary schools, $7.30 for middle schools, and $6.27 for senior high schools.

School libraries have become the heart of the learning experience for students being prepared to enter the Twenty-First Century, the age of almost unlimited information access available at a touch. But many of those children will not be ready for the demands of the third millennium if something is not done to make access to that information equally available to every student in America. As the numbers above show, there is a lot to be done to make that a reality.

That is why I have introduced a bill that will provide the technology and the expertise to all elementary and secondary public schools across the country. H.R. 3008, The Elementary and Secondary School Library Media Resources, Training, and Advanced Technology Assistance Act, which is a companion bill to S. 1262 introduced by Senator Jack Reed, will provide funding for media resources for elementary and secondary school libraries as well as well-trained, certified library specialists for students. Through the establishment of the School Library Access Program, these resources will be available to students during regular school hours, during after-school hours in the evenings, on weekends, and during school breaks. Schools with the greatest need will receive priority funding consideration, as will local educational agencies with a high level of community support, coordinated services, and non-school hour activities for students.

The bill has been endorsed by the American Library Association and retired New York State Supreme Court Justice Thomas Russell Jones, now Chair of the Advisory Committee for CHILDREN'S TIMES Associates.

If the quality of America's future leaders is as important to you as it is to me, please join me in being a cosponsor of the Elementary and Secondary School Library Media Resources, Training, and Advanced Technology Assistance Act. Together, we can help to shape an even stronger, more vibrant nation and maintain America's cutting leadership in the field of information technology. Please contact Beverly Gallimore in my office by Monday, November 15, at 5–6231 to be a cosponsor.

Sincerely yours,

MAJOR R. OWENS,
Member of Congress.

Mr. Speaker, again, I want to congratulate the Children's Times and what they are doing in New York City. As I have just illustrated, the problem is not a New York City problem only. The case history of New York City is relevant for numerous local school districts across the country. New York State is a good case study, though, in many ways. We are having a problem that many other States have faced. We have a problem. We are attacking that problem in a new way. Many other States have done the same thing.

The political situation is such that the whales who play with the baby seals do not play with all the seals in the same way. The whales provide to let some seals go free while others bleed and die. In numerous States, one has drastic unevenness between the funding for certain schools. Some States like New York, the difference may be between $17,000 or $18,000 per pupil funding compared to they say $8,000 in New York City. But in New York City, there are 32 school districts. Within the city, the funding for some school districts is as low as $3,000 per pupil, which means that some districts in the city are getting far more than they should be receiving.

When one averages it all out, it is going to be $8,000 to $9,000 per pupil. That is another problem I am going to deal with in a minute. But in numerous States, rural schools and big city schools face the same problem of not being funded equally with State aid.

In New York City, the problem has been a serious one for a long time. They have many devices that result in some parts of the State getting greater aid per pupil than others. One of the archaic and most devastating devices is the hold-harmless formula where no school district gets less money one year than it got way back 20 years ago.

Each year, the hold-harmless formula says that, no matter what happens, you do not get less. That means that, if the school district gets a reduction in the number of pupil they are going to be receiving as the district, the same amount of money they received when the pupils were much higher, the amount per pupil will go for that reason.

There are many other devices used to produce a result where New York City per-pupil expenditure is about between $450 to $500 less than the per-pupil expenditure average in the rest of the State.

A group called the Campaign for Fiscal Equity has brought a new court suit. We have had a few suits over the last 30, 40 years where court actions, litigation has attempted to try to correct this problem of unequal funding throughout the State.

The new one has been launched by the Campaign for Fiscal Equity. I want to congratulate the Campaign for Fiscal Equity. They are doing something about the problem. The trouble is that what they are doing, as noble and as necessary as it may be, it is still dealing with how are we going to, in a fairer way, divide up the pie that exists already.

I say the pie that exists already is grossly inadequate. We must address both problems, how to divide it up so that you do have equitable funding. But the biggest problem at this point is also how do we use the resources of this Nation in a more creative way, in a more generous way to deal with the problem of funding for schools.

Campaign for Fiscal Equity is suing the State. The trial is under way now in Federal court. In the past, these battles have been fought out in State court because the State has primary responsibility for education in New York State, as is the case in most States.

But the campaign for Fiscal Equity is arguing on the basis of a violation of civil rights, unequal protection under the law. This is going to be a landmark case.

What they are also using now that they did not have before is a definition of what an adequate education is. The State has always in the past argued that, even though one school district may get far more money from the State than another get per pupil, the State is only responsible for doing an adequate job; and that the student receiving the lower amount of money is still getting enough money to provide an adequate education.

How does one define adequate education? Well, prompted by the Federal Government, prompted by our legislation, Elementary and Secondary Education Act, the States have moved to

define adequate education. They have established standards. Now we can hold the State to its own standards.

The State of New York has established some curriculum standards. The State of New York has established testing standards. They have said no student in this State will receive a high school diploma unless they measure up to certain standards. They must pass the test to a certain level. So we have a way to measure what is an adequate education.

The next question is: If this is your definition of an adequate education, what does one need, what kinds of materials, what kinds of facilities, what kinds of teachers do you need in order to meet that standard, in order to provide that adequate education.

You cannot play with it anymore. If you are saying that every student has to pass a math test at a certain level, you cannot continue to provide uncertified math teachers in junior high school and high school who did not major in math. Nobody, no matter how smart they are, is going to be able to adequately teach math in junior high school and high school if they did not really major in math in college.

You cannot pretend you are doing that if you are saying that every student, before they get any kind of diploma must meet certain math standards. You provide the teachers who can produce that.

You cannot say that, if you say that every student must meet certain science standards, display certain kinds of knowledge with respect to science, if you do not provide any laboratories in the high schools, if you do not provide adequate laboratories in the high school to deal with what you are going to have on your test.

As I said before, great strides are being made in the establishment of curriculum standards. Great strides are being made, and a lot of this is being driven by elected officials, politicians in testing. We want to hold everybody accountable. I am sorry not everybody. We want to hold students accountable. We do not want to hold the school system accountable. We do not want to hold the State accountable for funding. We do not want to hold the city accountable and say that you should not have neglected to spend some part of your $2 billion surplus on education. We want to hold students accountable. Everybody is focusing on the student and dumping the load, the burden of changing the education standards and system on the students.

New York City recently, and this is an article that appeared in the New York Times yesterday, New York's new curriculum guides set up standards grade by grade. In an effort to help parents hold schools accountable for what children learn or do not learn, the New York City school systems has produced a series of guides to what every child should know from kindergarten through 12th grade. Wonderful.

The guides being distributed to teachers and parents beginning today decree that a fifth grader multiply with speed and accuracy, understand exponents, write a report using three sources of information, and know how to punctuate with quotation marks, commas, and colons.

□ 2230

''A kindergartner should be able to count to 10 and tell a story using letters, drawings, scribbles, and gestures.''

I do not know enough to know whether those are reasonable standards or not, but I applaud some kinds of standards.

The school's chancellor, Rudy Crew, said yesterday that the new guides are intended to be so clear and so simple that all parents can understand these guidelines and became partners in their children's education. He said that they would give parents the tools to hold schools responsible for what their children learn and whether they learn it.

Dr. Crew said the pamphlets, one for every grade, are intended to at least implicitly establish a common curriculum. Although he talked about ensuring that children throughout the city are learning the same thing every day, every week, every month, he cannot ensure that; but the guides do set goals like ''write daily for extended periods,'' but not specific content. They do not list books that all children in one grade should read or math problems that they all do. But for the first time there is a consistent framework of student achievement across the whole system regardless of the borough, the district, or the classroom, Dr. Crew said.

''In the last few years,'' again New York is not alone, and I am reading from a New York Times article which appeared yesterday, November 2. ''In the last few years, many states, including California, New York, and Virginia, have tried to take a stronger hand in dictating curriculum after years of giving schools and districts control. Indeed, Dr. Crew, at a news conference at the Board of Education Headquarters in Brooklyn, said that New York City is actually entering the game rather late, a decade after the movement to tie curriculum and standards together actually began in California and other states.

''The project was also clearly intended to fend off lawsuits, one has already been filed, challenging Dr. Crew's plan to end the automatic promotion of failing students. In New York, Florida, and other states parents have argued that it is unfair and even illegal to hold back children if they have not been clearly told what is expected of them and if the curriculum does not reflect the standards.

''In June, thousands of children in New York City were held back based on test scores alone, setting off a lawsuit by some parents who contended that other factors like attendance and classroom work should be considered. Until now, Dr. Crew said yesterday, curriculum was set by a combination of state and city standards, which he criticized as too vague, as well as standards of the textbook publishers.

''Because this is the first year of our new promotional policy, it is very, very important that parents understand what is acceptable grade level work said Judith Rizzo for instruction.''

And on and on it goes.

Everybody is in harmony with establishment of these standards. The questions that are not being considered in this article are, what are we going to do to make certain that you have the teachers, the materials, the libraries, the science laboratories which allow the children to measure up to these standards?

Diane Ravitch, an old colleague of ours here in Washington, has certainly pinpointed one the problems. Diane Ravitch, in this same article, says, ''the new goals would only be effective if teachers were trained to use them and tests were designed to measure them.

''The board released guides covering English and math in kindergarten through grade 8 yesterday and will add grades 9 through 12 shortly, the officials said. It also plans to issue social studies and science guides. The officials said the guides will be sent home with students in time for parent-teacher conferences this month and will be available in several languages.''

I applaud the work of the Board of Education and Dr. Rudy Crew in coming to grips with the need for curriculum guides. Now we can take the curriculum guides and create another column, a column next to each set of measurements for the curriculum standards, and lay out what is needed in order to meet that standard.

If you are teaching science, then we can ask the question, does the school have science laboratories? We can ask the question, does the school, if you want children to read at a certain level and be able to write reports, do they have a library, can they get access to books and be able to be stimulated to read more and learn how to write reports? On and on you can go.

Once you have established standards and curriculum, now you certainly have tests which are serious. Because if children do not pass the test, they are not going to make the next grade.

No social promotion is a policy that everybody has jumped on board. It is a great wonderful policy, no social promotion. We will have a problem with no social promotion because one of the things that happens is you increase the over-crowding in schools. The schools that are already overcrowded are going to be even more crowded. Classrooms are going to be even more crowded if you do not have social promotion, and you will have to deal with that problem.

But the other problem is too often the primary determinant as to whether a youngster is promoted or not is the test. And the test, as administered by

the New York City Board of Education last spring, as scored by the firm that they hired to do it, the tests had 20,000 youngsters labeled as being not eligible to move on to the next grade because they made mistakes.

In the computation of the test scores they made mistakes. And large numbers of children had to sit through summer schools in hot buildings that had no air conditioning. They had to go through torture of summer schools when they had not failed, they had passed, and the blunders of the bureaucracy had placed them in this situation.

So it is a high-stakes game. These tests determine what happens grade by grade, and these tests are going to determine what happens in the life of the students that have to go through it. If we are going to have these standards, the Campaign for Fiscal Equity, Incorporated, that has the trial going at Federal courts is on target. If you are going to have these standards, then you have to provide the resources starting with the provision of State aid to the City of New York at the same level per pupil that you have provide to the rest of the State.

Mr. Speaker, I include for the RECORD the article that appeared in the New York Times, November 2, 1999, ''New York's New Curriculum Guides Set Up Standards.''

[From the New York Times, Nov. 2, 1999]

NEW YORK'S NEW CURRICULUM GUIDES SET UP STANDARDS, GRADE BY GRADE

(By Anemona Hartocollis)

In an effort to help parents hold schools accountable for what children learn—or don't learn—the New York City school system has produced a series of guides to what every child should know from kindergarten through 12th grade.

The guides, being distributed to teachers and parents beginning today, decree that a fifth grader multiply with speed and accuracy, understand exponents, write a report using three sources of information and know how to punctuate with quotation marks, commas and colons. A kindergartner should be able to count to 10 and tell a story using letters, drawing, scribbles and gestures.

Schools Chancellor Rudy Crew said yesterday that the new guides are intended to be so clear and simple that all parents can understand them and become partners in their children's education. He said that they would give parents a tool to hold schools responsible for what their children learn, and whether they learn it.

Dr. Crew said the pamphets—one for every grade—are intended to at least implicitly establish a common curriculum. Although he talked about ensuring that children throughout the city are learning the same thing every day, every week, every month, the guides set goals, like ''write daily for extended periods,'' but not specific content. They do not list books that all children in one grade should read or math problems that they all should do.

''For the first time, there is a consistent framework for student achievement across the system, regardless of the borough, the district or the classroom,'' Dr. Crew said.

In the last few years, many states, including California, New York and Virginia, have tried to take a stronger hand in dictating curriculum, after years of giving schools and districts control. Indeed, Dr. Crew, at a news conference at Board of Education headquarters in Brooklyn, said that New York City is actually entering the game rather late, a decade after the movement to tie curriculum and standards together actually began in California and other states.

The project was also clearly intended to fend off lawsuits—one has already been filed—challenging Dr. Crew's plan to end the automatic promotion of failing students.

In New York, Florida and other states, parents have argued that it is unfair and even illegal to hold back children if they have not been clearly told what is expected of them, and if the curriculum does not reflect the standards. In June, thousands of children were held back based on test scores alone, setting off a lawsuit by some parents who contended that other factors, like attendance and classroom work, should be considered.

Until now, Dr. Crew said yesterday, curriculum was set by a combination of state and city standards, which he criticized as too vague, as well as standards of the textbook publishers.

''Because this is the first year of our new promotional policy, it is very, very, very important that parents understand what is acceptable grade-level work,'' said Judith Rizzo, deputy chancellor for instruction.

Randi Weingarten, president of the United Federation of Teachers, said the idea was ''terrific,'' but that the union believes it will not be complete until the school system has a ''much more thorough and really core curriculum.'' The union is working on such a curriculum, to be unveiled next school-year.

But some parents said yesterday that the learning standards were too vague to be useful and feared that the pamphlets would be used to blame children and parents if students did not measure up.

Sylvia Wertheimer, the mother of a fifth grader at Public School 41 in Greenwich Village and an assistant district attorney in Manhattan, said the goals articulated in the pamphlets sounded just like the goals that her school already uses in its report cards. She also fretted that teachers and administrators would be defensive if she tried to use such standards to confront them about their shortcomings.

''More gibberish,'' she said. ''I feel like they want the parents to do everything, whatever deficiencies children have. Why don't they just teach them?''

Diane Ravitch, an education historian, said the new goals would only be effective if teachers were trained to use them, and tests were designed to measure them. ''Al Shanker always used to say, 'Does it count?'' Dr. Ravitch said, referring to the former president of the American Federation of Teachers.

Despite his vision of 1,200 schools doing the same thing at the same time, Dr. Crew's plan would not be as regimented as, say, the French school system, where if it is 10 a.m., children everywhere are learning ''Phèdre'' by Racine.

Neither Dr. Crew nor his aides were able to explain how they would enforce the new learning standards in a system as complex as New York City's, where local districts and schools have historically enjoyed a high degree of autonomy.

For each grade, the new guides describe how the standards will be used to determine whether children go on to the next grade or are held back, and warn that no decision will be made based on one factor alone, like a test score.

The board released guides covering English and math in kindergarten through grade 8 yesterday and will add grades 9 through 12 shortly, officials said. It also plans to issue social studies and science guides. Officials said the guides would be sent home with students in time for parent-teacher conferences this month, and will be available in several languages.

The Campaign for Fiscal Equity is a noble attempt, I said, to deal with the fact that the amount of resources available are not being distributed appropriately. A lot of the activity and energy that has been put forth surrounding education in this House of Representatives for the past few years has dealt with the same problem of no new resources; let us argue about how we use what we have.

One of the big issues that was on the floor of this House a few weeks ago related to the passage of the title I funding out of the committee that I serve on was, shall we take what exists already, title I funding, nearly $8 billion for the whole Nation, shall we take that and change the original target.

The original target for that funding under the original law was that the poorest children in America needed the most help. The school districts where the poorest children resided were not capable of giving the kind of help that they should give, and the Federal Government intervened, just as the Federal Government intervened before in school lunch programs to make sure that every child gets nutritional care in terms of food, and a number of other ways the Federal Government has over the years intervened.

By the way, it even intervenes in the case of highways. We have a national highway system which is fantastic because the Federal Government intervened to provide a highway system. So when we have had needs, the Federal Government has intervened.

A lot of people say, well, there is nothing in the Constitution that makes the Federal Government responsible for education. There is also nothing in the Constitution that makes the Federal Government responsible for railroads, but we built the transcontinental railroad. There is nothing that says the Federal Government is responsible for highways, and yet we spent billions of dollars for a highway system. And recently we authorized $218 billion over a 6-year period to continue to build and refine our highway system.

So the Federal Government, under Lyndon Johnson, decided to intervene and provide education for those schools that need it most. Title I funding is for the poorest schools and the poorest youngsters. The formula for title I is driven by poverty. The measurement for poverty is the number of youngsters who qualify for free school lunches provided by the Federal Government.

We have had situations where the intent of the law, the target population, has been circumvented. Too many districts that did not have poor children were going to receive title I funds, or only had only had a tiny amount. We dealt with that when the law was reauthorized 5 years ago, tightened it up.

But then we had a situation where they wanted to define which schools are eligible to have schoolwide programs. And when you determine who is eligible to have a schoolwide program instead of focusing on individual children, we had a figure of the number of percentage of children who are poor as a factor to decide whether or not they could have a schoolwide program.

If you had 75 percent of the children who were poor, then we could have a schoolwide program that did not have to focus on individual children, but the whole school could benefit from the dollars that the title I program provided.

It started out at 75 percent. Then it was reduced to 50 percent. One of the battles we had a few weeks ago on the floor was the fact that the present majority, Republican majority, decided they wanted to reduce that further to 40 percent. One of the members on the Committee on Education, Republican majority member, also even wanted to go to 25 percent.

Well, if a school qualifies with only 25 percent poverty, you could see how you then have to cover more schools. And many of those schools, with only 25 percent of the children being poor, would absorb dollars and help fewer poor children. So you could describe it accurately as the Robin-Hood-in-reverse approach. Instead of appropriating more money if you want to reach more children, we were going to take money from the poorer children and give it to the children who were better off and the schools that were better off, circumventing and undercutting the intent of the law.

Well, that is going forward. On the floor of this House there was an amendment offered to keep it at 50 percent, where it is now, and that amendment lost. So the legislation that went to the other body contains in it the 40 percent figure. And probably if the Republican majority had their way, they would eliminate any percentage, because they came on the floor shortly after the title I bill was passed with another bill called the Straight A's act.

The Straight A's act says, let us give all money related to education to the governors and the States and let the governors decide how to spend the money, and they probably certainly will not use any 50 percent formula.

The history of the States is that they operate in a way which satisfies the most powerful elements in the State, and poor people are seldom the most powerful elements in the State political arena.

Right now you have large numbers of States that have surplus funds for welfare. They are not providing the funds that they should for day-care and for other kinds of services to welfare recipients, even though it is Federal money. They have saved it in various ways, and they are supposed to provide that money to help train and provide jobs for welfare recipients and day-care services.

New York State is a place where there is a tremendous need, large waiting list for day-care services. There is a surplus now, and the governor and the State have moved so slowly, until you have a surplus but large numbers of unserved families who want day-care and need day-care and cannot get it.

The likelihood is that, the more discretion you give to the State, the fewer poor people would get service. History has demonstrated that the States will not take care of the poor. The Robin Hood approach is to not provide more money but to spread it out.

We have a situation in New York City where the number of poor children drive the formula, determine the amount of money that comes into New York City. New York City is composed of five counties; and in the distribution of money in the counties, we found that the children in some counties were getting far more of the title I funds than others. And we corrected that 5 years ago by changing the formula to make it similar to the formula that applies to the rest of the Nation.

□ 2245

The formula says that money must come to New York City by county, so that the poorest county, the county with the largest number of poor children, Brooklyn, found that it was getting far less money than it should get if you use the straight formula as was used in the rest of the Nation. So we had a battle and we had forces lined up to challenge that and try to fight again for the pile, the limited pile, how to divide that was going to become a fight. I hope that that fight does not materialize.

I would like to join all my colleagues in New York State, certainly from New York City and take a look at how we can deal with the fact that the city as a whole and the State as a whole does not get the kind of funding from education that it should be receiving per student. We should have a unified effort to try to bring in more funds instead of dividing up the pile. The Robin Hood approach at the local level is no more desirable than the Robin Hood approach at the Federal level. We do not want to have title I formulas distorted. We do not want to have favoritism in the bureaucracy determining that children who are poor in one part of the city will get far more than they deserve while other children are robbed of their fair share of title I funding. We want to deal with that. There are many positive solutions that we can go forward with while we are waiting for reelection by the levels of government that have real power. The Federal Government, State government, governors should stop playing games. I go back to the analogy of the bleeding baby seal. We should stop tossing the bleeding baby seal about and having fun with it, pretending we are going to do something about education while the bleeding baby seal dies. We should do big things to deal with a monumental problem. Education is a monumental problem. It requires a big solution, a big approach.

I understand there are some candidates running for President who say that it is the duty of the Federal Government to deal with big problems with big solutions. The Marshall plan is one example I told you. The Transcontinental Railroad, the Morrill Act which established land grant colleges, the GI bill which provided education for all GIs after World War II. We have numerous examples of how we have dealt with big problems with big solutions.

I want to close by reading a letter I sent to the President to appeal to him to offer leadership in this area. I think that as I have said many times, there are many components of the problem of education reform, many components. They are all important. But the kingpin component is what are you going to do about facilities, what are you going to do about the infrastructure, how are you going to send a message to all the students that we really care about public education by letting them see the highly visible changes that we can make to improve education? I wrote this letter to President Clinton on October 13, and I want to read parts of it. First I am going to read a part which does not relate to education but relates to my great appreciation of President Clinton because I think we need to reestablish a perspective on the man we are dealing with. I do not agree with all the people who seem to say that he has no legacy. I think he has a legacy already, but I would like to see the legacy improved upon.

''Dear President Clinton:

''Let me begin with an expression of my deeply felt admiration of your leadership in a period cluttered with many more political perils than most citizens have realized. Your leadership has been the vital defense against an unprecedented right wing assault on the unique institutions and programs which extend the benefits of our democracy down to the ordinary men and women of our Nation. When all others were traumatized by the Republican blitzkrieg, your maneuvers held their forces in check. Despite the petty problems highlighted by the partisan impeachment effort, Mr. President, you have already established firmly an impressive legacy. For many millions, you already have the unwavering loyalty and heartfelt appreciation that you deserve. You have preserved the conscience of the country. That is a legacy that historians will eventually be compelled to acknowledge.

''But, Mr. President, there is one more vital request we must make on your unique ability to fuse the practical with the idealistic. Now is the time for you to crystallize, solidify, concretize your legacy as the Education President with actions that will catapult our Nation forward. I strongly advise, urge and plead, Mr. President,

that you launch an omnibus, cyber-civilization education program to guarantee the brainpower and leadership needed for our present and for the expanding future digitalized economy and high-tech world.

''At the heart of such a comprehensive initiative, we must set the all-important revitalization of the physical infrastructure of America's schools. These necessary brick and mortar creations will long endure not only as highly visible symbols of your overwhelming commitment to education but they will serve also as practical vehicles for the delivery of the kind of high-tech education required in the 21st century. To the working families who depend on public schools, it would be a resounding message that a vital segment of our Nation's children have not been abandoned.

''The message will also state that we are willing to make an overwhelming investment in a workforce which will help to guarantee the viability of Social Security. We are willing to make an investment in a massive student pool that provides the military with the recruits needed to operate a high-tech defense system. We are willing to make an overwhelming investment in a massive body that can produce the full range of geniuses, scientists, engineers, administrators, managers, technicians, mechanics, et cetera, necessary to launch and maintain a cyber-civilization.

''In other words, Mr. President, it is of vital importance that you carry your own movement to a highly visible apex. Please consider the fact that it is not by accident that the most brilliant American President, Thomas Jefferson, chose a message for his tombstone which only noted that he was the founder of the University of Virginia. If there had been no first model State university established by Jefferson, there would have later been no Morrill Act to establish land grant colleges in every State.

''The America of the year 2000 requires from you, Mr. President, a comparable pioneering act to guarantee its brainpower leadership in the world.''

Mr. Speaker, I submit the entirety of this letter for the RECORD.

HOUSE OF REPRESENTATIVES,
Washington, DC, October 13, 1999.

Hon. WILLIAM J. CLINTON,
President of the United States,
The White House, Washington, DC.

DEAR PRESIDENT CLINTON: Let me begin with an expression of my deeply felt admiration of your leadership in a period cluttered with many more political perils than most citizens have realized. Your leadership has been the vital defense against an unprecedented right wing assault on the unique institutions and programs which extend the benefits of our democracy down to the ordinary men and women of our nation. When all others were traumatized by Newt Gingrich's blitzkrieg your maneuvers held his forces in check. Despite the petty problems highlighted by the partisan impeachment, Mr. President, you have already firmly established an impressive legacy. From many millions you already have the unwavering loyalty and heartfelt appreciation that you deserve. You have preserved the conscience of the country. That is a legacy that historians will eventually be compelled to acknowledge.

But, Mr. President, there is one more vital request we must make on your unique ability to fuse the practical with the idealistic. Now is the time for you to crystallize, solidify, concertize your legacy as the Education President with actions that will catapult our nation forward. I strongly advise, urge and plead that you launch an Omnibus CYBER-CIVILIZATION Education program to guarantee the brainpower and leadership needed for our present and expanding future digitalized economy and hi-tech world.

At the heart of such a comprehensive initiative we must set the all important revitalization of the physical infrastructure of America's schools. These necessary brick and mortar creations will long endure not only as highly visible symbols of your overwhelming commitment to education; they will also serve as practical vehicles for the delivery of the kind of hi-tech education required in the 21st Century. To the working families who depend on public schools it would be a resounding message that a vital segment of our nation's children have not been abandoned.

The message will also state that we are willing to make an overwhelming investment: in a workforce which will help to guarantee the viability of Social Security; in a massive student pool that provides the military with the recruits able to operate a high-tech defense system; in a massive body that can produce the full range of geniuses, scientists, engineers, administrators, managers, technicians, mechanics, etc. necessary to launch and maintain a global Cyber-Civilization.

All of the most brilliant and visionary education achievements of your administration may be merged and focused through these vital physical edifices: The NET-Day movement for the volunteer wiring of schools; The Technology Literacy Legislation; the Community Technology Centers; the Distance Learning pilot projects; and the widely celebrated and appreciated E-Rate for telecommunications. The lifting of standards, the improvement in school curriculums and the support for smaller class sizes are also initiatives that require the additional classrooms and expanded libraries and laboratories that school modernization will bring.

In other words, Mr. President, it is of vital importance that you carry your own movement to an ultimate highly visible apex. Please consider the fact that it is not by accident that the most brilliant American President, Thomas Jefferson, chose a message for his tombstone which only noted that he was the founder of the University of Virginia. If there had been no first model state university established by Jefferson, there would have later been no Morrill Act to establish land-grant colleges in every state.

The America of the Year 2000 requires from you a comparable pioneering act to guarantee its brainpower leadership in the world. You have the opportunity to bequeath a new system for public education. Highly developed human resources are clearly the key to power and prosperity in the century to come. To minimize the crippling waste of human potential there must be a broad sweeping public school system forever striving toward education excellence. The kingpin for the education improvement effort, the temples for the promotion of excellence are our school buildings.

Mr. President, an adequate and landmark modernization and construction program requires that we move beyond HR 1660, the Rangel Ways and Means payment of the interest on school bonds (3.7 billion over a five year period). For New York and numerous other states which require that voters approve all borrowing for school construction, this legislation will provide zero funding. I strongly urge that you revamp your position and support HR 3071, my bill which provides direct funding at a level commensurate with the magnitude of the problem of school wiring, security, safety, modernization and construction (110 Billion dollars over a ten year period).

On a trip to New York more than a year ago, as your guest aboard Air Force One, I had the privilege of chatting with you about education issues and problems. When you asked my opinion of the growing endorsement of vouchers among African American parents, I replied that our public school reforms were moving too slowly and sometimes even lurching backwards with the results that large numbers of parents have lost hope.

Mr. President, the trip was much too short and when we ended our brief exchange you invited me to forward a more thorough statement of views and vision on the education challenge. Although I have had the pleasure of speaking to you in group meetings since that discussion, I have not until now attempted to offer a thorough summary of my position on the need for an overwhelming campaign to greatly improve public education in America. A massive school construction initiative must be placed at the core of this campaign for a CYBER-CIVILIZATION Education Program.

Sincerely Yours,

MAJOR R. OWENS,
Member of Congress.

CONVICTED MURDERER SEEKS EXECUTIVE CLEMENCY

The SPEAKER pro tempore (Mr. TANCREDO). Under the Speaker's announced policy of January 6, 1999, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes.

Mr. MCINNIS. Mr. Speaker, a couple of days ago I was moved by an article that I read about an individual by the name of Leonard Peltier. Mr. Peltier is currently in the penitentiary, Federal penitentiary, for the assassination of two FBI agents. He has been in prison for 25 years.

I need to be fair to all of my colleagues here and give you some disclosures. First of all, I used to be a police officer. As a result of being a police officer, over the years and especially during the time of my tenure as a police officer, I developed a very close relationship with agents of the Federal Bureau of Investigation. Over the years, I have also developed a great deal of respect for the Federal Bureau of Investigation. But I must also tell my colleagues that over these years I have also had an opportunity to carefully scrutinize the Federal Bureau of Investigation, because, you see, I think it is a very important agency for our country. But I think the integrity of the agency is also very, very important.

In the past, I have been very critical of the Federal Bureau of Investigation when they messed up. I can give you an excellent example, Ruby Ridge. The agents involved at Ruby Ridge in my opinion should have been immediately

terminated. What happened at Ruby Ridge I will not repeat this evening but I will tell you that the command officer from the Federal Bureau of Investigation was not terminated, in fact the command officer was put on a paid leave of absence for 1 or 2 years and retired and received in my opinion no punishment at all.

I am also looking with a very careful eye at the Federal Bureau of Investigation's role at the Waco, Texas goof-up. That, too, is a very tragic situation in the history of our country, and I think unfortunately, there will be revealed within the report about the incident at Waco, Texas, that the Federal Bureau of Investigation misstated their role, understated their contribution, so to speak, or their involvement in the situation at Waco, Texas.

So I am not necessarily in lockstep with the Federal Bureau of Investigation. But I can tell you, when I look at all of the law enforcement agencies I have seen over the years, and as a former law enforcement officer, I have had the opportunity to be involved with many of them, at the very highest, when you look at the picture as an average, the Federal Bureau of Investigation comes out at the very top. And I think it is incumbent, Mr. Speaker, colleagues, of every one of us when we see an attack launched against the Federal Bureau of Investigation that is launched without justification, or when we see an action being taken against the Federal Bureau of Investigation without justification, we have a commitment to step forward and say something about it.

As I mentioned at the beginning of my comments, I saw an article the other day about this individual. This gentleman's name is Leonard Peltier. I saw today in fact an article in the USA Today. The article is Indians, FBI Face Off in Washington. First of all, I am not sure why the author of the USA Today article uses the word Indians in a broad or general descriptive form. In my particular district, which is the Third Congressional District of the State of Colorado, we have the Indian tribal lands, and I have yet to hear from any of the leaders of those Indian tribes, of which I work with very closely on projects such as the Animus LaPlata, the kind of appeal that may be suggested by all Indians as a result of this particular article. It is my opinion that the Native American involvement in this case is limited. And it is also my opinion that if you sit down with the average Native American in this country and you look at the facts of this case, that there will be very few Native Americans who would step forward and say that this particular convict is a political prisoner.

I think this is a stage being set by the defense attorneys for this convict. Actually using the word convict is somewhat gentle. He is not a convict, he is a murderer, and he is a cold-blooded murderer. He killed two FBI agents in cold blood. Now, 25 years ago, as one defense attorney would suggest, is something that enough time has passed by that perhaps he has served his time for this violent and horrible crime. I will quote exactly from the USA Today.

Peltier, that is the convict, the murderer that I am talking about, has been in prison as long as anyone responsible for similar crimes should be in, attorney Carl Nadler says. Can you believe this? Let me repeat what this defense attorney says. Peltier has been in prison as long as anyone responsible for similar crimes should be in prison. What he is suggesting is that 25 years is enough time for somebody to serve that goes out and in cold blood assassinates two officers of the Federal Bureau of Investigation.

Well, I stand here tonight, colleagues, in deep disagreement with this defense attorney. And I urge that all of my colleagues on the floor take time to review what is going on in the month of November in regard to this case. Now, why have I suggested the month of November? Well, apparently this murderer's defense team has put together a little political show and tell, and they call November the month of publicity or the month to get reprieve for this convicted murderer. What I mean by that, it is this month that they are submitting papers to the President of the United States requesting that clemency be granted to Leonard Peltier, a convicted murderer.

A couple of days ago, I read an open letter. This open letter is a joint letter authored by the Federal Bureau of Investigation Agents Association located in New Rochelle, New York and the Society of Former Special agents of the Federal Bureau of Investigation located in Quantico, Virginia. The above organizations, which are professional, nongovernmental associations, represent over 20,000 active duty and former FBI agents. I was so moved by this letter that I ask my colleagues to follow me closely this evening as I read verbatim that open letter to the American people.

As many of you know, I do not often read from notes when I speak from this podium, but I am going to be very careful this evening that I read this letter verbatim, because I think it is important that every one of us in this room have a clear understanding of the facts of this case before Peltier's defense attorney arrives here in Washington, D.C., sets up this political show and tell, and tries to convince through propaganda that for some reason this convicted murderer deserves clemency from the President of the United States.

We should not take this lightly. We had a very difficult situation about 1 month ago when clemency was given to the Puerto Rican terrorists.

□ 2300

As I pointed out from this House floor, you can look right up in the roof of this fine room and you can see the bullet hole, or I could walk over here to this desk drawer and show you the bullet holes through that desk from the Puerto Rican terrorists who entered this floor many years ago firing weapons.

Well, this case is somewhat similar, except in this case we know, we have the person who conducted two savage, cold blooded murders on these FBI agents.

Let me begin the letter.

June 26, 1975, was a hot, dusty Thursday on the Pine Ridge Indian Reservation in Southwestern South Dakota when two FBI agents arrived from their office in Rapid City. It was about noon when Special Agents Ronald A. Williams, age 27, and Jack R. Coler, age 28, pulled into the Jumping Bull compound area of the remote reservation seeking to arrest a young man in connection with the recent abduction and assault of two young ranchers.

Observing their suspect Peltier's vehicle, the agents pursued it. Unknown to Special Agent Coler and Special Agent Williams, one of the three men in the vehicle was Leonard Peltier, a violent man with a violent past. He was a fugitive, wanted for attempted murder of an off duty Milwaukee police officer.

Knowing that the two vehicles pursuing him were occupied by FBI agents and believing they were seeking to arrest him on that attempted murder case, Peltier and his associates abruptly stopped their vehicle and began firing rifles at the agents. Surprised by the sudden violence, outmanned, outgunned, and at an extreme tactical disadvantage, Coler and Williams were both wounded and defenseless within minutes.

Coler sustained a severe wound, the force of the bullet nearly tearing his right arm off. Williams, wounded in the left shoulder and the right foot, removed his shirt during the hail of incoming rifle fire, and fashioned a tourniquet around the arm ofColer, who had by then fallen unconscious.

Agents Coler and Williams were then at the mercy of Leonard Peltier and his associates. But there was to be no mercy for these fine young law enforcement officers.

Not satisfied with the terrible injuries that they had inflicted, Peltier and the two other men walked down the hill towards the ambushed agents. Three shots were fired from Peltier's rifle. Williams, kneeling and apparently surrendering, was shot in the face directly through his out extended shielding handled. He died instantly. Coler, who was still unconscious, was shot twice in the head at close-range. He died instantly from those shots.

The crime scene examination testified to the brutality of the ambush. Coler and Williams had little chance to defend themselves. They had fired only five shots. In contrast, over 125 bullet holes were found in into the car.

Following the murder, Peltier fled the reservation. In November 1975 an Oregon state trooper stopped a recreational vehicle in which Peltier was hiding. Peltier fired at the trooper and escaped. Coler, the FBI agent who had been assassinated earlier on, his revolver which was stolen when he was murdered, was found in a paper bag under the front seat of the recreational vehicle. Peltier's thumb print was on that bag.

When arrested later in Canada by the Royal Canadian Mounted Police, Peltier remarked that had he known the Royal Canadian Mounted Police officers were there to arrest him, he would have blown them out of their shoes. These are not the comments of an innocent man and they portray the true

character and the violent nature of Leonard Peltier.

In April 1977 a jury convicted Peltier of the murders of those two FBI agents, Coler and Williams. A judge sentenced him to two consecutive life sentences. While incarcerated in the Lompoc, California, Federal prison, and, with outside assistance, Peltier shot his way out of jail using a smuggled rifle to make his escape. Several days later, after assaulting a rancher and stealing a pick up, Peltier was captured. He was tried and convicted of escape and of being a felon in possession of a firearm.

Peltier has since appealed his various convictions numerous times. Each time the Federal courts have upheld earlier legal decisions. The United States Supreme Court has twice denied Peltier review without comment.

The record is clear: There were no new facts. There are no new facts. The old facts have not changed, and Peltier is guilty as charged.

Several times on national television Peltier has admitted to firing at the two agents. In his most recent public interview, Peltier has even reluctantly conceded what he had previously denied, that he had in fact gone down to where the agents were executed. Still, he openly states that he feels no guilt, no remorse, nor even any regret for the murders.

Leonard Peltier has lived a life of crime. He has earned and deserves a lifetime of incarceration. Leonard Peltier is a murderer without compassion or feeling towards his fellow man. In turn, he deserves no compassion.

Mr. President, there is no justification for relieving Leonard Peltier from his punishment. Our judicial system has spoken in this case again, again, and again. Leonard Peltier is a vicious, violent and cowardly criminal that hides behind legitimate native American issues. Leonard Peltier was never a leader in the Native American community. He is simply a brute, thug and murderer with no respect, no regard for human life. Our citizens, on and off the reservations, must be protected from predators like Peltier.

Mr. President, since Leonard Peltier could not fool the Federal courts, he is now trying to fool you, to fool the public. He is shading and hiding the facts and playing on sympathy. He and his advocates want to confuse the fact of his guilt with matters completely extraneous to that fact. Do not let him get away with it, Mr. President. Sympathy is appropriate only for dead heroes and surviving families. Do not let their sacrifice be forgotten.

Mr. Speaker, that was somewhat of a lengthy letter, but as you can tell, it is a subject that should be dear to every one of our hearts in this room, to the heart of every American out there that believes in law and justice, to every law enforcement family out there that currently has someone in law enforcement or has had a member of their family in law enforcement.

□ 2310

If we let, if we let this kind of violent assassin out of prison after serving only 24 years, it will in my opinion be a crippling blow to the message that we need to send to the law enforcement in this country.

That message really is fairly simple. That is that you work as a law enforcement officer to provide, as your duty, peace and justice in our system, and that when peace and justice are attacked in our system, our system has a price, it has a consequence, it has a punishment. It is the only way we can uphold the integrity of our system of law enforcement is to have a zero tolerance or a limited tolerance of any type of direct attack against our system of peace and justice.

The assassination of two Federal Bureau of Investigation agents, no matter how many years ago, is a direct attack against the legal and justice process in this country.

Mr. Speaker, I urge all my colleagues to join with me in attempting to be persuasive with the President of the United States and the American public in saying how important it is that this political charade being put on by the defense attorneys for this convicted assassin, that this kind of show be stopped, that this kind of show be denied their goal. Their goal, of course, is to let this convicted assassin walk the streets of America again.

Do not let him hide under the shield of being a Native American. That is a disgrace to the Native Americans. Do not pull Native Americans down to the level of this convicted killer. Do not affiliate this convicted killer with the Native Americans in this country. That is an insult, in my opinion, if we do.

Do not forget the facts of the case. Just so that I can remind the Members, let me go through the facts again in a little briefer form than the letter.

Two FBI agents were assassinated. They attempted to pursue a vehicle which contained this suspect, at the time suspect, now a convicted killer, Leonard Peltier. They were wounded. They were disarmed by the wounds that they had. In other words, they could not fight back. They didn't have any weapons left to fight back with. They were not physically capable. One the FBI agents was unconscious. The other FBI agent was rendering first aid to the unconscious FBI agent.

This convicted killer, who by the way was a fugitive from justice for the attempted assassination of an off-duty police officer in Milwaukee, walked up to these two FBI agents and executed them in cold blood. He was later stopped in a recreational vehicle. In that vehicle they found one of the deceased agent's pistols in a paper bag. That bag had evidence, Peltier's fingerprints on it.

Peltier was captured in Canada. He was convicted of two counts of murder for these FBI agents. He escaped from the Federal prison. Do not let people tell us this guy is a nonviolent guy. He was in Federal prison and he shot his way out of Federal prison. Think of the last time since the John Dillinger days or Bonnie and Clyde and so on that somebody shot their way out of the Federal prison. That is who this individual is.

Now today, now today he is in front of the American people, in front of the President of the United States, asking for mercy. Look, 25 years ago may seem like a long time to some, but it has been a real long time for the families of those young FBI agents that were assassinated in cold blood.

In conclusion on this particular issue, Mr. Speaker, let me ask for Members' support in standing up strong for the law enforcement community of the country, in standing up strong for the families and the agents and professionals of the Federal Bureau of Investigation, in standing up strong for the concept of peace and justice within the boundaries of our country.

Let us all have our voice heard, that in the United States of America, if you assassinate a police officer, or, just as soon, two Federal Bureau of Investigation officers, you will pay a price and we will stick with the punishment that we deal out. We are not a bunch of patsies. Do not come back to us and think you are going to get a free walk 25 years later after that kind of action.

If we fail to do this, if we fail to do this, we are sending the wrong message out there and we are crippling justice and peace in our country.

Mr. Speaker, I would like to do an update on a couple of other subjects this evening while I have the opportunity to visit with the Members.

As Members will recall, about 2 or 3 weeks ago, maybe a month ago, there is a museum in New York City called the Brooklyn Art Museum. The Brooklyn Art Museum, it was discovered, with taxpayer dollars, with taxpayer dollars, was sponsoring an art exhibit that depicted, among other things, a portrait of the Virgin Mary, which is one of the holiest symbols of the Catholic religion throughout the world and of Christianity throughout the world, this art museum was allowing in this art exhibit, with taxpayer dollars, this portrait of the Virgin Mary with elephant dung, as they say, crap, as I say, thrown all over the portrait. Can Members imagine that?

How long do Members think that type of art exhibit would have been tolerated or should have been tolerated in this country at taxpayer dollars if it was an exhibit of Martin Luther King, for example, or if it were an exhibit of an outstanding Jewish rabbi, for example, or if it were an exhibit of some other outstanding leader that meant so much to a religious organization anywhere in this world? They would not put up with that.

But for some reason, there seems to be some justification out there by some people that an attack on Christianity should be separated from an attack, say, on Martin Luther King, or an attack on the image of a Jewish rabbi, and so on and so forth.

What happened is that the mayor of New York City, Mayor Rudy Giuliani, I think had some guts. He stood up and he said, we are drawing the line. That has gone too far. There is a strong freedom of expression in this country. There is a First Amendment in this country, but there is a balance that we have in this country.

Just the same as under the freedom of speech we do not allow individuals to go into a theater and yell ''fire, fire, fire,'' we do not allow that. That is not a violation of your First Amendment rights, but we do not allow you to go into a theater and do that. We draw a line. This thing is not carte blanche, this First Amendment, to do anything that you feel like doing, especially when you do it with taxpayer dollars.

The mayor came under heavy criticism by the very elite that were dealing with the Brooklyn Art Museum, the board of directors, who I think were acting very pompous in somehow defending this disgraceful work of art, not a work of art that is just controversial, that brings up lots of discussion, but a work of art that hit at the very integrity of a large religious group throughout the world, that was the maximum type of insult that you could throw at that particular religion, and did it with American taxpayer dollars.

Why do I keep bringing up the fact of American taxpayer dollars? Because therein lies the distinction as to whether or not this is an issue under the First Amendment of our Constitution.

Under our Constitution, frankly, had the United States taxpayer dollars not been used to fund this portrait of the Virgin Mary of which dung was thrown all over it, had taxpayer dollars not been used, I am afraid to say that this would have been probably protected, or would have been protected under the First Amendment. We can tolerate that.

It is horrible, and I cannot imagine, for example, why the First Lady, Hillary Clinton, stood up for this thing. She said, however, in her comments that while she would not go see it, but she certainly stood up for the right to go around and exhibit this with taxpayer dollars.

I understand where some would say it is a First Amendment right if there is not taxpayer dollars being used, although I can tell the Members that the press in this country and the liberal left in this country would not have stood for 2 seconds if it were Martin Luther King or a Jewish rabbi or some other celebrated figure being treated in that fashion. But the key here is taxpayer dollars.

□ 2320

The point here is very clear, and I think the citizens of this country, Mr. Speaker, I think we need to go out and ask our constituents, do the citizens of this country really think it is a justified and constitutionally protected right under the Constitution to fund this kind of art with taxpayer dollars or should this type of art be denied the access of taxpayer dollars and allowed to be funded in society with private dollars?

Remember that my objection tonight, and the mayor of New York City's objection to this art, was not that the art should not be shown. Now, it is disgraceful. Do not get me wrong. I do not condone this kind of art, but there is a constitutionally protected right to show this art without taxpayer dollars. That argument has some legitimacy but that was not the debate that is being carried forward here.

What the mayor said, what I said and, Mr. Speaker, what I think most of our constituents believe is that this kind of art, i.e., the Virgin Mary with dung splashed all over her, with taxpayer dollars, has gone over that line. You draw a line. You have gone over that line. Do not use taxpayer dollars.

The Brooklyn Art Museum in New York, they could easily fund this through other monies. They just want to try and make an issue. What they want to do is open that door so that taxpayers in this country will have to pay out of their hard-earned dollars, will have to use those taxpayer dollars, to let the so-called art community, especially the elite of the Brooklyn Art Museum, fund anything they would like, no matter how offensive, no matter how derogatory it is. That is wrong. This art museum knows that it is wrong.

Well, there has been a new step, a new report to update you on, and that is that a Federal court judge this week actually came out and said that the art museum has a right to use taxpayer dollars to exhibit this type of art, i.e. the Virgin Mary with dung thrown all over her in very obviously a disgraceful fashion intended to be as derogatory as possible, not only towards Christianity but towards one of the most important symbols of Christianity.

I am telling you, Federal judge, you made a mistake. You are wrong. There is not a constitutionally protected provision that says you can use taxpayer dollars in this country to fund that kind of art. Why do you not use some common sense? Why do you have to offend the people of Christianity? Why do you do an all-out attack? You would not do it with Martin Luther King and the black community. You would not do it in the Jewish community with some rabbi of theirs. You would not do it with some other type of religious entity or important entity in this country with their leader.

Why are you doing this? Why do you decide to use taxpayer dollars to offend every Christian in the world? It is wrong. You have got a temporary victory from this Federal judge but in the end I think the mayor of New York City, one, had a lot of guts to do what he did and, number two, I think he is going to prevail.

I also think that the general opinion in this country is, look, that kind of art, as violent and as horrible and as disgraceful as it is, is protected but not with the use of taxpayer dollars.

Our constituents, Mr. Speaker, I do not believe, are in any way about to buy the argument that we ought to take the tax dollars out of their paycheck every week and put a percentage of that towards the funding of this kind of art.

THE FALL OF THE BERLIN WALL

Mr. MCINNIS. Mr. Speaker, this evening we have covered two topics so far. The first topic is the attempted request, well, not the attempted request but the actual request by an assassin, by a convicted murderer of two Federal Bureau of Investigation officers, Leonard Peltier, the convict is submitting to the President of the United States for clemency. I am in hopes with my colleagues that they join me in urging the President to deny that.

The second issue that we have discussed tonight is the Brooklyn Art Museum and the fact that they use taxpayer dollars to fund an art exhibit of the Virgin Mary, a portrait of the Virgin Mary, with elephant dung or elephant crap thrown all over the face of the Virgin Mary.

The third topic, however, is kind of we are changing engines here. I want to talk about, instead of the negative implications of a convicted assassin asking our President to let him walk from prison, get-out-of-jail-free card, instead of talking about the Brooklyn Art Museum and the prima donnas who want to use your taxpayer dollars to fund that kind of obscene art, I want to shift to an accomplishment of this country. Actually it is an accomplishment that should be celebrated, it was celebrated throughout the world, and a lot of credit of this accomplishment goes to the people throughout the world.

When people look back to the accomplishments of this century, they are going to look at one accomplishment which will stand out for many, many centuries to come, and that is the fall of the Berlin Wall. Recently, I had the opportunity to watch the tape on Ronald Reagan. Mr. Speaker, I would urge all of us to watch it. It is put out by the Public Broadcasting System, PBS, on the presidency of Ronald Reagan and it talked about Reagan's great leadership, and I will again disclose that I am a strong admirer of President Reagan, about the difficult transition period he went through in taking this country through a buildup in arms, a buildup in military defense, in order to accomplish a build-down; that how President Reagan, throughout his entire life had one goal, and that is to bring down the destructive society of Communism.

It was interesting the pressure he went through, even within our own boundaries of this great country, about his concept of how to bring down that Berlin Wall.

Now many of those critics, some of who sit on this floor, some of who sit in other chambers of political leadership throughout this country, who criticized President Reagan, we can now look back and see what a feat. Not just with President Reagan but what a feat President Reagan and what a role he played in bringing down that Berlin Wall.

Now, why do I bring it up today? Because in one week, on November 9, on November 9, will be the tenth anniversary of bringing that wall down. Whenever I see pictures of that wall in the history books or I see it in some other type of periodical, I think of President Ronald Reagan standing there and saying, ''Mr. Gorbachev, tear that wall down.''

□ 2330

What a fascinating time of history and how neat it is that we were able to bring that down. Look at what has happened since. Look at what has happened in Germany. Look at what has happened in Europe. Look at what happened to communism.

Now, there are some tough times still ahead for the countries of Russia and so on. There is a lot of peace and justice that needs to be brought into the country of Russia.

As my colleagues know, one of the big failures of the society today in Russia, in my opinion, is the failure of their justice system, the mob over there. But the fact is, despite all of these painful headaches and this long journey towards capitalism and freedom, it will arrive. It will come to the station. Some people think it is late. But it will arrive at the station due in a large part to the leadership of this country and large part due to the leadership throughout the free world 10 years ago.

Now, Mr. Speaker, if my colleagues have not had an opportunity, I would urge them to take a look at this week's Newsweek. I did. It has an article in there, excellent article written by Newsweek, about the Berlin Wall. I would like to go through. What it did is it picked up some of the conversations during those few critical days of the fall of the Berlin wall. It brings out some of the conversations as reflected by memos written at the time between the President of the United States, George Bush, and the German Chancellor Kohl. I will like to repeat some of those because I think they are pretty fascinating.

This is a conversation that took place between West German Chancellor Helmut Kohl and President George Bush. October 23, 1989, just a little over 10 years ago, 9:02 in the morning. Tens of thousands of East Germans flee via Hungary. Others seek sanctuary in the West German embassy and the Prague. Demonstrators calling for freedom take to the streets of major German cities. Kohl phones Bush to describe the situation, and here is how the conversation took place.

Kohl: The changes in east Germany are quite dramatic. None of us can give a prognosis. There is enormous unrest among the population. Things will become incalculable if there are no reforms. My interest is not to see so many flee Germany because the consequences there would be a disaster.

I am also concerned about the media coverage that, crudely speaking, holds that Germans are now committed in their discussions about reunification and that they are less interested in the West. This is absolute nonsense. Without a strong NATO, none of these developments in the Warsaw Pact would have occurred.

President Bush in response: I could not agree more. We are trying to react very cautiously and carefully to change in East Germany. We are getting criticism in the Congress from liberal Democrats that we ought to be doing more to foster change, but I am not going to go so fast as to be reckless.

November 10, 1989, 3:29 in the afternoon. The previous night the world had watched transfixed as the East Germans stormed the wall.

Kohl to President Bush: I have just arrived from Berlin. It is like witnessing an enormous fair. It has the atmosphere of a festival. The frontiers are absolutely open. At certain points, they are literally taking down the wall and building new check points. This is a dramatic thing, a historic hour. Without the United States, this day would not have been possible. Tell your people that.

President Bush: First, let me say how great is our respect for the way West Germany has handled all of this. I want to see our people continue to avoid especially hot rhetoric that might, by mistake, cause a problem.

Kohl to the President: Thank you. Give my best to Barbara. Tell her that I intend to send sausages for Christmas.

November 17, 1989, 7:55 in the morning, Bush and Kohl discussed the Soviet reaction. They are concerned that Moscow, which still has 390,000 troops in East Germany may panic.

Kohl: I had a long conversation with Gorbachev. Of course the Soviets are concerned. I told Gorbachev that if East German leader Egon Krenz does not carry out reforms, the system will fail.

President Bush: It is important that the Germans see that they have the support and the sympathy of their allies. In spite of congressional posturing, the United States will stay calm and support reforms. The excitement in the United States runs the risk of forcing unforeseen action in the U.S.S.R. or East Germany. We will not be making statements about unification or setting any timetables. We will not exacerbate the problem by having the President of the United States posturing on the Berlin Wall.

February 13, 1990, 1:49 in the afternoon. The East German regime has agreed to free elections in March and Kohl has just returned from a visit to Moscow. Both he and Bush are worried that Gorbachev will demand a neutral Germany as a price for unification.

Kohl to the President: The situation continues to be dramatic. Between January 1 and today, 80,000 have come to the West from the East. That is why I suggested a monetary union and an economic community. We will have to urge the government that comes in after March 18 to go through with these.

Let me say a few words about my talks in Moscow. Gorbachev was very relaxed. But the problems he faces are enormous, nationalities, the food supply situation, and I do not see a light at the end of the tunnel yet. We also discussed that the two German states should be working together with the four powers, the United States, the United Kingdom, France, and the U.S.S.R. I told Gorbachev again that neutralization of Germany is out of the question.

Bush: Did he acquiesce or just listen? How did he react?

Kohl: My impression is that this is a subject about which they want to negotiate but that we can win that point.

March 20th, 1990, 8:31 in the morning. In the March elections, the East Germans overwhelmingly support reunification and democratic change by voting for a coalition of parties led by Kohl's Christian Democrats.

Bush to Kohl: Helmut, you are a hell of a campaigner.

Kohl: Thank you. The results are very important for the NATO question.

Bush: Helmut, your firm stand on a united Germany remaining a full member of NATO is great. We need to continue holding firm. This is vitally important for European security and stability and for the United States.

May 30, 1990, 7:34 in the morning. Gorbachev is due in Washington for his first visit since the fall of the wall. Bush and Kohl discuss that agenda.

Bush to Kohl: I am getting ready for Gorbachev's big visit.

Kohl: That is why I am calling. One thing that is very important for Gorbachev to understand is that, irrespective of the developments, we will stand side by side. And one sign of this cooperation are the links between us by the future membership of the united Germany and NATO without any limitations. You should make this clear to him, but in a friendly way. A second point, we can find a sensible economic arrangement with him. He needs help very much. He should also know that we had no intention of profiting from his weakness.

Bush: I will assure him that we are side by side. We want him to come out feeling that he has had a good summit.

July 17, 1990, 8:48 in the morning. Kohl briefs Bush on his most recent visit to Moscow.

Kohl: George, first of all, Gorbachev is in excellent shape. He is aware of his special situation and of his responsibilities. And he is aware he has to act quickly to get through pluralism to change society and to get through the necessary legislation by the end of this year.

□ 2340

''I told him there would be no chance to receive western aid if he does not get these reforms through. We also discussed extensively his determination

to pursue the modernization of his country. He said something I had never heard before. He told me his grandfather was tortured and imprisoned under Stalin. His wife said her grandfather was liquidated under Stalin. It is remarkable.''

One other interesting thing. We talked about German-U.S. relationships in our one-on-one. I told him that this relationship was of great importance, and I told him that if the Soviets tried to undermine it, this would affect German relationships with the USSR. His reply will be of interest to you. He said that they learned a lesson, that it was wrong to try to make the United States withdraw from Europe, and that they had not succeeded in this in the past.

Finally, he impresses me as a man who knows himself well and who has a sense of self-irony. He has burned all his bridges behind him. He cannot go back and he must be successful.

August 3, 1990, 9:56 in the morning, nearly a year after the Wall falls, East and West Germany are officially reunited.

Bush: ''Helmut, I am in a meeting with members of our Congress and I am calling on this historic day to wish you well.''

Kohl: ''Things are going very, very well. I am in Berlin. There were one million people here last night at the very spot where the Wall used to stand and where President Reagan called on Mr. Gorbachev to open this gate. Words cannot describe the feeling. American presidents from Harry Truman all the way up to our friend George Bush made this possible.''

The Berlin Wall did not come down in a day. It did not come down in a season. What is interesting about these conversations that I just related to you is it is kind of symbolic of the effort that our country made to see that communism fell and that the non-free people of this world were able to enjoy freedom as we have enjoyed our entire life. But it was not without a price.

President Reagan went on a massive military buildup. His concept to build up in order to build down turned out to be correct. But during this massive buildup, he received a lot of criticism. Frankly, the Russians were worried about President Reagan.

I reviewed this tape from Public Broadcasting, and I hope my colleagues take time to take a look at it, it is fascinating. Whether you are Republican or Democrat, this time period sets aside those partisanship contests to take a look at the biggest threat to the world, and that was communism and how this president, President Reagan, really took us right to the brink and the Russians blinked and the Russians disarmed and the Russians allowed that Wall to be taken down.

They pulled out of Hungary. They pulled out of Poland. And today in our history, most of the countries in this world enjoy the freedom that we enjoy as Americans. In 100 years from now, it is my prediction that every country in the world will have some form of capitalism, that the days of communism, even the days of socialism will be days long past. It gives us a lot to be proud of in America.

Colleagues, I know that as United States congressmen we are privileged to be up here to represent what I think is the finest country in the history of the world. And the reason that we came out of this so well, the reason that we have stood strong for such a long time is that we understood America does not have to apologize for being free. America owes nobody in this world an apology for standing up for the abused people of this world.

But the United States of America owes no apology to anybody in this world for strength that we maintain with our defense. Because we understand that if we do not have a strong defense, if we are not the toughest kid on the block, we are going to be in a lot of fights.

I forget the source of the quote. I think it was back in the early days of the country, Jefferson, maybe Washington, who said, ''the best way to avoid a war is to be prepared for war.''

The best way to protect freedom is to be strong. Every generation will be tested. Freedom will always come with a price and a cost. But in the end, if we pay that cost, if we stand up strong, as this country has done in the past, if we have great leaders like Ronald Reagan and many of the other great leaders this country has had, we can look to the next generation and we can say to that next generation, you too will enjoy a lifetime in the greatest country in the history of the world.

As you can tell from my remarks, I am proud to be an American. And so are every one of you. Next week I hope all of us take just a few minutes outside of our busy schedules and I hope we try and convince our constituents to take a few minutes out of their busy schedules and think of those days 10 years ago when that awful, terrible wall began to crumble. Think of those days when President Reagan stood up there, broad-shouldered, looking them right in the eye and said, Mr. Gorbachev, tear down this wall. Open up this gate.

Take a few moments next week on this tenth anniversary to think of the joy and the excitement and the happiness of those individuals in Germany who now were able to go across that border without being shot, without having to sneak through at night trying to get through the barbed wire.

I can remember 15, 20 years ago, even longer than that, when I was young about reading the Reader's Digest. It seemed to me that twice a year the Reader's Digest would carry a story in there about somebody in East Germany who had that taste of freedom, who wanted to live in a free world, who wanted a Democratic society. They would risk and their family would risk everything they had to get across that Wall.

I remember reading in a study of history when our American planes and our allies went into Germany and past the Wall to bring those in the Berlin airlift. What a great accomplishment that was.

And now, less than 10 years ago, whoever imagined that that horrible Wall would crumble as quickly as it did? You know, it was not a very strong structure. It did not stand up for very long, too long, but not very long. And that credit goes to the American leadership and the leadership of our allies in this world.

Mr. Speaker, let me conclude by just recapping the three things that I discussed this evening.

First of all, I beg my colleagues in here to carefully watch what is going on with this request for clemency by a convicted assassin of two agents of the Federal Bureau of Investigation. This man, Leonard Peltier, will be requesting through a political horse and pony show with the President clemency to let him walk as a free man. He has got a very sharp defense team. But do not let that shield all of us from the fact that in cold blood he killed two FBI agents.

This man should never see the outside of a jail cell for as long as he lives. I hope many of my colleagues will join me in that effort in attempting to convince the President or help persuade the President to ignore that request.

Second of all, let me point out that to you, Brooklyn Art Museum, you are wrong. You will not be able to continue to defy, I think, the taxpayers of this country by using taxpayer dollars to fund your art exhibit of the Virgin Mary with dung slapped all over her. I hope at some point you prima donnas who serve on the board of directors at that Brooklyn Art Museum, I hope really seriously you have a moment to look in the mirror when nobody else is around and you ask yourselves the question, is it right?

□ 2350

Does what we did make me feel good? Have I completed my duty as a trustee of the Brooklyn art museum? Would I have done this to the great leader Martin Luther King? Would I have done this to a great leader in the Jewish community? Would I have done this to a great leader in the Buddhist community? Or should I just pick on Christianity and use taxpayer dollars to do it? The taste of art has gone too far when you use taxpayer dollars for that kind of effort. It is not a protected right in my opinion under the first amendment.

Finally, the day of celebration next week as we are running around this floor, we ought to take a few minutes and just remember what a great day in our history it was to see that Berlin Wall fall, to see those people in East Germany taste freedom, many of them for the first time in their entire life, and to see through the great leadership of the United States of America, through the response of the citizens of

the United States of America, through the strength of the military forces of the United States of America, we brought the taste of freedom to millions and millions of people, and we will as the United States of America preserve the taste of freedom for many centuries to come.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SESSIONS). The Chair must remind all Members to direct remarks in debate to the Chair and not to other persons in the second person.

MESSAGE FROM THE SENATE

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

H.R. 3194. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2000, and for other purposes.

The message also announced that the Senate insists upon is amendment to the bill (H.R. 3194) ''An Act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2000, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mrs. HUTCHISON, Mr. DOMENICI, Mr. STEVENS, Mr. DURBIN, and Mr. BYRD, to be the conferees on the part of the Senate.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.J. RES. 75, FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2000

Mr. GOSS, from the Committee on Rules (during the special order of Mr. MCINNIS), submitted a privileged report (Rept. No. 106–443) on the resolution (H. Res. 358) providing for consideration of the joint resolution (H.J. Res. 75) making further continuing appropriations for the fiscal year 2000, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3196, FOREIGN OPERATIONS, EXPORT FINANCING AND RELATED PROGRAMS APPROPRIATIONS ACT, 2000

Mr. GOSS, from the Committee on Rules (during the special order of Mr. MCINNIS), submitted a privileged report (Rept. No. 106–444) on the resolution (H. Res. 359) providing for consideration of the bill (H.R. 3196) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION AGREEING TO CONFERENCE REQUESTED BY SENATE ON H.R. 3194, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2000

Mr. GOSS, from the Committee on Rules (during the special order of Mr. MCINNIS), submitted a privileged report (Rept. No. 106–445) on the resolution (H. Res. 360) agreeing to the conference requested by the Senate on the amendment of the Senate to the bill (H.R. 3194) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2000, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. KILPATRICK (at the request of Mr. GEPHARDT) for today after 3:30 p.m. on account of official business.

Ms. JACKSON-LEE of Texas (at the request of Mr. GEPHARDT) for today on account of a family medical matter.

Mr. BEREUTER (at the request of Mr. ARMEY) for today after 12:00 p.m. and for the balance of the week on account of offical business.

Mr. HULSHOF (at the request of Mr. ARMEY) for today on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. LIPINSKI, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. BLAGOJEVICH, for 5 minutes, today.

Mr. SHOWS, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Mr. TOWNS, for 5 minutes, today.

Mr. THOMPSON of Mississippi, for 5 minutes today.

(The following Members (at the request of Mr. DIAZ-BALART) to revise and extend their remarks and include extraneous material:)

Mr. FOSSELLA, for 5 minutes, today.

Ms. ROS-LEHTINEN, for 5 minutes, today.

Mr. BASS, for 5 minutes, November 9.

Mr. DUNCAN, for 5 minutes, today.

Mrs. BIGGERT, for 5 minutes, today.

Mr. MORAN of Kansas, for 5 minutes, November 5.

Mr. METCALF, for 5 minutes, today.

Mr. EHLERS, for 5 minutes, today and November 4 and November 8.

Mr. BURTON of Indiana, for 5 minutes, November 4.

SENATE BILLS AND CONCURRENT RESOLUTIONS REFERRED

Bills and concurrent resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 440. An act to provide support for certain institutes and schools; to the Committee on Education and the Workforce.

S. 1844. An Act to amend part D of title IV of the Social Security Act to provide for an alternative penalty procedure with respect to compliance with requirement for a State disbursement unit; to the Committee on Ways and Means.

S. Con. Res. 66. Concurrent resolution to authorize the printing of ''Capitol Builder: The Shorthand Journals of Captain Montgomery C. Meigs, 1853–1861''; to the Committee on House Administration.

S. Con. Res. 67. Concurrent resolution to authorize the printing of ''The United States Capitol: A Chronicle of Construction, Design, and Politics''; to the Committee on House Administration.

ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 441. An act to amend the Immigration and Nationality Act with respect to the requirements for the admission of nonimmigrant nurses who will practice in health professional shortage areas.

H.R. 974. An act to establish a program to afford high school graduates from the District of Columbia the benefits of in-State tuition at State colleges and universities outside the District of Columbia, and for other purposes.

BILLS 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, bills of the House of the following title:

On November 2, 1999:

H.R. 2303. To direct the Librarian of Congress to prepare the history of the House of Representatives, and for other purposes.

H.R. 3064. Making appropriations for the District of Columbia, and for the Departments of Labor, Health and Human Services, and Education and Related Agencies for the fiscal year ending September 30, 2000, and for other purposes.

ADJOURNMENT

Mr. MCINNIS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 51 minutes p.m.), the House adjourned until tomorrow, Thursday, November 4, 1999, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

5133. A letter from the the Director, the Office of Management and Budget, transmitting a cumulative report on rescissions and deferrals of budget authority, pursuant to 2 U.S.C. 686(a); (H. Doc. No. 106–153); to the Committee on Appropriations and ordered to be printed.

5134. A letter from the Assistant General Counsel for Regulatory Law, Albuquerque Operations Office, Department of Energy, transmitting the Department's final rule—Nuclear Explosive and Weapons Surety Program [AL 452.1A] received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5135. A letter from the Assistant General Counsel for Regulatory Law, Albuquerque Operations Office, Department of Energy, transmitting the Department's final rule—Safety of Nuclear Explosive Operations [AL 452.2A] received October 4, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5136. A letter from the Director, Executive Office of the President, Office of Management and Budget, transmitting a report on direct spending or receipts legislation within seven days of enactment; to the Committee on the Budget.

5137. A letter from the Secretary of Education, transmitting Federal Family Education Loan Program and William D. Ford Federal District Loan Program; to the Committee on Education and the Workforce.

5138. A letter from the Secretary of Education, transmitting the Institutional Eligibility Under the Higher Education Act of 1965, as Amended and Student Assistance General Provisions; to the Committee on Education and the Workforce.

5139. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a report on the nondisclosure of safeguards information for the quarter ending September 30, 1999, pursuant to 42 U.S.C. 2167(e); to the Committee on Commerce.

5140. A letter from the Secretary of Health and Human Services, transmitting the 1999 Biennial Report on the Scientific and Clinical Status of Organ Transplantation; to the Committee on Commerce.

5141. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance (LOA) to the Netherlands for defense articles and services (Transmittal No. 00–20), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

5142. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with United Kingdom [Transmittal No. DTC 123–99], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

5143. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Italy [Transmittal No. DTC 120–99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5144. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to the Netherlands [Transmittal No. DTC 122–99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5145. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 112–99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5146. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 129–99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5147. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Luxembourg, France [Transmittal No. DTC 127–99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5148. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 114–99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5149. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Federation of Bosnia and Herzegovina [Transmittal No. DTC 100–99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5150. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to the United Kingdom [Transmittal No. DTC 92–99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5151. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Greece [Transmittal No. DTC 34–99], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

5152. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 87–99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5153. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Technical Assistance agreement with Brazil [Transmittal No. DTC 25–99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5154. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Turkey [Transmittal No. DTC 8–99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5155. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Luxembourg [Transmittal No. DTC 128–99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5156. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 130–99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5157. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Technical Assistance agreement with Greece [Transmittal No. DTC 118–99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5158. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to the Republic of Korea [Transmittal No. DTC 102–99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5159. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to the United Arab Emirates [Transmittal No. DTC 111–99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5160. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with South Africa and Canada [Transmittal No. DTC 113–99], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

5161. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Turkey [Transmittal No. DTC 137–99], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

5162. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Canada [Transmittal No. DTC 145–99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5163. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with the United Kingdom [Transmittal No. DTC 117–99], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

5164. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with the Netherlands [Transmittal No. DTC 105–99], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

5165. A letter from the the Secretary of Housing and Urban Development, transmitting the A–76/Fair Act Inventory; to the Committee on Government Reform.

5166. A letter from the General Counsel, Office of Management and Budget, Executive Office of the President, transmitting reports on vacancies in Senate confirmed positions; to the Committee on Government Reform.

5167. A letter from the Executive Office of the President, United States Trade Representative, transmitting the inventory of

commercial activities; to the Committee on Government Reform.

5168. A letter from the Independent Counsel, transmitting the Consolidated Annual Report on Audit and Investigative Activites and Management Control Systems, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5169. A letter from the Office of the Independent Counsel, transmitting the report from the Independent Counsel Ralph I. Lancaster, Jr., pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5170. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Processors Using Trawl Gear in the Bering Sea and Aleutian Islands [Docket No. 990304063–9063–01; I.D. 092499L] received November 1, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5171. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Greenland Turbot in the Bering Sea Subarea of the Bering Sea and Aleutian Islands [Docket No. 990304063–9063–01; I.D. 091399A] received November 1, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5172. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for New York [Docket No. 981014259–8312–02; I.D. 101999A] received November 1, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5173. A letter from the Acting Assistant Secretary of Commerce and Acting Commissioner of Patents and Trademarks, Department of Commerce, transmitting the Department's final rule—Changes to Permit Payment of Patent and Trademark Office Fees by Credit Card [Docket No. 991008272–9272–01] (RIN: 0651–AB07) received October 29, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5174. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; El Paso, TX [Airspace Docket No. 99–ASW–26] received November 1, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5175. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Examination of returns and claims for refund, credit or abatement; determination of correct tax liability [Rev. Proc. 99–41] received November 1, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

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. BLILEY: Committee on Commerce. H.R. 2634. A bill to amend the Controlled Substances Act with respect to registration requirements for practitioners who dispense narcotic drugs in schedule IV or V for maintenance treatment or detoxification treatment; with an amendment (Rept. 106–441, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. DIAZ-BALART: Committee on Rules. House Resolution 356. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. 106–442). Referred to the House Calendar.

Mr. GOSS: Committee on Rules. House Resolution 358. Resolution providing for consideration of the joint resolution (H.J. Res. 75) making further continuing appropriations for the fiscal year 2000, and for other purposes (Rept. 106–443). Referred to the House Calendar.

Mr. DIAZ-BALART: Committee on Rules. House Resolution 359. Resolution providing for consideration of the bill (H.R. 3196) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes (Rept. 106–444). Referred to the House Calendar.

Mr. LINDER: Committee on Rules. House Resolution 360. Resolution agreeing to the conference requested by the Senate on the amendment of the Senate to the bill (H.R. 3194) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year September 30, 2000, and for other purposes (Rept. 106–445). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X, the Committee on the Judiciary discharged. H.R. 2634 referred to the Committee of the Whole House on the State of the Union.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 2634. Referral to the Committee on the Judiciary extended for a period ending not later than November 3, 1999.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SMITH of Michigan (for himself, Mr. STENHOLM, Mr. PORTER, Mr. KOLBE, Mr. CAMPBELL, Mr. SANFORD, Mr. SHADEGG, and Mr. TOOMEY):

H.R. 3206. A bill to amend title II of the Social Security Act and the Internal Revenue Code of 1986 to provide prospectively for personalized retirement security through personal retirement savings accounts to allow for more control by individuals over their Social Security retirement income, to amend such title and the Balanced Budget and Emergency Deficit Control Act of 1985 to protect Social Security surpluses, and to provide other reforms relating to benefits under such title II; to the Committee on Ways and Means, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER (for himself, Mr. HALL of Texas, Mr. CALVERT, and Mr. COSTELLO):

H.R. 3207. A bill to authorize research, development, and demonstration activities under section 311 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 for fiscal years 2000 through 2004; to the Committee on Commerce, and in addition to the Committees on Transportation and Infrastructure, and Science, 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. BLAGOJEVICH (for himself, Mr. BERRY, Mr. GREEN of Texas, Ms. MILLENDER-MCDONALD, Mr. MCGOVERN, Mr. WAXMAN, and Mr. RUSH):

H.R. 3208. A bill to amend the Consumer Product Safety Act to improve the way the Consumer Product Safety Commission handles defective products, and for other purposes; to the Committee on Commerce.

By Mr. BLAGOJEVICH:

H.R. 3209. A bill to provide grants to law enforcement agencies to purchase firearms needed to perform law enforcement duties; to the Committee on the Judiciary.

By Mr. UPTON:

H.R. 3210. A bill to enhance protections against fraud in the offering of financial assistance for college education, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HILLIARD:

H.R. 3211. A bill to provide incentive for United States corporations to invest in developing nations to provide debt relief to poor, emerging, and developing nations, to provide a method of repayment of moneys owed to the United States, and to provide for the reduction of the deficit; to the Committee on Banking and Financial Services, 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. MILLER of Florida (for himself, Mr. SCHAFFER, Mr. CONDIT, Mr. GOSS, Mr. BRADY of Texas, Mr. TRAFICANT, and Mr. MICA):

H.R. 3212. A bill to provide for increased cooperation on extradition efforts between the United States and foreign governments, and for other purposes; to the Committee on International Relations, and in addition to the Committees on the Judiciary, and Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PORTMAN (for himself, Mr. BISHOP, Mr. MCCOLLUM, Mr. MICA, Ms. GRANGER, Mr. PETERSON of Pennsylvania, Mr. SOUDER, and Mr. BARTON of Texas):

H.R. 3213. A bill to amend the Small Business Act to extend the authorization for the drug-free workplace program; to the Committee on Small Business.

By Mr. RODRIGUEZ (for himself and Mr. HUTCHINSON):

H.R. 3214. A bill to amend the Public Health Service Act to provide for the establishment of a National Center for Social Work Research; to the Committee on Commerce.

By Mr. SISISKY (for himself, Mr. PICKETT, Mr. SCOTT, and Mr. BATEMAN):

H.R. 3215. A bill to amend the Internal Revenue Code of 1986 to allow penalty-free distributions from qualified retirement plans of individuals residing in Presidentially declared disaster areas and to allow relief from

certain limitations on the deductibility of casualty losses sustained in such disaster areas; to the Committee on Ways and Means.

By Mr. TOOMEY (for himself and Mr. KANJORSKI):

H.R. 3216. A bill to amend title XVIII of the Social Security Act to provide that geographic reclassifications of hospitals from one urban area to another urban area do not result in lower wage indexes in the urban area in which the hospital was originally classified; to the Committee on Ways and Means.

By Mr. YOUNG of Florida:

H.J. Res. 75. A joint resolution making further continuing appropriations for the fiscal year 2000, and for other purposes; to the Committee on Appropriations.

By Mr. GEPHARDT (for himself, Mr. FROST, Ms. DELAURO, Mr. BONIOR, Mr. MENENDEZ, Mr. HOYER, Mr. KENNEDY of Rhode Island, Mr. CONYERS, Mr. RANGEL, Mr. ACKERMAN, Mr. ALLEN, Mr. BAIRD, Mr. BALDACCI, Ms. BALDWIN, Mr. BECERRA, Ms. BERKLEY, Mr. BERRY, Mr. BISHOP, Mr. BOSWELL, Ms. BROWN of Florida, Mr. BROWN of Ohio, Mrs. CAPPS, Mr. CAPUANO, Mr. CARDIN, Ms. CARSON, Mrs. CHRISTENSEN, Mr. CROWLEY, Mr. CUMMINGS, Mr. DEFAZIO, Ms. DEGETTE, Mr. DOYLE, Mr. ENGEL, Mr. ETHERIDGE, Mr. FARR of California, Mr. FORBES, Mr. GONZALEZ, Mr. HASTINGS of Florida, Mr. HILL of Indiana, Mr. HINOJOSA, Mr. HOEFFEL, Mr. HOLT, Ms. HOOLEY of Oregon, Mr. INSLEE, Mr. JACKSON of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. JACKSON-LEE of Texas, Mr. KILDEE, Ms. KILPATRICK, Mr. KIND, Mr. LAMPSON, Mr. LARSON, Mrs. LOWEY, Mr. LUTHER, Mrs. MALONEY of New York, Mrs. MCCARTHY of New York, Mr. MCDERMOTT, Ms. MCKINNEY, Mr. MALONEY of Connecticut, Mr. MASCARA, Mr. MEEHAN, Mr. MEEKS of New York, Mr. GEORGE MILLER of California, Ms. MILLENDER-MCDONALD, Mr. MOORE, Mr. MORAN of Virginia, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. OBERSTAR, Mr. OLVER, Mr. OWENS, Mr. PALLONE, Mr. PAYNE, Ms. PELOSI, Mr. PHELPS, Mr. REYES, Mr. RODRIGUEZ, Mr. ROEMER, Mr. ROTHman, Ms. ROYBAL-ALLARD, Ms. SANCHEZ, Mr. SAWYER, Ms. SCHAKOWSKY, Mr. SCOTT, Mr. SHERMAN, Ms. STABENOW, Mr. STARK, Mr. STUPAK, Mrs. TAUSCHER, Mr. THOMPSON of California, Mrs. JONES of Ohio, Mr. TRAFICANT, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. UNDERWOOD, Ms. VELAZQUEZ, Mr. VISCLOSKY, Mr. WAXMAN, Mr. WEYGAND, Mr. WYNN, and Ms. LEE):

H. Res. 357. A resolution expressing the sense of the House of Representatives with respect to youth violence; to the Committee on Education and the Workforce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 125: Ms. BALDWIN, Mrs. MORELLA, and Mr. ACKERMAN.

H.R. 270: Ms. SCHAKOWSKY.

H.R. 274: Mr. CONYERS and Mr. OWENS.

H.R. 303: Mr. HASTINGS of Washington, Mr. WHITFIELD, Mr. VITTER, Mrs. JONES of Ohio, and Mrs. BONO.

H.R. 408: Mr. OXLEY and Mr. SCHAFFER.

H.R. 443: Mr. KILDEE.

H.R. 568: Mrs. LOWEY.

H.R. 583: Mr. STUPAK.

H.R. 598: Mr. TOOMEY.

H.R. 641: Mr. SANDLIN.

H.R. 750: Mr. HOYER.

H.R. 783: Mr. LIPINSKI and Mr. TOOMEY.

H.R. 797: Mr. FILNER.

H.R. 809: Mr. DAVIS of Virginia.

H.R. 1083: Mr. RADANOVICH.

H.R. 1085: Mr. PAYNE, Mr. FORD, Mr. PICKERING, Mr. BAKER, and Mr. FOLEY.

H.R. 1093: Mr. SHAYS.

H.R. 1168: Mr. TAUZIN and Mr. UNDERWOOD.

H.R. 1187: Mr. SUNUNU.

H.R. 1215: Ms. HOOLEY of Oregon.

H.R. 1221: Mr. HOEFFEL, Mr. FATTAH, Mr. SHADEGG, and Mr. MCNULTY.

H.R. 1228: Mr. PALLONE and Mr. ANDREWS.

H.R. 1260: Mr. GREEN of Texas.

H.R. 1275: Ms. HOOLEY of Oregon, Mr. ACKERMAN, Mr. MENENDEZ, Mrs. NAPOLITANO, Mr. KENNEDY of Rhode Island, Ms. DELAURO, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. LOWEY, Ms. WOOLSEY, Ms. SCHAKOWSKY, Mr. OWENS, Mr. ROTHMAN, Mr. SMITH of Washington, Ms. CARSON, Mr. MOAKLEY, Mr. PALLONE, Mr. OLVER, Mr. RAMSTAD, Mr. DELAHUNT, Mr. ENGEL, and Mr. FRANKS of New Jersey.

H.R. 1371: Mr. RANGEL.

H.R. 1388: Mr. MARTINEZ, Mr. SMITH of Texas, Mr. BOEHLERT, and Mr. REYES.

H.R. 1445: Ms. DEGETTE, Mr. MORAN of Virginia, Mr. GRAHAM, and Mrs. MALONEY of New York.

H.R. 1592: Mr. NUSSLE and Mr. ROHRABACHER.

H.R. 1622: Mr. KOLBE.

H.R. 1625: Mr. HOEFFEL and Mr. GEKAS.

H.R. 1667: Mr. BARTON of Texas, Mr. CALVERT, and Mr. KINGSTON.

H.R. 1732: Ms. CARSON, Mr. RANGEL, and Mr. REYES.

H.R. 1771: Mr. ISAKSON and Mr. ADERHOLT.

H.R. 1775: Mr. HOLDEN, Mr. SANDERS, and Mr. ALLEN.

H.R. 1832: Mr. ABERCROMBIE.

H.R. 1838: Mr. ORTIZ and Mr. SHERMAN.

H.R. 2000: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DEAL of Georgia, and Ms. HOOLEY of Oregon.

H.R. 2021: Mr. HALL of Ohio.

H.R. 2059: Mr. COSTELLO and Mr. FOSSELLA.

H.R. 2162: Mr. GOODLING.

H.R. 2241: Mrs. TAUSCHER.

H.R. 2319: Mr. RANGEL.

H.R. 2499: Mr. ROTHMAN.

H.R. 2538: Mr. SPRATT, Mr. FORD, Mr. WELDON of Pennsylvania, Mr. MARKEY, Mr. ISAKSON, Mr. GILCHREST, Mr. DEUTSCH, Mr. SAWYER, Mr. BALLENGER, Mr. GRAHAM, Mr. GOSS, Mr. FOLEY, Mr. COOKSEY, Mr. LATOURETTE, Mr. METCALF, Mr. ROGAN, Mr. LEVIN, Mr. COYNE, Ms. PRYCE of Ohio, Mr. FILNER, Mr. PICKERING, Ms. DUNN, Mr. CLEMENT, Mr. BORSKI, Mrs. ROUKEMA, Mr. STEARNS, and Mr. RAHALL.

H.R. 2543: Mr. FROST and Mr. BACHUS.

H.R. 2551: Mr. DEFAZIO, Mr. MCINNIS, Mr. PICKERING, Mr. GUTIERREZ, and Ms. SCHAKOWSKY.

H.R. 2554: Ms. BERKLEY.

H.R. 2631: Mr. PAYNE and Mr. MCNULTY.

H.R. 2644: Mr. FILNER and Mr. OBEY.

H.R. 2655: Mr. HALL of Texas and Mr. ROYCE.

H.R. 2722: Mr. BLUMENAUER.

H.R. 2738: Mr. SANDERS.

H.R. 2749: Mr. CRAMER.

H.R. 2814: Mr. SHERMAN.

H.R. 2882: Ms. BALDWIN.

H.R. 2888: Mr. HORN.

H.R. 2895: Mr. LEWIS of Georgia, Ms. LEE, Mr. TIERNEY, Mr. MALONEY of Connecticut, Ms. HOOLEY of Oregon, Mr. BLUMENAUER, Ms. LOFGREN, Mr. DEFAZIO, Mr. KILDEE, Mr. GUTIERREZ, and Mr. THOMPSON of California.

H.R. 2966: Mr. ANDREWS, Mr. COBURN, Ms. LOFGREN, Mr. MCHUGH, Ms. MCKINNEY, Mr. MORAN of Virginia, Mr. SANDLIN, Mr. THOMPSON of California, Mr. UNDERWOOD, and Mr. WHITFIELD.

H.R. 2969: Ms. BALDWIN.

H.R. 3044: Mr. KILDEE.

H.R. 3058: Mr. CUNNINGHAM, Mr. ENGEL, and Mr. WOLF.

H.R. 3073: Mr. GILLMOR.

H.R. 3076: Mr. KINGSTON and Mr. BARR of Georgia.

H.R. 3087: Ms. BERKLEY.

H.R. 3088: Mr. COBURN, Mr. SMITH of New Jersey, Mr. ROYCE, Mr. STEARNS, Mr. BACHUS, Mr. HILLEARY, Mr. PITTS, and Mr. LARGENT.

H.R. 3091: Mr. COSTELLO, Mr. RODRIGUEZ, Mr. GREEN of Texas, Mr. OBERSTAR, Mr. VENTO, Mr. MINGE, Mr. YOUNG of Alaska, Mr. PASTOR, Mr. PETERSON of Minnesota, Mr. SERRANO, Mr. GONZALEZ, Mr. BONIOR, Mr. CLAY, and Mr. SMITH of New Jersey.

H.R. 3110: Mr. EVANS.

H.R. 3115: Mr. SPRATT and Mr. DEMINT.

H.R. 3139: Mr. WAXMAN and Ms. SCHAKOWSKY.

H.R. 3142: Ms. RIVERS.

H.R. 3143: Mr. OWENS.

H.R. 3144: Mr. FARR of California, Mr. DICKS, Mr. FILNER, Mr. DIXON, Mr. KIND, Ms. MILLENDER-MCDONALD, and Ms. PELOSI.

H.R. 3150: Ms. SCHAKOWSKY.

H.R. 3170: Mr. DEAL of Georgia, Mr. LINDER, and Mr. SCHAFFER.

H.R. 3193: Mr. REYES.

H.J. Res. 55: Mr. BLILEY.

H.J. Res. 56: Mr. HOUGHTON.

H. Con. Res. 62: Mr. CAMPBELL, Mr. TURNER, Mr. BOEHLERT, Mr. ADERHOLT, and Mr. STEARNS.

H. Con. Res. 100: Mr. INSLEE.

H. Con. Res. 200: Ms. MCKINNEY.

H. Con. Res. 205: Mr. LEWIS of Georgia, Mr. MCHUGH, Mrs. BIGGERT, Mr. FROST, Mr. MALONEY of Connecticut, Mr. WAXMAN, and Mr. GUTIERREZ.

H. Con. Res. 206: Mr. ENGEL and Ms. MCKINNEY.

H. Con. Res. 209: Ms. WOOLSEY, Mr. KLECZKA, Ms. LEE, Mr. DEFAZIO, Mr. FALEOMAVAEGA, Mr. MALONEY of Connecticut, Mr. NADLER, and Ms. BALDWIN.

H. Con. Res. 212: Mr. HAYES, Mr. ROGAN, Mr. RYUN of Kansas, Mr. NORWOOD, Mr. HANSEN, Mrs. BONO, Mr. BURR of North Carolina, Mr. KUYKENDALL, Mr. CUNNINGHAM, Mr. GRAHAM, Mr. EVERETT, Mr. SHIMKUS, Mr. BEREUTER, Mrs. MYRICK, Mr. HOSTETTLER, Mr. BARTLETT of Maryland, Mr. TALENT, Mr. GIBBONS, Mr. SHERWOOD, Mr. RILEY, Mr. PITTS, Mr. SAXTON, Mr. HILLEARY, Mr. DUNCAN, Mr. MCKEON, and Mr. ISAKSON.

H. Con. Res. 218: Mr. BURR of North Carolina, Ms. SCHAKOWSKY, Ms. ROS-LEHTINEN, Mr. SPRATT, Mr. TALENT, Mr. DIXON, Mr. MCGOVERN, and Mr. KENNEDY of Rhode Island.

H. Res. 298: Mr. TOOMEY, Mr. LEWIS of Kentucky, Mr. DUNCAN, and Mr. GOODE.

H. Res. 325: Mr. PAYNE.

H. Res. 340: Mr. MEEKS of New York and Mr. ENGEL.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 872: Mr. HASTINGS of Washington.

H.R. 1300: Mr. WEINER.

H.R. 1832: Mr. MEEKS of New York.

H.R. 2891: Mr. MORAN of Virginia.