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No. 60

House of Representatives

The House met at 9 a.m.

MESSAGE FROM THE SENATE

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

S. 1638. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to extend the retroactive eligibility dates for financial assistance for higher education for spouses and dependent children of Federal, State, and local law enforcement officers who are killed in the line of duty.

The message also announced that pursuant to Public Law 100-702, the Chair, on behalf of the President pro tempore, appoints John B. White, Jr. of South Carolina, to the board of the Federal Judicial Center Foundation, vice Richard M. Rosenbaum of New York.

The message also announced that pursuant to Public Law 104-1, the Chair, on behalf of the Majority and Minority Leaders of the Senate and the Speaker and Minority Leader of the House of Representatives, announces the joint appointment of Susan S. Robfogel, of New York, as Chair of the Board of Directors of the Office of Compliance.

MORNING HOUR DEBATES

The SPEAKER. Pursuant to the order of the House of January 19, 1999, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 25 minutes, and each Member except the majority leader, the minority leader or the minority whip limited to not to exceed 5 minutes, but in no event shall debate continue beyond 9:50 a.m.

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

GUN VIOLENCE

Mr. BLUMENAUER. Mr. Speaker, amidst the sometimes incendiary rhetoric surrounding the efforts to reduce gun violence, there are times when it is easy for people to overlook a basic fact: the victims of gun violence are real people; they are not statistics. They are not debating points.

The grounds of our Nation's Capitol are filled with memorials to the dead. Our visitors and tourists here are visiting them as I speak, the Civil War, the Spanish-American War, the Vietnam Veterans Memorial, the Korean Memorial, soon we may have a memorial to the soldiers who died in World War II.

Mr. Speaker, if we take all of those memorials to all the soldiers who have been killed since the Civil War, it would be fewer than the number of Americans who have been lost to gun violence in the last third of a century.

It is not enough to simply have another memorial here in our Nation's Capitol; although, something the size of 16 Vietnam memorials would be impressive, because that is what it would take to list all of these victims.

Last Sunday, in Portland, we had thousands of people standing and crowding into our little Pioneer Courthouse Square for our Mother's Day March against gun violence. They were standing on 70,000 bricks that had peoples' names inscribed who contributed to building that public square. It would take 10 acres of bricks with peoples' names to deal with the million victims.

Our job must be to make sure that these victims are not anonymous; that we put a face next to the names, to provide details of the life that would go along with that picture.

It is important to let people know that these victims had parents, rel-

atives and friends. They had jobs. They had hopes. We need to know how it happened and we need to think of what we could do to prevent it. That the United States has the worst record of gun violence of any developed Nation in the world ought to be a concern to every citizen, a sense of shame.

Mr. Speaker, I do not think that it is we are less smart than the rest of the world. It is hard to believe that we are somehow worse people. I cannot believe that we care less about our children more than others, and I would hope that we as a people are not somehow more reckless.

I hope that in focusing our attention on the loss, how it occurred, what it means, we will be able to renew our commitment.

Tomorrow, I am going to speak on the floor of this House about one face, a young man named Darrell English. I will talk about the circumstance of his death, and I will be posting that information on my website and dealing with it in public meetings so that others may know the name, the face, the hopes and the dreams.

Every month, as long as I am in Congress, I will continue the discussion on the floor, on the Web, the conversation with the community, as a small gesture that these people not have died in vain.

This hope that we can all do our part to reduce the danger of gun violence. I hope the House of Representatives will act on that, finally, acting on a juvenile crime bill that has been locked in conference committee that has not met for 295 days because of unwillingness to pass the simple common sense steps that have already been approved by the Senate.

Mr. Speaker, I hope that citizens back home will take steps to promote their own initiatives and legislation that politicians can use to make their communities safer in the political process, at the ballot box, in the legislature. I hope that every citizen will do

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

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



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their part as individuals, that no parent allows a child to go into a home without inquiring as to whether or not there is a gun there, if it is locked, if it is loaded.

If Americans can somehow cut in half the rate of automobile deaths in the last 30 years, I know that we can do our part to protect our families. There is no single magic solution, but together we can find hundreds of ways everyday to make America safer, to make our communities more livable, because the most important face is going to be the face that does not appear on a poster like this, a picture that does not appear of one of our loved ones whose life was not lost to gun violence.

IMPORTANCE OF SAVING SOCIAL SECURITY

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

Mr. SMITH of Michigan. Madam Speaker, yesterday, General Bush came out with some general parameters on saving Social Security and the importance of saving Social Security. There has been a lot of discussion of whether there should be any privately-owned investment owned by the American worker as opposed to continuing to keep on going with a system that is insolvent. What it boils down to is that because of the demographics, because people are living longer, because the birth rate has been going down, there are fewer workers paying their taxes into a system to support and finance existing senior citizens benefits.

It is important that everybody understands that it is a pay-as-you-go program. It is a program where taxes come in one week, and by the end of the week, they are paid out in benefits. If you are an average worker today, then you are going to get an estimated 1.7 percent real return on the money you and your employer put into the system.

If you are a young worker, because we are going to run out of enough money eventually, there is not going to be adequate tax money, coming in to pay benefits, then you are going to get even a smaller return. There are two ways to fix Social Security; you either increase the revenue coming in, or you reduce the benefits going out.

None of us want to reduce benefits. Everybody, including Governor Bush, has committed that we are not going to reduce benefits for current retirees or near-term retirees. So then the question is, is there merit in having privately-owned accounts, and if we get a larger real return than 1.7 percent, then, absolutely, it brings more revenue into the system. In fact, if my Social Security bill had been passed, the first one that I introduced 5 years ago, the 25 year old when they retire would have \$150,000 more than what they are

going to receive under the current Social Security system.

There are safe investments even through the worst parts of the history of this country, on dips in Social Security. We saw that there was no 12-year period where there was not at least a positive gain on Social Security.

There are companies now that will guarantee you a gain, and if you are going to do a reasonable investment, and I would say reasonable for people over 45 is maybe 40 percent in bonds and 60 percent in safe stocks, in most all the proposals, Democrats and Republicans have all agreed that there needs to be privately-owned investment accounts, I mean Senator KERREY, Senator MOYNIHAN respected in this regard, Democrats in the House, the gentleman from Texas (Mr. STENHOLM) has been working on this for years, and he comes to the conclusion that there needs to be some privately-owned accounts, that are put into safe investments, low-risk investments, because it is an absolute certainty: If you leave those investments in more than 12 years, it is going to recover more than the 1.7 percent average that Social Security is going to pay people.

Now, the other part of the problem is that Social Security is running out of money, so we need to do something. We cannot just pretend that the problem is not there. On this chart, Social Security the bottom piece of pie now represents 20 percent of all government spending. This is a graphic impression of what is happening in Social Security. The blue at the top left is this short period of time where there is more tax money coming in than is needed to pay benefits, but over time, for the next 75 years, we are short \$120 trillion.

Tax revenues are short \$120 trillion of what is needed to pay what is promised in benefits today. Another way to say that is that the unfunded liability is short, \$9 trillion today. You would have to put \$9 trillion into an interest bearing account today to come up with the \$120 trillion that is needed over the next 75 years. We have got to do something.

Madam Speaker, suggesting, like the Vice President has, that simply if we pay down the debt, and you are doing that by borrowing the excess money from Social Security and using that money to pay down the debt held by the public, it is like using one credit card to pay off the debt of another credit card; to pretend that is going to somehow solve this red deficit problem is unrealistic.

It cannot be scored by the actuaries over at the Social Security Administration. So I plead with the Vice President, I pled with the President of the United States do not demagog suggestions of how we move ahead to fix Social Security. It is too important a program.

I have met with the President maybe four times over the last 16 months, he ended up saying that he is not going to

come up with a plan because he is afraid it would be criticized. Let us move ahead, let us work together, let us, Republicans and Democrats, make sure that we fix this important program.

ENACT EMERGENCY SUPPLEMENTAL BILL

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

Mr. DICKS. Madam Speaker, on Wednesday of this week, the Interior Appropriations Subcommittee will be marking up our appropriations bill for FY 2001. I am very concerned about the fact that the emergency supplemental has not been enacted yet by the other body. In fact, I have written a letter to the distinguished majority leader asking that they take up this emergency supplemental as quickly as possible.

We are now faced with an emergency situation in the area surrounding Los Alamos, New Mexico. We also have nine other wildfires, and I am told 67 forest fires raging nationally, many of them in the west, and the money for fighting these forest fires will run out, the emergency money will run out by the end of May, unless Congress enacts this supplemental.

What we are asking for is \$200 million for the Bureau of Land Management. The BLM does a great job of fighting the forest fires, along with the forest service; we are asking there for \$150 million, or a total of \$350 million.

This year 2000 will probably be one of the worst forest fire years since 1994, and also 1999 was a year where we had many devastating fires as well. I want to compliment the majority in the House for having enacted the supplemental, but now it is been languishing for several weeks, if not months, over in the other body.

Madam Speaker, this is a true emergency. I do not think we should be playing appropriations politics with this issue. We need to get this money out to the BLM so that they can run their emergency center out in Idaho, we need to get this money out to the Forest Service.

Secretary Babbitt has written back in early April a very impassioned plea to the majority leader in the other body urging that this emergency supplemental be taken up as quickly as possible, and there really is not any excuse.

Now, if they do not want to take up the entire emergency supplemental, one possible way to move forward would be to take out these two items. The money for the BLM, the \$200 million and the \$150 million for the forest service, and pass that immediately, and then we can pass it here in the House, get it down to the President and take care of this situation.

We cannot help but be sympathetic to see these people out in New Mexico,

some 260 of them, who have lost their homes. They are living in schools and other areas. They need to know that the Federal Government is going to do everything it can to make sure that we have the resources to fight these fires and to go in and restore the ground and the areas that have been damaged.

I think this is an emergency, a true emergency. I urge the leadership here in the House to meet with the leadership in the Senate and try to work out a way to get this money freed. I intend to offer these amendments as additions to the Interior Appropriations bill for 2001, hoping that maybe we can rush that bill through if it is the only way we can get action out of the other body. Again, I believe this an emergency. I think we need to act.

DIFFERENCES BETWEEN PARTIES ON ENVIRONMENTAL ISSUES

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

Mr. PALLONE. Madam Speaker, this morning I want to examine the environmental record of the Republican leadership and of the GOP Presidential candidate, Governor Bush. Last Thursday, Madam Speaker, the EPA released its Toxics Release Inventory which highlights the fact that Texas continues to have the largest amount of airborne toxic emissions in the Nation, as has been the case every year since 1995.

More than 300 million pounds of toxic chemicals were released into Texas' air, water and land according to this latest report. Yet, Governor Bush has pushed a strictly voluntary program for dirty power plants to reduce harmful emissions, even though Texas' deteriorating air quality has reached a crisis proportion.

Madam Speaker, of the air pollution produced by companies exempt from mandatory regulations in Texas, 75 percent, or 741,000 tons of toxic emissions, came from companies that contributed to and are close to Bush's gubernatorial races from 1994 to 1998. And only 3 of 36 plants who pledged to reduce emissions under this voluntary plan have actually done so and not even 1 percent of emissions from grandfathered plants have been reduced.

In fact, Texas has experienced significant increases in emissions. Specifically, Texas experienced an increase of 2 million pounds of cancer-causing and other toxic chemicals from 1997 to 1998.

Madam Speaker, although Texas ranks third worst in water pollution from chemical dumping, Governor Bush has done nothing to improve water quality and has subsequently underfunded Superfund cleanups. He also appointed industry representatives to State environmental agencies that had previously fought against environmental regulations.

Several environmental groups have called on Governor Bush to stop gutting the environment and act proactively. We know this will not happen. So we have to continue our efforts, in my opinion, Madam Speaker, and elect a President that will close the loophole for grandfathered power plants.

Vice President Gore has called for a market-based approach to reducing power plants that addresses the four primary pollutants of concern, nitrogen oxide, sulfur dioxide, carbon dioxide and mercury. I have a bill that establishes a trading program to reduce these four pollutants, and I urge my colleagues to enact this type of legislation as quickly as possible to improve the health of our citizens and our environment.

Madam Speaker, let me also point out that Vice President Gore has led the fight on many environmental efforts from preserving open space to protecting air and water quality. He also has led the brownfield development program. And I can tell my colleagues the importance of this program, because my hometown of Long Branch, New Jersey has received a \$200,000 grant from the EPA to help redevelop brownfields. The Republican leadership's ideas of Superfund reform is to gut water quality protections and put a cap and fence around a site and call it a day.

I have over 115 superfund sites in my district, and I can tell my colleagues that this is not environmental cleanup or protection.

Again, I just wanted to highlight this morning the major differences between the Republicans and the Democrats on environmental issues and, particularly, the differences between our Presidential candidates. We have our Presidential candidate, Vice President Gore, who has fought hard over the last 7 years and even before as a Member of Congress to protect the environment and improve the environment around our country.

TRADE WITH CHINA

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

Mr. BROWN of Ohio. Madam Speaker, here in Congress, we say we stand together and in our commitment toward the spread of democratic ideals and improvement of the human rights. These last couple weeks I am not so sure.

During the weeks approaching the vote for Permanent Normal Trade Relations for the People's Republic of China, corporate CEOs flocked to the Hill to lobby for increase unrestricted trade with China.

They talk about access to 1.2 billion potential consumers in China. What they do not say is that their real interest is in 1.2 billion Chinese workers,

workers whom they pay wage on the level of slave labor.

These CEOs will tell us, increase trade with China will allow human rights to improve. Democracy will flourish with increased free trade as we engage with China. But as these CEOs speak, their companies systematically violate the most fundamental of human and worker rights.

In the new report "Made in China, The Role of U.S. Companies in Denying Human and Worker Rights," released by Charles Kernaghan and the National Labor Committee, we see evidence of American corporations exploiting the horrible conditions of human rights in the People's Republic of China.

Companies such as Huffy and Nike and Wal-Mart are contracting with Chinese sweatshops to export to the United States, often with the assistance of repressive and corrupt local government authorities. 1,800 Huffy bicycle workers have lost their jobs in Ohio as Huffy shut down its last three remaining U.S. plants over the last 17 months. In July of 1998, Huffy fired 850 workers from its Celina, Ohio plant where workers earned \$17 an hour. Huffy now outsources all of its production to developing nations, such as China, where laborers are forced to work 15 hours a day, 7 days a week and earn an average of 33 cents an hour, less than 2 percent of what Ohio Huffy bicycle workers earned.

Wal-Mart makes its line of Kathie Lee Gifford handbags in China. There are a thousand workers at the factory, where they put in 14-hour shifts, 7 days a week, 29 or 30 days a month, one off day per month. The average wage of the factory is 3 cents an hour.

Workers live in factory dormitories housed 16 in a room. Their ID documents have been confiscated; they are allowed to leave the factory only for one and a half hours a day. For half of all factory workers, rent for the dormitory exceeds their wages. Workers earn nothing at all and, in many cases, owe the company money. These people are indentured servants to Kathie Lee and to Wal-Mart. Some would simply call it slavery.

The findings in Charles Kernaghan's report illustrates why democratic countries in the developing world are losing ground to more authoritarian countries in the developing world. Democratic nations, such as India, are losing out to more totalitarian governments such as China. Democratic nations such as Taiwan are losing out to more authoritarian governments such as Indonesia where people are not free and workers do as their told.

The share of developing country exports to the U.S. from democratic nations fell from 53 percent 10 years ago to 35 percent today. Corporate America wants to do business with countries with docile workforces that earn below-poverty wages and are not allowed to organize to bargain collectively.

In manufactured goods, developing democracies' share of developing country exports fell 21 percent from 56 to 35 percent. Corporations are relocating their manufacturing bases to more authoritarian regimes from democratic countries where workers do not talk back for fear of being punished.

Madam Speaker, western corporations want to invest in countries that have poor environmental standards, no worker benefits, below-poverty wages, no opportunities to bargain collectively, and worse, as developing countries make progress toward democracy, as they increase worker rights and create regulations to protect the environment, the American business community punishes them by pulling its trade and investment from developing democratic countries to totalitarian governments and developing countries.

Decisions about the Chinese economy are made by three groups, the Chinese Communist party, the People's Liberation Army, which owns many of the export factories, and western investors. Which of these three want to empower workers?

Does the Chinese Communist worker want the Chinese people to enjoy human rights? I do not think so. Does the People's Liberation Army want to close the labor camps? I do not think so. Do western investors want Chinese workers to make better wages, have more democracy and bargain collectively? I do not think so.

None of these groups has any interest in changing the status quo in China. I repeat, none of these groups, western investors, the Chinese Communist Party, the People's Liberation Army, none of these has any interest in changing the current situation in China. All three profit too much from the status quo to want to see human rights and labor rights improve in China.

U.S. trade law forbids the trade of any products of slave labor, forced labor. The 1992 bilateral agreement between the U.S. and China prohibited the trade of goods manufactured by imprisoned workers.

Congress needs to know more about working conditions in Chinese factories before we vote on permanent MFN for China. American people need to know more about how our major corporations are behaving outside the borders of the United States before we vote on permanent MFN for China.

Based on evidence released into the Kernaghan Report, many of us in the Congress call on the Department of Labor and the Department of Treasury to conduct an extensive investigation into the working conditions and factories in China which are owned by American corporations, or where American corporations contract to manufacture their products before we vote on MFN for China. These investigations should report back its findings and a decision should be made as to whether any conditions in China violate U.S. law.

Madam Speaker, I urge my colleagues to demand action to investigate these claims.

RECESS

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

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

□ 1000

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PEASE) at 10 a.m.

PRAYER

The Reverend Lyle W. Lipps, Second Church of Christ, Nashport, Ohio, offered the following prayer:

Father God in heaven, I pray to You today on behalf of our Nation's lawmakers and for the citizens they represent. I pray that You grant them a spirit of wisdom, insight and cooperation. I pray that You help them to serve this country in its best interests. I pray that we learn to love one another as citizens so that we might have peace and justice tempered with mercy. Thank You for the freedom that we have in this Nation. I thank You for those who have fought and died defending our country. I thank You for the protection and provision You have placed over us as Your blessings. May Your will be done as we seek to follow Your example in humble imitation. In Jesus' name I pray. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. LAMPSON led the Pledge of Allegiance as follows:

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

HONORING MINISTER LYLE W. LIPPS

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

Mr. NEY. Mr. Speaker, I rise today to honor Lyle W. Lipps, the minister of

the Second Street Church of Christ in Frazeyburg, Ohio. Minister Lipps and his family have traveled to our Nation's capital from Ohio so that he may serve as the Guest Minister for the House today. I am honored to have one of my constituents represent our area and our State in such a manner.

Minister Lipps has been involved full time in the ministry for the last 12 years of his life. Prior to his work at the Second Street Church of Christ, he spent 4 years with the Adena Road Church of Christ in Chillicothe, Ohio.

Minister Lipps is a 1989 graduate of the Cincinnati Bible College and Seminary in Cincinnati, Ohio. Minister Lipps, his wife Connie and their son Luke reside in Nashport, Ohio.

Mr. Speaker, I ask that my colleagues join me in honoring Minister Lyle Lipps. His commitment and dedication to his family, his community, his church and his Nation deserve to be commended.

PRIVATE CALENDAR

The SPEAKER pro tempore. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

CERTAIN PERSIAN GULF EVACUEES

The Clerk called the bill (H.R. 3646) for the relief of certain Persian Gulf evacuees.

There being no objection, the Clerk read the bill as follows:

H.R. 3646

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

SECTION 1. ADJUSTMENT OF STATUS FOR CERTAIN PERSIAN GULF EVACUEES.

(a) IN GENERAL.—The Attorney General shall adjust the status of each alien referred to in subsection (b) to that of an alien lawfully admitted for permanent residence if the alien—

- (1) applies for such adjustment;
- (2) has been physically present in the United States for at least 1 year and is physically present in the United States on the date the application for such adjustment is filed;
- (3) is admissible to the United States as an immigrant, except as provided in subsection (c); and
- (4) pays a fee (determined by the Attorney General) for the processing of such application.

(b) ALIENS ELIGIBLE FOR ADJUSTMENT OF STATUS.—The benefits provided in subsection (a) shall apply to the following aliens:

- (1) Waddah Al-Zireeni, Enas Al-Zireeni, and Anwaar Al-Zireeni.
- (2) Salah Mohamed Abu Eljibat, Ghada Mohamed Abu Eljibat, and Tareq Salah Abu Eljibat.
- (3) Jihad Mustafa, Amal Mustafa, and Raed Mustafa.
- (4) Shaher M. Abed and Laila Abed.
- (5) Zaid H. Khan and Nadira P. Khan.
- (6) Rawhi M. Abu Tabanja, Basima Fareed Abu Tabanja, and Mohammed Rawhi Abu Tabanja.
- (7) Reuben P. D'Silva, Anne P. D'Silva, Natasha Andrew Collette D'Silva, and Agnes D'Silva.

(8) Abbas I. Bhikapurawala, Nafisa Bhikapurawala, and Tasnim Bhikapurawala.

(9) Fayeze Sharif Ezzir, Abeer Muharram Ezzir, Sharif Fayeze Ezzir, and Mohammed Fayeze Ezzir.

(10) Issam Musleh, Nadia Khader, and Duaa Musleh.

(11) Ahmad Mohammad Khalil, Mona Khalil, and Sally Khalil.

(12) Husam Al-Khadrah and Kathleen Al-Khadrah.

(13) Nawal M. Hajjawi.

(14) Isam S. Naser and Samar I. Naser.

(15) Amalia Arsua.

(16) Feras Taha, Bernardina Lopez-Taha, and Yousef Taha.

(17) Mahmood M. Alessa and Nadia Helmi Abusoud.

(18) Emad R. Jawwad.

(19) Mohammed Ata Alawamleh, Zainab Abueljebain, and Nizar Alawamleh.

(20) Yacoub Ibrahim and Wisam Ibrahim.

(21) Tareq S. Shehadah and Inas S. Shehadah.

(22) Basim A. Al-Ali and Nawal B. Al-Ali.

(23) Hael Basheer Atari and Hanaa Al Moghrabi.

(24) Fahim N. Mahmoud, Firnal Mahmoud, Alla Mahmoud, and Ahmad Mahmoud.

(25) Tareq A. Attari.

(26) Azmi A. Mukahal, Wafa Mukahal, Yasmin A. Mukahal, and Ahmad A. Mukahal.

(27) Nabil Ishaq El-Hawwash, Amal Nabil El Hawwash, and Ishaq Nabil El-Hawwash.

(28) Samir Ghalayini, Ismat F. Abujaber, and Wasef Ghalayini.

(29) Iman Mallah, Rana Mallah, and Mohammed Mallah.

(30) Mohsen Mahmoud and Alia Mahmoud.

(31) Nijad Abdelrahman, Najwa Yousef Abdelrahman, and Faisal Abdelrahman.

(32) Nezam Mahdawi, Sohad Mahdawi, and Bassam Mahdawi.

(33) Khalid S. Mahmoud and Fawziah Mahmoud.

(34) Wael I. Saymeh, Zatelhimma N. Al Sahafie, Duaa W. Saymeh, and Ahmad W. Saymeh.

(35) Ahmed Mohammed Jawdat Anis Naji.

(36) Sesinando P. Suaverdez, Cynthia Paguio Suaverdez, Maria Cristina Sylvia P. Suaverdez, and Sesinando Paguio Suaverdez II.

(37) Thabet Said, Hanan Said, and Yasmin Said.

(38) Hani Salem, Manal Salem, Tasnim Salem, and Suleiman Salem.

(39) Ihsan Mohammed Adwan, Hanan Mohammed Adwan, Maha Adwan, Nada M. Adwan, Reem Adwan, and Lina A. Adwan.

(40) Ziyad Al Ajjoury and Dima Al Ajjoury.

(41) Essam K. Taha.

(42) Salwa S. Beshay, Alexan L. Basta, Rehan Basta, and Sherif Basta.

(43) Latifa Hussin, Sameer Hussin, Anas Hussin, Ahmed Hussin, Ayman Hussin, and Assma Hussin.

(44) Fadia H. Shaath, Bader Abdul Azim Shaath, Dalia B. Shaath, Abdul Azim Bader Shaath, Farah Bader Shaath, and Rawan Bader Shaath.

(45) Bassam Barqawi and Amal Barqawi.

(46) Nabil Abdel Raouf Maswadeh.

(47) Nizam I. Wattar and Mohamed Ihssan Wattar.

(48) Wail F. Shbib and Ektimal Shbib.

(49) Reem Rushdi Salman and Rasha Talat Salman.

(50) Khalil A. Awadalla and Eman K. Awadalla.

(51) Nabil A. Alyadak, Majeda Sheta, Iman Alyadak, and Wafa Alyadak.

(52) Mohammed A. Ariqat, Hitaf M. Ariqat, Ruba Ariqat, Renia Ariqat, and Reham Ariqat.

(53) Hazem A. Al-Masri and Maha A. Al-Masri.

(54) Tawfiq M. Al-Taher and Rola T. Al-Taher.

(55) Nadeem Mirza.

(c) WAIVER OF CERTAIN GROUNDS FOR INADMISSIBILITY.—The provisions of paragraphs (4), (5), and (7)(A) of section 212(a) of the Immigration and Nationality Act shall not apply to adjustment of status under this Act.

(d) OFFSET IN NUMBER OF VISAS AVAILABLE.—Upon each granting to an alien of the status of having been lawfully admitted for permanent residence under this section, the Secretary of State shall instruct the proper officer to reduce by 1, during the current or next following fiscal year, the total number of immigrant visas that are made available to natives of the country of the alien's birth under section 203(a) of the Immigration and Nationality Act or, if applicable, the total number of immigrant visas that are made available to natives of the country of the alien's birth under section 202(e) of such Act.

(e) DENIAL OF PREFERENTIAL IMMIGRATION TREATMENT FOR CERTAIN RELATIVES.—The natural parents, brothers, and sisters of an individual referred to in subsection (b) shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Mr. RAHALL. Mr. Speaker, I rise in strong support of H.R. 3646, a bill I introduced as a Private Relief Bill on behalf of 54 families and individuals seeking permanent resident status in the United States. These families, known as Persian Gulf Evacuees, have lived and worked in this country since being evacuated out of Kuwait, at the behest of the United States government, just prior to U.S. Military Intervention in the Iraqi invasion of that country.

More than 2,000 individuals, many of whom have U.S. citizen children, by order of then President George Bush, were evacuated to keep them out of harms way when the United States intervened militarily in Kuwait to drive out Saddam Hussein and his weapons of mass destruction.

Many of the evacuees, prior to evacuation, had provided a safe-haven for Americans caught unaware when Iraq invaded Kuwait, and hid them in their homes against Iraqi retaliation.

Once here, the majority of the 2,000 evacuees adjusted their own status, often through asylum procedures. These 54 families remained in limbo, facing deportation and loss of work permits in the United States.

The Persian Gulf Evacuees, better known as PGE's, are well educated, mostly professional individuals perfectly capable of working and supporting themselves here in the U.S. without becoming wards of any State in which they have settled. They are English-speaking, and this is especially true of their U.S. Citizen children.

These families were extensively investigated by both the INS and the FBI, and have been cleared of any wrong-doing since entering the United States, and none has been found to be members of any subversive groups.

I am deeply pleased to have been their champion since the 103rd Congress.

I take this opportunity to extend my most profound thanks and appreciation to my friend, Immigration Subcommittee Chairman LAMAR SMITH. I am grateful for his good counsel and his able guidance over these past few years as we worked to bring this bill or similar legislation to enactment. My thanks go also to his capable staff for their long-term, hard work on behalf of the Persian Gulf Evacuees.

I also extend my sincere thanks to Judiciary Committee Chairman HENRY HYDE, my good friend and a distinguished leader on immigration matters in the House, for his action to report H.R. 3646 favorably from his Committee, paving the way for passage of this vitally important legislation.

I salute the Persian Gulf Evacuees, for their patience throughout the years it has taken to bring this bill to enactment. The nationwide teamwork among the PGE's worked remarkably well. The PGE Team Leaders not only keep my office advised of any problems they faced, while awaiting legal permanent status in their adopted country, such as work permits so that they could remain self-sufficient and not in need of public assistance, but helped each family keep track of the legislative process.

They did an outstanding job, and I congratulate them not only for all their work, but as mentioned above, for their excellent patience throughout.

And finally, I wish to thank Dr. Hala Maksoud, of the American-Arab Anti-Discrimination Committee (ADC), and her staff, for bringing this matter to my attention during the 103rd Congress, and for their solid support for the legislation throughout the years of waiting.

I believe our action today makes this new, challenging century in America one that will be remembered by these 54 families for its compassionate understanding, and is an acknowledgment of the duty we have to discharge our responsibility toward those who come to America at the behest of our own Government.

We have, with the able assistance of Subcommittee Chairman LAMAR SMITH and his fine staff, responded to their economic needs by ensuring the continual approval of work permits, and by keeping them free of INS deportation actions until our action today could be brought to fruition.

It was not an easy task, and knowing this makes us even more grateful for the assistance we have received.

I am confident that the PGE's will continue, as they have during the 10 year period they have been in this country, to work hard, to remain good citizens, and to make important contributions to the American socio-economic structure as legal, permanent residents of this great country.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AKAL SECURITY, INCORPORATED

The Clerk called the bill (H.R. 3363) for the relief of Akal Security, Incorporated.

There being no objection, the Clerk read the bill as follows:

H.R. 3363

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

SECTION 1. PAYMENT FOR SERVICES PERFORMED BUT NOT PAID.

Notwithstanding section 2465 of title 10, United States Code, the Secretary of the Treasury shall pay, out of any money in the Treasury not otherwise appropriated, to Akal Security, Incorporated, a New Mexico corporation incorporated in New Mexico, \$10,208.74 for security guard services rendered

in 1991 to the United States Army Reserve Personnel Center located at 9700 Page Boulevard in St. Louis, Missouri.

SEC. 2. EXTINGUISHMENT OF LIABILITY.

Notwithstanding section 2465 of title 10, United States Code, any liability of Akal Security, Incorporated, to the United States for repayment of \$57,771.29 for the services described in section 1 is hereby extinguished.

SEC. 3. FULL SATISFACTION.

The relief under sections 1 and 2 shall, when accepted by or on behalf of Akal Security, Incorporated, be in full satisfaction of all claims of or on behalf of Akal Security, Incorporated, against the United States or against any officer, employee, or agent of the United States acting within the scope of employment or agency, for payment for the services described in section 1.

SEC. 4. LIMITATION ON ATTORNEY FEES.

It shall be unlawful for an amount exceeding 10 percent of the amount paid pursuant to section 1 to be paid to, or received by, any agent or attorney for any service rendered in connection with the claim described in such section. Any person who violates this section shall be guilty of an infraction, and shall be subject to a fine in the amount provided in title 18, United States Code.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER pro tempore. This concludes the call of the Private Calendar.

GENERAL LEAVE

Mr. SENSENBRENNER. 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. 3646 and H.R. 3363, the bills just passed.

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

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 1654, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT FOR FISCAL YEARS 2000, 2001, AND 2002

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1654) to authorize appropriations for the National Aeronautics and Space Administration for fiscal years 2000, 2001, and 2002, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

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

There was no objection.

The SPEAKER pro tempore. The Chair will appoint conferees later today.

OPPOSITION TO INTERNET ACCESS FEES

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

Mr. KUYKENDALL. Mr. Speaker, today the House will vote on important legislation that will affect the millions of Americans who use the Internet. Specifically we will take action to prevent the FCC from imposing Internet access charges.

In just a few short years, the Nation has evolved into a digital one. Most of us have surfed the Web and have corresponded with friends and loved ones with e-mail. It will continue to develop but only if we prevent commercial blocks like taxes and access charges.

I have had more mail from constituents on this one issue than any other issue since I have been in Congress. To my constituents, let me say simply that I have heard that message. I urge my colleagues to support this legislation. Congress today will recognize the Internet's importance and say no to access fees. We must keep the Internet tax-free. It is the right thing to do.

INTERNATIONAL ABDUCTION

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

Mr. LAMPSON. Mr. Speaker, I rise today to tell about Yona Gelernter, whose three children were abducted to Israel by their mother, Anat Gelernter. On April 17, 1995, Chaya, Menachem and Chava were taken from their Brooklyn, New York home to Israel.

As the parents were still married, Yona applied in the New York courts for emergency custody of his children. Additionally, because Israel is a signatory to the Hague Convention, he was able to apply for the return of his three children under the agreement. He filed his Hague petition in October of 1997 and on August 13, 1998, the Israeli courts ordered the immediate return of Chaya, Menachem and Chava to their father in the United States. However, when the mother learned that she had lost her case, she went into hiding with the three children. Yona has since hired private investigators in Israel to attempt to locate his wife and three children. He has not seen them since their abduction.

Mr. Speaker, there are 10,000 American children out there whose stories are similar, 10,000 American children and their parents who experience the same kind of pain and devastation every day of their separation. This Congress must take action to solve this problem and help reunite parents with their children. Mr. Speaker, we must bring our children home.

AUTISM

(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, when you look at these posters, you see beautiful, happy children. But what you do not know is that Bonnie and Willis Flick are beautiful, happy chil-

dren with autism. Autism is a neurological disorder that impacts half a million people in America. This disorder makes it hard for them to communicate with others and to relate to the outside world. Autistic children have difficulties in communications, in social interactions and even in play activities. I am a very close friend of Bonnie and Willis Flick's parents and I have seen the distress and the frustration that dealing with autism may impose on families.

Approximately 50 percent of Florida's families with autism reside within my community of south Florida and Bonnie and Willis Flick are just two. But the Flicks are among the fortunate few who can afford intervention and counseling to help them cope with autism, because when one child suffers with autism, indeed the entire family is impacted.

Last week, the House passed the Children's Health Act to fight against autism by establishing centers to develop treatment and prevention methods. Thousands of children like Bonnie and Willis Flick will benefit from this research because for families living with autism, until we find a cure, research is what keeps our hopes alive.

LIES, COVER-UPS AND MURDER

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

Mr. TRAFICANT. Reports show that the FBI lied about Waco. The FBI denied using tear gas until a memo was found and they were forced to admit it. The FBI then confiscated all autopsy reports of victims at Waco and now claims they lost it. In addition, the FBI lied about Ruby Ridge, Idaho, forcing Congress to give \$5 million to the Weaver family to cover up their lies. Lies, cover-ups, murder, over 90 Americans killed at Waco and Ruby Ridge and not one single charge.

Beam me up. The Congress of the United States is allowing a police state to exist in our own country. Shame, Congress. Lies, murder, Waco, Ruby Ridge, Boston. You name the cities. I yield back the crimes and cover-ups of the Gestapo state that has developed in America at the United States Justice Department.

INCOMPETENCE CAN CAUSE DEVASTATION

(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, one of the worst wildfires in history rages continually out of control in New Mexico today and so far has burned over 10,000 acres of land in that State. And it is the National Park Service who is to blame. Thousands of residents have been evicted, hundreds of homes have been destroyed or damaged and the

lives of these families threatened. Yet all of this devastation and upheaval could have been prevented if the National Park Service had not blatantly ignored key information.

The National Weather Service informed the Park Service hours before a controlled burn was to begin that weather conditions were actually a blueprint for spreading a fire. But in spite of this warning, the fire was started, anyway.

Our heartfelt sympathies go out to all those families who have lost everything as a result of this man-made disaster and our deepest appreciation goes out to the firefighters now risking their lives battling a wildfire which should never have occurred.

Mr. Speaker, I yield back the negligence and incompetence of the National Park Service, an agency supposed to be responsible for protecting our national land.

FEDERAL RESERVE RATE INCREASE TARGETS WORKING FAMILIES

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

Mr. DEFAZIO. The economic pundits only question how much of an interest rate increase the Fed will do today. They miss the basic question. Why? Core inflation is about 2 percent, less than it was a year ago.

Federal Chief Greenspan spent another sleepless night last night, not because he is worried about the damage the rate increase is going to do to working families, everyone who has to borrow money to buy a house, buy a car and finance major purchases. They will pay billions to finance his crusade. No, he had a sleepless night because he kept looking under the bed and in the closet for the chimera of inflation that does not exist.

What is the real agenda? If it is irrational exuberance, raise the margin rates on Wall Street. But maybe the real agenda is that he wants to drive up unemployment and drive down wages. God forbid American workers should get a wage increase. That is the real agenda of the Federal Reserve. It is targeted at the working families of America.

OBSCENITY LAW ENFORCEMENT

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

Mr. PITTS. Mr. Speaker, 80 percent of the American people say they want obscenity laws vigorously enforced. That same 80 percent do not believe the Government is doing its job, and they are right. Between 1992 and 1998, prosecutions for violations of Federal obscenity laws dropped 86 percent. A leading distributor of pornographic videos told TV Guide that the President was, and I quote, on our team. He said,

"It's not that Clinton has been outwardly supportive of the adult industry but rather that he hasn't tried to quash it the way Republicans did back in the 1980s."

Even the public airwaves are not safe anymore. Sexual material on TV was more than three times as frequent in 1999 as it was in 1989. Foul language was more than five times as high. But the FCC has not collected a single fine or forfeiture or refused to renew a license due to broadcast indecency in 15 years.

Our children deserve better protection. The Justice Department and the President need to start enforcing the law on obscenity.

MILLION MOM MARCH

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

Mr. INSLEE. Mr. Speaker, I spent last Sunday with hundreds of thousands of American moms on the Mall who had come to ask Congress to help protect their families from gun violence. And it was hard. It was hard to listen to mom after mom tell their stories of the loss of their children. But the reason it was hard was not just the heartache. The really hard part for me was to realize that 300 feet away from these hundreds of thousands of moms was the U.S. Capitol building, the place where we are charged to help American families, where this year the U.S. Congress has done nothing, nothing, nothing to help these families be protected from gun violence.

□ 1015

There is no protection with trigger locks, no closing of the gun show loophole. While this torrent of gun violence sweeps across us, the U.S. Congress does nothing. If this Congress refuses to act, may the heavens have mercy on us, because this November these mothers will not.

BIPARTISAN SUPPORT OF GUN PROPOSALS NEEDED

(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, I appreciate the opportunity to listen to the 1 minutes today, and I was wondering if the previous speaker happened to mention how his vote was on the bill that we had on the floor that actually did require trigger locks, that did close the loopholes at gun shows, and did put a ban on certain kinds of assault weapon clips?

We had that vote. Interestingly, the Democrats voted against it. Why did they vote against it? Because the loophole that was being closed in the gun show was not great enough for them, and it is odd, because it was actually offered by a fellow Democrat.

Now, that motion was something that I think a lot of Members of Congress would support. But, unfortunately, and it pains me, and I hope some of this was conveyed to some of these mothers, that the Democrats fought it. They had a shot at trigger locks, they had it in their hand to ban certain clips, and, of course, to close the loopholes on gun shows, but they voted no.

We might get another chance. I hope this time the Democrats put their rhetoric in front of their politics and put philosophy in front of politics and try to do the right thing.

SENIORS DESERVE CHOICE ON PRESCRIPTION DRUG NEEDS

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, anyone developing a health plan these days would not think of omitting prescription drugs as a benefit, yet Medicare does. However, despite this lack of coverage in Medicare, fully two-thirds of America's 39 million seniors currently have prescription drug coverage, so any new plan must be voluntary and not force seniors out of their current plans.

Seniors deserve the flexibility to determine what type of drug coverage they want and need. A one-size-fits-all program will not work.

One thing that is crystal clear to me is that seniors should not have to choose between putting food on the table and buying their medicine. A senior's choice should be the plan that best meets their prescription drug needs.

FIXING THE JUNK E-MAIL PROBLEM

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

Mr. GARY MILLER of California. Mr. Speaker, I rise to call on this House to pass legislation to fix the unsolicited commercial e-mail problem, referred to as "spam," that is harming the Internet.

Millions of unsolicited commercial e-mails, which contain advertisements for pornography, dubious products or get-rich-quick schemes are clogging up the computers of individuals, business systems and the entire information superhighway.

The receiver pays for e-mail advertisements. Junk e-mail is like postage-due marketing, or a telemarketer calling your cell phone, or receiving a bill at the end of the month for all the junk mail you have received.

The spam problem is increasing because there is an incentive for shady marketers to send as many advertisements as possible. After all, they do not spend more for sending one million

than for sending one. We need to fix this skewed incentive.

Mr. Speaker, I want to especially thank the gentlewoman from New Mexico (Mrs. WILSON), the gentleman from Texas (Mr. GREEN), the gentleman from Louisiana (Mr. TAUZIN) and the gentleman from Virginia (Mr. BLILEY) for their dedication and hard work on this issue.

Mr. Speaker, I yield back all the unsolicited invasive pornographic e-mail messages that invade your home and that we are forced to pay for.

THE RISK OF DOING NOTHING TO SAVE SOCIAL SECURITY

(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, yesterday the Governor of Texas came out with a proposal that we have got to do something on Social Security to save it. He suggested that some of the tax that American workers pay in should end up in their own name invested to bring in more returns to Social Security and to those individuals when they retire.

I think that when AL GORE suggests that it is risky to invest any of that money in indexed funds, or in 401(k) type funds or, for government workers, the Thrift Savings Account funds, where their performance has averaged a very high positive return, we should also note that there has never been a 12-year period in the history of this country where indexed stocks did not have a positive return. In fact, according to Mr. Jeremy Siegel, there has been a positive return of at least 1 percent for any 12-year period, even during the worst of times, and over 70 years there has been an average return of 7.5 percent.

Some suggest that it's risky to have real investments.

What is really risky is not doing anything and spending Social Security trust fund money on other government programs.

HEALTH PREMIUMS AND PRESCRIPTION DRUGS SHOULD BE TAX DEDUCTIBLE ITEMS

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

Mr. STEARNS. Mr. Speaker, today I plan to introduce a bill to allow health insurance premiums and unreimbursed prescription drug expense to be tax deductible. Under current law, employers can write off the cost of health care coverage purchased for their employees. Why cannot individuals also be allowed the same opportunity to write off premiums and unreimbursed prescription drug expenses?

The current Tax Code sets the threshold at 7.5 percent of adjusted gross income before an individual can

write off their medical expenses. This does not seem right to me. Currently in order to claim health care expenses, an individual must file an itemized tax return.

I believe that all taxpayers should be allowed to deduct these out-of-pocket expenses, and we need to include a place where this deduction could be taken on the short form, such as a 1040EZ and 1040A. My bill also applies to the self-employed, because individuals who are self-employed will not be eligible for a 100 percent write-off until the year 2003.

This type of relief is long overdue. Allowing individuals to write off certain costly health care expenses they may incur would be a tremendous benefit to them.

The National Taxpayers Union supports my bill. I urge my colleagues to cosponsor my bill.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Any record votes on postponed questions will be taken after debate has concluded on all motions to suspend the rules.

INTERNET ACCESS CHARGE PROHIBITION ACT OF 2000

Mr. TAUZIN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1291) to prohibit the imposition of access charges on Internet service providers, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1291

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Internet Access Charge Prohibition Act of 2000".

SEC. 2. PROHIBITION OF CHARGES ON PROVIDERS OF INTERNET ACCESS SERVICE.

Section 254 of the Communications Act of 1934 (47 U.S.C. 254) is amended by adding at the end the following new subsection:

"(1) PROHIBITION OF CHARGES ON INTERNET SERVICE PROVIDERS.—

"(1) IN GENERAL.—Notwithstanding subsection (b)(4) or (d) or any other provision of this title, the Commission shall not impose on any provider of Internet access service (as such term is defined in section 231(e)) any contribution for the support of universal service that is based on a measure of the time that telecommunications services are used in the provision of such Internet access service.

"(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall preclude the Commission from imposing access charges on the providers of Internet telephone services, irrespective of the type of customer premises equipment used in connection with such services."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Louisiana (Mr. TAUZIN) and the gentleman from Michigan (Mr. DINGELL) each will control 20 minutes.

The Chair recognizes the gentleman from Louisiana (Mr. TAUZIN).

GENERAL LEAVE

Mr. TAUZIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1291.

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

There was no objection.

Mr. TAUZIN. Mr. Speaker, I yield myself 5 minutes in support of the bill.

Mr. Speaker, I rise in strong support of H.R. 1291, the Internet Access Charge Protection Act of 2000, and I urge my colleagues today to show their support for this important pro-consumer legislation.

A number of Members have made this floor vote possible, and I would like to begin by noting their contributions. The gentleman from Michigan (Mr. UPTON) is the author of this most important legislation. He has identified the significance of this issue and has worked hard with the committee to ensure that the bill is balanced and represents a continued contribution to the public interest.

Let me also commend the leadership of the House, who showed an early and critical interest in bringing this legislation to the floor today. Finally, as always, let me note the work of the bipartisan leadership of our Committee on Commerce, its chairman, the gentleman from Virginia (Mr. BLILEY) and the ranking minority member, the gentleman from Michigan (Mr. DINGELL), both of whom always contribute to the bipartisan spirit by which we bring legislation important to the Nation on telecommunication matters to the floor.

Mr. Speaker, this bill represents the best interests of this body. No matter how complex an issue is and no matter how controversial it may be, this institution can find a way to craft a balanced bill which serves the interests of consumers and of the technologies.

Over the years, the Committee on Commerce has labored hard to provide for universal access to the Nation's telephone network. While competition and innovation have been the hallmark of telecommunications policy, so too has universal service. We have balanced these goals over the decades, and we will do so again today with this legislation that is before us.

More to the point, H.R. 1291 will preclude the Federal Communications Commission from imposing permanent charges on Internet service providers when those charges are intended for the support of universal service. At the same time, it is important to note that this bill will permit the Committee on Commerce and the FCC to continue to

consider the implications of the growth of Internet telephony, particularly its long-term implications on consumer access to the telephone network.

This is a critical issue, and yet we know so little about what it means for those who depend upon affordable access to telecommunications service. The FCC, for example, has advised Congress that it is too early to tell what the future holds for universal service as more voice traffic migrates to Internet telephony. At the same time, the FCC warned that it does not want to stifle the growth of Web-based applications such as Internet telephony.

The FCC, in other words, has told us the record on this matter is not yet complete, nor is Congress prepared with a well-developed record in this area either. That is why the legislation makes it clear that Congress is not pre-determining the issue of access charges and Internet telephony.

Let me make it clear to my colleagues, this bill leaves this important debate for another day. It is neutral on this point. It decides it neither way and leaves it for a future debate, leaves it for Congress and the FCC to settle at a future time. But this House can today and should address the central issue of permanent charges on Internet data access, and it should do so today.

The Advisory Commission on Electronic Commerce has recommended to us that access to the Internet should remain tax free and unregulated. Today's monthly Internet access services are affordable and charged on a flat rate basis. As a result, the Internet is available to children to surf the World-wide Web for information, reports and learning. It is available for e-commerce businesses to grow and expand without the burden of permanent charges. This bill ensures that that affordable access is continued on into the future. H.R. 1291 will help ensure that this affordable access is the rule, not the exception.

I urge my colleagues to join me in supporting this bill.

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

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

Mr. DINGELL. Mr. Speaker, I rise in support of H.R. 1291. The bill is intended to make sure that the individual who logs on to the Internet will not be charged by the minute for the privilege of doing so. That is a worthy goal. I would observe, however, that the situation before us is still somewhat Kafkaesque and does indeed participate of the rather wry humor of that kind of story.

I would note that one of the things that has triggered our interest in this matter has been a story that has been going around on the Internet about a Congressman by the name of Schnell who has a piece of legislation which says that people will be charged by the minute for the privilege of using Internet. I would note that Mr. Schnell is

entirely fictitious, and I am curious why we are responding to an imaginary piece of legislation which is sponsored by a fictitious Congressman who does not exist?

I would note that many Congressional offices have been bombarded with an insidious e-mail campaign over the past year denouncing the fictitious legislation introduced by Mr. Schnell, who does not exist, which would accomplish precisely the opposite result of the bill we consider today.

I only hope that the passage of H.R. 1291 will finally extinguish this cybermyth for once and all. I am not convinced, however, that mounting a massive legislative counterattack on a fictitious bill introduced by a make-believe Congressman is the best use of the time of this House, particularly when the subject of that bogus bill, if it were actually introduced, is so contrary to the public interest, that it would have zero chance of success in this legislative body.

My puzzlement extends further to the speed with which the leadership has rushed this legislation to the floor. What we are considering today is a fabricated solution to an imaginary problem, yet the leadership seems to believe that this virtual bill is so important that the Committee on Commerce was asked to dispense with the regular order and bypass subcommittee consideration.

I find it quite amazing that a phantom Congressman by the name of Schnell has more success in jumpstarting the legislative process than those of us here by actual election of the people. I only regret that Congressman Schnell is not a conferee on some of the more important legislation currently languishing in the conferences between the House and the Senate.

Certainly our constituents should know that the Congress has no intention of installing a meter on their use of the Internet and that this legislation will alleviate their concern in that regard, even though it is prompted by the existence, as I have said, of a fictitious bill sponsored by a nonexistent Congressman.

□ 1030

However, I am disappointed that the majority refuses to seize an opportunity here to address a greater and a more genuine threat to consumer pocketbooks; that is, the very real possibility that new services such as Internet telephony may evade the responsibility of contributing to support the Universal Service Fund, a fund that ensures that all Americans have access to affordable telephone service.

These services will continue to migrate from traditional networks to the Internet and unless we act, the Universal Service Fund will be left to wither on the vine. That spells significant trouble for local phone rates for all consumers, but particularly for those who live in rural areas and the

working poor or those who live in big cities.

I would observe these are the same Americans who are stuck on the wrong side of the digital divide and are least able to take advantage of high-tech alternatives. Unfortunately, in our haste to get this legislation to the floor that solves, as I have mentioned, an imaginary problem, we squandered the opportunity to address one that is all too real, and that is the prices which Americans will pay for local telephone service if today's disparate regulatory treatment is permitted to continue.

Whether a service is offered by the Internet or through a traditional telephone network, the attendant obligations to support the universal service should be the same. I hope the majority will address this serious inequity with due haste so that the American people can be duly protected against the sharp rise in the price for one of their most essential communications needs, and that is plain, old-fashioned telephone service.

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

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

Mr. Speaker, I would point out that Congressman Schnell may indeed be a bogus Congressman but the issue is not bogus. There are real lawyers litigating in the courts on this issue today, and real debate before the FCC.

This bill puts an end to the debate and protects the Internet from per minute charges for all of those who have affordable access today.

Mr. Speaker, I yield 4 minutes to a real Congressman, the gentleman from Michigan (Mr. UPTON), a dear friend and the author of the legislation.

Mr. UPTON. Mr. Speaker, we have all received thousands and thousands of e-mails from our constituents who have been outraged about erroneous reports that Congress was soon going to consider Congressman Schnell's bill H.B. 602P, which purportedly would impose a surcharge on literally every e-mail sent by an individual. Yes, yes, that rumor is false but around the same time another e-mail campaign suggested that the FCC was in fact going to impose a per minute access fee on Internet use, and again our constituents flooded our offices with e-mails to express their outrage.

It is undisputed that the FCC's unelected bureaucrats currently do have the power to authorize permitted access charges on Internet use, their claims that they have no intention of doing so disregarded. As we all know, the road to hell was paved with good intentions, and one need look no further than the e-rate tax to know how the FCC's unelected bureaucrats have recently used their authority to increase the Government's take by a billion dollars through an increase on every American's long distance charges.

The question is this: Should we trust the unelected bureaucrats at the FCC

to keep their hands out of the pockets of Internet users, or should Congress pull the plug once and for all?

Our constituents have e-mailed us. They have talked to us through letters to the editor. They have come to our town meetings and they have said that they want us to pull the plug once and for all. That is why we need to pass this legislation this morning.

H.R. 1291 will prevent a stop-watch from being placed on the Internet so that our constituents are not charged by the minute when they surf the Web or when they e-mail their friends, families, customers or even us, Members of Congress, for that matter.

Our constituents are already paying for the phone service and a monthly fee usually to their Internet service provider as well. Clearly, if our constituents were charged by the minute when they surfed the Web or e-mailed, this would drastically increase the cost and dramatically inhibit their use of the Internet, perhaps as much as \$400 over the course of the year.

This would disproportionately impact folks who communicate by e-mail, particularly families with children in the military overseas, or children who are in college far away from home, brothers and sisters, families who are scattered across our Nation, even around the globe, and seniors on fixed incomes who have begun to communicate by e-mail to their grandkids.

We cannot let this happen and this bill would prevent it. I am pleased that 141 of our colleagues from both sides of the aisle have cosponsored this legislation.

I commend the gentleman from Virginia (Mr. BLILEY), the gentleman from Louisiana (Mr. TAUZIN) and the gentleman from Michigan (Mr. DINGELL) for all their efforts to ensure that this bill is on the floor today. I introduced it almost a year and a half ago and I am pleased to say we hope to pass it this morning.

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

Mr. TAUZIN. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. ARMEY), the majority leader.

Mr. ARMEY. Mr. Speaker, I thank the gentleman from Louisiana (Mr. TAUZIN) for yielding me this time.

Mr. Speaker, I rise in strong support of H.R. 1291, the Internet Access Charge Prohibition Act. Last week, this Congress voted overwhelmingly to extend the moratorium on Internet taxes by 5 years. This was an important first step in our efforts to address the recommendations of the Electronic Commerce Advisory Commission Report, the Gilmore Commission report.

Today we are taking another important step in advancing the Commission's recommendations to prevent the Federal Government from imposing charges on Internet access. An important component of the eContract2000 unveiled last week was to expand digital opportunities for all Americans. The Internet provides new and exciting

opportunities for all Americans to communicate, learn and to be entertained. It is the engine of our economic growth, but it is also a force for freedom and opportunity. Banning taxes and fees on Internet access helps ensure that this opportunity is available at the lower cost to more consumers. One of the main reasons that the Internet has grown so quickly has been the relative lack of taxes and regulations. In our eContract, we promise to stick to the principle that freedom, not government intervention, is the answer to maintaining and expanding that growth. This bill is part of that promise.

Mr. Speaker, some may be disappointed that this bill does not address other related telecommunications issues, which are more complex and very controversial. As with any bill, the fact that Congress has not addressed an issue today does not mean that it will not address it in the future. There is a time and place for Congress to address those questions more thoroughly and with more reasoned thought. Silence by Congress on these other complex and controversial issues should not be interpreted as anything other than that they are complex and controversial issues.

H.R. 1291 is intended as a simple, straightforward bill designed to ban access charges on the Internet. Please join me today in voting to keep the Internet free of excessive taxes, fees and regulations so that we can provide more digital opportunities for more Americans.

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

Mr. DINGELL. Mr. Speaker, I yield 6 minutes to the distinguished gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, we are here on the House floor today debating a bill that flew through the Committee on Commerce, skipping a subcommittee markup in order to address some Internet access charge issues. Now many Members have received letters about a bill that would impose a modem tax, a per-minute-fee on e-mail or consumers' general Internet use. This fictitious bill sponsored by the equally fictitious Representative Schnell purports to impose new fees on Internet use.

The proposal here on the floor, which is styled as a remedy to any chance that the FCC might some day permit access charges to be imposed on Internet service providers, is also a work of fiction. This is not a bill that we should send on to President Clinton. This is a bill that should be sent over to the Federal Trade Commission for false advertising.

This bill does not prohibit per minute access charges on Internet service providers. Let me repeat that thought. This bill does not prohibit per minute access charges on Internet service providers. This bill only prohibits access charges that are for universal service

to help poor people, to help rural Americans. That is the only thing that it prohibits.

The only thing that this bill prohibits is for charges to be assessed that ensures that inner-city residents who cannot afford phone service are given access to it; that ensures that rural Americans who have always been given subsidies through the universal service charge are prohibited from looking at this as a source of revenues in order to help those rural Americans, in order to help those inner-city Americans be given access to phone service.

This bill only prohibits access charges that help those people. Representative Schnell, this fictitious Congressman to whom we are responding right now, his idea, his vision of not helping those poor people is alive and well in this bill on the floor here today. Under this bill, access charges would be permitted as long as they do not go to universal service. In other words, access charges levied by local phone companies to recoup their costs or for profit for themselves are fully permitted under this bill.

So this is a great moment here for the Congress? We are going to prohibit anything from being done for poor people or rural Americans for their phone service, but we are going to make sure and protect the phone companies so that they can make more profits. I think this is an emergency bill of the highest and most important, paramount interest if that is why we are out here, just to help phone companies and to make sure that poor people cannot be helped.

Since today there is a roaring debate about whether and, if so, how much of today's access charges actually support universal service, the prohibition contained in the bill actually prohibits very little. Any Internet companies that think that today's bill codifies the Internet access charge exemption are quite mistaken. We are not. Phone companies can still tip them upside down under this bill.

In addition, the second part of the bill that gives the FCC a big legislative wink to look at access charges on Internet telephone providers is also something that is very questionable.

I offered an amendment in the committee to prohibit the FCC from authorizing per minute charges on Internet telephone calls. It would have allowed a flat rate fee for universal service so that all competitors contributed to universal service but would have banned per minute charges for Internet telephone service. I believe we need to safeguard the flat rate nature of the Internet for consumers. At the full committee markup, I was told that prohibiting per minute charges on Internet telephone calls was premature, premature. Why on earth would we ever want to permit the FCC from allowing per minute charges or per minute fees on the Internet for anything? When would this be a good idea? The only people who want per

minute charges on Internet telephone calls are those who do not want to compete in the marketplace against flat rate telephone calls, and that is why this bill is out here on the floor.

Moreover, creating a glaring savings clause in the bill for per minute charges on Internet telephone calls ignores the fact that assessing per minute charges would pose a huge privacy issue. Who is going to monitor someone's Internet usage to see whether their bits are e-mail bits, which are Web surfing bits and which are telephone calls? Is the FCC going to be checking out every one of our phone bills to see which one of us is using it for which?

I think we can codify the existing Internet access exemption, but this bill only does part of it. Moreover, I think that we can codify the existing Internet charge access exemption, but this bill only does part of it.

□ 1045

Moreover, I think we need to move quickly to prohibit per minute charges for Internet telephone calls, which this bill specifically fails to do. That failure is very, very troubling for the future of the Internet's flat rate pricing structure, and one that every high-tech company and Internet consumer should take notice of. This is not a good bill. This heads in just the opposite direction of where we should be heading with the Internet, the flat rate system we have had for the last 13 years. A no vote is justified.

Mr. TAUZIN. Mr. Speaker, I yield 1 minute to the gentleman from Colorado (Mr. TANCREDO).

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

I would like to join other Members in support of the bill offered by the gentleman from Michigan (Mr. UPTON), as it was originally introduced.

Avoiding per-minute charges for Internet access service, as we have since 1987, remains a worthwhile objective. How we treat Internet telephony will dictate the extent to which millions of Americans choose an affordable, yet innovative, alternative to traditional telephone services today.

This is why I share the view of others that the SEC should not rush in and impose access charge regimes on providers of Internet telephone services. Access charges were designed in the wake of the break-up of AT&T to require long distance providers a means to compensate the local telephone monopoly.

The FCC should carefully study the issue and reform today's current access charge regime before it rushes in to impose old regulations on new Internet applications.

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

Mr. DINGELL. Mr. Speaker, I yield 2 minutes to distinguished gentleman from Texas (Mr. GREEN).

(Mr. GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GREEN of Texas. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I am proud to be a co-sponsor of H.R. 1291, and congratulate my colleague, the gentleman from Michigan (Mr. UPTON) for his leadership. I believe Congress is well-intentioned today by not allowing the FCC the ability to impose per minute charges on Internet access services.

I want to say so long to Congressman Snell and his 602-P legislation. I am sure everyone has received hundreds if not thousands of e-mails, like we have in our office, concerning this fictitious Member of Congress and this fictitious legislation.

Mr. Speaker, in our markup my colleague, the gentleman from Michigan (Mr. DINGELL), our ranking member, said sometimes this Congress does better by sponsoring fictitious bills by fictitious Members than they do real life legislation. H.R. 1291 is real life legislation, but I agree with the gentleman, oftentimes. Hopefully the voters would not have elected Congressman Schnell, anyway, if he had introduced such a bill.

We all know that per minute access would devastate the Internet. The explosive growth in data traffic has clearly demonstrated that per minute access charges would quickly drive consumers off the Internet. I do not believe that the intention of anyone here is to do that. We need to expand the Internet and continue its growth, and allow people to expand the ability that it provides.

Because access fees were originally designed for voice traffic, there was little concern about adding a few cents per minute to fund the maintenance of the telecommunications infrastructure. Unfortunately, the length of consumers' calls differs from the amount of time consumers may be online, and access charges were designed for the typical 5-minute phone call. They were not intended for the 45 minutes average that our constituents spend online on the Internet.

I do have some concern, and I know we tried to address it in the committee, about the impact this would have on the solvency of the universal service fund. We do not know what telephone service will look like 5 years from now, but hopefully this Congress will be responsive and will pass this bill today.

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

Mr. Speaker, we have here a bill which has merit, limited. We have a bill which is directed at solving a problem which really does not exist. We have need to address the major problem of the universal service fund, which may very well be drying up under this, which will result in significant cost increases to inner city dwellers and to residents of rural areas.

It is a shame that we are not addressing the more important questions that we need to address, rather than to re-

spond in this hasty fashion to a problem which really does not exist.

The first application for this kind of relief had begun very shortly after the FCC made Internet charges no longer possible back in the 1980s. They have had many applications for this kind of thing since and have never once accorded any reality to those charges, so I think it would be better that we address real problems rather than fictitious ones.

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

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

Mr. Speaker, let me first point out that there is no contribution to universal service right now in any access charge assessed against Internet users for data services. This is not occurring. The FCC has an exemption on the books right now that prevents such access charges for universal service. Universal service is not threatened by this bill today, and no one should feel otherwise.

Secondly, there is no Member of the House who has proposed to make access charges for data services on the Internet support universal service. The only person who suggested that is this artificial bogus Congressman, Congressman Schnell, that is the subject of some e-mail conversation on the web.

Third, if there was an opportunity to create a digital divide here, it would be in the case if Congressman Schnell or some litigator in the Eighth Circuit or some litigator at the FCC ever succeeded in changing the FCC's exemption.

If ever these litigators succeeded in assessing per minute charges for data use of the Internet, indeed, we would be helping to create a digital divide. It is the absence of per minute charges on the Internet that is making the Internet affordable to poor people, to children, to struggling new-coming businesses on the web; to the growth, in fact, of the electronic commerce in America and across the world.

It is the absence of per minute charges that is helping us to make sure that a digital divide does not happen when it comes to access to the Internet for children, libraries, hospitals, schools, for people in general in this country.

Today we codify that rule. In this bill we say never shall the FCC assess per minute charges for access to the Internet for data services. That is a good thing. We ought to put this to rest. This bill does it. I commend my friend, the gentleman from Michigan (Mr. UPTON) for doing so.

We leave to a future debate the question of telephone service, where indeed universal service is critically important. We leave that debate open. We make no judgment. We are neutral on that point.

This is a good bill. It deserves the support of the House. I urge its final passage.

Mr. GOODLATTE. Mr. Speaker, the bill considered by the House today should put to rest

any undue concern on the part of the American people that Congress intends to tax their Internet access. By keeping Internet service unregulated and unburdened by taxation, we have allowed millions of Americans to access these services and, in turn, created a boom in electronic commerce that has transformed the way we live and do business today in this country.

H.R. 1291 reaffirms the decision made more than a decade ago that access fees should not be imposed on Internet service providers. This has allowed consumers in droves to access the Internet on an affordable flat-rate basis, rather than a per-minute basis. It's simple economics: the less you tax supply, the more consumer demand you create.

I recognize that parts of this bill might create the mistaken impression that Congress is encouraging Federal regulators to impose access fees on Internet telephone services. I want to make clear that this bill is no way meant to encourage the FCC to apply existing access charges to providers of Internet telephone services. Rather than pile on additional charges for Internet users, we ought to first figure out how to reform telephone access charges as Congress instructed the FCC to do in 1996. The last thing we want to do is impose charges that will discourage consumers from embracing the Internet and the innovative services that will revolutionize the way we live and work.

Mr. BENTSEN. Mr. Speaker, I strongly support H.R. 1291, the Internet Access Charge Prohibition Act. This legislation will ensure that Internet Service Providers (ISPs) are not required to pay access charges to connect to the Internet. As a result, consumers will continue to have lower prices for their Internet access.

In this Information Age, the number of consumers who use the Internet daily for their work and education continues to grow. This legislation will ensure that Internet access remains reasonable and accessible for all Americans.

In 1983, the Federal Communications Commission (FCC) established rules which require long distance companies to pay "access charges" to local telephone companies for connecting a long-distance call to local telephone networks. These access charges are paid to both networks where the call originates and where the call ends. In addition, part of these access charges help to pay for the Universal Service Fund which subsidizes the cost of telephone services to rural and high-cost areas and low-cost individuals. In addition, this Universal Service Fund helps to provide low-cost Internet connections for schools and libraries. The current average access charge is 2.4 cents-per-minute which is paid by consumers.

The FCC however, does not permit local telephone companies to impose these access charges to ISPs because they classify these ISPs as "enhanced service providers." Recently, the FCC reviewed this matter again and determined that ISPs should continue to be exempt from these access charges. In May 1997, the Court of Appeals for the Eighth Circuit upheld this FCC decision and this decision remains in effect today.

Regrettably, there is a persistent rumor on the Internet that these fees are going to be imposed on all electronic mail (E-mail) messages. In my congressional district, I have

heard from many constituents that they are concerned about the burden that these fees would impose upon them. This legislation, H.R. 1291, would prohibit the FCC from imposing any per-minute access fees on ISPs if such fees are going to be dedicated to the federal Universal Service Fund activities. This legislation will permanently protect consumers who use the Internet daily. I am pleased that Congress has acted to provide this common-sense consumer protection to all Internet users.

I strongly urge my colleagues to support this bill, H.R. 1291.

Mr. UDALL of Colorado. Mr. Speaker, I would like to join other Members in applauding the intention of Mr. UPTON's bill as introduced. Avoiding per-minute charges for Internet access services is a very worthy goal. The use of per-minute access charges for the Internet has plagued the development of the Internet in no many other countries. We should do what is needed to continue a flat-rate charging mechanism.

However, H.R. 1291 also includes a "Rule of Construction" that I find a little troubling. The provision says that nothing in the bill precludes the FCC from imposing access charges on Internet telephone providers. This refers to the charges long-distance telephone companies must pay to local telephone companies for connecting a long-distance call to local telephone networks—both where the call originates and where it terminates.

I don't believe that this provision is intended to encourage the FCC to rush in and impose today's access charge regime on providers of Internet telephone services. Nor do I think the FCC has plans to impose any access charges at the present time.

Still, given the wording of this provision, I think it's important to emphasize that an imposition of old-style access charges on Internet telephony would be short-sighted. Access charges are based on a distinction between local and long-distance that the Internet is rendering irrelevant. The FCC should carefully study the issue and reform today's current access charge regime before it rushes in to impose old regulation on new Internet applications.

Mr. BLILEY. Mr. Speaker, I rise in support of H.R. 1291, the Internet Access Charge Prohibition Act of 2000, and I urge my colleagues to join me in supporting this bill.

The Committee on Commerce last week reported H.R. 1291, a bill that was introduced by my friend and colleague from Michigan, Mr. UPTON.

His bill, H.R. 1291, will help to ensure consumers continue to have affordable access to the Internet. More to the point, his bill will block the FCC's ability to impose per-minute charges on consumers' Internet access services, when those charges are intended for support of universal service.

In doing so, this bill will help preserve the flat-rate pricing structure Americans enjoy today for their Internet services. Flat-rate pricing, as opposed to per-minute charging, is one of the reasons the Internet has flourished in this country, and why Internet usage is so high here, compared to other countries.

Preserving that flat-rate pricing scheme is a commendable goal, and I think Mr. UPTON for his efforts in that regard. The Report of the Advisory Commission on Electronic Commerce, chaired by my good friend, the gov-

ernor of Virginia, Mr. Gilmore, recommended that Congress deregulate Internet access services. That is the intention of H.R. 1291.

I note that some have raised concerns that the bill could be used to impose per-minute access charges on providers of Internet telephony. That is not the intention, nor the effect, of the bill.

The FCC is not encouraged by this bill to extend today's access charge regime on providers of Internet telephony. That regime was devised in a very different time, for a very different situation. Access charges were designed in the early 1980's to compensate the local telephone companies for the use of their local loop facilities. These charges are predicated on a traditional distinction between local and long-distance services that the Internet is making irrelevant.

Choice telephone service is merely one type of application over the Internet. Internet voice should no more be subject to per-minute access charges than Internet access services. If we want to avoid per-minute charges on the Internet, we should avoid such charges for all Internet applications.

In the meantime, the House should begin the process now of ensuring that consumers can continue to have affordable, flat-rate prices for access to the Internet. I urge my colleagues to support the bill before us today.

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

The SPEAKER pro tempore (Mr. PEASE). The question is on the motion offered by the gentleman from Louisiana (Mr. TAUZIN) that the House suspend the rules and pass the bill, H.R. 1291, as amended.

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

A motion to reconsider was laid on the table.

EXPRESSING THE SENSE OF CONGRESS REGARDING THE FEDERAL GOVERNMENT'S RESPONSIBILITY FOR STARTING A DESTRUCTIVE FIRE NEAR LOS ALAMOS, NEW MEXICO

Mrs. CHENOWETH-HAGE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 326) expressing the sense of the Congress regarding the Federal Government's responsibility for starting a destructive fire near Los Alamos, New Mexico.

The Clerk read as follows:

H. CON. RES. 326

Whereas on May 4, 2000, the National Park Service initiated a prescription burn on Federal land during the southwest's peak fire season;

Whereas on May 5, 2000, the prescription burn exceeded the containment capabilities of the National Park Service, was reclassified as a wildland burn, and spread to non-Federal land, quickly becoming characterized as a firestorm;

Whereas by May 7, 2000, the fire had grown in size and caused evacuations in and around Los Alamos, New Mexico, including the Los Alamos National Laboratory, one of America's leading national research laboratories and birthplace of the atomic bomb;

Whereas on May 12, 2000, the President issued a major disaster declaration for the Counties of Bernalillo, Cibola, Los Alamos, McKinley, Mora, Rio Arriba, Sandoval, San Juan, San Miguel, Santa Fe, Taos, and Torrance;

Whereas the fire resulted in the loss of Federal, State, local, tribal, and private property;

Whereas the loss to private citizens of personal property and memories cannot be accounted for in monetary terms nor repaid with financial assistance; and

Whereas a full congressional investigation will assist the Federal Government to determine the cause of this disaster and its full cost to the Federal Government and the people of New Mexico: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That—

(1) it is the sense of the Congress that the Federal Government should—

(A) take responsibility for the fire intentionally set by the National Park Service at the Bandelier National Monument, New Mexico, on May 4, 2000, which burned out of control near Los Alamos, New Mexico;

(B) take all necessary steps to mitigate the threats from the fire to the public health and well-being of the residents of New Mexico; and

(C) take all necessary steps to compensate the people of New Mexico for the losses incurred as a result of National Park Service actions; and

(2) the Congress commends—

(A) the people of New Mexico for opening their homes and their hearts to the New Mexican communities affected by this fire;

(B) the New Mexico firefighting teams for their efforts and courage in battling the fire;

(C) the New Mexico National Guard and the State of New Mexico for their efforts in mitigating the fire and assisting those affected by it;

(D) the American Red Cross and numerous other charitable organizations and volunteers for the extensive assistance provided to the fire victims;

(E) the Western States that have assisted New Mexico by sending people and equipment to help fight the fire;

(F) the businesses which have served as food and clothing collection points;

(G) all organizations and individuals that have collected and disseminated information to those affected by the fire;

(H) Sandia National Laboratories for extending assistance to fire victims;

(I) the Department of Energy for providing analysis and monitoring public health concerns; and

(J) the people of the United States for opening their hearts to assist with the plight of New Mexicans affected by the fire and for sending additional firefighting teams to help battle the fire.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE) and the gentleman from Texas (Mr. GREEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE).

GENERAL LEAVE

Mrs. CHENOWETH-HAGE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on House Concurrent Resolution 326.

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

There was no objection.

Mrs. CHENOWETH-HAGE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New Mexico (Mrs. WILSON).

Mrs. WILSON. Mr. Speaker, it has been a very difficult week in New Mexico. My colleague, the gentleman from New Mexico (Mr. Udall), is not here. He is still in northern New Mexico. As so many New Mexicans have in the past week, we are pitching in together and holding up our end of the stick.

We wanted to move forward with this resolution today, not only to recognize those who have served and are still serving in the great State of New Mexico fighting the fires, but to begin to rebuild and look to the future, and for the Federal government and for this Congress to stand up and take responsibility for a fire that was started by the Federal government.

Mr. Speaker, the sense of the Congress that my colleagues will have an opportunity to vote on today recognizes a tragedy and a disaster in the State of New Mexico that I would like to talk about a little bit, because its origins will affect this Congress and how it appropriates funds this year.

Let me talk first a little bit about what happened. On May 4, it seems like a long, long time ago right now, the National Park Service set a prescribed burn which was supposed to be a controlled burn in the Bandelier National Forest, which is down here.

This is the area of the fire as of last night. The red area is that part of New Mexico that has been devastated by fire. Here is the Baca ranch, we are in the process of trying to purchase that for the Federal government. This is Bandelier National Monument, the Santa Clara Indian Reservation here, 10 percent of which has been burned, and the fire is now dangerously close to the cliff dwellings.

Here in the middle is the town of Los Alamos and Los Alamos National Laboratories. Los Alamos is a city built on mesas. It was a closed city for many years, put out in the middle of northern New Mexico where nobody would be likely to find its secrets.

On May 4, the National Park Service started a prescribed burn over here. That fire quickly became out of control, and while the Department of the Interior is conducting an administrative investigation as to whether their procedures were followed, the National Park Service has acknowledged that they started the fire, that they started it in very dry conditions, and it quickly got out of control.

By Sunday night, I got a phone call from my former legislative director who went back to New Mexico to work there just 8 months ago, and he moved to Los Alamos. His house is in the western part of Los Alamos here. He was supposed to meet with me on Monday morning. He called and said, they are evacuating our neighborhood. I am not going to be able to be at the meeting on Monday. He got what he could

in his pick-up truck and got his dog and headed down to White Rock, where his parents live. White Rock is this little community down here.

For about 48 hours it looked as though they had things mostly under control or at least contained, and the fire had not crossed State Route 4, which they were kind of using as a fire line. But on Wednesday, last Wednesday, we got the call here that the fire had jumped the road, that the winds were gusting to 40 and 50 and 60 miles an hour, that the humidity was 10 percent, and that as sparks dropped, 9 out of 10 sparks were starting new fires. The plume of smoke stretched all the way across northern New Mexico and into Texas and Oklahoma on high winds.

Immediately they began the evacuation of the town of Los Alamos and of Los Alamos National Laboratories. Los Alamos is the birthplace of the atomic bomb. It is a place that still has nuclear materials, and there was a real concern on the part of the residents of New Mexico about environmental safety and health if a raging forest fire crossed Los Alamos National Laboratories.

The laboratory I believe was well prepared, and the Department of Energy responded, as did the Environmental Protection Agency and numerous agencies, to monitor and make sure that all the plans were in place and executed well to protect the people of New Mexico and even surrounding States.

□ 1100

But they could not fight the fire. The wind was too strong. By 1 a.m. on Thursday, they began to evacuate the town of White Rock. The fire had spread down Pajarito Canyon, and they were fighting to keep it from reaching the town of White Rock and reaching a number of technical areas that contained nuclear material.

So by Thursday at breakfast time, 20,000 New Mexicans had been evacuated from their homes. The winds were still high. There was no water pressure in Los Alamos. But the Los Alamos police department stayed in place. Throughout that terrible night of Wednesday night when 260 homes burned, the Los Alamos police department and the fire-fighting teams from across the American west saved everything that they could.

Last night, I was up in Espanola, which is a town near here and Pojoaque, which is just down the hill, and they did re-open 80 percent of Los Alamos, everything but the areas that were burned. But the fire is still only 35 percent contained, and the winds today are expected to gust up to 30 or 40 miles per hour or even higher again.

But now the biggest part of the fire is up here, burning the Santa Clara Indian Reservation and the Santa Clara Canyon, which is sacred to the Santa Clara Pueblo.

In this country, we are used to dealing with disasters with floods along the

Mississippi or hurricanes along the Gulf Coast or earthquakes in California, but there is a difference with this one. It is not just the Federal Emergency Management Agency coming in to help those in some way get back on their feet because they did not have insurance. Everyone in this town knows that the Federal Government started the fire. This was not an act of God. It was an act of man. While it was not intentional that this fire rage out of control, that the Park Service did not mean for this to happen, they set the fire that destroyed 260 homes and the lives of 400 families and the businesses and incomes of thousands of residents of Los Alamos in White Rock.

I spent much of the weekend dealing with the fire and the fire's victims. The response of the people of New Mexico to this disaster really warms one's heart. We always read about people taking advantage of people when things are going bad, and that did not happen in New Mexico.

There was nobody there trying to sell bottles of water for \$5 or \$10. On the contrary, there were truckloads of food and water and clothing streaming into Sante Fe and Los Alamos. Twenty thousand people relocated from a rural area in northern New Mexico, and immediately every hotel and motel in Sante Fe and Espanola in northern New Mexico dropped their prices to \$25 a night. It has probably been since 1920 since one has been able to get a \$25 a night hotel room in Sante Fe, New Mexico; but last weekend, one could get one if one were a victim of a fire.

The Red Cross mobilized. I was there on Friday morning in Albuquerque at the Red Cross Center there where they were bringing in the national teams. On Friday afternoon, they had to stop taking donated supplies because they had no more storage room. But they were still accepting donations.

Intel walked in on Thursday afternoon with a \$100,000 check. As I was standing there, a man walked in and opened his wallet and emptied it and gave it to the Red Cross.

Most of the banks in New Mexico set up special accounts for the victims of the fire. I went by one. It is not a big bank. It is called First State Bank. It is a New Mexico bank. They have a New Mexico flavor. They do not even wear ties to work. On Thursday mid-morning, they opened an account and just called the local radio station to say they had opened one. Six hours later, they had collected \$34,000 from New Mexicans who just walked in to donate to the victims of the fire.

As one can see, Los Alamos is kind of an isolated community, and there were over 1,000 fire fighters and policemen and Red Cross workers who still needed to be fed in a place that is really hard to get to. I was up in Los Alamos on Friday afternoon, and the Los Alamos Inn was still open. That is where most of the media and many of the fire fighters and rescue people were staging out of.

There was a waitress who continued to work there. They were just making food and bringing it in. She had her 4-year-old daughter with her there at work. I do not think she stopped working since they evacuated the town.

Down at Ray's in Albuquerque was one of the staging points for the food and water distribution. I was there on Friday morning. Mayflower had donated big trailer trucks to take food and water and clothing up to the victims of the fire. I was there. In probably about an hour and a half, they had filled half a tractor trailer truck full of food and water and clothing and bedding and equipment to rebuild lives and homes.

Car after car was just driving through the parking lot and opening their trunks and giving. There is a man who wanted to remain anonymous, but he donated 1,000 brand new suits to the Salvation Army down in Espanola to reclothe the victims of the fire. It kind of made me laugh actually because, in Los Alamos, they do not often wear suits. It is kind of a relaxed place of scientists and Ph.D.s. They probably will be better dressed than they have in a long time. But it is that kind of generosity that has been provoked by the fire.

The New Mexico home builders immediately got together, and they wanted to make sure there was not a lot of scamming of people who lost their homes. So they are working with the New Mexico Attorney General to come up with a list of the licensed contractors so that every victim knows what their options are and they will not have somebody show up at the front of their door and say, give me \$2,000, and I will fix their siding, and they never see them again, which so often happens after these kinds of disasters.

They also called all of the suppliers, all of the suppliers for the home building industry and said, we want the best and lowest prices you can get us for building materials to help rebuild. Those guys probably have the power to make that happen.

On Friday morning, I went by United Blood Services in Albuquerque. See, last week, there was supposed to be a big blood drive in Los Alamos, and they depend on that to supply the State of New Mexico. They have kind of got their plan from where they are going to get enough blood from this week to make sure all the hospitals were supplied.

They were 400 pints short because they had not been able to do the Los Alamos blood drive. So they put out a special appeal and said they were having a special week in Albuquerque, and please come in and donate blood. I dropped by, and the line was an hour wait just to donate blood because the people in Los Alamos were not there to donate blood.

But as I was standing there and watching the live news reports from Los Alamos, there was a lady standing next to me watching as well. Her hus-

band was donating blood. They were in Texas when the fire started, and they are from Los Alamos. The first thing they did when they came back to the State was to go donate blood while they wondered if their home still stood.

We have a number of military bases in New Mexico, and the military was there, too, the National Guard, the Army Guard, the Air Guard as well as active duty. A lot of guys loading the trucks with food and water were active duty military who were not on their shifts.

I met one guy. His name was David. He is a Sergeant in the Air Force. He has only been stationed in New Mexico for about a year. He is out at AFOTEC in Kirtland Air Force Base. He had come into the Red Cross because he figured the guys on the base could take the 6:00-to-6:00 shift and man the phones at night, and he could get a lot of his friends to help to relieve the Red Cross volunteers.

Many of the elementary schools in New Mexico all over New Mexico have gathered contributions for the victims of the fire. This has affected so many people's lives.

I dropped by the Elks Lodge in Los Alamos, which is right up there by the Los Alamos Inn. They stayed there to pass out food to the fire fighters and to the cops. They were kind of funny about it. There is more than a little gallows humor in these kinds of things. They said, well, the Elks Lodge really is not known around this town for the thing we do for the community, but we do do quite a lot.

There were folks coming in in their pickup trucks. One family from Santa Clara Pueblo had a pickup truck full of all kinds of snacks and food, and they were going to every one of the trail heads to make sure that all the fire fighters would be fed in an F-150 pickup that looked like it was about a 1981 version with about 130,000 miles on it. But their Pueblo was threatened, and they had not been evacuated yet, and they were going to do everything they could until they needed their pickup truck to move out of their own homes. At that time, they did not know if they would have to move or not.

Los Alamos has more Ph.D.s per capita than any other town in the world. It is probably not a surprise that, during this disaster, it was the Internet Professional Association that got up an Internet site immediately to communicate among the victims of the fire spread out across the State and their relatives, many of whom were looking for them.

They put up a web site that, not only had information for folks, but also had bulletin boards so that one could ask about one's friends or relatives or have any of you seen so and so, or we are missing our horses, down where they might be, to help with the information and the confusion of a disaster.

While sometimes we always like to pick on the press a little bit in this town, I have to give some commendations also to the television and radio

stations in New Mexico. All three of our television stations were working around the clock during this disaster, giving information to people and providing that public service to keep people informed on where they could go and what they should do and what the fire was doing to their lives.

My husband is in the Air Guard. On Saturday morning our phone rang, and the New Mexico Air Guard was called to duty for a civilian disaster for the first time in 30 years. The last time the Air Guard was called up for a disaster, State disaster, was during the riots in Vietnam at the University of New Mexico. But the Air Guard took on the task of taking in the victims, the one who had lost their homes, so that they could see what was lost and begin the process of getting insurance coverage and rebuilding their lives.

So he went up to do that on Saturday and Sunday, and he ended up taking in a busload of folks. As they were driving down the street, he really understood what the fire department had done, the extraordinary efforts they had gone to to save homes and save neighborhoods from a raging inferno.

There was one burned house, and right next to it, and he kind of laughed, was a fire hose with the end burned off. These guys were serious about doing everything they could to save the homes and lives of their neighborhoods.

So where are we now? This fire is 35 percent contained. It is burning mostly on the northern end. 80 percent of the residents of Los Alamos are able to get back into their homes. Some will never go back into their homes.

Every red dot on this map is a home that is not there anymore, 260 buildings, over 400 families that were burned out by a fire started by the United States Government. But it is not only their losses that the city of Los Alamos is feeling. Every small business in Los Alamos has been out of work and off the hill for over a week.

I ran into a family at Pojoaque Red Cross Station at the high school last night.

The SPEAKER pro tempore (Mr. PEASE). The time of the gentlewoman from New Mexico (Mrs. WILSON) has expired.

Mr. GREEN of Texas. Mr. Speaker, I am happy to yield 2 minutes to the gentlewoman from New Mexico (Mrs. WILSON).

□ 1115

Mrs. WILSON. The question is, where do we go from here? FEMA is doing everything they can, like they do in floods and tornadoes and other disasters, in bringing assistance to the people of New Mexico, but the reality is that the Federal Government started this fire. I am not a lawyer, I do not do liability, but there is responsibility, and the Federal Government must stand up and take responsibility for the actions and the consequences of those actions.

On the night of May 4, the National Weather Service told the Park Service that there were potential blow-out conditions and that any controlled fire might not be controlled. They lit the fire anyway. This resolution before the House today commends the people of New Mexico and those surrounding States that have helped New Mexico deal with this disaster, and it takes responsibility on the part of the Federal Government for this disaster.

We will begin to rebuild Los Alamos, but it will be with the help and assistance of the Federal Government, which must take responsibility for the actions that it took.

Mr. GREEN of Texas. Mr. Speaker, I yield myself such time as I may consume.

(Mr. GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GREEN of Texas. Mr. Speaker, I am here today to speak on behalf of my friend and neighbor, fellow Congressman, the gentleman from New Mexico (Mr. UDALL). I say neighbor because the State of Texas and New Mexico are very close. In fact, at one time Texas claimed part of that area where the fire is at in the last century.

I have followed this story and the tragic fires in my colleague's district in northern New Mexico that has disrupted the lives of thousands of citizens of New Mexico, and we have shared the anguish of their families who have lost their homes and cherished possessions. There is, of course, no price we can place on much of what has been lost, but our hearts go out, and not only those of us who are Texas neighbors but also from the entire country, to the New Mexican people for this tragedy.

What we can do, though, is to support the relief and recovery of the people who are now faced with putting their lives back together, because that is the right thing to do. The New Mexico Congressional delegation has done just that, and on their behalf the gentleman from New Mexico (Mr. UDALL) asks that all his colleagues here in the House provide their support.

Right now the gentleman from New Mexico (Mr. UDALL) is back in his district working to provide his support to try to make the difference. He is making sure information about what assistance is available is getting to the people in his Third Congressional District who have been hit so hard by this fire. He is also walking through the fire stricken parts of his district, talking to his constituents and listening to them about what they need to put their lives back together.

What he has already learned has made him grateful for the efforts of the many New Mexicans and the communities surrounding the fire who have pulled together even as this tragedy unfolded, opening their homes and their hearts to the less fortunate. He has also expressed his gratefulness for the efforts of the countless organiza-

tions and firefighters who have helped bring some order to this shattered scene.

Even from that distance he is advocating for what his constituents are telling him by working with this Congress to keep the Federal efforts to help these citizens on track. The resolution is one example.

While in New Mexico, he has been working here in Washington to ensure that the emergency funds needed for these efforts are available. He has asked for \$100 million in additional emergency aid for that purpose. And, Mr. Speaker, I would like to read from a letter from the gentleman from Washington (Mr. DICKS), who is a member of the Committee on Appropriations, and the ranking Democratic member on the Subcommittee on the Interior, to the gentleman from New Mexico (Mr. UDALL):

I am pleased to report that we are pursuing your suggestions in the Committee on Appropriations with regard to the need to replenish the U.S. Forest Service and Bureau of Land Management firefighting funds in this fiscal year. While the emergency supplemental appropriations bill, which the House passed and sent to the Senate on March 30, contained \$250 million for these accounts, Senator Lott's opposition to moving the supplemental bill precluded us from providing additional funds to these agencies this spring, even though the expected weather conditions and Forest Service predictions indicate a very high risk of wildfires this year.

With the fire still raging in your State of New Mexico, and with these accounts becoming seriously depleted, it is our intention to introduce a freestanding supplemental appropriations bill containing \$350 million, \$200 million for the Bureau of Land Management and \$150 million for the U.S. Forest Service, to reflect the current estimates for emergency firefighting expenses. I want you to know that there is broad support in the Appropriations Committee, among both Republican and Democratic Members, for such a strategy. Pending a decision on whether a separate supplemental bill will have sufficient support in the Senate, I want you to know that it is also the committee's intention to add this amount of funding to the fiscal year 2001 Interior appropriations bill when the Interior Appropriations Subcommittee considers the bill on Wednesday. That is tomorrow.

In addition, I have sought agreement from our committee leadership to designate this funding as emergency in nature, so that it will be available immediately upon passage by both Houses and when signed by the President.

Again, continuing the letter, Mr. Speaker,

Let me assure you that I and all of my colleagues on the Appropriations Committee understand the urgent situation you have brought to our attention. To the best of our ability, we will attempt to play a constructive role in assuring that Forest Service and BLM firefighters will have sufficient resources to hire the fire crews to contain the New Mexico fires now occurring, as well as to fight additional wildfires that may occur later in this fiscal year.

Again, Mr. Speaker, this letter is signed by the gentleman from Washington (Mr. DICKS), the ranking member of the Subcommittee on Interior of the Committee on Appropriations.

While the gentleman from New Mexico (Mr. UDALL) is in New Mexico he remains in close contact with the Federal agencies that share the assistance and relief responsibilities for dealing with this disaster. He wants to make sure that the maximum effort is being employed to discharge these responsibilities. And, again, having him on the ground in New Mexico is just like, and I can relate to it in Texas when we have a hurricane come to the coast in Houston, oftentimes we have to fight a battle here to have the resources at home, but oftentimes we need to be at home to see what our constituents need, and that is what the gentleman from New Mexico is doing today.

This resolution is a first step in taking both responsibility for the fire but also to help mitigate the threats of fire to public health and to take the necessary steps to compensate the people of New Mexico. As the gentlewoman from New Mexico (Mrs. WILSON) mentioned, and the gentleman from New Mexico (Mr. UDALL) has expressed to me, the people in New Mexico are opening their homes and their hearts to the people affected.

The firefighting teams should be commended for their courage in battling the fire, as well as the New Mexico National Guard and the State of New Mexico for their efforts in mitigating the fire. We could go on and on. The American Red Cross, and the other western States who have provided help to New Mexico by sending people and equipment, as well as the businesses who have served food and clothing at collection points. Thanks also should go to the Sandia National Laboratory for their assistance to the fire victims, and the Department of Energy for providing analysis regarding public health.

Mr. Speaker, I yield the balance of my time to the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE).

Mrs. CHENOWETH-HAGE. Mr. Speaker, how much time is remaining? The SPEAKER pro tempore (Mr. PEASE). The gentlewoman from Idaho (Mrs. CHENOWETH-HAGE) has 12 minutes remaining.

Mrs. CHENOWETH-HAGE. Mr. Speaker, I yield myself such time as I may consume.

I really want to commend the gentlewoman from New Mexico (Mrs. WILSON) for this very quick response resolution, letting the National Park Service know of our deep concern about their destructive and negligent actions in this matter.

Mr. Speaker, this is not one moment too soon to let the Federal land management agencies know that we as a Congress take these issues very seriously and we will take appropriate action. This is more than money that is involved. What happened here was the fact that it has become apparent that the Federal agencies do not understand the consequences of their actions or their inactions.

There was an inordinate amount of squabbling about what kind of aircraft

to use to put out the fire quickly, while it was still containable. And, yes, people can make mistakes, but to see continual finger pointing at each other between the agencies does not resolve the problem. What we in the Congress must do to resolve the problem is to make sure that we have agencies who know how to take the appropriate action when these destructive measures happen in our country.

This phenomenon that is occurring lately is one where we see agencies not able to take the proper course and not be able to make decisions, and it costs lives. It costs the lives of animals who are burned, it destroys habitat, it destroys landscapes, it destroys homes, it destroys families, it destroys communities because a handful of individuals fail to make the right decisions at the right time.

Mr. Speaker, the time has come when this Congress must begin to look in a new direction for the appropriate measures to make sure that we have agencies who are responsive to these emergency needs. The fires burning today in New Mexico provide the Nation with the very worst examples of Federal agency mismanagement of the public trust. The National Park Service is, frankly, acting like children playing with matches, not understanding the consequences of their actions.

Since becoming chairman of the Subcommittee on Forests and Forest Health, I have held numerous hearings on Federal agency firefighting, fire prevention and related issues. And through these efforts, my subcommittee has uncovered many, many serious problems. Even before the Cerro Grande fires, I had begun planning a hearing on the administration's overreliance on prescribed fire. Now, in continuation of our investigation, my subcommittee is in the process of scheduling two hearings to follow up just as soon as possible.

Again, I want to thank the gentlewoman from New Mexico (Mrs. WILSON) and the gentleman from New Mexico (Mr. UDALL) for their leadership on this issue. Rest assured we will get to the bottom of this issue.

Mr. UDALL of Colorado. Mr. Speaker, I am here today to speak on behalf of my cousin and fellow Congressman TOM UDALL. We have followed the story of the tragic fires in my cousin's district in New Mexico that have disrupted the lives of thousands of our citizens in New Mexico and we have shared the anguish of the families that have lost their homes and cherished possessions. There is, of course, no price that we can place on much of what has been lost.

What we can do, though, is support the relief and recovery efforts for the people who are now faced with putting their lives back together. It is the right thing to do. The New Mexico congressional delegation has done just that. And on the delegations behalf he asks that you also provide your support for the delegation's efforts.

Right now, Congressman TOM UDALL is back in his district working to provide support to his constituents. He is making sure information about what assistance is available is getting to the people in the Third Congressional District who have been hit so hard by this fire. He is also walking through the fire-stricken parts of his district, talking with his constituents and listening to them in order to understand what they need to put their lives back together.

What he has learned has made him grateful for the efforts of the New Mexicans in the surrounding communities the fire who they pulled together even as this tragedy unfolded. Opened their homes and their hearts to those less fortunate. And he is so grateful for the efforts of the countless organizations and firefighters who have helped bring some order to this shattered scene.

And even from that distance he is advocating for his constituents by working with this Congress to keep the Federal efforts to help these citizens get back on track. This house resolution is one example.

While in New Mexico, he has also been working here in Washington to ensure that the emergency funds that are needed for these efforts are available. He has asked for 100 million dollars in additional emergency aid for that purpose.

And he remains in close contact with the Federal agencies that share the assistance and relief responsibilities for dealing with this disaster. He will make sure that the maximum effort is employed to meet our responsibilities. Colleagues, I am here to tell you that he asks for your support for his efforts and those of his colleague HEATHER WILSON to help Americans whose lives have been turned upside down.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 326.

The question was taken.

Mrs. WILSON. 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 404, nays 0, answered "present" 6, not voting 24, as follows:

[Roll No. 183]

YEAS—404

Aderholt	Archer	Bachus
Allen	Armey	Baird
Andrews	Baca	Baker

Baldacci Etheridge
 Baldwin Evans
 Ballenger Everett
 Barcia Ewing
 Barr Farr
 Barrett (NE) Fattah
 Barrett (WI) Filner
 Bartlett Fletcher
 Barton Foley
 Bass Forbes
 Becerra Ford
 Bentsen Fossella
 Bereuter Fowler
 Berkley Frank (MA)
 Berman Frelinghuysen
 Berry Frost
 Biggert Gallegly
 Billbray Ganske
 Billrakis Gejdenson
 Bishop Gekas
 Blagojevich Gephardt
 Bliley Gibbons
 Blumenauer Gilchrest
 Blunt Gillmor
 Boehlert Gilman
 Boehner Gonzalez
 Bonilla Goode
 Bonior Goodlatte
 Bono Goodling
 Borski Gordon
 Boswell Goss
 Boyd Graham
 Brady (PA) Granger
 Brady (TX) Green (TX)
 Brown (OH) Green (WI)
 Bryant Greenwood
 Burr Gutierrez
 Burton Gutknecht
 Buyer Hall (OH)
 Calvert Hall (TX)
 Camp Hansen
 Canady Hastings (FL)
 Cannon Hastings (WA)
 Capps Hayes
 Capuano Hayworth
 Cardin Hefley
 Carson Herger
 Castle Hill (IN)
 Chabot Hill (MT)
 Chambliss Hilleary
 Chenoweth-Hage Hilliard
 Clayton Hinchey
 Clement Hinojosa
 Clyburn Hobson
 Coble Hoefel
 Coburn Hoekstra
 Collins Holden
 Combest Holt
 Condit Hooley
 Conyers Horn
 Cook Hostettler
 Cooksey Houghton
 Costello Hoyer
 Cox Hulshof
 Coyne Hunter
 Cramer Hyde
 Crane Inslee
 Crowley Isakson
 Cubin Istook
 Cummings Jackson (IL)
 Cunningham Jackson-Lee
 Davis (FL) (TX)
 Davis (IL) Jefferson
 Davis (VA) Jenkins
 Deal John
 DeFazio Johnson (CT)
 DeGette Johnson, E. B.
 Delahunt Johnson, Sam
 DeLauro Jones (NC)
 DeMint Jones (OH)
 Deutsch Kanjorski
 Diaz-Balart Kaptur
 Dickey Kasich
 Dicks Kennedy
 Dingell Kildee
 Dixon Kilpatrick
 Doggett Kind (WI)
 Doolittle King (NY)
 Doyle Kingston
 Dreier Kleczka
 Duncan Klink
 Dunn Knollenberg
 Edwards Kolbe
 Ehlers Kucinich
 Ehrlich Kuykendall
 Emerson LaFalce
 Engel LaHood
 English Lampson
 Eshoo Lantos

Larson
 Latham
 LaTourette
 Lazio
 Leach
 Lee
 Levin
 Lewis (CA)
 Lewis (GA)
 Lewis (KY)
 Linder
 Lipinski
 Lofgren
 Lucas (KY)
 Lucas (OK)
 Luther
 Maloney (CT)
 Maloney (NY)
 Manzullo
 Markey
 Mascara
 Matsui
 McCarthy (MO)
 McCrery
 McDermott
 McGovern
 McHugh
 McInnis
 McIntyre
 McKeon
 McKinney
 Meehan
 Meek (FL)
 Meeks (NY)
 Menendez
 Metcalf
 Mica
 Millender-
 McDonald
 Miller (FL)
 Miller, Gary
 Miller, George
 Minge
 Mink
 Moakley
 Moore
 Moran (KS)
 Moran (VA)
 Morella
 Murtha
 Myrick
 Nadler
 Napolitano
 Neal
 Nethercutt
 Ney
 Northup
 Oberstar
 Obey
 Olver
 Ortiz
 Ose
 Owens
 Oxley
 Packard
 Pallone
 Pascrell
 Pastor
 Paul
 Payne
 Pease
 Pelosi
 Peterson (MN)
 Peterson (PA)
 Petri
 Phelps
 Pickering
 Pickett
 Pitts
 Pombo
 Pomeroy
 Porter
 Portman
 Price (NC)
 Pryce (OH)
 Quinn
 Radanovich
 Rahall
 Ramstad
 Rangel
 Regula
 Reyes
 Reynolds
 Riley
 Rivers
 Rodriguez
 Roemer
 Rogan
 Rogers

Rohrabacher
 Ros-Lehtinen
 Rothman
 Roukema
 Roybal-Allard
 Royce
 Rush
 Ryan (WI)
 Ryun (KS)
 Sabo
 Salmon
 Sanchez
 Sanders
 Sandlin
 Sawyer
 Saxton
 Scarborough
 Schaffer
 Schakowsky
 Scott
 Sensenbrenner
 Serrano
 Sessions
 Shadegg
 Shaw
 Shays
 Sherman
 Sherwood
 Shimkus
 Shows
 Shuster
 Simpson
 Siskisky
 Skeen

Skelton
 Smith (MI)
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Snyder
 Souder
 Spence
 Spratt
 Stabenow
 Stark
 Stearns
 Stenholm
 Strickland
 Stump
 Sununu
 Sweeney
 Talent
 Tancredo
 Tanner
 Tauscher
 Tauzin
 Taylor (MS)
 Taylor (NC)
 Terry
 Thomas
 Thompson (CA)
 Thompson (MS)
 Thornberry
 Thune
 Thurman
 Tiahrt
 Tierney
 Toomey

Towns
 Traficant
 Turner
 Udall (CO)
 Upton
 Velazquez
 Visclosky
 Vitter
 Walden
 Walsh
 Wamp
 Waters
 Watkins
 Watt (NC)
 Watts (OK)
 Waxman
 Weiner
 Weldon (FL)
 Weldon (PA)
 Weller
 Wexler
 Weygand
 Whitfield
 Wicker
 Wilson
 Wise
 Wolf
 Woolsey
 Wu
 Wynn
 Young (AK)
 Young (FL)

ANSWERED "PRESENT"—6

Bateman	Kelly	Mollohan
Hutchinson	Lowey	Sanford

NOT VOTING—24

Abercrombie	DeLay	McIntosh
Ackerman	Dooley	McNulty
Boucher	Franks (NJ)	Norwood
Brown (FL)	Largent	Nussle
Callahan	LoBiondo	Slaughter
Campbell	Martinez	Stupak
Clay	McCarthy (NY)	Udall (NM)
Danner	McCollum	Vento

□ 1146

Mrs. KELLY changed her vote from "yea" to "present."

So (two-thirds having voted in favor thereof), the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained on business and unable to be present for rollcall vote No. 183. Had I been present, I would have voted "yes" on rollcall vote No. 183.

(Mr. DINGELL asked and was given permission to speak out of order for 5 minutes.)

FUNERAL ARRANGEMENTS REGARDING BART STUPAK, JR.

Mr. DINGELL. Mr. Speaker, I intend to share this time with my good friend, the gentleman from Michigan (Mr. UPTON), who has been enormously helpful in this difficult matter. As reported to the House by our Dear Colleague letter of yesterday, our colleague, the gentleman from Michigan (Mr. STUPAK) and his wife, Laurie, have suffered a terrible loss with the tragic death of their son, and we extend our condolences to them and to their other son, Ken, for this terrible and tragic loss of young Bart, who is also known as BJ.

He was a bright and energetic young man, much loved by all who knew him.

Obviously his loss is a devastating blow to the Stupak family and to all of their friends, and many of my colleagues in the House have come over to express their sorrow and concern.

It is my purpose to announce at this time that the funeral for BJ, as he was known, will be tomorrow evening on Wednesday, May 17. It will take place in Menominee, Michigan at 8 p.m. Our offices, that of myself and my good friend the gentleman from Michigan (Mr. UPTON), have worked to arrange travel for Members wishing to attend the visitation and the funeral mass.

Members desiring to go will leave the House steps of the Capitol tomorrow at 3:15 p.m. The aircraft which has been chartered will be departing Reagan National Airport at 4 p.m. We should be returning about 1 a.m. on Thursday morning.

For Members desiring more details on travel arrangements, they should contact either my office or that of the gentleman from Michigan (Mr. UPTON).

I yield to my good friend, the gentleman from Michigan (Mr. UPTON).

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

Mr. Speaker, I have had the opportunity to speak to the gentleman from Michigan (Mr. STUPAK) this morning. He thanked the leadership for the moment of silence, and also the staffs of the gentleman from Michigan (Mr. DINGELL) and my staff, and also his staff has been terrific in putting together this event on, obviously, a pretty short notice.

I also want to thank Northwest Airlines which has bent over backwards to allow us to charter a plane to fly to Wisconsin tomorrow. The gentleman from Michigan (Mr. STUPAK) also indicated he wanted me to thank the leadership for postponing votes allowing Members to be able to attend the service tomorrow afternoon and evening.

I would just like to thank the Dean of the House for this 5 minutes and would ask Members that would like to attend the service tomorrow if they could contact either the office of the gentleman from Michigan (Mr. DINGELL) or my office. We will make sure that those arrangements are taken care of.

Mr. DINGELL. Mr. Speaker, I want to commend my colleague for the wonderful help he has been in this difficult matter and express my thanks to the gentleman from Michigan (Mr. UPTON) for that. I would like to observe that we will be making further communications with the office of the Members both by Dear Colleague and electronically, so that they will be fully informed of this.

I repeat, the chartered aircraft will be leaving tomorrow at 3:15 by bus from the Capitol steps; the actual time of departure from the aircraft will be from Reagan National Airport at 4 p.m. It is anticipated that the return will be about 1 o'clock in the morning the next day. I do thank my good friend, the gentleman from Michigan (Mr. UPTON).

PROVIDING FOR CONSIDERATION OF H.R. 4425, MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2001

Mr. REYNOLDS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 502 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 502

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. 4425) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 4(c) of rule XIII are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. 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 amendments the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. For purposes of enforcement of the Congressional Budget Act of 1974 in the House, the appropriate levels of total new budget authority and total budget outlays for fiscal years 2000 through 2005 prescribed by House Concurrent Resolution 290 pursuant to section 301(a)(1) of the Act shall be those reflected in the table entitled "Conference Report Fiscal Year 2001 Budget Resolution Total Spending and Revenues" on page 49 of House Report 106-577.

The SPEAKER pro tempore. The gentleman from New York (Mr. REYNOLDS) is recognized for 1 hour.

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

(Mr. REYNOLDS asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. REYNOLDS. Mr. Speaker, yesterday the Committee on Rules met and granted an open rule for H.R. 4425, the Military Construction Appropriations bill for fiscal year 2001. The rule provides for 1 hour of general debate equally divided and controlled by the chairman and the ranking member of the Committee on Appropriations.

The rule waives clause 2 of House rule XXI prohibiting unauthorized or legislative provisions in a general appropriations bill against provisions in the bill. The rule also waives clause 4(c) of rule XIII requiring the 3-day availability of printed hearings on a general appropriations bill against consideration of the bill.

Additionally, the rule provides that the bill shall be open to amendment by paragraph and authorizes the Chair to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD.

The rule further allows the Chairman of the Committee of the Whole to postpone votes during consideration of the bill and to reduce voting time to 5 minutes on a postponed question if it follows a 15-minute vote.

The rule provides that for the purposes of enforcement of the Congressional Budget Act, the appropriate levels of new budget authority and total budget outlays shall be those reflected in the table entitled "Conference Report Fiscal Year 2001 Budget Resolution Total Spending and Revenues" in House Report 106-577.

Finally, the rule provides for one motion to recommit, with or without instructions.

Mr. Speaker, as Thomas Jefferson warned, eternal vigilance is the price of liberty. Part of this Nation's vigilance is ensuring America's military readiness, for as Ronald Reagan said during an address at West Point, a successful Army is one that because of its strength, ability and dedication will not be called upon to fight, for no one will dare provoke it.

Too often, we take for granted the security and peace of mind that comes with living in the greatest, freest Nation in the world. But we cannot take for granted the dedicated men and women who serve in the United States military.

The Military Construction Appropriations Act for fiscal year 2001 recognizes the dedication and commitment of our troops by providing for their most basic needs: improved military facilities, including housing and medical facilities.

Last year, this Congress began to meet its responsibility to our troops and the recruitment and retention of military personnel by increasing military pay. This legislation will continue that effort by ensuring an adequate and appropriate quality of life.

The quality of housing for service members and their families is an im-

portant incentive, attracting and retaining dedicated individuals to military service. Today's poor state of military housing for these men and women clearly serves as a disincentive to reenlistment.

This bill provides an overall increase for military construction, which includes \$43 million for child development centers, \$141 million for hospital and medical facilities, and \$26 million for environmental compliance. The bill also provides \$859 million for new family housing units and for improvements to existing units.

Additionally, I am pleased the committee included \$4.1 million for the Niagara Falls International Airport upgrade overrun and runway. The Niagara Falls Air Reserve Station is home to the 914th Air Reserve (Airlift) Wing and the 109th Air National Guard (Refueling) Wing. Upgrading the runway and constructing the necessary overrun will enable Niagara based fueling aircraft to participate in the "Air Bridge" missions which resupply operations in Europe and the Near East as well as serve as a third Northeast Tanker Task Force Location for "surge" contingency missions.

□ 1200

Mr. Speaker, we must honor the most basic commitments we have made to the men and women of our Armed Services; we must ensure a reasonable quality of life to recruit and retain the best and the brightest to America's fighting forces; and most important, we must do all in our power to ensure a strong, able, dedicated American military, so that this Nation will be ever vigilant, ever prepared.

Mr. Speaker, this is a fair and open rule for consideration of the fiscal year 2001 military construction appropriations bill. I urge my colleagues to support the rule and the underlying bill.

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

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

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

This is an open rule. As my colleague from New York explained, the rule provides for one hour of general debate, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. Under this rule, germane amendments will be allowed under the 5-minute rule, which is the normal amending process in the House. Members on both sides of the aisle will have the opportunity to offer amendments.

Mr. Speaker, this bill funds construction projects on military bases. This includes homes for military families, hospitals, laboratories, training facilities, barracks and other buildings that support the missions of our armed forces. The bill also funds activities necessary to carry out the last two rounds of base closings and realignments.

Our military requires modern facilities. New buildings can improve productivity, reduce waste and improve morale. The money spent in this bill is a long-term commitment to our defense capabilities.

This bill funds a new ramp to replace one used by the 445th Airlift Wing on Wright-Patterson Air Force Base, which is partially in my district and partially in the 7th District. The current ramp is costly to maintain, and it is in such bad condition that it is a safety hazard. Another project at Wright-Patterson is a laboratory building to conduct environmental and toxics research.

I want to commend the chairman of the subcommittee, the gentleman from Ohio (Mr. HOBSON), for his great work, and the ranking minority Member, the gentleman from Massachusetts (Mr. OLVER), for their work in crafting this bill and bringing it to the floor. The bill was approved by the Committee on Appropriations on a voice vote. It has support on both sides of the aisle. The rule is open, it was adopted by a voice vote of the Committee on Rules, and I support the rule and bill and urge its adoption.

Mr. Speaker, I yield 4 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I thank the gentleman for his courtesy in yielding me time to discuss the bill today.

Mr. Speaker, I am planning on supporting the rule and the underlying bill, but I am concerned that we are not taking full advantage of the opportunity in the military construction arena. One of the greatest threats to national security in this country and worldwide is the disease, poverty, pollution, unrest and misery that is produced. We have serious problems here at home that is part of the legacy of 60 years of war, amongst them some of our production facilities at Hanford, Rocky Flats. We have chemical weapons, toxic waste and unexploded ordnance.

One of the most powerful tools of government to lead is to lead by example. I think one of the ways the government can do that is to follow the rules and model the behavior that we want the rest of society to follow. One of the biggest, richest and most visible opportunities for the United States to lead by example in ways to promote livable communities is dealing with the military.

The Department of Defense manages the world's largest dedicated infrastructure. It covers 40,000 square miles, a physical plant worth over \$500 billion. The bill before us could give many opportunities. One that we see in the Department of Defense is on-base housing programs. The military housing privatization initiative that is being continued is an example to allow funding. It allows the service to partner with civilian developers to build and renovate family housing on military

installations, to convey housing units to private companies, while retaining the land in Federal hands, to provide military members with the same type of housing that the people that they defend have the opportunity to live in, and create communities that look, feel and work like those outside a military base. But, unfortunately, we are losing an opportunity here for the Federal Government to be a better partner with the local communities in which they are situated.

I would hope that as we move forward with this through the legislative process and in subsequent years, that we reverse the presumption that we have a situation where the Department of Defense plays by the local land use and planning rules of the local community.

For instance, we saw in 1999 the Army proposed to develop a 700,000 square foot private shopping center on Fort Hood that would have severely affected the surrounding business community in Collin, Texas. We have an opportunity here to avoid having the Federal Government impose massive highway and infrastructure requirements on States and communities without their being able to realize any offsetting tax benefits.

I note that on the Senate side, in Section 8168 of the Defense Appropriations Act, it permits the City of San Antonio to exercise these responsibilities for the Brooks Air Force Base Demonstration Efficiency Project.

This should not be the exception. This should be the rule. We should be cooperating with local communities, we should be playing by their planning and zoning rules, we should be leading by example.

I am pleased that the bill has many other positive things, a 72 percent increase in the cleaning up of the environmental problems associated with base closings, but I hope that the committee will work with us to make sure that the military is a better partner with local communities to provide livability wherever our facilities are located.

Mr. HALL of Ohio. Mr. Speaker, I endorse the rule and the bill.

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

Mr. REYNOLDS. Mr. Speaker, I have no further requests for time, 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.

GENERAL LEAVE

Mr. HOBSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and that I be permitted to include tabular and extraneous material on H.R. 4425.

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

There was no objection.

MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2001

The SPEAKER pro tempore. Pursuant to House Resolution 502 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4425.

□ 1209

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. 4425) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes, with Mr. BARRETT of Nebraska 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 Ohio (Mr. HOBSON) and the gentleman from Massachusetts (Mr. OLVER) each will control 30 minutes.

The Chair recognizes the gentleman from Ohio (Mr. HOBSON).

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

Mr. Chairman, it is my pleasure to present to the House the recommendation for the military construction appropriations bill for fiscal year 2001. This is a bipartisan bill, and I want to thank my ranking member, the gentleman from Massachusetts (Mr. OLVER), for his assistance in putting this bill together this year once again. We have tried to work together to solve many of the problems that our military faces today. We have gone out and looked at various locations. We have gone around the world together a number of times looking at the various projects, trying in a learning mode to get a bill that we can all agree upon.

This bill presented to the House today totals \$8.6 billion. This represents a \$293 million, or 3 percent increase from last year's appropriation. However, the bill reflects a reduction of \$1.3 billion or 13 percent from the enacted level just 4 years ago. The bill is within the 302(b) allocation for both budget authority and outlays. The recommendations before the House are solid, and fully fund priority projects for the services and our troops.

The legislation helps meet the needs of our military families and improving our national security infrastructure. It is fiscally responsible, while supporting the housing, child care, and medical needs of our military.

Within the \$8.6 billion provided, we have been able to address quality-of-life issues, including \$759 million for

troop housing, \$43 million for child development centers, \$141 million for hospital and medical facilities, \$26 million for environmental compliance, \$859 million for new family housing units and for improvements to existing units, and \$2.7 billion for operation and maintenance of existing family housing units.

This year we have worked closely with the authorization committee, and

I would like to recognize the gentleman from Colorado (Mr. HEFLEY), whose chairmanship of the Subcommittee on Military Installations and Facilities will end at the conclusion of this Congress. This subcommittee has appreciated his cooperation and commitment to funding the infrastructure needs of our servicemen and their families the past 6 years.

In conclusion, this \$8.6 billion is less than 3 percent of the total defense budget and only 3 percent above last year's funding level, but this \$8.6 billion directly supports the men and women of our Armed Services. It increases productivity, readiness and recruitment, all very vital to a strong national defense.

Mr. Chairman, I include the following for the RECORD.

MILITARY CONSTRUCTION APPROPRIATIONS BILL, 2001 (H.R. 4425)
(Amounts in thousands)

	FY 2000 Enacted	FY 2001 Request	Bill	Bill vs. Enacted	Bill vs. Request
Military construction, Army.....	1,042,033	897,938	870,585	-171,448	-27,353
Foreign currency fluctuation adjustment.....			-635	-635	-635
Total.....	1,042,033	897,938	869,950	-172,083	-27,988
Military construction, Navy.....	901,531	753,422	894,269	-7,262	+140,847
Foreign currency fluctuation adjustment.....			-2,889	-2,889	-2,889
Total.....	901,531	753,422	891,380	-10,151	+137,958
Military construction, Air Force.....	777,238	530,969	703,903	-73,335	+172,934
Military construction, Defense-wide.....	593,615	784,753	807,429	+213,814	+22,676
Foreign currency fluctuation adjustment.....			-7,115	-7,115	-7,115
Total.....	593,615	784,753	800,314	+206,699	+15,561
Total, Active components.....	3,314,417	2,967,082	3,265,547	-48,870	+298,465
Military construction, Army National Guard.....	227,456	59,130	137,603	-89,853	+78,473
Military construction, Air National Guard.....	263,724	50,179	110,585	-153,139	+60,406
Military construction, Army Reserve.....	111,340	81,713	115,854	+4,514	+34,141
Military construction, Naval Reserve.....	28,457	16,103	53,004	+24,547	+36,901
Rescission.....			-2,400	-2,400	-2,400
Total.....	28,457	16,103	50,604	+22,147	+34,501
Military construction, Air Force Reserve.....	64,404	14,851	43,748	-20,656	+28,897
Total, Reserve components.....	695,381	221,976	458,394	-236,987	+236,418
Total, Military construction.....	4,009,798	3,189,058	3,723,941	-285,857	+534,883
Appropriations.....	(4,009,798)	(3,189,058)	(3,726,341)	(-283,457)	(+537,283)
Rescissions.....			(-2,400)	(-2,400)	(-2,400)
NATO Security Investment Program.....	81,000	190,000	177,500	+96,500	-12,500
Family housing, Army:					
New construction.....	41,000	91,974	115,974	+74,974	+24,000
Construction improvements.....	35,400	63,590	77,940	+42,540	+14,350
Planning and design.....	4,300	6,542	6,542	+2,242	
Foreign currency fluctuation adjustment.....			-1,951	-1,951	-1,951
Subtotal, construction.....	80,700	162,106	198,505	+117,805	+36,399
Operation and maintenance.....	1,086,312	978,275	971,704	-114,608	-6,571
Foreign currency fluctuation adjustment.....			-17,960	-17,960	-17,960
Subtotal, operation and maintenance.....	1,086,312	978,275	953,744	-132,568	-24,531
Total, Family housing, Army.....	1,167,012	1,140,381	1,152,249	-14,763	+11,868
Family housing, Navy and Marine Corps:					
New construction.....	134,674	159,317	213,720	+79,046	+54,403
Construction improvements.....	189,682	183,547	183,547	-6,135	
Planning and design.....	17,715	19,958	19,958	+2,243	
Foreign currency fluctuation adjustment.....			2,359	+2,359	+2,359
General reduction and revised economic assumptions.....	-1,000			+1,000	
Subtotal, construction.....	341,071	362,822	419,584	+78,513	+56,762
Operation and maintenance.....	891,470	882,638	882,638	-8,832	
Foreign currency fluctuation adjustment.....			-3,430	-3,430	-3,430
Subtotal, operation and maintenance.....	891,470	882,638	879,208	-12,262	-3,430
Total, Family housing, Navy and Marine Corps.....	1,232,541	1,245,460	1,298,792	+66,251	+53,332
Family housing, Air Force:					
New construction.....	203,411	36,677	61,417	-141,994	+24,740
Construction improvements.....	129,952	174,046	174,046	+44,094	
Planning and design.....	17,093	12,760	12,760	-4,333	
Foreign currency fluctuation adjustment.....			-6,839	-6,839	-6,839
General reduction and revised economic assumptions.....	-1,000			+1,000	
Subtotal, construction.....	349,456	223,483	241,384	-108,072	+17,901
Operation and maintenance.....	818,392	826,271	826,271	+7,879	
Foreign currency fluctuation adjustment.....			-5,392	-5,392	-5,392
Subtotal, operation and maintenance.....	818,392	826,271	820,879	+2,487	-5,392
Total, Family housing, Air Force.....	1,167,848	1,049,754	1,062,263	-105,585	+12,509
Family housing, Defense-wide:					
Construction improvements.....	50			-50	
Operation and maintenance.....	41,440	44,886	44,886	+3,446	
Total, Family housing, Defense-wide.....	41,490	44,886	44,886	+3,396	

MILITARY CONSTRUCTION APPROPRIATIONS BILL, 2001 (H.R. 4425)—Continued
(Amounts in thousands)

	FY 2000 Enacted	FY 2001 Request	Bill	Bill vs. Enacted	Bill vs. Request
Department of Defense Family Housing Improvement Fund.....	2,000			-2,000	
Total, Family housing.....	3,610,891	3,480,481	3,558,190	-52,701	+77,709
New construction.....	(379,085)	(287,968)	(391,111)	(+12,026)	(+103,143)
Construction improvements.....	(355,084)	(421,183)	(435,533)	(+80,449)	(+14,350)
Foreign currency fluctuation adjustment.....			(-6,431)	(-6,431)	(-6,431)
Planning and design.....	(39,108)	(39,260)	(39,260)	(+152)	
General reduction.....	(-2,000)			(+2,000)	
Operation and maintenance.....	(2,837,614)	(2,732,070)	(2,725,499)	(-112,115)	(-6,571)
Foreign currency fluctuation adjustment.....			(-26,782)	(-26,782)	(-26,782)
Family Housing Improvement Fund.....	(2,000)			(-2,000)	
Base realignment and closure accounts:					
Part IV.....	672,311	1,174,369	1,174,369	+502,058	
Grand total:					
New budget (obligational) authority.....	8,374,000	8,033,908	8,634,000	+260,000	+600,092
Appropriations.....	(8,374,000)	(8,033,908)	(8,636,400)	(+262,400)	(+602,492)
Rescissions.....			(-2,400)	(-2,400)	(-2,400)

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

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

Mr. Chairman, the major function of this military construction bill deals with the training and housing facilities for the men and women who serve us in our military forces, but also with the education, the health clinics and hospitals and the daycare centers that serve their families while they serve us.

At the very outset of this discussion I want to thank the gentleman from Ohio (Chairman HOBSON) particularly for the bipartisan spirit in which this bill has been prepared, and I wanted to recognize the close and cooperative relationship that has existed between the majority and minority staffs as the legislation has been prepared.

The bill before us, I believe, deserves our support. It is a good bill, prepared in that bipartisan spirit that I have mentioned. It provides for better work-places and housing for the men and women that serve our Nation, but also for better housing for their families.

The funds that are appropriated in this legislation are between 3 and 4 percent more than last year, so we are not losing ground in dealing with the facilities and housing backlog, which is a severe backlog in trying to keep up the quality of life for our personnel.

□ 1215

One of the biggest problems that has faced this committee over the past several years is the huge need for quality family housing for the military, and one of the major efforts to address this has been housing privatization in an effort to leverage Federal assets and allow the private sector to come to the table with expertise in housing construction and management. Implementing that program, however, has not been easy. There have been some false starts. It has been slow, but with the chairman's very strong leadership we are starting to make some real progress.

As part of his efforts, the committee is asking for the development of family housing master plans for each of the military services, and I particularly appreciate that these reports will review the economics behind the privatization programs and consider the market impact of the Defense Department's increase in the basic allowance for housing, which is to be fully phased in and implemented over the next several years.

All in all, I think that we are on the road to improving the quality of life for our military families, and I urge all of my colleagues to support this bill.

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

Mr. HOBSON. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. HAYES).

Mr. HAYES. Mr. Chairman, I rise to express the appreciation of the men and women who serve at Fort Bragg

and Pope Air Force Base. The chairman and the ranking member have outlined the details of the bill which are very important, but I rise to say that these men, particularly my chairman, have spent the time in the field listening to the concerns and seeing firsthand what the needs are and they have responded enthusiastically and in a very effective way with this bill.

I strongly support it and urge everyone to do the same.

Mr. OLVER. Mr. Chairman, I yield 5 minutes to the gentlewoman from California (Ms. LEE), for the purposes of a colloquy with the chairman.

Ms. LEE. Mr. Chairman, I want to thank the ranking member, the gentleman from Massachusetts (Mr. OLVER), for yielding me this time.

Mr. Chairman, I would like to engage the distinguished chairman of the subcommittee in a colloquy. I first want to commend the committee for their hard work in crafting the bill before us today. I know that funding for new initiatives or requested increases would be difficult. However, there is a project recently brought to my attention, which is vitally important to my district. The East Bay Municipal Water District, better known as East Bay MUD, is the water district for much of the East Bay, and it is required because of new Federal regulations to expand its waste water treatment plant. East Bay MUD is currently located adjacent to the bay and adjacent to land acquired by the Army Reserves through the 1995 base closure.

Through almost a year of negotiations, we have arrived at a solution to our problem and the Army Reserves is willing to move their entire operation to Camp Parks in Dublin, California. This would free up approximately 16 acres for East Bay MUD's expansion, and as well provide additional development of land for the City of Oakland. So this appears to be a very viable solution for our parties.

We are, therefore, requesting \$1.9 million to conduct a feasibility study. This would evaluate the alternatives and also plan and design for the land transfer. If feasible, the actual relocation would cost approximately \$18 million, which we would seek in another funding cycle if the study proves positive.

Mr. HOBSON. Mr. Chairman, will the gentlewoman yield?

Ms. LEE. I yield to the gentleman from Ohio.

Mr. HOBSON. I will be happy to work with the gentlewoman on this request. As she knows, we are working with tight funding restraints but we will do all we can to accommodate the request.

Ms. LEE. I thank the chairman and the ranking member for allowing me to bring this request to their attention, and I look forward to working with the committee on this important project.

Mr. KUCINICH. Mr. Chairman, I oppose the Military construction appropriations bill. This bill effectively appropriates \$65 million for the initial phase construction of a national ballistic

missile system. This bill will begin to pave the way for deploying a boondoggle of unprecedented size and a hoax of a military strategy, a so-called national missile defense system.

Once we begin down the road of an expanded nuclear defense system, there may be no turning back for Washington. If the history of defense funding serves, we will be creating policies to promote the use of and spending on more missiles. We will create a gravy train for every kooky weapons idea, without regard to effectiveness and affordability. We will undermine military readiness and we will weaken U.S. defense.

We need to stop this now before spending billions of dollars on a system that has only been previously tested on a computer as a simulation. Billions of taxpayers dollars will fund a weapons system that simply does not work. Let's really strengthen our military and use these funds for programs that work and that really defend against real threats.

According to testimony taken from Dr. David Wright of the Union of Concerned Scientists before the U.S. Senate Committee on Foreign Relations:

There have been no intercept tests of the NMD system, but since 1982 the U.S. has conducted 16 intercept tests of exo-atmospheric hit-to-kill interceptors, which operate in a similar manner to the planned NMD interceptor. To date, the test record of such interceptors has been abysmal. Only 2 of these 16 intercept tests scored hits, for a 13 percent success rate. And the test record is not getting better with time: the most recent successful high-altitude test occurred in January 1991 and the last 11 such intercept tests have been failures.

Moreover, deploying a national missile defense system will have devastating effect on United States-Russian arms reduction talks. Recently, the Russian Parliament has ratified the START II treaty. I think we have a great opportunity to lead by example but not deploying this dangerous system. Let's continue the dialog with Russia and cooperate on reducing nuclear military threats worldwide. Let us continue to fund successful programs, the Cooperative Threat Reduction program or the Nunn-Lugar program which aims to assist Russia in the denuclearization and demilitarization of the states of the former Soviet Union. This program has proven successful and effective in reducing nuclear threats, yet this program is due to receive little in comparison to the billions that will go to a ballistic missile technology which has not been proven to be successful and which can be easily defeated with countermeasures.

Mr. Speaker, I urge my colleagues to vote against this bill because it prematurely approves the construction of national missile defense system which has not been fully tested, does not work, and is of unprecedented cost.

Mr. UDALL of Colorado. Mr. Chairman, I support this bill because on balance, it is a good bill. In particular, it provides necessary funds for National Guard projects in my State of Colorado.

I would like to voice my concerns, however, about funding provided for the initial construction phase of a national missile defense system. I'm glad the committee didn't provide all the funds the President requested, and I'm glad the committee's report included language expressing concern that to date no site has been selected and a decision hasn't been made to go forward with this program.

I hope that the appropriation of these funds does not encourage a premature decision on the deployment of a national missile defense system. As so many have said, the intercept technology is clearly not ready for operational application, and I am convinced it would be irresponsible—as well as strategically disadvantageous—for us to make a unilateral move toward an inadequately tested defense system. I continue to believe that a decision to deploy that ignores technological and diplomatic considerations cannot possibly yield the best outcome.

Mr. GUTKNECHT. Mr. Chairman, I thank the Chairman and applaud the committee for including funding for a new National Guard Training and Community Center in Mankato, MN, in this year's military construction bill.

For the information of Members, the Mankato Training and Community Center was included in the 2001 Future Years Defense Plan and is one of the highest priorities of the Minnesota National Guard. The United States has called on its military for major deployments three times as much in the last 10 years as in the previous 40. If we continue to call on our military with an ever-increasing frequency we must also commit to updating the facilities and equipment which are essential to its mission.

We must not simply pour money into our military, without first ensuring that this money is being spent well. Training and community centers are a win-win solution, that gives value-added benefit to the local community and much greater benefit from the Government dollar. These facilities traditionally have been used only by the Guard unit and remain unused during the week when no training is conducted. By allowing the community to share in the use and cost of the new facility the community receives a state-of-the-art community center and the Guard benefits from a better facility than without the local community's contribution. The 2d battalion 135th Infantry in Mankato, MN is certainly in need of a new facility. The current facility is outdated and prohibits the Guard from carrying out its mission. The building was built in 1922 to hold Army horse cavalry which is needless to say, far different from the modern mechanized infantry which attempts to use the same facility today. It lacks adequate classrooms, administration facilities, training space and equipment storage areas. The unit can't even park its military vehicles on location, most are parked at the nearest National Guard facility 60 miles away.

This project is a win-win-win for the Minnesota National Guard, the local community, and our Nation's defense infrastructure. I thank the members who supported this bill.

Mr. PACKARD. Mr. Chairman, I am in support of H.R. 4425 the FY2001 Military Construction Appropriations Act. This bill provides funds to support our military men and women.

Mr. Chairman, the quality of life of our military service men and women is paramount to national security. Retaining skilled, talented, and hard-working men and women into the armed services cannot be guaranteed without ensuring that medical facilities meet medical needs. Our efforts to attract bright, gifted young people will struggle without military housing that protects and serves the needs of families. This bill makes much needed improvements on infrastructure and represents our commitment to those who put their lives on the line everyday to ensure that our quality of life is protected.

Mr. Chairman, H.R. 4425 also approves the Department of Defense's three-pronged approach to military housing needs which includes: eliminating out-of-pocket housing costs by raising the Basic Allowance for Housing (BAH), maintaining existing levels of military construction funding and continuing privatization projects. This legislation recognizes the varying cost-of-living throughout the United States and applies creative solutions to military housing needs.

I encourage my colleagues to support this legislation and continue our commitment to our military personnel.

Mr. RYAN of Wisconsin. Mr. Chairman, I see that the committee's report that accompanies this bill encourages the Deputy Under Secretary of Defense for Installations to ensure that up to date building control technologies are used in the Pentagon as that building is renovated. As the chairman of the subcommittee that funds DOD's capital construction budget, he understands that installing inadequate building control systems can increase the operations costs in future years. I commend the chairman for this wisdom.

However, the report suggests that the funding for this effort be taken from unobligated balances in the Energy Conservation Investment Program. The report further states that the Energy Conservation Investment Program has unobligated balances that total \$39 million. I have received information that the unobligated balances in that account may be much smaller. If that is the case, the funds for the Pentagon building controls may not be available. I believe such a result is unintended.

So I hope the Committee will look into this matter.

Mr. OLVER. Mr. Chairman, I yield back the remainder of my time.

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

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

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

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

The Clerk will read.

The Clerk read as follows:

H.R. 4425

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 military construction, family housing, and base realignment and closure functions administered by the Department of Defense, for the fiscal year ending September 30, 2001, and for other purposes, namely:

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facili-

ties, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, \$869,950,000, to remain available until September 30, 2005: *Provided*, That of this amount, not to exceed \$99,961,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, \$891,380,000, to remain available until September 30, 2005: *Provided*, That of this amount, not to exceed \$67,502,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, \$703,903,000, to remain available until September 30, 2005: *Provided*, That of this amount, not to exceed \$56,949,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, \$800,314,000, to remain available until September 30, 2005: *Provided*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as he may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided further*, That of the amount appropriated, not to exceed \$77,505,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities

for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$137,603,000, to remain available until September 30, 2005.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$110,585,000, to remain available until September 30, 2005.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$115,854,000, to remain available until September 30, 2005.

MILITARY CONSTRUCTION, NAVAL RESERVE
(INCLUDING RESCISSIONS)

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$53,004,000, to remain available until September 30, 2005: *Provided further*, That the funds appropriated for "Military Construction, Naval Reserve" under Public Law 105-45, \$2,400,000 is hereby rescinded.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$43,748,000, to remain available until September 30, 2005.

NORTH ATLANTIC TREATY ORGANIZATION
SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized in Military Construction Authorization Acts and section 2806 of title 10, United States Code, \$177,500,000, to remain available until expended.

FAMILY HOUSING, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: for Construction, \$198,505,000, to remain available until September 30, 2005; for Operation and Maintenance, and for debt payment, \$953,744,000; in all \$1,152,249,000.

FAMILY HOUSING, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance

premiums, as authorized by law, as follows: for Construction, \$419,584,000, to remain available until September 30, 2005; for Operation and Maintenance, and for debt payment, \$879,208,000; in all \$1,298,792,000.

FAMILY HOUSING, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: for Construction, \$241,384,000, to remain available until September 30, 2005; for Operation and Maintenance, and for debt payment, \$820,879,000; in all \$1,062,263,000.

FAMILY HOUSING, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for construction, including acquisition, replacement, addition, expansion, extension and alteration, and for operation and maintenance, leasing, and minor construction, as authorized by law, for Operation and Maintenance, \$44,886,000.

BASE REALIGNMENT AND CLOSURE ACCOUNT

For deposit into the Department of Defense Base Closure Account 1990 established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991 (Public Law 101-510), \$1,174,369,000, to remain available until expended: *Provided*, That not more than \$865,318,000 of the funds appropriated herein shall be available solely for environmental restoration, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated in Military Construction Appropriations Acts shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed \$25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds appropriated to the Department of Defense for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds appropriated to the Department of Defense for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds appropriated in this Act may be used to begin construction of new bases inside the continental United States for which specific appropriations have not been made.

SEC. 105. No part of the funds provided in Military Construction Appropriations Acts shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or his designee; (3) where the estimated value is less than \$25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds appropriated in Military Construction Appropriations Acts

shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Military Construction Appropriations Acts.

SEC. 107. None of the funds appropriated in Military Construction Appropriations Acts for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations.

SEC. 108. No part of the funds appropriated in Military Construction Appropriations Acts may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds appropriated in Military Construction Appropriations Acts may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations.

SEC. 111. None of the funds appropriated in Military Construction Appropriations Acts may be obligated for architect and engineer contracts estimated by the Government to exceed \$500,000 for projects to be accomplished in Japan, in any NATO member country, or in countries bordering the Arabian Gulf, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds appropriated in Military Construction Appropriations Acts for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Gulf, may be used to award any contract estimated by the Government to exceed \$1,000,000 to a foreign contractor: *Provided*, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: *Provided further*, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense is to inform the appropriate committees of Congress, including the Committees on Appropriations, of the plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed \$100,000.

SEC. 114. Not more than 20 percent of the appropriations in Military Construction Appropriations Acts which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year.

(TRANSFER OF FUNDS)

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and

design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds appropriated to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were appropriated if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(TRANSFER OF FUNDS)

SEC. 118. During the 5-year period after appropriations available to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation "Foreign Currency Fluctuations, Construction, Defense" to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 119. The Secretary of Defense is to provide the Committees on Appropriations of the Senate and the House of Representatives with an annual report by February 15, containing details of the specific actions proposed to be taken by the Department of Defense during the current fiscal year to encourage other member nations of the North Atlantic Treaty Organization, Japan, Korea, and United States allies bordering the Arabian Gulf to assume a greater share of the common defense burden of such nations and the United States.

(TRANSFER OF FUNDS)

SEC. 120. During the current fiscal year, in addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991, to be merged with, and to be available for the same purposes and the same time period as that account.

Mr. HOBSON (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 15 line 3 be considered as read, printed in the RECORD and open to amendment at any point.

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

There was no objection.

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

Mr. TRAFICANT. Mr. Chairman, I have an amendment on page 15 after line 9.

The CHAIRMAN. The Clerk will report that section of the bill.

The Clerk read as follows:

SEC. 121. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c, popularly known as the "Buy American Act").

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment on page 15, after line 9, which would be section 121(b), a new section.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT:
On page 15, line 4, after "Sec. 121" insert "(a)".

On page 15, after line 9 insert the following:

"(b) No funds made available under this Act shall be made available to any person or entity who has been convicted of violating the Act of March 3, 1933 (41 U.S.C. 10a-10c, popularly known as the "Buy American Act")."

Mr. TRAFICANT. Mr. Chairman, we will be participating in building a facility in Italy that will be covered by Italian law that will limit all contractors to be Italians. My language is not restrictive. All it says is, abide by our buy American law and if anybody has been convicted of having violated it, they cannot, in fact, receive contracts under this bill.

Now, to the best of my knowledge, there is no one at this point that has violated it but it begins to set a precedent for those to understand that one shall not violate the Buy American Act even though I believe it should be stronger, but they shall not violate it under any circumstances.

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

Mr. TRAFICANT. I yield to the gentleman from Ohio.

Mr. HOBSON. Mr. Chairman, we have no objection to the amendment.

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

Mr. TRAFICANT. I yield to the gentleman from Massachusetts.

Mr. OLVER. Mr. Chairman, we have no objection.

Mr. TRAFICANT. Mr. Chairman, I urge an aye vote on the amendment and on this fine bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

The amendment was agreed to.

Mr. BISHOP. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise today in support of H.R. 4425, the Military Construction Appropriations bill for fiscal year 2000. I wish to commend the gentleman from Ohio (Chairman HOBSON) and the gentleman from Massachusetts (Mr. OLVER) and the Committee on Appropriations for crafting a bill which provides the necessary funding to improve the quality of life of our men and women in our armed forces.

I believe that this measure goes a long way in addressing the backlog in readiness, revitalization and quality of life projects. The measure before us today will fund the planning and con-

struction of several barracks, family housing and operational facilities.

The Second Congressional District of Georgia is home to three military installations, Fort Benning, home of the 75th Ranger Regiment and this year's winner of the Army Chief-of-Staff's Army Communities of Excellence Awards; Moody Air Force Base in Valdosta, home of the 347th Fighter Wing, and the Marine Corps Logistics Center and Materiel Command Base in my hometown of Albany, Georgia.

I have seen firsthand the excellent work that our fighting men and women do, often under very, very difficult circumstances. Our responsibility is to make their jobs easier. We cannot expect to attract qualified recruits and retain them if we provide inadequate facilities for them while they are in.

This measure would provide Fort Benning with \$24 million for Phase III of barracks construction and \$15.8 million for fixed wing aircraft parking aprons. It provides \$1.1 million for the renovation of the vehicle storage facility at the Marine Corps Logistics Base in Albany, and it provides \$2.5 million for a badly needed water treatment plant at Moody Air Force Base.

The portions of the bill that I just spoke of place a human face on this debate for my constituents, Mr. Chairman. We know that we have the most technologically advanced military in the world. Therefore, we must continue to improve the quality of life for the men and women who are the heart and soul of that military. This bill does a very good job of doing just that, and, therefore, I strongly urge my colleagues to support the measure.

Mr. HOBSON. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 20, line 5, be considered as read, printed in the RECORD and open to amendment at any point.

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

There was no objection.

The text of the bill from page 15, line 10, through page 20, line 5, is as follows:

SEC. 122. (a) In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) In providing financial assistance under this Act, the Secretary of the Treasury shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

(TRANSFER OF FUNDS)

SEC. 123. Subject to 30 days prior notification to the Committees on Appropriations, such additional amounts as may be determined by the Secretary of Defense may be transferred to the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund:

Provided, That appropriations made available to the Fund shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169, title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing and supporting facilities.

SEC. 124. None of the funds appropriated or made available by this Act may be obligated for Partnership for Peace Programs in the New Independent States of the former Soviet Union.

SEC. 125. (a) Not later than 60 days before issuing any solicitation for a contract with the private sector for military family housing the Secretary of the military department concerned shall submit to the congressional defense committees the notice described in subsection (b).

(b)(1) A notice referred to in subsection (a) is a notice of any guarantee (including the making of mortgage or rental payments) proposed to be made by the Secretary to the private party under the contract involved in the event of—

(A) the closure or realignment of the installation for which housing is provided under the contract;

(B) a reduction in force of units stationed at such installation; or

(C) the extended deployment overseas of units stationed at such installation.

(2) Each notice under this subsection shall specify the nature of the guarantee involved and assess the extent and likelihood, if any, of the liability of the Federal Government with respect to the guarantee.

(c) In this section, the term “congressional defense committees” means the following:

(1) The Committee on Armed Services and the Military Construction Subcommittee, Committee on Appropriations of the Senate.

(2) The Committee on Armed Services and the Military Construction Subcommittee, Committee on Appropriations of the House of Representatives.

(TRANSFER OF FUNDS)

SEC. 126. During the current fiscal year, in addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the account established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991, to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program. Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 127. Notwithstanding this or any other provision of law, funds appropriated in Military Construction Appropriations Acts for operations and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including flag and general officer quarters: *Provided*, That not more than \$25,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days advance prior notification of the appropriate committees of Congress: *Provided further*, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations all operations and maintenance expenditures for each individual flag and general officer quarters for the prior fiscal year.

SEC. 128. The Army, Navy, Marine Corps, and Air Force are directed to submit to the appropriate committees of the Congress by

July 1, 2001, a Family Housing Master Plan demonstrating how they plan to meet the year 2010 housing goals with traditional construction, operation and maintenance support, as well as privatization initiative proposals. Each plan shall include projected life cycle costs for family housing construction, basic allowance for housing, operation and maintenance, other associated costs, and a time line for housing completions each year.

(TRANSFER OF FUNDS)

SEC. 129. During fiscal year 2001, in addition to any other transfer authority available to the Department of Defense, funds appropriated in the Military Construction Appropriations Act, 2000 (Public Law 106-52; 113 Stat. 259) under the heading “MILITARY CONSTRUCTION, NAVAL RESERVE” and still unobligated may be transferred to the account for “MILITARY CONSTRUCTION, NAVY”. Amounts transferred under this section shall be merged with, and be available for the same period as, the amounts in the account to which transferred and shall be available to construct, under the authority of section 2805 of title 10, United States Code, an elevated water storage tank at the Naval Support Activity Midsouth, Millington, Tennessee.

SEC. 130. Notwithstanding any other provision of law, the Secretary of the Navy is authorized to use funds received pursuant to section 2601 of title 10, United States Code, for the construction, improvement, repair, and maintenance of the historic residences located at Marine Corps Barracks, 8th and I Streets, Washington, DC: *Provided*, That the Secretary notifies the appropriate committees of Congress thirty days in advance of the intended use of such funds.

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

Mr. EDWARDS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I really want to come to the floor to compliment the gentleman from Ohio (Mr. HOBSON), the chairman of the subcommittee, and the gentleman from Massachusetts (Mr. OLVER), the ranking Democratic member. The way this process works is when a bill is put together on a thorough, careful, fair and bipartisan basis, it brings to it very little press attention.

We will have to talk about this today because in tomorrow's newspapers and on the evening news tonight, we will not read about the military construction bill. It is sad that Americans will not know what has been done here on the House today and what has led up to this fact, because the fact is that we owe it to the men and women of this country who put on a uniform and put their lives on the line to ensure that they can have a quality of life; education for their children; housing and health care for their children. Quality of life for military servicemen and women and their families is what this military construction bill is all about, and because of the fair and bipartisan leadership of the gentleman from Ohio (Mr. HOBSON), in his partnership with the gentleman from Massachusetts (Mr. OLVER), and the committee, this money, these taxpayer dollars, are being spent wisely in a way that will improve the readiness of our military forces and give the kind of quality of care that our military servicemen and women deserve.

□ 1230

Just one final note. I was recently on a trip with several other Members of the House and met a young Army private who had missed the birth, the recent birth, of his first child.

I do not know how we can ever repay somebody like that. As a father of a 2-year-old and a 4-year-old, I cannot imagine what it would have been like not to have been there when my wife, Lea Ann, gave birth to our children. What a special moment for all of us in this House that are fathers, to be there with our wives when our children are born.

But while we cannot put a dollar value on that sacrifice that that young private of the Army gave, what we can do and are doing, under the leadership of the chairman and the ranking member today, is saying to our service men and women, we do appreciate them. We not only appreciate them with our words, but with our deeds.

I want to compliment the committee leadership for a great effort on putting together this fair and bipartisan package that makes sense for the taxpayers and for our military.

The CHAIRMAN. Are there further amendments to the bill?

If not, the Clerk will read the last 2 lines of the bill.

The Clerk read as follows:

This Act may be cited as the “Military Construction Appropriations Act, 2001”.

The CHAIRMAN. If there are no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HAYES) having assumed the chair, Mr. Barrett of Nebraska, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4425) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes, pursuant to House Resolution 502, he 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.

The question is on the amendment.

The amendment 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.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 386, nays 22, not voting 26, as follows:

[Roll No. 184]

YEAS—386

Aderholt Dixon Kilpatrick
 Allen Doggett Kind (WI)
 Andrews Doollittle King (NY)
 Archer Doyle Kingston
 Armev Dreier Kleczka
 Baca Dunn Knollenberg
 Bachus Edwards Kolbe
 Baird Ehlers Kuykendall
 Baker Ehrlich LaHood
 Baldacci Emerson Lampson
 Baldwin Engel Lantos
 Ballenger English Larson
 Barcia Eshoo Latham
 Barr Etheridge LaTourette
 Barrett (NE) Evans Lazio
 Bartlett Everett Leach
 Barton Ewing Levin
 Bass Farr Lewis (CA)
 Bateman Fattah Lewis (GA)
 Becerra Filner Lewis (KY)
 Bentsen Fletcher Linder
 Bereuter Foley Lipinski
 Berkley Forbes Lowey
 Berman Ford Lucas (KY)
 Berry Fossella Lucas (OK)
 Biggert Fowler Luther
 Bilbray Frelinghuysen Maloney (NY)
 Billarakis Frost Manzullo
 Bishop Gallegly Martinez
 Blagojevich Ganske Mascara
 Bliley Gejdenson Matsui
 Blumenauer Gekas McCarthy (MO)
 Blunt Gephardt McCarthy (NY)
 Boehlert Gibbons McCreery
 Boehner Gilchrest McGovern
 Bonilla Gillmor McHugh
 Bonior Gilman McInnis
 Bono Gonzalez McIntyre
 Borski Goode McKeon
 Boswell Goodlatte Meehan
 Boucher Goodling Meek (FL)
 Boyd Gordon Meeks (NY)
 Brady (PA) Goss Menendez
 Brady (TX) Graham Metcalf
 Brown (FL) Granger Mica
 Brown (OH) Green (TX) Millender-
 Bryant Green (WI) McDonald
 Burr Greenwood Miller (FL)
 Burton Gutierrez Miller, Gary
 Buyer Hall (OH) Miller, George
 Callahan Hall (TX) Minge
 Calvert Hansen Mink
 Camp Hastings (FL) Moakley
 Canady Hastings (WA) Mollohan
 Cannon Hayes Moore
 Capps Hayworth Moran (KS)
 Cardin Hefley Moran (VA)
 Carson Herger Morella
 Castle Hill (IN) Murtha
 Chabot Hill (MT) Myrick
 Chambliss Hilleary Napolitano
 Chenoweth-Hage Hilliard Nethercutt
 Clayton Hinojosa Ney
 Clement Hobson Northup
 Clyburn Hoeffel Norwood
 Coble Hoekstra Nussle
 Coburn Holden Oberstar
 Collins Holt Obey
 Combest Hooley Olver
 Condit Horn Ortiz
 Cook Hostettler Ose
 Cooksey Hoyer Oxley
 Costello Hulshof Packard
 Cox Hunter Pallone
 Coyne Hutchinson Pascarell
 Cramer Hyde Pastor
 Crane Insee Pease
 Crowley Isakson Pelosi
 Cubin Istook Peterson (MN)
 Cummings Jackson (IL) Peterson (PA)
 Cunningham Jackson-Lee Petri
 Davis (FL) (TX) Phelps
 Davis (IL) Jefferson Pickering
 Davis (VA) Jenkins Pickett
 Deal John Pitts
 DeFazio Johnson (CT) Pomo
 DeGette Johnson, E. B. Pomeroy
 Delahunt Johnson, Sam Porter
 DeLauro Jones (NC) Portman
 DeLay Jones (OH) Price (NC)
 DeMint Kanjorski Pryce (OH)
 Deutsch Kaptur Quinn
 Diaz-Balart Kasich Radanovich
 Dickey Kelly Rahall
 Dicks Kennedy Ramstad
 Dingell Kildee Rangel

Regula Shuster Tiahrt
 Reyes Simpson Toomey
 Reynolds Sisisky Towns
 Riley Skeen Traficant
 Rodriguez Slaughter Turner
 Roemer Smith (MI) Udall (CO)
 Rogan Smith (NJ) Upton
 Rogers Smith (TX) Velazquez
 Rohrabacher Smith (WA) Vislosky
 Ros-Lehtinen Snyder Vitter
 Rothman Souder Walden
 Roukema Spence Walsh
 Roybal-Allard Spratt Wamp
 Rush Stabenow Waters
 Ryan (WI) Stearns Watkins
 Ryan (KS) Stenholm Watt (NC)
 Sabo Strickland Watts (OK)
 Sanchez Stump Waxman
 Sanders Sununu Weiner
 Sandlin Sweeney Weldon (FL)
 Sanford Talent Weller
 Sawyer Tancredo Wexler
 Saxton Tanner Weygand
 Scarborough Tauscher Whitfield
 Schaffer Tauzin Wicker
 Schakowsky Taylor (MS) Wilson
 Scott Taylor (NC) Wise
 Sessions Terry Wolf
 Shadegg Thomas Woolsey
 Shaw Thompson (CA) Wynn
 Shays Thompson (MS) Young (AK)
 Sherman Thornberry Young (FL)
 Sherwood Thune
 Shimkus Thurman

NAYS—22

Barrett (WI) Lofgren Rivers
 Capuano Markey Royce
 Conyers McDermott Sensenbrenner
 Duncan McKinney Stark
 Frank (MA) Nadler Tierney
 Klink Owens Wu
 Kucinich Paul
 Lee Payne

NOT VOTING—26

Abercrombie Houghton Salmon
 Ackerman LaFalce Serrano
 Campbell Largent Shows
 Clay LoBiondo Skelton
 Danner Maloney (CT) Stupak
 Dooley McCollum Udall (NM)
 Franks (NJ) McIntosh Vento
 Gutmacht McNulty Weldon (PA)
 Hinchey Neal

□ 1251

Messrs. CAPUANO, OWENS and PAYNE changed their vote from "yea" to "nay".

Mr. MCGOVERN changed his vote from "nay" to "yea".

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. SALMON. Mr. Speaker, due to an unavoidable absence, I was unable to be present for House consideration of H.R. 4425, Military Construction Appropriations for FY 2001 (roll-call No. 184). Had I been present I would have voted "yea."

Mr. GUTKNECHT. Mr. Speaker, I was unavoidably detained earlier today and was not present for rollcall vote No. 184. Had I been present, I would have voted "aye."

COMPREHENSIVE BUDGET PROCESS REFORM ACT OF 1999

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 499 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 499

Resolved, That at any time after the adoption of this resolution the Speaker may, pur-

suant 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. 853) to amend the Congressional Budget Act of 1974 to provide for joint resolutions on the budget, reserve funds for emergency spending, strengthened enforcement of budgetary decisions, increased accountability for Federal spending, accrual budgeting for Federal insurance programs, mitigation of the bias in the budget process toward higher spending, modifications in paygo requirements when there is an on-budget surplus, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed 90 minutes, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget, 30 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Rules, and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule.

In lieu of the amendments recommended by the Committee on the Budget, the Committee on Rules, and the Committee on Appropriations 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 an amendment in the nature of a substitute consisting of the text of H.R. 4397. That amendment in the nature of a substitute shall be considered as read. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendments printed in the report are waived. 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 (Mr. HAYES). The gentleman from Florida (Mr. GOSS) is recognized for 1 hour.

Mr. GOSS. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the distinguished gentleman from the Commonwealth of Massachusetts (Mr. MOAKLEY); pending which I yield myself such time as I

may consume. During consideration of this resolution, all time yielded is for the purpose of debate on this subject only.

(Mr. GOSS asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. GOSS. Mr. Speaker, this is an appropriate structured rule for consideration of the Comprehensive Budget Reform Act of 1999. As one of the authors of the underlying bill, I can tell my colleagues that great pains were taken to accommodate the concerns of our House committees and Members in this legislation.

In fashioning this rule, we have taken similar care to ensure, as best as possible, a nonpartisan substantive debate about our budget process. Leaving aside our budget policy differences, and I emphasize policy, we do hope to come to a consensus on an improved, outcome-neutral budget process.

The rule provides for 90 minutes of general debate, divided fairly between the three committees of jurisdiction, the Committee on Budget, the Committee on Rules, and Committee on Appropriations. The rule makes in order seven amendments from both sides of the aisle. Three of those amendments are attempts to put a section back into the bill that were dropped at the request of committees. One aims to strike altogether the linchpin of the bill, the Joint Budget Resolution. So I think that the Committee on Rules has clearly erred on the side of the inclusion of the amendment process, if we have erred at all on this.

Mr. Speaker, when I came to Congress, I suspect I was like most Americans out there watching the debate on budget process. I knew little about how the budget process worked in Washington, and what I did know did not make a whole lot of sense.

Since becoming the chairman of the Subcommittee on Legislative and Budget Process nearly 6 years ago, I had a chance to learn a great deal about the inner workings of our congressional budget process. I have really been down in the weeds on a lot of the issues and listened to the best and the brightest budget experts we can find and all their green eye shade associates who have come forward and tried to help us along in this process.

□ 1300

I have also lived through a number of our annual budget battles, which have not been particularly pretty, as many will recall. Through these experiences, I have arrived at one simple truth about our budget process. The best reforms in the world are meaningless if at the end of the day, Members are not committed to enforcing them. So enforcement is a big issue, and we have certainly provided for it in this rule when we get to the debate.

H.R. 853 recognizes this is a reality. It properly encourages the President and Congress to agree on a joint budget

resolution, but provides the flexibility of a fallback in years they elect not to do that, although we create the incentives to do that. We get real about budgeting for emergencies by adding a rainy day reserve fund, but we do so in a way that is workable and serious.

Instead of creating rigid procedural sticks that will be ignored, we encourage committees and Members to be better stewards of their programs and agencies under their jurisdiction. In Florida, we believe in sunshine, and I am hopeful a little sunshine will enhance oversight and accountability inside the Beltway as well.

Along those lines, I think that the amendment of the chairman of the Committee on Rules, the gentleman from California (Mr. DREIER), to convert the current annual budget and appropriations process to a biennial one is a particularly good fit for this bill. By structuring our calendar to prefer budget matters in the first year and oversight in the second, we will create an atmosphere where both responsibilities show signs of improvement. It is a good amendment, and I hope it is adopted once we consider it.

Let me be very clear, H.R. 853 is not a panacea for all that ails us, and it is certainly not foolproof. We will still have our policy differences and we will still use, possibly abuse, the budget process to advance individual causes. But this is a good bipartisan work product, primarily because it does not attempt to solve every problem.

The gentleman from Iowa (Mr. NUSSLE) and the gentleman from Maryland (Mr. CARDIN), from opposite sides of the aisle, should be commended for resisting the temptation to use this vehicle for partisan manipulation. While H.R. 853 has many parents, I would like to congratulate them in particular for their leadership and resolve throughout the last few years. As I say, this has been in the works for a long time.

Whatever our view on the individual budget process reform pieces that are going to be offered up, we should be able to support this rule. All of the major substantive amendments presented to us have been made in order. We have not gamed the system to give preference to any controversial provision. We have taken the guidance of the Speaker, the gentleman from Illinois (Mr. HASTERT), to heart and let the House work its will on a nonpartisan basis. I urge a "yes" vote on the rule.

BIENNIAL BUDGETING AMENDMENT TO H.R. 853, THE COMPREHENSIVE BUDGET PROCESS REFORM ACT OF 1999

SECTION-BY-SECTION SUMMARY

Offered by Reps. Dreier, Luther, Regula, Hall (OH), Bass, McCarthy (MO), Goss, Condit, et al.

"To provide for a biennial budget and appropriations process and to enhance programmatic oversight and the management, efficiency, and performance of the Federal Government."

Short Summary: Establishes a two-year budgeting and appropriations cycle and timetable. Defines the budget biennium as

the two consecutive fiscal years beginning on October 1 of any odd-numbered year. Sets forth a special timetable for any first session that begins in any year during which the term of a President begins (except one who starts a second consecutive term).

Adds a New Title VII Entitled "Biennial Budgeting"

Section 701. Findings. Outlines nine congressional findings on the budget process and biennial budgeting.

Section 702. Revision of Timetable. Amends section 300 of the Congressional Budget and Impoundment Control Act of 1974 to revise the timetable of the congressional budget process to reflect a biennial budget schedule. The first session of any Congress is primarily devoted to the consideration of the budget resolution, the regular appropriations bills, and any necessary reconciliation legislation. In general, the revised timetable is similar to the current timetable except that most of the milestones only apply to the first session of a Congress. The timetable is modified to extend the deadline for completion of the biennial budget resolution to May 15th. The revised timetable contains only three deadlines for the second session: (1) The President must submit a mid-biennium budget review to Congress by February 15th; (2) the Congressional Budget Office must submit its annual report to the Budget Committees of the House and the Senate no later than six weeks after the President submits the budget review; and (3) Congress must complete action on bills and resolutions authorizing new budget authority for the succeeding biennium by the last day of the session. This section also creates a new section 300(b) of the Budget Act that establishes a special timetable for the submission and consideration of a budget in the case of any first session of Congress that begins in any year during which the term of a President (except a President who succeeds himself) begins. Generally, the budget deadlines are extended by 6 weeks to give a new President more time to prepare and submit the budget.

Section 701. Amendments to the Congressional Budget and Impoundment Control Act of 1974. Section 703(a) amends section 2(2) of the Budget Act relating to the "Declaration of Purposes" of the Budget Act to account for the congressional determination biennially of the appropriate level of Federal revenues and expenditures.

Section 703(b)(1) amends the definition of a budget resolution in section 3(4) of the Budget Act to reflect its application to a biennium as opposed to a fiscal year.

Section 703(b)(2) amends section 3 of the Budget Act by adding a new paragraph (13) to define the term biennium as "the period of two consecutive fiscal years beginning on October 1 of any odd-number year."

Section 703(c) amends the Budget Act to make the budget resolution a biennial concurrent resolution on the budget.

Section 703(c)(1) amends section 301(a) of the Budget Act regarding the required contents of the budget resolution to conform its application to the biennium beginning on October 1 of each odd-numbered year and its consideration to the biennial timetable for completion, which is by May 15 of each odd-numbered year.

Section 703(c)(2) amends action 301(b) of the Budget Act to ensure that the additional matters which may be included in the budget resolution apply to a biennium.

Section 703(c)(3) amends section 301(d) of the Budget Act to conform the submission of committee views and estimates to the Budget Committees to a biennial cycle.

Section 703(c)(4) amends section 301(e)(1) of the Budget Act to conform the requirements of the Budget Committee's hearings on the

budget and the Budget Committee's reporting of the budget resolution to a biennial schedule. The House Budget Committee would report a biennial budget resolution by April 1st of each odd-numbered year.

Section 703(c)(5) amends section 301(f) of the Budget Act relating to the achievement of goals for reducing unemployment to conform it to a biennial cycle.

Section 703(c)(6) amends section 301(g)(1) of the Budget Act to conform the provisions relating to the economic assumptions of the budget resolution to a biennial schedule.

Section 703(c)(7) and 8) amend section 301 to make conforming changes to the section heading and the table of contents of the Budget Act.

Section 703(d) amends section 302(a) of the Budget Act regarding committee allocations in the budget resolution, to require the conference report on a budget resolution to include an allocation of budget authority and outlays to each committee for each year in the biennium and the total of all fiscal years covered by the resolution as well as makes conforming change to subsections (f) and (g) of section 302 to reflect a biennial cycle and the biennial timetable.

Section 701(e)(1) amends section 303(a) of the Budget Act, which prohibits consideration of legislation, as reported, providing new budget authority, changes in revenues, or changes in the public debt for a fiscal year until the budget resolution for that year has been agreed to, to reflect the application of the budget resolution to a biennium.

Section 703(e)(2) amends section 303(b) of the Budget Act relating to the exceptions in the House of Representatives from the application of this point of order, to account for a biennial budget cycle. The application of these exceptions are also amended to reflect the special biennial timetable utilized during the first term of a new President.

Section 703(e)(3) amends section 303(c)(1) of the Budget Act to conform the application of this point of order in the Senate to a biennial budget cycle.

Section 703(f) amends section 304 of the Budget Act, regarding permissible revisions of budget resolutions, to conform to the biennial budget cycle. This subsection maintains current law which allows Congress to revise the budget resolution at any time during the biennium.

Section 703(g) amends section 305(a)(3) of the Budget Act, relating to the procedures for consideration of the budget resolution, to conform references to the budget resolution to account for its application to a biennium.

Section 703(h) amends section 307 of the Budget Act to conform the timetable for completing House Appropriations Committee action on regular appropriations bills by June 10 to a biennial cycle. This section also makes conforming amendments to reflect the special biennial timetable utilized during the first term of a new President.

Section 703(i) amends section 308 of the Budget Act to require the Congressional Budget Office to file quarterly budget reports with the House and Senate Budget Committees. These reports are to compare revenues, spending, and the deficit or surplus for the current fiscal year with the assumptions used in the congressional budget resolution. CBO is also required to make the reports available to other interested parties upon request. These reports will enable the Congress to compare actual budget results to earlier estimates. The frequent periodic reports by CBO on the progress of fiscal policy and economic developments since action on the budget resolution will inform the Congress about current status of the budget and its earlier underlying projections by using updated projects and actual budget figures to date. The reports can also serve to facilitate

additional reconciliation legislation (between biennial budget resolutions) as necessary due to changes in the economy or policy emphasis.

Section 703(j) amends section 309 of the Budget Act to conform the timetable for completion of all House action on the regular appropriation bills before the House adjourns for more than three calendar days during the month of July. This section also makes conforming amendments to reflect the special biennial timetable utilized during the first term of a new President.

Section 703(k) amends section 310 of the Budget Act to conform the reconciliation process to a biennial budget cycle. It also strikes subsection (f) which currently prohibits the House from adjourning for more than 3 calendar days during the month of July until all required reconciliation legislation is completed. This is necessary to reflect the budget resolutions application to the biennium and the possibility of considering reconciliation legislation during the second session.

Section 703(l)(1) and (2) amend section 311(a)(1) and (2) of the Budget Act respectively, to prohibit consideration in the House or Senate of any legislation that would cause the total levels of budget authority or total levels of outlays to greater than or that would cause the total level of revenues to be less than those levels set forth in the most recently agreed to budget resolution for either fiscal year of the biennium or for the total of each fiscal year in the biennium and the ensuing fiscal years for which allocations are provided in the budget resolution.

Section 703(l)(3) amends section 311(a)(3) of the Budget Act to conform the point of order in the Senate against any legislation that would cause a decrease in the Social Security levels set forth in the budget resolution for a biennial budget cycle.

Section 703(m) amends section 312(c) of the Budget Act to conform the Senate's maximum deficit amount point of order for a biennial budget cycle.

Section 704. Amendments to the Rules of the House of Representatives. Section 704(a) amends clause 4(a)(1)(A) of rule X of the Rules of the House of Representatives, relating to the required Appropriations Committee hearings on the President's budget submission, to conform to the biennial timetable.

Section 704(b) amends clause 4(a)(4) of Rule X of the Rules of the House, relating to the suballocations of the Appropriations Committee, to conform to a biennial budget resolution.

Section 704(c) amends clause 4(b)(2) of Rule X of the Rules of the House, relating to the Budget Committee's hearings on the budget, to conform to a biennial budget resolution.

Section 704(d) amends clause 4(b) of Rule X of the Rules of the House to add a new subparagraph (7), to require the House Budget committee to use the second session of each Congress to study issues with long-term budgetary and economic implications, including holding hearings and receiving testimony from committees of jurisdiction to identify problem areas and to report on the results of their oversight activities. The Budget Committee should issue to the Speaker by January 1 of each odd-numbered year a report identifying the key issues facing the Congress in the next biennium.

Section 704(e) amends clause 11(i) of Rule X of the Rules of the House, relating to the duties of the Permanent Select Committee on Intelligence, to conform to a biennial budget cycle.

Section 704(f) amends clause 4(e) of Rule X of the Rules of the House, relating to the duties of the standing committees of the House

to maximize annual appropriations for the programs and actives within their jurisdictions, to establish a new preference for biennial appropriations.

Section 704(g) amends clause 4(f) of Rule X of the Rules of the house, relating to the Budget Act responsibilities of the standing committees of the House, to conform to a biennial timetable.

Section 704(h) amends clause 3(d)(2)(A) of Rule XIII of the Rules of the House, relating to committee cost estimates, to conform to a biennial timetable.

Section 704(i) amends clause 5(a)(1) of Rule XIII of the Rules of the House, relating to privileged reports from the Appropriations Committee, to conform to a biennial timetable.

Section 705. Amendments to Title 31, United States Code. Section 705(a) amends section 1101 of Title 31 to define the term biennium as "the period of two consecutive fiscal years beginning on October 1 of any odd-numbered year." This is the same definition given such term in paragraph (11) of section 3 of the Budget Act.

Section 705(b)(1) amends section 1105 of Title 31 to require that on or before the first Monday in February of each odd-numbered year (or, if applicable, as provided by section 300(b) of the Budget Act), the President shall transmit to Congress, the budget for the biennium beginning on October 1 of such calendar year. The President must include a budget message and summary and supporting information with the budget submission.

Section 705(b)(2) amends section 1105(a)(5) of Title 31 to conform the required contents of the budget submission with respect to expenditures to account for a biennial budget cycle.

Section 705(b)(3) amends section 1105(a)(6) of Title 31 to conform the required contents of the budget submission with respect to receipts to account for a biennial budget cycle.

Section 705(b)(4) amends section 1105(a)(9)(C) of Title 31 to conform the required contents of the budget submission with respect to balance statements to account for a biennial budget cycle.

Section 705(b)(5) amends section 1105(a)(12) of Title 31 to conform the required contents of the budget submission with respect to government functions and activities to account for a biennial budget cycle.

Section 705(b)(6) amends section 1105(a)(13) of Title 31 to conform the required contents of the budget submission with respect to allowances to account for a biennial budget cycle.

Section 705(b)(7) amends section 1105(a)(14) of Title 31 to conform the required contents of the budget submission with respect to allowances for unanticipated and uncontrollable expenditures to account for a biennial budget cycle.

Section 705(b)(8) amends section 1105(a)(16) of Title 31 to conform the required contents of the budget submission with respect to tax expenditures to account for a biennial budget cycle.

Section 705(b)(9) amends section 1105(a)(17) of Title 31 to conform the required contents of the budget submission with respect to estimates for future fiscal years to account for a biennial budget cycle.

Section 705(b)(10) amends section 1105(a)(18) of Title 31 to conform the required contents of the budget submission with respect to prior year outlays to account for a biennial budget cycle.

Section 705(b)(11) amends section 1105(a)(19) of Title 31 to conform the required contents of the budget submission with respect to prior year receipts to account for a biennial budget cycle.

Section 705(c) amends section 1105(b) of Title 31, regarding estimated expenditures

and proposed appropriations for the legislative and judicial branches, to require the submission of these proposals to the President by October 16th of even-number years.

Section 705(d) amends section 1105(c) of Title 31, regarding the President's recommendations if there is a proposed deficit or surplus, to conform to a biennial budget cycle.

Section 705(e) amends section 1105(e)(1) of Title 31, regarding capitol investment analyses, to conform to a biennial budget cycle.

Section 705(f)(1) and (2) amends section 1106 (a) and (b) of Title 31 respectively, relating to the President's submission of supplemental budget estimates and changes, to conform to a biennial budget cycle. The President is still required to submit a Mid-session Review of the budget by July 16 of each year as well as will now be required to also submit a Mid-biennium Review on or before February 15 of each year even numbered year.

Section 705(g)(1) amends section 1109(a) of Title 31, regarding the President's submission of current program and activity estimates, to conform to a biennial budget cycle and require its submission with the overall budget submission for each odd-numbered year as required by section 1105.

Section 705(g)(2) amends section 1109(b) of Title 31, regarding the Joint Economic Committee's analysis of the President's current program and activity estimates, to require the Joint Economic Committee to submit an economic evaluation of such estimates to the Budget Committee as part of its views and estimates within 6 weeks of the President's budget submission for each odd-numbered year.

Section 705(h) amends section 1110 of Title 31, regarding advance requests for authorization legislation to require the President to submit requests for authorization legislation by March 31st of even-numbered years.

Section 706. Two-Year Appropriations; Title and Style of Appropriations Acts. Section 706 amends section 105 of Title I of the U.S. Code to conform the statutory style and definition of appropriations Acts to require that they cover each of two fiscal years of a biennium.

Section 707. Multi-Year Authorizations. Section 707(a) amends Title III of the Budget Act by adding a new section 318 that establishes a new point of order in the House and Senate against the consideration of any bill, joint resolution, amendment, motion or conference report that does contain a specific authorization of appropriations for any purpose for less than each fiscal year in one or more bienniums. This prohibition does not apply to an authorization of appropriations for a single fiscal year. For any program, project or activity if the measure (defined as a bill, joint resolution, amendment, motion or conference report) containing that authorization includes a provision expressly stating the following: "Congress finds that no authorization of appropriation will be required for [Insert name of applicable program, project, or activity] for any subsequent fiscal year." It further defines a specific authorization of appropriations as an authorization for the enactment of an amount of appropriations or amounts not to exceed an amount of appropriations (whether stated as a sum certain, as a limit, or as such sums as may be necessary) for any purpose for a fiscal year.

Section 707(b) amends section 1(b) of the Budget Act to conform the table of contents of the Budget Act to account for this new section 318.

Section 708. Government Strategic and Performance Plans on a Biennial Basis. Section 708 amends the Government and Performance and Results Act of 1993 (the Re-

sults Act) to incorporate GPRA into the biennial budget cycle. The Results Act requires federal agencies to develop strategic plans, performance plans, and performance reports. Strategic plans set out the agencies' missions and general goals. Performance plans lay out the specific quantifiable goals and measures. Performance reports compare actual performance with the goals of past performance plans. The Results Act currently requires federal agencies to consult with congressional committees as they develop their strategic plans. The Results Act requires all federal agencies to submit their strategic and performance plans to the Office of Management and Budget, along with their budget submissions, by September 30 of each year. Finally, the Results Act requires the President to include a performance plan for the entire government.

Sections 708(a) through (g) amend section 306 of title 5, sections 1105, 1119 and 9703 of title 31, and sections 2802 and 2803 of title 39 require agencies to prepare strategic and performance plans every two years, in conjunction with the President's development of a biennial budget. In addition, these amendments make other changes to conform strategic and performance plans to a biennial budget cycle.

Section 708(h) amends section 301(d) of the Budget Act to require Congressional committees to review the strategic plans, performance plans, and performance reports of agencies in their jurisdiction. Committees may then provide their views on the agency's plans or reports as part of their views and estimates on the President's budget submitted to the Budget Committees.

Section 708(i) provides that the amendments by this section shall take effect on March 1, 2003.

Section 709. Biennial Appropriations Bills. Section 709(a)(1) amends clause 2(a) of House Rule XXI to provide that in the House of Representatives an appropriation may not be reported in a general appropriation bill (other than a supplemental appropriation bill), and may not be in order as an amendment thereto, unless it provides new budget authority or establishes a level of obligations under contract authority for each fiscal year of a biennium. If further provides that this prohibition shall not apply with respect to an appropriation for a single fiscal year for any program, project, or activity if the bill or amendment thereto containing that appropriation includes a provision expressly stating the following: Congress finds that no additional funding beyond one fiscal year will be required and the [Insert name of applicable program, project, or activity] will be completed or terminated after the amount provided has been expended." The subparagraph is further amended to provide that such a statement shall not constitute legislating on an appropriation bill if it is included with an appropriation for a single fiscal year for any program, project, or activity.

Section 709(a)(2) amends clause 5(b)(1) of House Rule XXII to apply similar prohibitions against appropriation conference reports.

Section 709(b)(1) amends Title III of the Congressional Budget Act of 1974 to add a new section 319 to create a point of order in the Senate against consideration in any odd-numbered year of any regular appropriation bill providing new budget authority or a limitation on obligations under the jurisdiction of the Committee on Appropriations for only the first fiscal year of a biennium, unless the program, project, or activity for which the new budget authority or obligation limitation is provided will require no additional authority beyond one year and will be completed or terminated after the amount provided has been expended.

Section 709(b)(2) amends section 1(b) of the Budget Act to conform the table of contents of the Budget Act to account for this new section 319.

Section 710. Assistance By Federal Agencies to Standing Committees of the House of Representatives and the Senate. Section 710(a) requires the head of each Federal agency under the jurisdiction of a standing committee to provide to committee those studies, information, analyses, reports, and assistance as may be requested by the chairman and ranking minority member of the committee.

Section 710(b) requires the head of each Federal agency to furnish to such committee documentation containing information received, compiled, or maintained by the agency as part of the operation or administration of a program, or specifically compiled pursuant to a request in support of a review of a program, as may be requested by the chairman and ranking minority member of such committee.

Section 710(c) requires that, within 30 days after the receipt of a request from a chairman and ranking minority member of a standing committee having jurisdiction over a program being reviewed, the Comptroller General furnish to the committee summaries of any audits or reviews of such program the Comptroller General has completed during the preceding six years.

Section 710(d) reaffirms the role of the Comptroller General, the Director of the Congressional Research Service, and the Director of the Congressional Budget Office to furnish (consistent with established protocols) to each standing committee of the House and Senate such information, studies, analyses, and reports as the chairman and ranking minority member may request to assist the committee in conducting reviews and studies of programs under its jurisdiction.

Section 711. Report on Two-Year Fiscal Period. Requires that, not later than 180 days after the enactment of this Act, the Director of OMB shall determine the impact of changing the definition of a fiscal year and the budget process based on that definition to a 2 year fiscal period with a biennial budget process based on the 2 year period, and shall report his findings to the Committees on Budget in the House and Senate and the Committee on Rules in the House.

Section 712. Special Transition Period for the 107th Congress. Section 712(a) requires the President to include in the FY 2002 budget submission an identification of the budget accounts for which an appropriation should be made for each fiscal year of the FY 2002-2003 biennium and any necessary budget authority that should be provided for each such fiscal year for those identified budget accounts.

Section 712(b) requires the Appropriations Committees of each House to review the President's recommendations and include an assessment of those recommendations and any recommendations of their own in the committee's overall views and estimates on the President's budget which they are required to submit to their respective Budget Committees.

Section 712(c)(1) requires the Budget Committees of each House to review the recommendations of both the President and the Appropriations Committees with respect to those budget accounts that should be funded for the biennium.

Section 712(c)(2) requires the report of the Committee on the Budget of each House and the joint explanatory statement of the managers accompanying the budget resolution for FY 2002 to include an allocation to the Appropriations Committees for FY 2003 from which the Appropriations Committee can

fund certain accounts in the FY 2002 appropriations bills for each of the fiscal years in the FY 2003–2004 biennium.

Section 712(c)(3) requires the report of the Committee on the Budget of each House and the joint explanatory statement of the managers accompanying the budget resolution for FY 2002 to include the assumptions upon which the allocation to the Appropriations Committees for FY 2003 is made.

Section 712(d)(2) directs the GAO to work with the Committees of Congress during the first session of 107th Congress to develop plans to transition program authorizations to a multi-year schedule.

Section 712(d)(2) requires GAO to continue to provide assistance to the Congress with respect to programmatic oversight and in particular to assist committees in designing and conforming programmatic oversight procedures for the Fiscal Year 2003–2004 biennium.

Section 712(e) provides for a CBO report to Congress (before January 15, 2002) listing all those programs and activities that were funded during FY 2002 with no authorization and all those programs and activities whose authorizations will expire during that fiscal year, FY 2003 and FY 2004.

Section 712(f) requires the President's budget submission for FY 2003 to include an evaluation of and recommendations regarding the transitional biennial budget process for the fiscal year 2002–2003 biennium.

Section 712(g) requires CBO to issue a report on or before March 31, 2002 include an evaluation of and recommendations regarding the transitional biennial budget process for the fiscal year 2002–2003 biennium.

Section 713. Effective Date. Except as provided by sections 708, 711 and 712, the Act is effective January 1, 2003, and applicable to budget, authorization and appropriations legislation for the biennium beginning in FY 2004.

—
COUNCIL FOR
CITIZENS AGAINST GOVERNMENT WASTE,
Washington, DC, May 8, 2000.

Hon. DAVID DREIER,
*Cannon House Office Building,
Washington, DC.*

DEAR CHAIRMAN DREIER: On behalf of the 600,000 members of the Council for Citizens Against Government Waste (CCAGW), I would like to express my support for your biennial budget amendment to the Comprehensive Budget Process Reform Act.

Your amendment will build upon several significant reforms to the federal budget process that are embodied in the base bill. The creation of a biennial budget will allow Congress to perform its most critical responsibilities. Devoting the first session of each Congress to the budget and appropriation process will enable members to spend the second session on oversight into the effectiveness of that spending.

A two-year budget will save a great degree of time and resources that are being wasted on the current process. This reform will streamline the budget process and make Congress more accountable to the American taxpayer.

CCAGW urges your House colleagues to support your amendment. The vote on your bill will be among those considered for CCAGW's 2000 Congressional Ratings.

Sincerely,

THOMAS SCHATZ,
President.

CHAMBER OF COMMERCE
OF THE UNITED STATES OF AMERICA,
Washington, DC, May 12, 2000.

Hon. DAVID DREIER,
*House of Representatives,
Washington, DC.*

DEAR REPRESENTATIVE DREIER: The U.S. House of Representatives is expected to consider H.R. 853, the Comprehensive Budget Reform Act sponsored by Representatives Jim Nussle (R-IA), Ben Cardin (D-MD), and Porter Goss (R-FL) in the next few days. The U.S. Chamber of Commerce urges you to support this common-sense legislation.

This measure, the product of extensive bipartisan negotiations and congressional hearings, will strengthen the existing federal budget process and provide additional—and needed—accountability of federal spending decisions.

Among its major provisions, this legislation establishes a reserve fund to better budget for emergency needs; requires more legislation be subjected to budgetary enforcement rules; prohibits the consideration of legislation creating new spending programs unless the authorization is for ten years or less; and requires that both the President and Congress better budget for many long-term unfunded federal liabilities.

During consideration of H.R. 853, Representative David Dreier is expected to offer a biennial budget amendment. The U.S. Chamber of Commerce earlier this year testified before the Committee on Rules in support of a biennial federal budget and we strongly support the Dreier amendment. Biennial budgeting would help streamline budget decisions and allow the Congress and Federal agencies more time to manage and oversee federal programs.

The U.S. Chamber of Commerce, the world's largest business federation, representing more than three million organizations of every size, sector, and region, urges you to support H.R. 853 and the Dreier biennial budget amendment to their eventual enactment into law.

Sincerely,

R. BRUCE JOSTEN,
*Executive Vice President,
Government Affairs.*

—
THE CONCORD COALITION,
Washington, DC, May 11, 2000.

Hon. DAVID DREIER,
Hon. BILL LUTHER,
House of Representatives, Washington, DC.

DEAR CHAIRMAN DREIER AND REPRESENTATIVE LUTHER: The Concord Coalition is pleased to support your amendment to H.R. 853, The Comprehensive Budget Process Reform Act, which would move the budget and appropriations processes to biennial cycles.

Putting the President's budget, the Congressional Budget Resolution, appropriations, and oversight on a two-year cycle that coincides with the sessions of Congress is an excellent proposal. Moving to a biennial budget process would make the legislative and executive branches more efficient, while helping to shield the budget process from the gamesmanship and election year politics that have frequently spelled fiscal disaster in years past.

One of the strongest arguments in favor of your amendment is that it would enhance opportunities for Congressional oversight. As you know, many members of Congress have come to believe that the annual, repetitive battle over the budget makes it impossible to engage in any meaningful oversight. Evidence in support of this perception is the fact that, according to CBO, some \$121 billion worth of FY 2000 appropriations were made for programs and activities with expired authorizations. With biennial budgeting in place, the first session of each Con-

gress would ideally be spent on setting priorities and funding levels, which would leave a significant portion of the second session available for long-term planning and oversight.

The Concord Coalition believes that your amendment also makes sense from the perspective of government efficiency, given that Congress functions in a biennial mode. Conforming the budget cycle to the Congressional cycle is a sensible change that would replace budget politics with more productive work. Too much time is consumed needlessly in repetitious budget preparation, justification, and appropriation. With a two-year budget, policymakers will be able to spend less time negotiating budget agreements and invest more of their energy in improving government performance.

For these reasons, The Concord Coalition is pleased to support your amendment establishing biennial budgeting for the federal government. We commend you and the cosponsors for putting forward this bipartisan proposal, which we believe would produce a more efficient and fiscally responsible budget process.

Sincerely,

ROBERT L. BIXBY,
Executive Director.

—
COMMITTEE FOR A
RESPONSIBLE FEDERAL BUDGET
Washington, DC, May 10, 2000.

Hon. DAVID DREIER,
*Chairman, Committee on Rules,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: We understand that the House will take up the Comprehensive Budget Process Reform Act of 1999 on Thursday this week. We also understand that you will offer an amendment to that bill to convert to a biennial budget and appropriations cycle. We are writing to express support for that amendment.

Biennial budgeting and appropriations is not a panacea for all the ails the budget process. But a biennial cycle could save time and resources in the Administration and on Capitol Hill—time and resources that could be redirected to meet high priority public service needs.

It would be a real boon if a biennial cycle results in Congress and the Administration paying more attention to authorizations and oversight.

Biennial budgeting also could save the country money, though that is by no means certain. It does seem that every new appropriations cycle provides opportunities to ratchet up the baseline for federal expenditure.

We applaud your decision to stay with a one-year fiscal year (and single-year appropriations) even as you move to a biennial cycle. In all, we think your amendment is well conceived and deserving of our former colleagues' support.

If you have any questions or if you need further information, please call Carol Wait in the Committee's office.

Best Regards,
BILL FRENZEL,
TIM PENNY.

—
COMMITTEE FOR A
RESPONSIBLE FEDERAL BUDGET
Washington, DC, May 5, 2000.

Hon. JIM NUSSLE and
Hon. BEN CARDIN,
*House of Representatives
Washington, DC.*

DEAR JIM AND BEN: We understand that the House will take up the Comprehensive Budget Process Reform Act of 1999 this week. We are writing to express our strong support for that legislation.

This bill will not fix everything that is wrong with the budget process, but it is a giant step in the right direction.

Perhaps most importantly, the Comprehensive Budget Process Reform Act would change the current nonbinding concurrent budget resolution to a joint budget resolution to be signed or vetoed by the President. Once signed, the joint resolution would have the force of law. The importance of this change cannot be overstated. So long as the two policy branches of government operate off of different plans, there really is no such thing as a budget for the United States Government. This is the source of most confusion attributed to baselines.

Some say that Congress and the President cannot resolve their differences early in the budget process. We are convinced that they can agree on the big pieces: aggregate spending and revenues—mandatory and discretionary, defense and non-defense spending totals—and expenditure caps. We believe that such agreements could bring order to consideration of spending, revenue and reconciliation bills. The first time through this process may seem difficult; but subsequent budget cycles should go more smoothly, because all parties would have a tremendous incentive to act. Passing a new budget would permit them to set new spending caps and otherwise amend the most recently enacted budget law.

Who can argue against efforts to ameliorate the distortions caused by so-called "emergency provisions" in existing law? Not we, we think it is imperative for Congress to do something about this problem before the budget process loses all credibility. The Comprehensive Budget Reform Act would require Congress and the President to budget for emergencies and set up safeguards to keep the kinds of abuses abound today from recurring.

Who can argue against greater accountability in Federal spending? Discretionary spending is growing more rapidly than at any other time since the Viet Nam War. The provisions of this bill would not necessarily change that. It is not the objective of budget process legislation to etch in stone specific spending decisions. But the new law would require regularized reauthorization of all spending laws, programs and agencies and that should help to curb or eliminate lower priority spending. Further, it would limit new entitlement legislation. That is especially important as the time approaches when we will not be able to pay current law Social Security and Medicare benefits from dedicated tax receipts.

The changes that this bill would bring to budgeting for long-term obligations and baseline calculations also are desirable.

All in all, this is good legislation. We urge our former colleagues to support it.

Best regards,

BILL FRENZEL.
TIM PENNY.

AMERICANS FOR TAX REFORM,
Washington, DC, May 16, 2000.

Hon. JIM NUSSLE,
Chairman, Budget Committee Task Force on
Budget Process,
House of Representatives, Washington, DC.

DEAR CHAIRMAN NUSSLE: Americans for Tax Reform is very concerned about attempts to remove the legally binding joint resolution provision from the Budget Process Reform Act.

We enthusiastically support changing the current non-binding budget resolution into a legally enforceable joint resolution passed by both houses of Congress. Such a joint resolution, when signed by the president, will set the stage for meaningful budget negotiations between the legislative and executive

branches at the beginning of the year, with overall levels of spending being agreed to upfront.

Consequently, a joint resolution will avoid the type of brinkmanship that has allowed spending levels to eventually balloon far in excess of what was originally envisaged.

Taxpayers deserve a budget process that makes sense and whose limits and outlines have the force of law. A joint budget resolution will achieve that.

Sincerely yours,

GROVER G. NORQUIST,
President.

THE CONCORD COALITION,
Washington, DC, May 9, 2000.

Hon. JIM NUSSLE,
Hon. BEN CARDIN,
House of Representatives, Washington, DC.

DEAR MR. NUSSLE AND MR. CARDIN, The Concord Coalition is pleased to lend its strong support to H.R. 853, the Comprehensive Budget Process Reform Act. We commend the bill's sponsors for putting forward this bipartisan effort to strengthen the budget process.

In particular, The Concord Coalition supports:

Changing the budget resolution from a concurrent resolution that binds only Congress, but not the Administration, to a joint resolution that requires the President's signature. The allocation of constrained resources is a tough political process, and the earlier in the year that agreement can be reached on at least a general framework, the better.

Streamlining the budget resolution to just the major budget enforcement categories and the aggregates. The parts of the budget resolution that really matter and have teeth for enforcement purposes are not the 20 budget functions but rather the handful of limits that tell policy makers how much money they have to work with during the ensuring year—total spending, revenues, surplus or deficit, public debt, mandatory spending, non-defense discretionary spending, defense discretionary spending, and emergency spending. If the budget resolution continued to require function-by-function details, the Congress and the White House would seldom be able to agree on a joint resolution, particularly during times of divided party control. However, even with different parties in control of different chambers or branches of government, it should be possible most years to agree on aggregates. If not, H.R. 853 allows the present concurrent resolution process to kick in.

Setting up an advance reserve for emergencies in the budget resolution, and tightening the definition of "emergency" to a situation involving loss of life or property, or a threat to national security, that is unanticipated—sudden, urgent, unforeseen and temporary. Although we never know what disaster or emergency lies ahead, it's safe to assume that there will be one. Yet, year after year, insufficient funds are appropriated through the regular appropriations process to finance even an average level of disaster spending. Then, when disaster strikes, the only way to provide relief is through the emergency spending loophole. Abuse of this loophole has become the most egregious and flagrant disregard of the spirit of the budget process.

Entitlement reform measures including subjecting new entitlements to annual appropriations, barring enactment of new entitlements lasting longer than 10 years, requiring 10 year cost estimates, and requiring oversight review of all programs, including existing entitlements, at least every decade.

Reform of the budget rules for unfunded liabilities in federal insurance programs to get

a better handle on the creation of new long-term insurance obligations or expansion of existing ones. The current scoring procedures do not accurately reflect the long-term federal liabilities associated with various government insurance programs. H.R. 853 proposes setting up a new scoring and accounting system for federal insurance programs to deal with these problems.

Some have argued that the budget process is not broken, and does not need to be fixed. The Concord Coalition disagrees. Lately, the closing days of the session have deteriorated into a very costly and unstatesmanlike cross between a fiscal food fight and a game of budgetary chicken in which the aim of each side seems to be to inflict maximum political embarrassment on the other while getting as much as possible for one's own spending or tax priorities.

No amount of process reform can guarantee a better result. But, in Concord's view, H.R. 853 focuses on the places where budget enforcement has broken down most flagrantly—emergency spending, end-game tactics, scoring of federal insurance programs, lack of entitlement oversight, and lack of enforcement of the existing budget discipline. You and the other co-sponsors have worked hard to reach bipartisan agreement on this important legislation. The Concord Coalition congratulates you and looks forward to working with you in the future.

Sincerely,

ROBERT L. BIXBY,
Executive Director.
COUNCIL FOR CITIZENS
AGAINST GOVERNMENT WASTE,
Washington, DC, May 12, 2000.

Hon. JIM NUSSLE,
Cannon House Office Building, Washington,
DC.

DEAR REPRESENTATIVE NUSSLE: On behalf of the 600,000 members of the Council for Citizens Against Government Waste (CCAGW), I would like to express my support for the Comprehensive Budget Process Reform Act.

This legislation makes several significant reforms to the federal budget process. By transforming the non-binding concurrent budget resolution into a joint resolution, the budget would become a document with the force of law. The legislation provides further order to the budget process by enabling Congress to adopt a concurrent budget resolution under expedited procedures if the president vetoes the joint budget resolution.

By creating an emergency reserve fund and clearly defining what would qualify as an emergency, the legislation will allow for expedited funding for truly unanticipated events while preventing the manipulation of this designation for other purposes. The Comprehensive Budget Process Reform Act also strengthens fiscal responsibility by requiring the Budget Committee to certify that each spending bill is in compliance with budgetary levels set forth by the budget resolution, establishing regular authorization for government programs, and prohibiting new spending programs from being authorized for more than ten years at a time. Your legislation also includes the requirement that new spending requests are compared to actual previous levels.

I would also like to express my opposition to any amendment that would weaken the reforms in your bill. Chief among these is an amendment that may be offered which would prevent the budget from having the force of law. It is in the interest of the taxpayers that Congress and the president be bound by law to certain spending limitations.

I appreciate your leadership on this important issue. CCAGW urges your colleagues to support your legislation. The vote on your bill will be among those considered for

CCAGW's 2000 Congressional Ratings. In addition, any amendment offered that would strike the force of law provision will also be considered for CCAGW's 2000 Congressional Ratings.

Sincerely,

THOMAS SCHATZ.

CHAMBER OF COMMERCE
OF THE UNITED STATES OF AMERICA,
Washington, DC, May 12, 2000.

Hon. JIM NUSSLE,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE NUSSLE: The U.S. House of Representatives is expected to consider H.R. 853, the Comprehensive Budget Reform Act sponsored by Representatives Jim Nussle (R-IA), Ben Cardin (D-MD), and Porter Goss (R-FL) in the next few days. The U.S. Chamber of Commerce urges you to support this common-sense legislation.

This measure, the product of extensive bipartisan negotiations and congressional hearings, will strengthen the existing federal budget process and provide additional—and needed—accountability of federal spending decisions.

Among its major provisions, this legislation establishes a reserve fund to better budget for emergency needs; requires more legislation be subjected to budgetary enforcement rules; prohibits the consideration of legislation creating new spending programs unless the authorization is for ten years or less; and requires that both the President and Congress better budget for many long-term unfunded federal liabilities.

During consideration of H.R. 853, Representative David Dreier is expected to offer a biennial budget amendment. The U.S. Chamber of Commerce earlier this year testified before the Committee on Rules in support of a biennial federal budget and we strongly support the Dreier amendment. Biennial budgeting would help streamline budget decisions and allow the Congress and Federal agencies more time to manage and oversee federal programs.

The U.S. Chamber of Commerce, the world's largest business federation, representing more than three million organizations of every size, sector, and region, urges you to support H.R. 853 and the Dreier biennial budget amendment to their eventual enactment into law.

Sincerely,

R. BRUCE JOSTEN.

TAXPAYERS FOR COMMON SENSE,
Washington, DC, May 11, 2000.

Hon. JIM NUSSLE,
Hon. BEN CARDIN,
House of Representatives, Washington, DC.

Re: Support for H.R. 853

DEAR CONGRESSMEN NUSSLE AND CARDIN: When the House considers H.R. 853, the Comprehensive Budget Process Reform Act, Taxpayers for Common Sense urges all members to support this important bill. TCS believes that it represents a valuable and serious effort by you and your bipartisan cosponsors, to fix some of the worst things about the budget process.

H.R. 853 should be called "The Dire Emergency Budget Process Reform Act of 2000." It is likely to be more important than any similarly-named supplemental appropriations bill that will be presented to the House this year.

The budget process is broken. It is cluttered with numbers that mostly count for nothing, like the budget function subtotals. It ignores the annual reality that emergencies happen. It allows unfunded federal insurance liabilities. It puts too many programs on fiscal autopilot. Finally, it gen-

erates debates and votes that resolve nothing. All of this wastes time and political energy in Congress, as well as taxpayer money. Your bill would address all of these problems.

No one should believe that H.R. 853 or any other process reform will guarantee fiscally responsible budgeting. Ultimately, that results from a political will and seriousness of purpose that have been lacking in Congress in recent years on both sides of the aisle and in many different congressional committees.

But no one should oppose H.R. 853 on the grounds that its significant and badly-needed improvements in the budget process would not be the perfect solution to all problems. That would be a flimsy excuse, and process reform might create a climate for progress on other fronts. We urge all members to become part of the solution, and to support H.R. 853.

Sincerely,

RALPH DEGENNARO,
President & CEO.

CAPITOLWATCH,
Washington, DC, May 8, 2000.

Hon. JIM NUSSLE,
House of Representatives, Cannon House Office
Building, Washington, DC.

DEAR REPRESENTATIVE NUSSLE: On behalf of the 250,000 supporters of CapitolWatch, I thank you for introducing H.R. 853, "The Comprehensive Budget Process Reform Act of 1999."

H.R. 853 will create a better budget process by amending the rules to encourage Congress and the President to agree on a Joint Budget Resolution at the beginning of the budget process. Such a resolution would help force Congress and the President to keep within spending limits.

H.R. 853 will also stop Congress and the President from passing additional spending outside the normal budget process. The bill strictly defines "emergency" spending as funding for the "loss of life or property, or a threat to national security" and an "unanticipated" situation.

CapitolWatch believes that "sunlight is the greatest disinfectant" and that H.R. 853 will allow the time needed for a full and open debate on budget issues that will replace the usual process—a hodgepodge omnibus bill negotiated at the last minute with the possibility of a government shutdown. CapitolWatch believes that H.R. 853 will bring about a budget process that is less wasteful and leads to more effective government.

CapitolWatch and its 250,000 citizen lobbyists are urging all members of the House of Representatives to support your bill. We wish you much success and look forward to assisting you in the passage of this much-needed legislation.

Sincerely,

ANDREW F. QUINLAN,
Executive Director.

COUNCIL FOR CITIZENS
AGAINST GOVERNMENT WASTE,
Washington, DC, May 5, 2000.

Hon. JIM NUSSLE,
Cannon House Office Building, Washington,
DC.

DEAR REPRESENTATIVE NUSSLE: On behalf of the 600,000 members of the Council for Citizens Against Government Waste (CCAGW), I would like to express my support for the Comprehensive Budget Process Reform Act.

This legislation makes several significant reforms to the federal budget process. By transforming the non-binding concurrent budget resolution into a joint budget resolution, the budget would become a document with the force of law. The legislation pro-

vides further order to the budget process by enabling Congress to adopt a concurrent budget resolution under expedited procedures if the president vetoes the joint budget resolution.

By creating an emergency reserve fund and clearly defining what would qualify as an emergency, the legislation will allow for expedited funding for truly unanticipated events while preventing the manipulation of this designation for other purposes. The Comprehensive Budget Process Reform Act also strengthens fiscal responsibility by requiring the Budget Committee to certify that each spending bill is in compliance with budgetary levels set forth by the budget resolution, establishing regular authorization for government programs, and prohibiting new spending programs from being authorized for more than ten years at a time. Your legislation also includes the requirement that new spending requests are compared to actual previous levels.

We appreciate your leadership on this important issue. CCAGW urges your House colleagues to support your legislation. The vote on your bill will be among those considered for CCAGW's 2000 Congressional Ratings.

Sincerely,

THOMAS SCHATZ.

AMERICANS FOR TAX REFORM,
Washington, DC, May 8, 2000.

Hon. JIM NUSSLE,
House of Representatives, Cannon House Office
Building, Washington, DC.

SIR: Americans for Tax Reform would like to express its support for your bill "The Comprehensive Budget Process Reform Act." This sound proposal would introduce fiscal restraint to a frequently incoherent procedure that now aids and abets profligate spending. Your legislation would not only repair a faltering system, it would safeguard the interests of our nation's overburdened taxpayers.

Most notably, your bill would make the all-important switch from a concurrent budget resolution (which ultimately serves to invite counterproductive and often pointless inter-branch conflict) to a joint budget resolution. This would compel the President and Congress to agree on overall levels of spending at the beginning of the process, when consensus should be reached, and not at the last possible moment, as is currently done. Consequently, inserting superfluous spending provisions into appropriations bills will be more tightly controlled. This alone is ample reason to support your legislation.

In addition, your bill requires committees to reauthorize the departments and programs under their purview every ten years. Today, nearly every federal activity is underwritten by its own essentially permanent and self-perpetuating spending authority. As a result, Executive agencies have license to automatically devour money. It's often been said that the closest thing to immortality is a government program. This is unfortunately true, but your bill would render that witticism anachronistic.

Furthermore, your bill's measures for curbing spurious demands for "emergency spending" will save taxpayers millions upon millions of dollars every year; no more allocations for such "unforeseen threats" to the commonwealth as dangerously non-existent parking garages. All told, the Comprehensive Budget Process Reform Act is a well-constructed and perfectly reasonable proposal worthy of passage.

We will seriously consider rating Congress' vote on this bill. The time for budget reform is long overdue. We're glad that you have taken the initiative to make it a reality.

Sincerely,

GROVER NORQUIST.

NATIONAL TAXPAYERS UNION

Washington, DC, May 9, 2000.

Hon. JIM NUSSLE,
House of Representatives, Cannon House Office
Building, Washington, DC.

DEAR CONGRESSMAN NUSSLE: On behalf of the 300,000-member National Taxpayers Union, (NTU) I write to endorse H.R. 853, the Comprehensive Budget Process Reform Act, and to urge all Members to work toward its passage.

The end of the year "omnibus appropriation," "emergency spending," and "supplemental appropriation" bills that have characterized Congressional budgeting and spending over the last decade clearly demonstrate that the current budget process used on Capitol Hill is incapable of instituting, or ensuring, fiscal responsibility and discipline in Washington. The result has been end of the year spending sprees initiated by a President bent on hijacking the budget process in order to spend the surpluses resulting from the hard work of American taxpayers. Clearly, a mechanism for fiscal responsibility in Washington is needed.

Your bill moves Washington in that direction. By giving budgetary limitations the force of law, requiring clearly distinguished standards for emergency spending, and requiring accountability for federal programs, H.R. 853 will provide some much needed restraint on the federal spending train that is currently out of control.

Once again, NTU endorses the Comprehensive Budget Process Reform Act, and encourages all Members to work toward its passage.

Sincerely,

ERIC V. SCHLECHT,

Director, Congressional Relations.

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

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume, and I thank my dear colleague, the gentleman from Florida (Mr. GOSS), for yielding me the appropriate time.

Mr. Speaker, I rise in opposition to this rule which fails to protect veterans, student loans, and prescription drugs from possible elimination. Last week, the Committee on Rules, my colleagues, refused to make in order three excellent amendments that would have made great improvements to this bill.

The gentleman from New Jersey (Mr. HOLT) offered an amendment to exempt student loans from the sunset requirements in this bill. Without the Holt amendment, our student loan programs are on the chopping block every 10 years. And, Mr. Speaker, I believe that American families want that program protected.

I believe they also want Medicare and prescription drug benefits protected, and last week, the gentlewoman from Nevada (Ms. BERKLEY) offered an amendment doing just that. But, unfortunately, Mr. Speaker, the amendment of the gentlewoman from Nevada protecting Medicare was also defeated by my Republican colleagues.

The gentleman from New York (Mr. FORBES) offered an amendment protecting veterans programs from the chopping block, but my Republican colleagues, once again, decided not to make his amendment in order either.

So this budget process reform bill will endanger student loans, Medicare, and veterans programs, and, Mr.

Speaker, I am afraid that is only the beginning. First of all, this bill changes the budget resolution from a concurrent resolution to a joint resolution and, in doing so, this bill slows down a process that is already too slow.

As long as one party controls the White House and one party controls the Congress, there will never be serious negotiations on a budget resolution. Mr. Speaker, different parties have no reason whatsoever to compromise with one another at the budget resolution stakes of the process.

As everyone knows, the budget resolution is only a political statement, and I believe the majority in Congress should have the opportunity to set out their own plan in the budget resolution. By requiring the budget resolution be signed into law, my colleagues will stall the appropriations process even further, while Congress and the White House struggle and struggle to agree.

Mr. Speaker, as it is, our appropriations process takes far too long. This joint resolution is going to make that deadline even more difficult to make than it already is.

Secondly, Mr. Speaker, this bill changes the way we designate emergencies. Now, I agree that far too many spending programs are falling under the category of emergency these days; programs like the Census, which could hardly be called a surprise. But the reason for so many nonemergencies being pushed into that category is because it is impossible to live within the caps. Emergencies give Congress a way around the caps. So until we have more realistic caps, Congress will continue to resort to emergencies or some other gimmick no matter how high we raise that bar.

Finally, Mr. Speaker, I understand my chairman will offer an amendment changing our budget to a biennial system. As I have said before, many times, I believe biennial budgeting will encourage more supplemental appropriation bills, it will weaken Congress' ability to set budget priorities, and it will require decisions to be made much too far in advance. It is hard enough to predict where we will need to spend the money 1 month in advance much less 2 years in advance.

Although my colleagues made some changes in this bill which does improve the bill tremendously, last week the Committee on Rules made in order amendments to reverse those changes. They removed the dangerous pay-go system that will endanger Social Security and Medicare, then they made in order an amendment to restore it. They removed the automatic continuing resolution which would make it easier to avoid compromise, then they made an amendment in order to restore that, too.

Mr. Speaker, my Republican colleagues did not see fit to protect Medicare, student loans, or veterans programs. They decided those programs, like a lot of the spending programs,

should be up for grabs every 10 years, but they made in order amendments restoring portions of the bill that they themselves decided were too unwise.

So, Mr. Speaker, I am asking my colleagues to stand up for student loans, Medicare, veterans benefits and to oppose this rule.

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

Mr. GOSS. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa (Mr. NUSSLE), who is indeed an author of this and has worked long and hard, and in a very distinguished nonpartisan manner, to bring this process to Members to debate.

Mr. NUSSLE. Mr. Speaker, I thank the gentleman for yielding me this time, and I want to start by giving my appreciation to my good friend from Florida for his good work on the Committee on Rules, and for the Committee on Rules as a whole, for their patience, for their understanding, for the thoroughness in which they have conducted this budget process, reform process.

That is really what we are talking about today, is process. As much as there are a few Members in our body that are rushing to the floor now at the last minute wanting to inject into this a certain level of political substance, let me caution Members that this has been a bipartisan process which has not gone to the level of political substance or political theater.

I would suggest that while there are many viewpoints on exactly how the budget process should be conducted, exactly how our budget should be arrived at, we have, in this process with the Committee on Rules, with the Committee on the Budget, with the Committee on Appropriations, stayed completely away from substantive outcome determinant procedures. This is outcome neutral in its process.

I had to describe this to a group of kids back home in Iowa, and they wanted to find out what I was going to be working on this week. And budget process reform, quite honestly, is pretty much a yawn, I would have to suggest. Even the gentleman from Massachusetts would probably agree with me on that. But I told them, I said, it is a lot like when we play the game Monopoly. We dust off the board game, Monopoly, and we open it up and look on the back of the box and it never tells us who is going to win the game. It never says one player gets to pass go and collect \$200 but another does not; one specific player gets to be the shoe today and another gets to be the thimble. Nowhere in the game do we see that. And that is what we have tried to preserve here too.

The gentleman from Massachusetts is correct when he stated that we do not protect specifically prescription drugs or Social Security or student loans, nor do we protect the United States Capitol building. According to our budget process reform, there is nothing in there that prevents us from

tearing it down and moving it to maybe even Des Moines, Iowa. In fact, we could get rid of the Energy Department, according to this. There is no protection in there for Energy, no protection for the Commerce Department, no protection in there for any of the programs, the bureaucracies, the agencies, the departments, the buildings, and, even for that matter, the people within them. We could eliminate all sorts of budgets within this. There are no special protections.

There is a reason for that. We do not want to determine the outcome. We want Congress to work its will. But we also believe it needs to be real. The gentleman from Massachusetts said this is nothing but a political document. That is what is wrong. That is what is wrong. From the time this bill was first introduced, back in 1974, when the Committee on the Budget was first established, when the budget process was first established, it was established because the Committee on Appropriations, the Committee on Ways and Means, the Congress as a whole could not come together and understand what the final outcome was going to look like.

It established a reconciliation process, so that before anything began, everyone had to sit down and look and see what it was going to look like, just like a normal home budget would look like. What are we going to spend, generally, how much money are we taking in, how much money do we think we should expend. The Committee on Appropriations should be allowed to put in the details. The Committee on Ways and Means should be allowed and have the power to put in the details. But someone had to come in and put an umbrella over the entire document, and that is the reason why the Committee on the Budget and the budget process was first instituted.

So the question today is, is the process broken? Yes, the process is broken. We should not mess with a process if it is not broken. But go back and pick a year, any year my colleagues want to pick in the last decade, except for 1997, interestingly enough, and I will come back to that. Pick a year, any year, and every single year there was chaos, there were train wrecks, there were final negotiations at Andrews Air Force Base between the Congress and the President scrambling, with sometimes only three people in the room. And I see the smiles on the faces. Sometimes the Democrats were in the majority and it was the Republicans in control of the White House.

Neither side can be happy with the current process that gets us to a train wreck. So we said what year worked? 1997 worked. Why did it work? Why did we finally get to a balanced budget for the first time in 40 years? Because the Congress and the President sat down early in the process and came up with a memorandum of agreement that decided what the big picture was going to look like; how much money were we

taking in in taxes; how much generally we were going to expend in spending; what was the national debt going to look like; what was Social Security going to look like, and they put together a memorandum of agreement. The big picture.

From that, we had success. We wrote this bill to encourage that success in the future, and that is why we should support this rule and this bill.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. HALL), a member of the Committee on Rules.

Mr. HALL of Ohio. Mr. Speaker, I want to thank the gentleman from Massachusetts (Mr. MOAKLEY) for yielding me this time.

This rule makes in order the Dreier amendment. Actually, it is the Dreier-Luther-Regula-Hall amendment, which establishes a 2-year budget process for Congress and the administration. As a former member of the Ohio General Assembly, which follows a 2-year budget process, I learned the value of considering budgets on a 2-year cycle instead of devoting each year to spending bills.

In 1982, shortly after joining the House Committee on Rules, I was appointed to a task force on the budget process. At that time, I favored a biennial budget, and since then I have not changed my mind. Passing budgets and appropriation bills for 2 years will increase funding stability, permitting more efficient management of government programs. It will also reduce the amount of time Congress spends on considering the appropriation bills, allowing us to spend more time on serious problems that we have with oversight.

□ 1315

Under the current budget process, we are constantly missing deadlines for making decisions on spending. Moreover, our record on oversight in the last few years is poor. Many have blamed the unacceptable performance on the lack of time we have to spend on oversight.

A 2-year budget process should free up time for House Members to spend on oversight. Properly carried out, oversight will give Congress greater insight into the execution of the laws that we pass and improve Government performance.

The biennial budget process amendment has support on both sides of the aisle. It is an experiment worth trying.

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

Mr. GOSS. Mr. Speaker, I am again privileged to yield such time as he may consume to the distinguished gentleman from California (Mr. DREIER), the chairman of the Committee on Rules.

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

Mr. DREIER. Mr. Speaker, let me begin by extending my congratulations, since he is walking out of the

Chamber, I am going to mention him first, and that is to my very good friend the gentleman from Ohio (Mr. HALL) and fellow member of the Committee on Rules.

Now that he is out of the chamber, the gentleman from Florida (Mr. GOSS) is still here; so I would say that the distinguished vice-chairman of the Committee on Rules, the gentleman from Florida (Mr. GOSS), has done a great job.

And even though he is no longer in the chamber, I am going to say the name of the gentleman from Iowa (Mr. NUSSLE). He did a spectacular job in his presentation that he just made here. Maybe he is in the cloakroom and is able to hear my words here.

There are a lot of people who have spent a great deal of time working on this issue of budget process reform, and we are beginning what is clearly an historic debate. For the first time in over a decade, the House will debate fundamental reform of the budget process.

The bill that we will be making in order with this rule is a product of the work of both the Committee on the Budget and the Committee on Rules and the efforts that we have put in for a long time. It also represents a landmark process in which those two committees of jurisdiction over the budget process have come together in a bipartisan manner. And I have got to stress that word "bipartisan" again.

The gentleman from Maryland (Mr. CARDIN) has been working for years and years on this with the gentleman from Iowa (Mr. NUSSLE) and with the gentleman from Florida (Mr. GOSS) and with the rest of us, and it is due to their spectacular leadership that we have gotten to the point where we are today.

As the gentleman from Iowa (Mr. NUSSLE) said just a few minutes ago, it is very clear that the budget process that we have now does not work. It is a disorganized patchwork of decades' old rules and laws.

The bipartisan Comprehensive Budget Reform Act will make the process more rational, it improves accountability, and it strengthens enforcement in the budget process. Is it a panacea to all the ailments of society? No. Is it a cure-all for all of the challenges that we face on the budget process? No. But I will tell my colleagues, it is a very, very important step, which enjoys, again, bipartisan support.

One item in here I will say, as a Californian, that I think is a very important aspect is the issue of dealing with natural disasters. We all know that they are a fact of life, whether it is hurricanes in Florida, or ice storms in upstate New York, or floods in Iowa, or in my home State we all know what we get, we get earthquakes in California, we know that there is going to be some kind of disaster and it will have an impact on the budget.

This bill requires the President and the Congress to face reality and set

aside a disaster reserve fund within the budget. We do not need to pit the victims of Mother Nature against those who desire sound fiscal policies. This is just one of the many sensible reforms that have been put into place in this bill.

The rule also makes in order a number of amendments for Members with very, very diverse views on this issue. Such amendments include biennial budgeting, which the gentleman from Ohio (Mr. HALL) mentioned and I will be offering later, an automatic continuing resolution, and pay-go.

All of these amendments are very important reform issues, and they deserve to be fully and openly considered in this debate, which is what this rule actually does.

Now, I will take just a moment to talk about this issue which I feel so strongly about, and that is the question of biennial budgeting. That process could lead to the most significant change in the budget process that we have had in over a quarter century. Really, since the 1974 Budget Empowerment Act was put into place, biennial budgeting would be the most sweeping reform.

The enormous amount of resources that are expended by the executive branch in preparing multiple annual budgets at the same time would be diverted to long-term strategic planning and improving the performance of Federal programs. Again, this effort is put together with strong bipartisan support and enjoys the strong support of President Clinton, who, in his budget submission earlier this year, called for biennial budgeting.

Vice President AL GORE, the presumptive Democratic nominee for the President of the United States, he is a strong proponent of biennial budgeting.

Governor George Bush of Texas, the presumptive nominee and I hope the next President of the United States, is in fact a strong proponent. He has a 2-year budget process in Texas and believes that we should do it here in Washington, D.C.

When combined with other significant bipartisan budget reforms contained in the base bill, I believe that the biennial budget amendment which I will be offering represents a whole package of very comprehensive reforms.

I urge my colleagues to resist the harsh partisan politics and to come together on what will be, as I said, a significant Government reform package that will benefit the American taxpayers. There will be tremendous taxpayer dollars saved if we can move in the direction of bringing about biennial budgeting and some of these other budget process reform issues.

So I want to again congratulate all of those who have been involved: the gentleman from Florida (Mr. GOSS), the gentleman from Ohio (Mr. HALL), the gentleman from Maryland (Mr. CARDIN), the gentleman from Iowa (Mr. NUSSLE) and others who have worked

on this measure and to congratulate them for their hard work and to say that I urge my colleagues to vote in favor of this rule that we will be offering and also in favor of the budget process reform package and vote "yes" on the biennial budgeting amendment.

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. FORBES), the author of one of the amendments.

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

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

Mr. Speaker, I rise today in opposition to this rule and, unfortunately, in opposition to this bill, a bill that enjoys bipartisan opposition.

Like many of my colleagues, I certainly want to see us reform the budget process so all Americans can understand how we are spending their tax dollars.

Sadly, this bill does nothing to make the process better. Instead, I would suggest, it is going to make it worse. And nothing, I might add, nothing in this bill would end the annual political standoff that we see, the so-called train wrecks that characterize this budget process. There is nothing in this bill that would end those kind of stalemates.

Unfortunately, this bill would give to the executive an inordinate amount of power. Currently, in these coequal branches of Government, we have the right of the executive to offer up his or her budget and the right of the legislature to, in turn, offer up their budget and then negotiate. But to require a joint resolution is to abdicate to the President an inordinate amount of power that takes away from the legislature its right to do the budgeting. I think that is inappropriate.

I regret that this rule does not contain an amendment that I think is necessary. It takes a certain program for veterans and makes it uncertain. The majority would have us believe, for some reason, that they do not do this. But I would remind my colleagues that in this bill that we will be soon debating, this bill protects the certainty of Social Security while at the same time opening up an uncertainty for veterans' programs, for Medicare programs, and others.

I had offered an amendment, frankly, that I hoped would be in bipartisan spirit accepted so that we could tell our veterans' community that, as we try to reform a budget process, we are not going to every 10 years subject them to the possible elimination of veterans' programs or Medicare programs.

So I find it curious that they went to a great degree here to protect Social Security programs but they would not protect the Medicare programs, they would not protect the veterans' programs. I think this is a major weakness of this bill. It suggests to our veterans'

community that the budget reform process is somehow more important than protecting a compact that we made with veterans so long ago.

I urge my colleagues to look at the mail in their office from many veterans' organizations who are concerned about the tenuous nature that this leaves their programs in. I urge my colleagues to defeat this rule, to allow the committee to go back to the drawing board, include some protections for veterans, include protections for senior citizens, and then take another look at this budget reform process and start over again, take the good things out of it like emergency spending reservations and some of the things that we might want to get done here.

Let us reform the process, but let us not make it worse, as this legislation would do. It would not avoid the annual train wrecks, the standoffs that we see between the President and the Congress; and I think it is a fallacy to suggest otherwise.

Mr. GOSS. Mr. Speaker, may I inquire as to the time remaining on both sides, please?

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The gentleman from Florida (Mr. GOSS) has 15 minutes remaining. The gentleman from Massachusetts (Mr. MOAKLEY) has 21 minutes remaining.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from the Commonwealth of Pennsylvania (Mr. GEKAS).

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

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

Mr. Speaker, the Committee on Rules, very properly in my judgment, has acceded to my request long-standing now to include in the debate on the new budget process an amendment which would bring about forever an end to Government shutdowns.

Lest there be anybody in the United States or in the western hemisphere who does not recognize the possibility and reality of a Government shutdown in the United States, let me remind everyone, for the record, that, in the last 20 years, more than 17 times the Government of the United States was at shutdown or near shutdown because of the inability of the Congress to pass appropriations bills and complete the budgets by September 30, the last day of the fiscal year.

What happens in that case? When the budget is not completed, the next day, October 1, the Government automatically shuts down.

How have we prevented that in the past when we have prevented it? By passing temporary continuing resolutions to keep the flow of appropriations going until the negotiations can be completed for a new budget to be adopted.

Well, that always leads to a further deadline and yet another deadline; and

each time that deadline appears for the completion of a budget, lo and behold, Government shutdown or a threat of Government shutdown.

What does that mean?

It means not just that the Smithsonian Institute has to shut its doors, as happened several times while tourists are waiting to get in and unable to do so because the Smithsonian Institute is out of business with a Government shutdown, as is every other institution of our Government.

That is so embarrassing and so shameful and so inappropriate that my legislation has to be passed simply to avoid the shame of a Government shutdown.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the distinguished gentleman and colleague from Michigan (Mr. SMITH).

Mr. SMITH of Michigan. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, it is so important that we discuss and debate how we can improve the budget and the budget process.

Right now we are approaching \$1.8 trillion in annual spending. We are dealing with overspending in the past that has left us with approximately a \$5.7 trillion total national debt.

We are going to talk about ways we can improve this process. We are going to talk about the hopeful ideas to increase the efficiency of budgeting and spending. But the bottom line is the intestinal fortitude and the will of the Members of Congress to do a better job.

It does not make any difference if we have a 2-year budget with biennial or 1 year. I think biennial, by the way, shifts more power to the administrative branch. It does not matter if we have supplemental appropriations bills. It boils down to the determination, the will power to do a better job in the way we spend taxpayer dollars. That is the bottom line.

The debate is going to be good. I congratulate the Committee on Rules for getting this before us.

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking member of the Committee on Appropriations.

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

Mr. Speaker, before any of us can speak on this floor, we first have to take an oath to defend the Constitution of the United States.

That Constitution was created by our Founding Fathers because they had a huge suspicion of power, especially executive power. That is why they created an Article I of the Constitution, the Congress of the United States, an independent branch of Government. And to keep it independent and to make certain that we would never have excess power in the hands of the executive, they lodged in this institution the power of the purse.

□ 1330

Today if we pass this proposal, we are walking away from our constitutional

obligation to defend the power of the purse. The chairman of the Committee on Rules is absolutely right. There is absolutely nothing partisan about this debate. This is a debate about power and the use and misuse of power and how you best maintain checks on that use of power.

I think there are two fundamental problems with this proposition. First of all, because we create a joint resolution instead of a concurrent resolution when the budget resolution passes, that means for the first time the President imposes himself right in the middle of Congress' obligation to define its own budget resolution. So the President gets two kicks at the cat: once when he submits his budget and then another when he puts together a huge budget summit out at Andrews or some other place like they have been in the past, and the President will come to totally dominate that debate. And every rank and file Member of this place will be on the outside looking in, passing notes in, hoping that a handful of people on the inside will give them an occasional listen. We do not want to do that.

Secondly, it will enhance the power of the Senate vis-a-vis the House. The House has a Committee on Rules but the Senate runs on unanimous consent and a system of holds, and in order to get anything done in the Senate, the Senate leadership is going to be vulnerable to having any Senate chairman come to them and say, "I'm not going to vote for your budget resolution unless you add my authorization bill to the budget resolution," and you will have a huge incentive to have everything but the kitchen sink added in the Senate.

Secondly, we have another problem with this proposition, and that is 2-year budgeting. Right now every year, every agency of government has to justify every action to the people's representatives. What will happen if we move to a system of 2-year budgeting is that we will move to a system of permanent supplementals and it is far more difficult to control spending on supplementals than it is on regular appropriation bills, because again in the House we have a germaneness rule, but in the Senate there is no germaneness rule. And so they can add virtually anything they want. That in my view weakens the House vis-a-vis the Senate; it allows Senators to add amendment after amendment and project after project. House Members will not have that same privilege or opportunity. And most of all, it makes the agencies of government even more independent of legislative power than they are right now. Because once you have passed an agency budget, they have their money for a 2-year period and they do not have to come to this House for anything.

Now, Members will say, "Well, but if you have supplementals, they'll have to come back here for those." That is true. But supplementals are always to

add money to their programs. They are programmatic supplementals. They have nothing whatsoever to do with agency staffing levels, agency bureaucratic structure, and so they will have been able to pocket what they want on the administrative end of their budgets, and that means that they will be far more immune to the legitimate Congressional questioning of their actions than they are right now. I think in the end that makes this institution fundamentally weaker in constitutional terms than it is right now, both vis-a-vis the executive branch of government and vis-a-vis the other body. I think both actions would be a mistake.

I would urge the House to cast a bipartisan "no" on this proposition when we get the opportunity.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. Mr. Speaker, last week I appeared before the Committee on Rules to focus attention on one section of H.R. 853 that threatens to undermine the American public's confidence in Medicare. I am referring to provisions in title IV that require authorizing committees to establish a schedule for sunset and reauthorizing all mandatory spending programs, including Medicare, over 10 years and that limit the authorization of any new mandatory program to 10 years.

Congress needs to ensure that taxpayers' funds are spent wisely. However, the authorizing committees already have both the responsibility and authority to conduct such oversight. Lack of effective oversight is not a consequence of the way that the budget process operates. Nor is it due to the permanent authorization of fundamental programs such as Medicare. In fact, the authorizing committees regularly review the programs under their jurisdiction and report legislation updating them.

The Committee on Ways and Means has regularly held hearings on Medicare and has proposed a number of reforms in recent years to modernize the program. For instance, we are now considering creating a prescription drug benefit for seniors that would, I hope, become part of Medicare. Why would we want to create the uncertainty of limiting a prescription drug benefit to only 10 years? And why should Medicare itself be put on a schedule that might call into doubt the future of the program? Such outcomes would do little good and possibly great harm.

For these reasons, I urge my colleagues to vote against this legislation that weakens our existing budget process, our committees and the entire Congress and brings uncertainty to such programs like Medicare that millions of older Americans depend on for their very survival. I am puzzled and dismayed that my colleagues on the Committee on Rules refused to consider my amendment to exclude mandatory spending programs such as

Medicare from this measure. I urge a "no" vote on this legislation.

Mr. GOSS. Mr. Speaker, I am happy to yield 3 minutes to the distinguished gentleman from the great State of Delaware (Mr. CASTLE), the former governor.

Mr. CASTLE. I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in total support of the rule which I think allows amendments, some of which I will support, some of which I will not, but really in strong support of the legislation. I have been sitting here listening to this debate and it is sort of like inside baseball only it is inside Congress where we have various Members of Congress standing up and saying, well, this committee is going to have to give up jurisdiction or power to another committee, we have other people getting up and saying that the most likely things to always be reauthorized such as Medicare and veterans benefits and others may be threatened if we do away with this in 10 years, which is nonsense, that is never going to happen.

My view is the public really does not care about this. What the public cares about is that we spend their money wisely. The public also cares greatly that we sit down with the President of the United States and that together, even though we are in different parties and have differences of opinion, which we should, that we sit down and we work out a budget process which is fiscally sound and which accommodates the problems that exist in the United States of America. They are not interested in the committee fights. They are not interested in the politics of Congress. They are not interested in the politics of Washington. They are interested in good spending of their money.

Believe me, this legislation, this process, budget process reform legislation more than any legislation I have seen since I have been here incorporates, particularly with some of the amendments which are hopefully going to be addressed to it, the aspects of budgeting which would make a huge difference in terms of how we present ourselves to the public by making sure that the money we spend is not just for the district of a particular Member of Congress or committee or whatever it may be but in the best interests of the people of the United States of America. So I applaud all those people who put it together.

I would like particularly to address just one aspect of it because I do not have unlimited time, and that is the emergency spending provisions. I have been pushing for this since I arrived in the Congress some 7 or 8 years ago now, because I am a strong believer that we should limit how we spend emergency spending. In 1994, we passed legislation to prevent nonemergency spending from being added to emergency spending bills. That sounded all well and good at the time. I thought it was a good act until I realized you can call anything an emergency here in the House of Representatives.

What is the problem with emergency spending? The problem is it is completely unrestricted, it is very open-ended, there is no accountability for it. You do it on requests that come in from various sources, States, in the case of emergencies, military or whatever it may be. There are absolutely no limits. It is not counted against the other money which we have spent. We do not appropriate it. In spite of the fact they do that in virtually every State in this country, we do not do it in the Congress of the United States. This is extra money which is added to the debt that we have in this country. So as a matter of course, I think we are taking the wrong steps with respect to how we are handling emergency spending.

How do we do this? We basically set forth in this legislation a sum of money equal to a 5-year rolling average, we set up a group which will look at that, will look at the emergencies as they come in, make the decisions, make sure that the appropriations are made through our regular appropriations process, not added to the debt and then they will do the accounting as that money is spent. It is pretty simple, it is a little more complex than that, but it is the way to go.

It is a good bill, that is a good measure, it is something we should pass, it is bipartisan, and I hope we get a strong bipartisan vote in favor of the rule and the bill.

Mr. GOSS. Mr. Speaker, I am happy to yield 4 minutes to the distinguished gentleman from California (Mr. COX), who has been instrumental in providing a good deal of the substance for this particular piece of legislation.

Mr. COX. Mr. Speaker, I thank the gentleman for yielding me this time. It is in fact my purpose to rise to thank the gentleman from Florida (Mr. GOSS) and the gentleman from Iowa (Mr. NUSSLE), who chaired the budget task force that produced this product, along with the gentleman from Maryland (Mr. CARDIN) and, of course, the gentleman from Ohio (Mr. KASICH), the chairman of the Committee on the Budget, and also the gentleman from Texas (Mr. STENHOLM), who did such good work on this in his capacity as a member of the task force, and the gentleman from California (Mr. DREIER), the chairman of the Committee on Rules. All of the people who are associated with this project are owed a great debt of gratitude by the Members of this House and indeed by the other body as well, because proposals to overhaul the badly broken budget process have been under debate and under consideration in this Congress for as long as I have been here.

I came to Congress 12 years ago, having already spent 2 years working as a lawyer for President Reagan in the White House trying to overhaul our badly broken budget process. President Reagan in 1986 appointed a White House working group on budget process reform, a Cabinet level working group,

that put together many of the recommendations that have found their way into this legislation.

I did not know at the time that 2 years later I would be a Member of this House myself, but in my initial term in Congress I was the cochair of a task force on budget process reform that produced legislation very similar to this that had over 100 sponsors the first year that it was introduced. I introduced that legislation in successive Congresses. In the 105th Congress it had over 200 sponsors. The legislation was introduced and authored on the Senate side, in the other body, by the gentleman from Mississippi (Mr. LOTT).

What is before us right now is not about Republicans and Democrats. It is not about more spending or less spending. It is not about higher taxes or lower taxes. It is about doing business properly, in an organized way. It means that we are going to have a budget first and spending second. In this legislation, it is made very plain that we are not to get to the business of spending money until we have agreed between the executive branch and the legislative branch on the outer limits of what we think we can afford. It is the same way that anyone would produce a budget in the private sector, in a nonprofit organization or in your own home.

In Congress, too often for many years we have simply spent money on what we considered to be worthy projects and added it up at the end to find out what our budget was. Our budget was nothing more or less than the residue of all those small decisions, or all those relatively small decisions. Our budget, since 1974, has been a nonbinding resolution.

□ 1345

We can ignore it if we please. We can even not pass a budget if we please. We have supplemental bills that come to the floor whenever there is a natural disaster that break the budget. If we happen to have a horrible earthquake or flood in a given year, no provision is made for it, no forethought, as if these things had never happened before in our country. So, in a cash budget, all of the money runs out of operations in that current year.

None of these things is consistent with the way a significant substantial operation in America today conducts its business. Least of all, is this the way a trillion dollar annual enterprise should run its business? The Budget Process Reform Act, which I am very, very happy to see come to the floor under this rule, gives us an opportunity, a first opportunity after many, many years of effort, to rationalize all of this work that we do here.

Also one more important thing needs to be said about this: The process will become increasingly transparent, understandable to our constituents. The budget process has been very arcane in the past. Making it clearer for everyone to understand inside of Congress and outside of Congress is yet another noble objective of this legislation.

Mr. Speaker, I want to commend the rule for being broad and including many amendments, and I want to commend the legislation to all of my colleagues.

Mr. HALL of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. HOLT).

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

Mr. Speaker, I rise in opposition to the rule. I speak on one aspect of the bill and the rule, and, although it is only one aspect, I think it is a serious enough problem that it warrants the rejection of the rule. The Comprehensive Budget Process Reform Act, H.R. 853, contains serious problems that I think could actually weaken Congress' ability to budget. Unfortunately, the rule before us today does nothing to improve this flawed bill.

Last week I proposed an amendment before the Committee on Rules to address one section of the legislation that is particularly troubling, the section that calls for Federal mandatory spending programs to be sunsetted. Others have addressed this problem today. If this language becomes law, important benefits that our constituents rely on, Medicare, veterans' benefits, student loans, will lose their permanence and their existence will be made subject to the whims of future Congresses.

My amendment would have exempted the Federal student loan programs from these provisions. Unfortunately, the amendment was not made in order.

Now, many of us would like to see improvements in the budget process. I sit on the Committee on the Budget and I can imagine some improvements we should make. But I do not believe a majority of Members, Republican, Democratic or independent, really believe that the problems in the budget process are due to the permanent authorization of essential programs such as student loans.

The Committee on Rules should have, I think, shown more willingness to work in a bipartisan fashion and allowed my amendment to be considered. The people we represent, America's students and their parents, need to know that the Federal student loan program will be there when they need it. These programs and the legislation that created them were designed to give stability and certainty to the financial future planning process. Their existence should not be subject to the whims of a future Congress and President, regardless of which party is in power.

We want our families to plan ahead for college education for their children, and they should know that the student loan program will be around for the long term. They should know that the student loan program will be around for the long term, that they can count on it for their future planning.

Mr. Speaker, for these reasons, I urge my colleagues to defeat the rule, so that my amendment and other amend-

ments to improve this bill may be offered.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California (Mr. CUNNINGHAM).

Mr. HALL of Ohio. Mr. Speaker, I yield 1 minute to the gentleman from California.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The gentleman from California (Mr. CUNNINGHAM) is recognized for 2 minutes.

Mr. CUNNINGHAM. Mr. Speaker, I rise in opposition to this bill. We have bipartisan support in opposition to this bill.

I think the gentleman from Wisconsin (Mr. OBEY) spoke eloquently about some of the pitfalls of the existing conditions of the bill as it exists right now. My friend, the gentleman from Delaware (Mr. CASTLE), talked about exchange of power and that our people do not care. Well, the framers of the Constitution understood that too much power in the hands of a single source will corrupt, and it will.

I want to tell my friends on the other side of the aisle, it is a very frustrating process, both for them and for us as well, but I think the framers of the Constitution understood that, and it should be difficult to pass things, because if too much power on the left is there, too much power on the right is there, then it is going to be lopsided, and the framers understood that it should be difficult so that no single group can tilt the scales.

Is it frustrating? Absolutely. But the gentleman from Missouri (Mr. GEPHARDT) talks about in-house, he says "Republicans are our adversary; the Senate is our enemy." That is because a single Senator can stop legislation over there. That is too much power in one hand. This body is going to attempt to do the same thing by shifting the power to the White House.

Imagine, the President's budget failed 425 to 2 in this body, and 94 to 6 in the Senate because it was a political bill, too much power. Can you imagine what would have happened if we had given that power to the White House?

The Constitution, under Article I, says that Congress shall initiate spending bills. By that, the President has two whacks at it. As has been mentioned before, that is a spreading of power, and that is good.

What this bill attempts to do I believe is wrong. I would support the Gekas amendment.

Mr. HALL of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from South Carolina (Mr. SPRATT), the ranking minority member on the Committee on the Budget.

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

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

Mr. Speaker, I would be the first to admit that the budget process needs an overhaul, but not this overhaul, not this bill, for many reasons. It is not the

right fix. Parts of it I agree with, but many parts of it not only are not the right fix, I think they would be counterproductive.

Back in 1990, we sat down in earnest with the budget process as part of the budget summit agreement, and we made some budget process changes that laid the foundation for deficit reduction throughout the last decade and for the surpluses that we enjoy today. We adopted what we call a "pay-as-you-go" rule, a pay-go rule, with respect to tax cuts and entitlements. Basically, we said nobody can worsen the deficit. If you want to propose a tax cut, you have got to have an offsetting tax increase or an offsetting decrease or cut in entitlement, or permanent spending, and if you want to add to or liberalize the entitlement benefit, you have to identify a revenue stream to pay for it or diminish some other entitlement benefit so it is deficit neutral.

This rule served us well. But recently, in recent years, we have flouted it, and flouted it with impunity. We started this budget year, this legislative session, with a major tax cut bill.

I stood right here in the well of the House and said this bill violates pay-go. It also violates section 303(a) of the Congressional Budget Act, which basically says that pieces of legislation of this significance, whether they are spending legislation or tax legislation, will not be considered until we have a budget resolution. It was ignored.

Now, today, we bring this bill to the House floor which would change the architecture of our budget process, and yet the most significant fault right now, the most significant fault with our budget process, is the fact that the discretionary spending ceilings that we established back in 1990, set again in 1993, reset again in 1997, are an anachronism today. They are out of date.

The ceiling which we legislated several years ago for fiscal year 2001 is \$541 billion. The 302 allocation to the Committee on Appropriations and the budget resolution that the Congress passed exceeds that ceiling by \$60 billion. That is not small change. That is not a non-trivial excess.

The 302 allocation is \$600.3 billion, \$60 billion above the ceiling. We have got that problem, and the consequence of it, if we do not do something about it, is sequestration, an automatic process we set up for across-the-board cuts. The committee and the Congress were able to avoid it by function 920, unallocated cuts in the budget resolution. That is just treading water. We have got that problem.

We today started the appropriations process with the military construction appropriations bill. The first order of business, if we are starting the appropriations process, should be to adjust these ceilings, because we all know that the appropriators are not going to cut those 13 bills down to \$541 billion. They will be lucky to bring them in at \$600.3 billion.

If we were earnest, sincere about amending the budget process, we would

do something about the pay-go rule and violations like the bill we brought to the floor where section 303(a) was just totally ignored, and we would do something right now, here and now, with the most immediate and relevant problem with the budget process, and that is, the fact that we are well above, inevitably going to be far above, the discretionary spending ceiling, and we are going to trigger sequestration.

That is the order of business today, and that is why we ought to vote down this rule and get down to what we really should be doing in the way of budget process and budgeting.

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

Mr. Speaker, I ask my colleagues to vote no on the previous question. If the previous question is defeated, I will offer an amendment to make in order three amendments: An amendment by the gentlewoman from Nevada (Ms. BERKLEY) to protect any new prescription drug benefits and Medicare programs; an amendment by the gentleman from New York (Mr. FORBES) to protect veterans benefits; and an amendment by the gentleman from New Jersey (Mr. HOLT) to protect student loan programs.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment I will offer in the CONGRESSIONAL RECORD, to appear immediately before the vote on the previous question.

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

There was no objection.

Mr. MOAKLEY. Mr. Speaker, I urge my colleagues to vote no on the previous question.

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

Mr. GOSS. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 4 minutes.

Mr. GOSS. Mr. Speaker, I will just take a minute to close up here.

Mr. Speaker, first of all I think that the gentleman from Wisconsin (Mr. OBEY) hit it pretty well on the head in his remarks that this is really not a partisan matter, and it is certainly not a partisan rule. Consequently, I cannot think of a reason not to support the rule. The rule is, I think, a good rule, and it clearly will get us to the debate, which is the purpose of rules.

We have been having a lot of conversation here and testimony about the elements and the substance of the legislation. The purpose is to get that forward into the debate mode, and that is what this rule purports to do.

I think obviously there are differing opinions on the various pieces that we have talked about on our budget process reform. We know we need some reform. Some think it is too much, some think it is too little, some think we have the right pieces, some think we have the wrong pieces. Obviously, we should have the debate. The rule gets

us to the debate. I suggest we follow the logic of that, vote for the rule, get on with the debate and vote up or down the pieces you like or do not like.

As for some concerns we have heard a little bit about here on these three carveouts that were not made in order in the Committee on Rules, I suppose it would have been possible to make a bunch of carveouts for special elements and special programs. I do not know where one stops and starts that process. Do we leave out the environmentalist issues? Do we leave out the defense issues? Do we leave out one program or another at the expense of another? It seemed to us on the Committee on Rules, at least on the majority side, if you give one carveout, you tilt the budget process. We are talking about budget process reform, with a clean slate. Consequently, we did not make those amendments in order.

Now, those amendments have been, I believe, mischaracterized, perhaps inadvertently, as sunset. I do not believe the word "sunset" shows up anywhere, and I think if you go to your word processor, I do not think you are going to find any program sunsetted, certainly not veterans or students or the Medicare programs.

So I would suggest what is happening here is that perhaps over some confusion about the word "sunset," which is not warranted in any way, that what we are calling for in budget process reform is enhanced transparency, enhanced accountability and enhanced oversight.

□ 1400

Now, if enhanced oversight, that is reviewing programs every 10 years or so, which is kind of the thing we are sent here to do on behalf of the people we represent who pay us our salaries, is threatening, then that is a debate we can have; but I suggest that really our responsibility is to make sure the taxpayers' dollars are being used wisely, and I believe that is called oversight.

Mr. MOAKLEY. Mr. Speaker, will the gentleman yield?

Mr. GOSS. I yield to the gentleman from Massachusetts.

Mr. MOAKLEY. Mr. Speaker, the gentleman is correct. I used the word "sunset" when I should have said "sunset like." It was not a sunset; it was just looking at it after 10 years and then deciding whether to sunset it.

Mr. GOSS. Reclaiming my time, I appreciate the clarification. The brilliance of it, I am sure, will shine through immediately to everybody.

In any event, there is no sunsetting and the fact that we are reviewing programs every 10 years, I hope, does not come as an alarm bell. I hope it comes as confidence that Congress is doing its job. That is, as I said, what we are supposed to be here for.

I do not feel that there is anything except politics involved in these things that suggest even that somehow veterans' programs are going to not survive after 10 years or students' programs or so forth.

It reminds me of those Meals on Wheels scares and the school lunch scares that we went through a few years ago that were made out of, well, I guess I will not say what they were made out of but they were not true, and I do not think that these are serious worries. I think these are perhaps political debating points and they do not deserve much attention.

Therefore, I am going to ask that we move the previous question and we support the move for the previous question and then we support the rule and then we support those elements of this good legislation that we like.

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

Mr. MOAKLEY. Mr. Speaker, the amendment to H. Res. 499 that I previously spoke of is as follows:

AMENDMENT TO BE OFFERED IF THE PREVIOUS QUESTION IS DEFEATED

AMENDMENT TO H. RES. 499, PROVIDING FOR THE CONSIDERATION OF H.R. 853

On page 3, line 8 after "Rules" add "or in section 2 of this resolution" and at the end of the resolution, add the following:

"Section 2. The following amendments shall be considered as if they appeared after the amendment numbered 7 in House Report 106-613.

8. An amendment to be offered by Representative BERKLEY of Nevada, or a designee, debatable for 20 minutes.

PROTECT THE MEDICARE PROGRAM

Strike section 411 and insert the following new section:

SEC. 411. FIXED-YEAR AUTHORIZATIONS REQUIRED FOR NEW PROGRAMS.

Section 401 of the Congressional Budget Act of 1974 is amended—

(1) by striking subsection (b) and inserting the following new subsections:

"(b) LIMITATION OF DIRECT SPENDING.—It shall not be in order in the House of Representatives or in the Senate to consider a bill or joint resolution, or an amendment, motion, or conference report that provides direct spending for a new program, unless such spending is limited to a period of 10 or fewer fiscal years.

"(c) LIMITATION ON AUTHORIZATION OF DISCRETIONARY APPROPRIATIONS.—It shall not be in order in the House of Representatives or in the Senate to consider any bill, joint resolution, amendment, or conference report that authorizes the appropriation of new budget authority for a new program, unless such authorization is specifically provided for a period of 10 or fewer fiscal years."; and

(2) by redesignating subsection (c) as subsection (d), striking "(a) and (b)" both places it appears in such redesignated subsection (d) and inserting "(a), (b), and (c)", and inserting the following new paragraph in such redesignated subsection (d):

"(3) Subsections (b) and (c) shall not apply to any new prescription drug benefit."

Strike subsection (a) of section 421 and insert the following new subsection:

(a) TIMETABLE FOR REVIEW.—Clause 2(d)(1) of rule X of the Rules of the House of Representatives is amended by striking subdivisions (B) and (C) and inserting the following new subdivisions:

"(B) provide in its plans a specific timetable for its review of those laws, programs, or agencies within its jurisdiction, including those that operate under permanent budget authority or permanent statutory authority and such timetable shall demonstrate that each law, program, or agency within the

committee's jurisdiction will be reauthorized at least once every 10 years; and

“(C) exempt the medicare trust fund from the provisions of subdivision (B).”.

9. An amendment to be offered by Representative FORBES of New York, or a designee, debatable for 20 minutes.

PROTECT VETERANS' BENEFITS

Strike section 411 and insert the following new section:

SEC. 411 FIXED-YEAR AUTHORIZATION REQUIRED FOR NEW PROGRAMS.

Section 401 of the Congressional Budget Act of 1974 is amended—

(1) by striking subsection (b) and inserting the following new subsections:

“(b) LIMITATION ON DIRECT SPENDING.—It shall not be in order in the House of Representatives or in the Senate to consider a bill or joint resolution, or an amendment, motion, or conference report that provides direct spending for a new program, unless such spending is limited to a period of 10 or fewer fiscal years.

“(c) LIMITATION ON AUTHORIZATION OF DISCRETIONARY APPROPRIATIONS.—It shall not be in order in the House of Representatives or in the Senate to consider any bill, joint resolution, amendment, or conference report that authorizes the appropriation of new budget authority for a new program, unless such authorization is specifically provided for a period of 10 or fewer fiscal years.”.

(2) by redesignating subsection (c) as subsection (d), striking “(a) and (b)” both places it appears in such redesignated subsection (d) and inserting “(a), (b), and (c)”, and inserting the following new paragraph in such redesignated subsection (d):

“(3) Subsections (b) and (c) shall not apply to any new veterans benefit, program, and compensation.”.

Strike subsection (a) of section 421 and insert the following new subsection:

(a) TIMETABLE FOR REVIEW.—Clause 2(d)(1) of rule X of the Rules of the House of Representatives is amended by striking subdivisions (B) and (C) and inserting the following new subdivisions:

“(B) provide in its plans a specific timetable for its review of those laws, programs, or agencies within its jurisdiction, including those that operate under permanent budget authority or permanent statutory authority and such timetable shall demonstrate that each law, program, or agency within the committee's jurisdiction will be reauthorized at least once every 10 years; and

“(C) exempt veterans benefits from the provisions of subdivision (B) program, and compensation.”.

10. An amendment to be offered by Representative HOLT of New Jersey, or a designee, debatable for 20 minutes.

PROTECT STUDENT LOAN PROGRAMS

Strike section 411 and insert the following new section:

SEC. 411. FIXED-YEAR AUTHORIZATIONS REQUIRED FOR NEW PROGRAMS.

Section 401 of the Congressional Budget Act of 1974 is amended—

(1) by striking subsection (b) and inserting the following new subsections:

“(b) LIMITATION ON DIRECT SPENDING.—It shall not be in order in the House of Representatives or in the Senate to consider a bill or joint resolution, or an amendment, motion, or conference report that provides direct spending for a new program, unless such spending is limited to a period of 10 or fewer fiscal years.

“(c) LIMITATION ON AUTHORIZATION OF DISCRETIONARY APPROPRIATIONS.—It shall not be in order in the House of Representatives or in the Senate to consider any bill, joint resolution, amendment, or conference report

that authorizes the appropriation of new budget authority for a new program, unless such authorization is specifically provided for a period of 10 or fewer fiscal years.”; and

(2) by redesignating subsection (c) as subsection (d), striking “(a) and (b)” both places it appears in such redesignated subsection (d) and inserting “(a), (b), and (c)”, and inserting the following new paragraph in such redesignated subsection (d):

“(3) Subsections (b) and (c) shall not apply to any new student loan program.”.

Strike subsection (a) of section 421 and insert the following new subsection:

(a) TIMETABLE FOR REVIEW.—Clause 2(d)(1) of rule X of the Rules of the House of Representatives is amended by striking subdivisions (B) and (C) and inserting the following new subdivisions:

“(B) provide in its plans a specific timetable for its review of those laws, programs, or agencies within its jurisdiction, including those that operate under permanent budget authority or permanent statutory authority and such timetable shall demonstrate that each law, program, or agency within the committee's jurisdiction will be reauthorized at least once every 10 years; and

“(C) exempt student loan programs from the provisions of subdivision (B).”.

Mr. GOSS. Mr. Speaker, I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The question is on ordering the previous question.

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.

Pursuant to clause 9 of rule XX, the Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of agreeing to the resolution.

The vote was taken by electronic device, and there were—yeas 221, nays 200, not voting 13, as follows:

[Roll No. 185]

YEAS—221

Aderholt	Calvert	Dunn
Archer	Camp	Ehlers
Armey	Canady	Ehrlich
Bachus	Cannon	Emerson
Baker	Cardin	English
Ballenger	Castle	Everett
Barr	Chabot	Ewing
Barrett (NE)	Chambliss	Fletcher
Bartlett	Chenoweth-Hage	Foley
Barton	Coble	Fossella
Bass	Coburn	Fowler
Bateman	Collins	Frelinghuysen
Bereuter	Combest	Gallely
Biggett	Cook	Ganske
Bilbray	Cooksey	Gekas
Bilirakis	Cox	Gibbons
Billey	Crane	Gilchrest
Blunt	Cubin	Gillmor
Boehlert	Cunningham	Gilman
Boehner	Davis (VA)	Goode
Bonilla	Deal	Goodlatte
Bono	DeLay	Goodling
Brady (TX)	DeMint	Goss
Burr	Diaz-Balart	Graham
Burton	Dickey	Granger
Buyer	Doolittle	Green (WI)
Callahan	Dreier	Greenwood
	Duncan	Gutknecht

Hall (OH)	Metcalf	Sessions
Hansen	Mica	Shadegg
Hastings (WA)	Miller (FL)	Shaw
Hayes	Miller, Gary	Shays
Hayworth	Moore	Sherwood
Hefley	Moran (KS)	Shimkus
Herger	Morella	Shuster
Hill (MT)	Myrick	Simpson
Hilleary	Nethercutt	Skeen
Hobson	Ney	Smith (MI)
Hoekstra	Northup	Smith (NJ)
Horn	Norwood	Smith (TX)
Hostettler	Nussle	Souder
Houghton	Ose	Spence
Hulshof	Oxley	Stearns
Hunter	Packard	Stump
Hutchinson	Paul	Sununu
Hyde	Pease	Sweeney
Isakson	Peterson (PA)	Talent
Istook	Petri	Tancredo
Jenkins	Pickering	Tauzin
Johnson (CT)	Pitts	Taylor (NC)
Johnson, Sam	Pombo	Terry
Jones (NC)	Porter	Thomas
Kasich	Portman	Thornberry
Kelly	Pryce (OH)	Thune
King (NY)	Quinn	Tiahrt
Kingston	Radanovich	Toomey
Knollenberg	Ramstad	Traficant
Kolbe	Regula	Upton
Kuykendall	Reynolds	Vitter
LaHood	Riley	Walden
Latham	Rogan	Walsh
LaTourette	Rogers	Wamp
Lazio	Rohrabacher	Watkins
Leach	Ros-Lehtinen	Watts (OK)
Lewis (CA)	Roukema	Weldon (FL)
Lewis (KY)	Royce	Weldon (PA)
Linder	Ryan (WI)	Weller
Lucas (OK)	Ryun (KS)	Whitfield
Manzullo	Salmon	Wicker
Martinez	Sanford	Wilson
McCrery	Saxton	Wolf
McHugh	Scarborough	Young (AK)
McInnis	Schaffer	Young (FL)
McKeon	Sensenbrenner	

NAYS—200

Abercrombie	Doyle	Lee
Allen	Edwards	Levin
Andrews	Engel	Lewis (GA)
Baca	Eshoo	Lipinski
Baird	Etheridge	Lofgren
Baldacci	Evans	Lowey
Baldwin	Farr	Lucas (KY)
Barcia	Fattah	Luther
Barrett (WI)	Filner	Maloney (CT)
Becerra	Forbes	Maloney (NY)
Bentsen	Ford	Markley
Berkley	Frank (MA)	Mascara
Berman	Frost	Matsui
Berry	Gejdenson	McCarthy (MO)
Bishop	Gephardt	McCarthy (NY)
Blagojevich	Gonzalez	McDermott
Blumenauer	Gordon	McGovern
Bonior	Green (TX)	McIntyre
Borski	Gutierrez	McKinney
Boswell	Hall (TX)	Meehan
Boucher	Hastings (FL)	Meek (FL)
Boyd	Hill (IN)	Meeks (NY)
Brady (PA)	Hilliard	Menendez
Brown (FL)	Hinchey	Miller, George
Brown (OH)	Hinojosa	Minge
Capps	Hoefel	Mink
Capuano	Holden	Moakley
Carson	Holt	Mollohan
Clay	Hoolley	Moran (VA)
Clayton	Hoyer	Murtha
Clement	Inslee	Napolitano
Clyburn	Jackson (IL)	Neal
Condit	Jackson-Lee	Oberstar
Conyers	(TX)	Obey
Costello	Jefferson	Olver
Coyne	John	Ortiz
Cramer	Johnson, E. B.	Owens
Crowley	Jones (OH)	Pallone
Cummings	Kanjorski	Pascarell
Davis (FL)	Kaptur	Pastor
Davis (IL)	Kennedy	Payne
DeFazio	Kildee	Pelosi
DeGette	Kilpatrick	Peterson (MN)
Delahunt	Kind (WI)	Phelps
DeLauro	Kleczka	Pickett
Deutsch	Klink	Pomeroy
Dicks	Kucinich	Price (NC)
Dingell	LaFalce	Rahall
Dixon	Lampson	Rangel
Doggett	Lantos	Reyes
Dooley	Larson	Rivers

Rodriguez	Skelton	Towns
Roemer	Slaughter	Turner
Rothman	Smith (WA)	Udall (CO)
Roybal-Allard	Snyder	Velazquez
Rush	Spratt	Vento
Sabo	Stabenow	Visclosky
Sanchez	Stark	Waters
Sanders	Stenholm	Watt (NC)
Sandlin	Strickland	Waxman
Sawyer	Tanner	Weiner
Schakowsky	Tauscher	Wexler
Scott	Taylor (MS)	Weygand
Serrano	Thompson (CA)	Wise
Sherman	Thompson (MS)	Woolsey
Shows	Thurman	Wu
Sisisky	Tierney	Wynn

NOT VOTING—13

Ackerman	LoBiondo	Millender-
Campbell	McCollum	McDonald
Danner	McIntosh	Nadler
Franks (NJ)	McNulty	Stupak
Largent		Udall (NM)

□ 1421

Mr. SHOWS changed his vote from "yea" to "nay."

Messrs. METCALF, MOORE, and HOUGHTON changed their vote from "nay" to "yea."

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated against:

Ms. MILLENDER-MCDONALD. Mr. Speaker, on rollcall No. 185, I was detained by constituents and was unable to get to the floor in time. Had I been present, I would have voted "no."

PERSONAL EXPLANATION

Mr. LOBIONDO. Mr. Speaker, I regret I was attending a family funeral today and unable to be present for the following rollcall votes, 183, 184 and 185. Had I been here I would have voted "yea" on all three votes.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to House Resolution 499 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 853.

□ 1424

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. 853) to amend the Congressional Budget Act of 1974 to provide for joint resolutions on the budget, reserve funds for emergency spending, strengthened enforcement of budgetary decisions, increased accountability for Federal spending, accrual budgeting for Federal insurance programs, mitigation of the bias in the budget process toward higher spending, modifications in paygo requirements when there is an on-budget surplus, and for other purposes, with Mr. LATOURETTE 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 Iowa (Mr. NUSSLE) and the gentleman

from South Carolina (Mr. SPRATT) each will control 20 minutes; the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) each will control 10 minutes; and the gentleman from California (Mr. DREIER) and the gentleman from Massachusetts (Mr. MOAKLEY) each will control 15 minutes.

The Chair understands that each committee will consume or yield back its entire time as just mentioned before the next committee is recognized.

The Chair recognizes the gentleman from Iowa (Mr. NUSSLE).

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

Mr. Chairman, I would like to commend a number of Members on both sides of the aisle for their work on budget process reform. There are maybe a few Members of Congress and a few people watching who may think that this all of a sudden just came up in the last couple of weeks, but it did not.

In fact, I remember talking to Members of Congress when I first arrived as a freshman Member who were concerned about that year's budget process, 1990, when, as we may recall, as the body may recall, Members of Congress and administration officials were being shuttled back and forth from Andrews Air Force Base in a very "democratic process" in order to try and arrive at the end year result of what the budget would look like.

There were probably only a handful of people in this entire country divvying up the final \$1.3 trillion worth of spending tax increases, at that point. There were just a few Members in a little barracks, I guess, right off of Andrews Air Force Base, and they were making the final decisions of what was then the budget process.

At that point, as a freshman Member, and just about every year since, I made the commitment that this is something that I wanted to do. Well, there were many people that I worked with. I certainly could not and did not do this alone.

I first would like to commend my partner in this, and that is the gentleman from Maryland (Mr. CARDIN). The two of us were given the task of sitting down and trying to take all of the good ideas from Members since the 1974 Act was passed and to try and put them together in a comprehensive bill that addressed many of the problems that we were facing at that time.

□ 1430

So I want to commend the gentleman from Maryland (Mr. CARDIN), the gentleman from Minnesota (Mr. MINGE), the gentleman from Texas (Mr. STENHOLM), the gentleman from New Hampshire (Mr. SUNUNU), the gentleman from Minnesota (Mr. GUTKNECHT), the gentleman from Ohio (Mr. KASICH), so many people, the gentleman from California (Mr. COX), and the gentleman from Texas (Mr. BARTON), that we stand on their shoulders as we work together.

Why is this process broken, or how do we know it is broken? Well, one does not have to go back to my very first year as a freshman to 1990. Just go back to 1995, the government shut-down. Everybody certainly remembers that. In fact, that is the poster child for budget process reform. The same is true with 1998 when we did not even get a budget, did not even pass a budget that particular year.

So we have a number of different dynamics that proved to us as Members that the process is broken. So one can pick any year one wants and see a number of opportunities for the budget process to break down.

We also considered just about every alternative that was put before the Congress, both past and present. We considered every kind of lockbox one can imagine. We considered joint resolutions. We considered concurrent resolutions. We considered all sorts of things which people outside might glaze over in their eyes. They may not even be following.

But as I explained to a group of young people that I spoke to back in my district when they were asking me what I was going to be working on this week, I told them budget process reform. Of course, they do not quite understand what that would mean.

I said, well, it is the rules in which we govern our behavior in coming up with a budget. Those rules are not much different than when one dusts off that old Monopoly box that one pulls out from under one's bed, and one dusts it off because one has not played it in a while. So one is trying to remember the rules. One opens the box, and one looks on the back of the box, and there it says very clearly the non-outcome, in other words, it does not determine the outcome, but it says how one plays the games in a fair way so that the process can work its will, and that the players can achieve their end result on their own, based on those rules.

That is what we tried to do here. We did not game it. We did not say there is a special rule for this or a special rule for that. We did not take advantage for the Committee on Ways and Means or the Committee on Appropriations or any of the authorizing committees. We said, what is the best way for us to get a common sense result?

So what did we do? We looked back and we said, since 1994, when has the process worked? Do my colleagues know what? Mr. Chairman, we could only find one year where the budget process truly worked. Do my colleagues know what year that was? That was the year that we did not follow the budget process. It was 1997.

Let me remind my colleagues what happened. Early in that year, Democrats and Republicans met with both the House, the Senate, the administration together, and they said, how can we make sure that the budget process works? They came up with what was called a memorandum of agreement. That memorandum of agreement set

out the aggregate numbers by which the entire year worked. It said what taxes were going to be. It said what spending was going to be. It said debt reduction, how we were going to reduce the deficit.

Together in a memorandum of understanding, the White House, together working with the Congress, they came up with what was the framework for probably one of the most successful years of budgeting since 1974. So it was that process that we used as a boilerplate for this particular bill.

Now, since we wrote the bill and in the last few days when this bill has been coming to the floor, I have been having three typical conversations. One is, of course, Members who support the reform. They are very happy that we can prevent government shutdowns, that we can stop with the game playing and the political documents as part of a budget bill because it has to be real.

If we make it a joint resolution, it means the president of either party cannot come to the Congress in February and submit a budget that is dead on arrival, leave for 9 months, and come back when there are negotiations at Andrews Air Force Base. It means that the Congress and the Committee on the Budget cannot put a political document out on the table and leave and check out until October when the budget should have been done and we are already on the government shutdown, and they come back in to try to fix everything. It means that the process has to be real. It should not be political. It should not be a game. We are talking about \$1.8 trillion of one's hard-earned money that is being spent, that is being taxed, that is being used for the betterment of our country. We should have a process that works.

The second kind of conversation is from Members who I have to honestly suggest to my colleagues find a certain amount of advantage from our current chaos. I would suggest to my colleagues those are probably Members who find themselves in that last room on that last day putting the finishing touches on a 15,000-page bill. That is not me. That is not the gentleman from South Carolina (Mr. SPRATT). That is probably very few of us in this room right here today.

So are my constituents from Iowa being represented in that process? I would suggest to my colleagues no. Are my friends who are here today listening to the debate? Are their constituents being served by that process where one has no input, where the House is not working its will? I would suggest to my colleagues that it is not. It does work for those Members who observe a certain advantage of being in that room and taking advantage of that chaos.

The final group of people are those who are concerned about bringing the White House into the process. Mr. Chairman, should not the White House be in our budget process? I mean, I realize that my colleagues are all walk-

ing around here today suggesting that maybe we can do it all by ourselves, but did that not, in some respect, contribute to the government shutdown? Did that not, in some respect, contribute to the chaos and the confusion of years past when, all of a sudden, at the end of the year, be they a Republican majority or a Democratic majority, because the process was not real, at the last minute, in order to avert a government shutdown, had to rush into a room and try and finally put a finishing touch on that bill?

By excluding the President from this particular provision, what we end up doing is not make it real, not make it realistic. More so, we send a false sense of security to our constituents suggesting that, as long as we continue to have votes on all these bills, things must be proceeding successfully, when we all know with a wink and a nod that they are, in fact, not.

Now, there are some committees that have some specific concerns that have been coming up to me as well. One are the authorizing committees. For those of my colleagues listening, those are the committees, such as the Committee on Agriculture, the Committee on Transportation and Infrastructure, the Committee on Commerce, committees such as that. They are in charge of authorizing the many departments, laws, and agencies of our government.

They are concerned that if, in fact, we create a budget law at the beginning of the year, that, in fact, the Committee on Budget could decide to do all of the work for those other committees. I would suggest to my colleagues, not only is that protected in this legislation, but it is protected by the Speaker, and it is protected by the rules of our House. We do not have the ability to circumvent any jurisdiction at all in this bill. Do not buy the arguments that suggest otherwise.

The Committee on Appropriations. The Committee on Appropriations have some concerns with this bill. Why? Well, number one, I say very respectfully, and if I was a Cardinal, as they call them, one of the chairmen of the subcommittees of the Committee on Appropriations, I might kind of like this, too. But I am, of course, invited as one of the Cardinals into that final room to write the bill, and, of course, I kind of like that opportunity. So they oppose the bill because the current amount of chaos and confusion that gets us to that end result advantages that committee.

There are other committees, such as the Committee on Transportation and Infrastructure that has suggested that mischief might be created by that as well. But, again, I would suggest to my colleagues that all they are trying to do is to determine the outcome before the House gets to work its will.

I would just like to suggest to my colleagues, in closing, my part of this that we have an opportunity today to fix a process that is broken. Oftentimes, we come to the floor, and we do

not have a broken process. But even the gentleman from South Carolina (Mr. SPRATT), the ranking member on the Committee on the Budget, has worked on this, his staff. While they have not been in agreement, I respected his opinion on this and his input on this.

Even though we may want to agree on this, I would suggest to him that we have an opportunity today to fix the process that he knows is broken. In fact, the gentleman from South Carolina admitted that during the debate on the rule. This may not be exactly the best way in everybody's estimation, but it is a start, and we should not kill this bill on the floor today.

There is a reason why we have not reformed the process since 1974. The reason is, quite honestly, because people see some advantage in there to them, personal, jurisdictional advantage. What we have come up with is a non-outcome determining solution to this process. It has been an arduous task, to say the least, but we feel we have brokered a compromise that works well and allows the House today, as we debate this bill to work its will and to make a determination that does, in fact, fix this final process.

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

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. MCDERMOTT).

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

Mr. MCDERMOTT. Mr. Chairman, this is sort of an interesting bill because it is kind of inside baseball. Nobody outside this building or outside this Hill really cares about it. But, therefore, it ought to be possible to have an honest discussion about what this is really all about.

This, in my view, is a repeal of the Committee on the Budget. It really is saying we are done with it, but we are not going to do it directly because we do it by three mechanisms.

One is, we say that the budget document has to be signed by the President. Now, let us just suppose, in the worst case, we have George Bush as President and a Democratic House of Representatives and a Republican Senate, and they fight, and they fight, and they fight, and we never get a budget resolution done? Now, what happens? Is the government paralyzed? Do we close down? No, we just go on, and they make it easier by repealing the May 15 deadline.

The Committee on Appropriations just goes about their business as though there was no budget resolution. We do not need a budget resolution essentially is what this says. Because if it gets snarled up in a fight between the White House and the Houses here, we will just go right ahead.

But the real hooker, the real fast ball in under one's fingers in this bill is the automatic CR. This establishes an automatic CR that goes in perpetuity

at the year 2000 levels. If nothing else happens, that is what we have got. Now, God bless the Committee on Appropriations. Their problem is going to have to be to reduce the funding in some things before they vote for things that increase the funding in other things.

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

Mr. MCDERMOTT. Yes, I yield to the gentleman from Iowa.

Mr. NUSSLE. Mr. Chairman, only to let the gentleman from Washington know that we did take that automatic CR out of the bill. There will be an amendment later, and my colleagues can decide whether they want that as part of this bill.

Mr. MCDERMOTT. Mr. Chairman, I want to make the Members aware of that issue because I know it is coming. Everybody who fears that the shut-down of 1995 is going to say we have to put that in there.

So those three elements will kill the Committee on Budget.

Mr. NUSSLE. Mr. Chairman, I yield 1½ minutes to the gentleman from New Hampshire (Mr. SUNUNU), a member of the Budget Reform Task Force.

Mr. SUNUNU. Mr. Chairman, I think it is always a good sign when one brings a piece of legislation to the floor like this one that is rooted in common sense, and the only opposition that can be put up is to argue against elements that are not even in the legislation. I think that is an indication of the strength of the bill, and I rise in strong support of it.

This is budgeting process. It is not necessarily exciting, but it is important. This legislation does a few basic things to put us back on a ground of common sense and fiscal responsibility. We give the budget resolution the teeth of law, allowing the President the opportunity to sign it into law, and thereby enable us to know where we are headed at the beginning of the process and make the outcome that much better.

We set aside for emergencies. Everyone in America would think that that makes sense to budget for emergencies or contingent funds at the beginning of the year. But we do not do it in Congress. As a result, we are caught in an endless cycle of supplemental and emergency appropriations where we have to exceed whatever our every budget caps might have been put into place.

We will take up the opportunity to look at 2-year budget cycles, which would give us an opportunity to improve the budget cycle by improving our capacity for oversight, to make sure that taxpayer funds are spent effectively.

The bottom line is that this legislation gives a better planning process to all of Congress. It improves the accountability that is in the system and puts us on a road to greater fiscal discipline and restores public confidence in the way we fund government. It is

not a cure-all. The opponents of this legislation will raise some legitimate concerns. But the objective is to incrementally improve the budget process and restore public confidence in the way we do business here in Congress.

Mr. SPRATT. Mr. Chairman, I yield 2½ minutes to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Chairman, I rise in opposition to this bill. I do want to commend those who have worked on it in good faith. I know that their intention is good. But this is a flawed remedy. It is not a convincing remedy. It might well do more harm than good.

I think we will all agree that the budget process is not working well. But it is a mistake to believe that endless procedural tinkering is the answer.

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The problem is not mainly a flawed process. The challenge to us as Members is to use the existing process responsibly, and yet in recent years that has just not been done. In 1998, for the first time, Congress failed to even adopt a budget resolution. And for the past 2 years, the leadership has allowed Congress to approve budget resolutions that could not possibly be implemented, and then has facilitated waiving as many rules as necessary in order to break or circumvent or ignore those budget resolutions.

So if the budget process is broken, it is not so much that we need to tinker with the machinery as to use that machinery responsibly. We need to adopt realistic budget plans and then comply with the existing rules. The bill before us purports to address our problems by more tinkering with the machinery. But I think it looks for a fix in the wrong direction.

One of the best examples of this is the misguided proposal for biennial budgeting, and I will be able to address that, as will other Members, when the amendment process begins. Let me focus for now on the base bill and the proposal to make the budget resolution a joint resolution. That would bring the President into the process and would require his signature on the budget resolution.

I understand very well the attraction of this. I can remember times in the Reagan and Bush administrations when as Democrats we wished for a way to bring the President to the table earlier, to share responsibility for putting our fiscal house in order. But I believe the advantages of doing this are outweighed by the likely disadvantages.

First of all, I think this would invite further delays in the budget and appropriations process, beyond those we already experience. It would halt the process in years when the President or the Congress could not agree. I know there is supposed to be a fail-safe mechanism whereby we would then revert to a concurrent resolution. But when that kicked in, the process would already be way behind.

And then, finally, once the President and the budget committees found themselves negotiating over a real statute and not a planning document, they might very well succumb to the temptation to directly legislate, to load all kinds of controversies that properly belong in the reconciliation process or in authorization bills onto the budget resolution.

So this bill would take power away from the committees of this body and move it toward the Committee on the Budget, and away from the Congress as a whole and move it toward the President. I urge my colleagues to vote "no."

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Mr. Chairman, let me thank the gentleman for yielding me this time.

Mr. Chairman, let me just make a couple points, if I might. First, I want to compliment my friend, the gentleman from Iowa (Mr. NUSSLE), for the manner in which we developed this proposal. It was done in a bipartisan way, an honest effort to try to improve the process around here.

Let me make three points, if I might, first in regards to the joint resolution. In response to my friend from North Carolina, there is no opportunity to add, other than the budget requirements in the budget resolution. And if we do not enact the budget resolution, we report back to the current process. So there is really no danger there.

But the key here is to try to get the White House and the Congress engaged on the same page on the budget document of this country. Why is that important? In the last 10 years, we have only passed a budget on time twice, once under Democrats, once under Republicans. In the last 10 years, we have only passed the appropriation bills on time once. We have had summit after summit, we have had violations of the rules after violations of the rules, and what this all means is that the Congress is not as strong as it needs to be. None of us like a summit. We are all neutered in that process except for a few of us. This empowers each one of the Members in this body as well as the institution itself to be stronger.

Number two, emergency spending. Look what we have done with emergency spending in this body. Through the 1990s, we had 18 supplemental appropriation bills and 21 regular appropriation bills that included emergency spending. Much of this was not even emergency spending. It is time to reform this process and this legislation does it.

And number three, it is time for us to start moving towards accrual accounting. Members should try explaining to their business leaders why we are still on a cash basis accounting system. That allows us to play gimmicks with the budget, which is wrong. This is a good first step.

I urge the Members to please read what is in this document, because

there are statements being made that are just not true. We do not sunset any of the entitlement programs under this bill, but it sets up a way in which we can start reviewing government spending in a more responsible way.

I urge my colleagues to support the underlying reform bill. It will make us stronger as an institution.

Mr. NUSSLE. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. BARTON).

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Chairman, I rise in very strong support of this bill. It is not a perfect budget process reform bill, but it is the most perfect budget process reform bill we can get to the floor, and I am for it.

A lot of the talk we will hear against it is really inside baseball against the prerogatives of certain committees or, in some cases, perhaps certain specific Members. I think the fact that we have to have a joint resolution signed by the President early in the process is a very positive step.

We have sat around here, those of us that have been in the body a number of years, and watched President Clinton demand more spending to sign the appropriation bills, or watched President Reagan or Bush demand less spending. Why not bring the President and the Congress together at the beginning?

In terms of the emergency day fund, how many emergency supplemental bills have really been just about emergencies? Not very many. This bill has a real definition and actually does try to budget for emergencies. I think that is a very positive step.

It does not have the 2-year budget biennium that we hope will be passed on the amendment, but if we pass that, that will be a good step, and I will speak later on other amendments as they come forward.

Mr. Chairman, I rise today to express my support for H.R. 853, the Comprehensive Budget Process Reform Act, introduced by Congressman NUSSLE. As a cosponsor of this legislation, I am very glad to see this important measure considered here today.

The American people are sick and tired, like I am, of the same old budget story coming out of Washington at the end of every year. The process in which we now fund our government has become one big staring contest—waiting to see who will blink first. Each year, hot political issues and scare tactics are used to hold up and stall the federal budget process so that at the end of the year some can attempt to cater the final budget numbers to be most appealing to their constituencies, regardless of whether or not the spending direction and levels are good for the country as a whole. This political game must be ended and sanity must be brought back to the federal budgeting process.

Since joining Congress, I have been a strong supporter of budget process reform. I believe that budget process reform is an essential key to reaching and maintaining a balanced budget. Passage of meaningful process reform would leave its mark on this Nation for

generations to come. In fact, I have introduced budget process reform legislation in this Congress, H.R. 2293, the "Budget Enforcement Simplification Trust" Act, or the "BEST" bill. This legislation, along with H.R. 853, recognizes the need for discipline and order in making spending and revenue decisions at the federal level.

There are many issues that H.R. 853 addresses that should be central to any budget debate. For example, I support the idea of a joint resolution. A joint, rather than the current concurrent, resolution would bring the President into Congressional budget deliberations and make him accountable for its success or failure. And, because the President would have the authority to veto an unacceptable resolution, a joint resolution would require Congress to pay attention to Presidential concerns. Unlike the current budget process, this new framework would make both the Executive and the Legislative branches stakeholders in the resolution's outcome and require them to agree on overall spending and revenue levels, annual deficits, total debt levels, and on the allocation of resources among budget functions and committees.

I understand that an amendment will be offered today to strike the provision in H.R. 853 that changes the budget resolution from a concurrent resolution to a joint resolution. I would hope that my colleagues would oppose this amendment and keep this important provision in the bill.

I am also glad to see included in H.R. 853 the creation of a Reserve Fund which would replace the "emergency" supplemental appropriations bills which have become a catch-all for non-emergency spending schemes. Disbursements will be only for certified natural disasters with tough procedures to ensure spending on only its designed purposes. An "emergency" should not be defined as a requirement lacking budgeted funds. Congress has become too reliable on labeling increases in spending as an "emergency" designation, when in fact, the emergency at hand does not coincide with the spending levels considered.

H.R. 853 also budgets for insurance programs on an accrual basis, which is the budget records net cost or receipts on a present value basis at the time the government commits to provide insurance. While I did not offer a similar provision in my BEST bill, I also see merit in this responsible treatment of insurance program transactions.

While Congressman NUSSLE's bill, H.R. 853, contains many similar provisions to my BEST bill, there are a few differences in the two. One main difference is the fact that my budget process reform bill calls for a biennial budgeting process, while H.R. 853 retains the annual budget and appropriation process.

I do want to elaborate some on this distinction between the use of biennial budgeting as compared to an annual budget and appropriation process. Today, an amendment will be offered by Rules Committee Chairman DRIER that will establish a two-year budgeting and appropriations cycle and budget timetable. I appreciate the efforts of Chairman DRIER in working to offer this important amendment and feel that this will go a long way to make an already good bill even better. I urge my colleagues to support his amendment.

There are many sound arguments as to why and how biennial budgeting would help make the federal budgeting process more reliable

and sensible. First of all, budgeting for a two year cycle would force Congress to be more careful in their spending habits and encourage members to be more responsible in the amounts and directions in which they allocate taxpayer dollars. Far too often, pet projects are added on to annual appropriations bills at the last minute, usually without the proper scrutiny of Congress. With one budget process every two years, the opportunities for that kind of spending would be cut in half.

Federal agencies would also be more efficient and cautious in how they use their funds because of the length and stability of their funding over a two year cycle. In addition, Congress would be able to exercise better oversight over these government agencies and programs to ensure that the financial commitment involved is sound fiscal policy for the country to undertake.

However, the most important aspect of biennial budgeting in my opinion is not what enacting it would do for Congress, but rather what it would allow Congress to accomplish. Each year, both parties state the many goals and accomplishments they hope to pass in order to improve the life of the American people. And each year, achieving these goals are becoming more and more difficult because of the time that is required to be spent on the annual appropriations process.

Imagine how productive Congress could be if instead of having to deliberate over every dollar the government will see that given year, we could commit more time to the different issues that most of us came here to work toward. I want to spend more time helping small business and small communities by cutting taxes and wasteful spending in our government and pushing for legislative proposals that give more freedom for the American people to work toward a better tomorrow. I think every Member would tell you that he or she would like to have more time and resources to pursue the types of issues that they were all sent to Congress for in the first place. Biennial budgeting can help to make that happen.

Again, I applaud this House for taking up budget process reform legislation here today. It is time for Congress to free up this process and allow this body to stand for more than annual appropriations battles. It is time for us to start spending our time and the American taxpayers' dime more wisely.

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. BENTSEN).

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

Mr. BENTSEN. Mr. Chairman, I rise in reluctant opposition to this bill. I want to commend the gentleman from Iowa and the gentleman from Maryland for their work on it, but I do not think this bill is fully done.

I have to say, Mr. Chairman, that we can come up with any budget process we want, but if the Members are not going to abide by it, it will not make any difference in the world. We could be back here, and probably it will not be any of us, but someone will be back in 10 years, if we enact this, saying, boy, the budget process is broken, we have to change it again. It ultimately comes down to the Members of the House and the Senate being willing to abide by it.

If we look at the reforms that were enacted in 1990, the pay-go and caps, when those were put into law, Congress actually abided by those for a number of years, until the Congress decided it did not want to. It was not a single party, it was a bipartisan effort that led the way. So whatever change is not going to make a good deal of difference.

Now, there are some good things in here dealing with emergency spending, although some of the language was changed, which I will talk to the gentleman from Iowa (Mr. NUSSLE) about later, I think the accrual funding is good, but I do think this idea of moving the goalpost, which is in effect what we have done, we have decided we are going to move the goalpost back up the field 50 yards rather than having it at the back, by having the fight with the President early on rather than later. The problem with that is, I think, that they might push the fight to the very end of the year and make it much more difficult. It may work, it may not, but I do not think it solves the problems that our colleagues are trying to solve.

I think they made an honest attempt. I do not think this bill is fully done yet. And, again, this is a matter of human nature. Nothing that we change in the process will make that much difference. So I think we should send this bill back to committee and work on it some more.

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

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

Mrs. CLAYTON. Mr. Chairman, I thank the gentleman for yielding me this time. I oppose this bill as written, though I think it is indeed well intended.

For more than half a century biennial budgeting has been considered and rejected by many States. In 1940, some 44 States used biennial budgeting. Today, less than half do.

The bill will cause harmful delays, reduce accuracy in forecasting and planning, and obstruct legislative control in the budget process. Under this bill, harmful delays will result because a joint resolution, as is proposed, takes longer than a concurrent resolution, as is in current law.

Worse, Mr. Chairman, under this bill, from the time items within a budget are formulated to the time such items are implemented would be extended in a way that no one could be assured of accuracy.

Budget cycles for Federal agencies could extend over 2- or 3-year periods, and forecasting and planning would be affected by economic swings, inflation, and unanticipated need. Fiscal control would become elusive and fanciful. And, also, many of our colleagues believe we use emergency spending measures far too often now. Imagine how often we would be tempted to use emer-

gency spending measures if we were unable to get help to citizens in need due to the inherent sluggish budget process. I welcome the amendment that addresses this issue.

Moreover, the President and small groups of legislators would exercise inordinate power in a process where a determined minority could frustrate the will of the majority.

Mr. Chairman, the goals of the Comprehensive Budget Process Reform Act are laudable and we should commend the purpose of it. However, this bill gives us little more than we already have and threatens much of what we are required to do. Defeat this bill as it is currently written. We seek to fix things that are not broken and will result in breaking those things which we seek to fix.

Mr. Chairman, I rise in opposition to this bill. For more than half a century, Biennial budgeting has been considered and rejected by many states.

In 1940, some 44 states used biennial budgeting. Today, less than half do.

Many states have considered and rejected biennial budgeting because it causes harmful delays; reduces accuracy in forecasting and planning; and constricts legislative control in the budget process.

Under this Bill, harmful delay will result because a joint resolution, as is proposed, takes longer than a concurrent resolution, as in current law. Not only would Congress be forced to await action by the President to pass a budget, but appropriations bills could not move until a budget is passed.

Current law, allowing appropriations bills to come to the House Floor after May 15th is repealed by this Bill.

Mr. Chairman, many of our colleagues believe we use emergency spending measures too often now. Imagine how often we will be tempted to use emergency spending measures if we are unable to get help to citizens in need due to an inherently sluggish budget process.

And, imagine the mammoth bills we would construct, with add-on provisions of every sort and kind, while attempting to pass a budget bill that must be passed before this Government can spend money.

Worse, Mr. Chairman, under this Bill, from the time items within a budget are formulated to the time such items are implemented would be extended in a way that no one could assure accuracy.

Budget cycles for Federal agencies could extend over two or three year periods, and forecasting and planning would be affected by economic swings, inflation and unanticipated needs. Fiscal control would become illusive and fanciful.

Moreover, the President and small groups of legislators could exercise inordinate power in a process where a determined minority could frustrate the will of the majority.

Senate Rules, different from House Rules, would empower Senators in a way never before seen.

Do we really want to surrender our role as representatives to the President and small bands of Senators?

Mr. Chairman, the goals of the Comprehensive Budget Process reform Act are laudable. But, we already have the authority to exercise

regular oversight and to adopt multi-year budget plans.

Why do we need a Bill to reaffirm that role? We have already stood for the protection of Social Security. Why do we need a Bill to make that stand again? We can already reauthorize or rescind spending programs. Why must we restate that authority? And do we really want to expose entitlement programs to the perils of biennial budgeting?

Mr. Chairman, we need, and the American people demand, predictability in our budgeting; calculated choices in deciding how much, for what purposes and when to spend; reliability as we proceed; and certainty in how we operate as we shape the budget of the United States.

This Bill gives us little more than we already have and threatens much of what we are required to do.

Defeat this Bill. It seeks to fix what ain't broke, and will result in breaking what it seeks to fix.

Mr. SPRATT. Mr. Chairman, I yield 3 minutes to the gentleman from Minnesota (Mr. OBERSTAR).

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

Mr. OBERSTAR. Mr. Chairman, I thank the gentleman for yielding me this time, and I compliment him on his leadership in standing up and offering a rationale on this issue we can all heed.

The Budget and Impoundment Control Act of 1974 was crafted for the purpose of giving the Congress a coequal role with the President in setting the budget of the United States. That law created a process whereby the Congress, after reviewing the administration's spending and policy priorities, would establish priorities and investment levels that reflect the appropriateness of our ideas, the people's body, and the people we represent.

This bill turns that initiative on its head. The joint resolution proposal brings the President into this Chamber and gives him three cracks at the budget ball; his budget, our budget, and the appropriation bills. That is a formula for failure. That is a formula for surrender of the prerogatives of the legislative body to the executive body.

Some of the advocates for this bill decry the 1990 budget summit, but, ironically, they are creating a formula for annual budget summits. Budget targets and committee allocations will be negotiated by the Committee on the Budget, the House and Senate leadership, and the President, without the participation of authorizing committees and the rank-and-file Members of this body. Most of us will be shut out of the process.

If my colleagues do not think so, think back on 1997. Three years ago. Three years ago this week we considered the 1997 Balanced Budget Act. Well, the gentleman from Pennsylvania (Mr. SHUSTER) and I offered a substitute to increase highway and transit spending, adjusting the deal by one-third of 1 percent. What did we hear? "A deal is a deal," intoned colleagues on both sides of the aisle. "Do

not break the deal," said a panicked White House, "Stick to the deal," said the Committee on the Budget.

At 2 a.m. in the morning, when I got a chance to debate the issue, I said, "Who is a part of this deal? Not me. Not the gentleman from Pennsylvania. Not most of those in the Chamber. We did not have anything to say about the deal. So why are we being asked to support it?" Well, that is where we will be if we pass this goofy idea.

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With this bill, we will be in that kind of debate every year, eliminate functional categories from the budget resolution. We even take away our ability to offer amendments to the leadership-negotiated deal.

Well, the budget process is where we set our priorities, where we decide what the values are for America. It sets the priorities for the future. It is a process where every Member of this Chamber ought to have a voice and a say and have an equal role. This proposition cuts us out of that role. We ought to defeat this bill.

Mr. SPRATT. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota (Mr. MINGE).

Mr. MINGE. Mr. Chairman, I thank my colleague for yielding me the time.

Mr. Chairman, this proposal that we are considering this afternoon gives us in the House of Representatives an opportunity to move ahead with a very ticklish task of developing a budget and trying to improve the rigors of the budget process in several different respects.

It is always easy to criticize progress and to say, oh, there is a parade of horrors here. If we try something new and different, we may have problems. Well, I submit that is really not the issue. The issue is do we have problems with the way we are currently handling our budget responsibilities. And indeed we do. The problems are legion.

One of them is that we do not find out until September or October of each year whether or not we have agreement with the White House. So one of the challenges is how can we move this dispute up to an earlier point in the year. This particular proposal does that.

The same thing for emergencies. The same thing for accrual accounting and a variety of other things that would represent improvements in the budget process.

I urge my colleagues to vote in favor of this proposal.

Mr. NUSSLE. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. ROYCE).

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

Mr. Chairman, I rise in support of the Comprehensive Budget Process Reform Act. While this bill will not fix everything that is wrong with the budget process, I believe it is a step in the right direction.

The current economic trend we are enjoying will not last forever. Now is

the time to increase accountability for spending taxpayers' dollars, strengthening enforcement of budgetary decisions, promote long-term budget planning, and encourage fiscal discipline.

This bill requires a binding budget resolution to compel the President and compel the Congress to agree, from the start, on levels of spending and not at the last moment, as is currently done.

Furthermore, this bill forces both the Congress and President to budget up front for long-term liabilities. It sets aside a strategic reserve, something we should have done years ago instead of the supplemental budgets that become Christmas trees. It closes existing loopholes in budget enforcement.

In addition, it will limit the authorization of any new spending program to not more than 10 years, and requires committees to submit a plan for reauthorization for all programs within 10 years.

I urge my colleagues to pass these important reforms.

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

Mr. MURTHA. Mr. Chairman, let me talk about my concern about this 2-year budget process.

I think that the worst thing we could do is allow the executive branch to have any more influence than they have. I mean, they send a budget over to us. Every year we dispose of that budget in one way or the other. If we dispose of it 1 year and we had 2 years, we would have little or no influence over the departments.

I was talking to the gentleman from Connecticut (Mr. LARSON) from Connecticut. They used to have a 2-year budget. They have to open their budget up every year and go through the same process they would ordinarily. But the problem with then having influence with the departments, they have no personnel in there, they would have none of the things that they are really interested in in their budget.

So what they would be doing, the process things that are so important to the changes that happen, the supplemental appropriation, all of the things that they need to do to make sure that things are operating smoothly would have to be taken care of every year. They would have to open the budget up. And yet all their personnel and things they are really concerned about would be taken care of every year.

Our Constitution is clear. We start the process. The Senate would have an inordinate influence because they have no rules over there and they would be able to add to any budget anything they wanted to add. And if my colleagues believe that we can see ahead 2 years, we get more changes from the Department of Defense, we get them before the committee, and the only real ability we have over them is to say, look, the budget is coming up and we will try to work things out. If we do not have that leverage, we are not going to have an influence over the De-

partment of Defense or any other department at all.

But the one that is really going to benefit is the White House. The White House is going to have that much more control. We pass about 95 percent of what they want. The control we have would be then limited.

I ask Members to vote against this idea, which I think sets us back and reduces the influence of the House.

Mr. NUSSLE. Mr. Chairman, I yield to my friend, the gentleman from Minnesota (Mr. GUTKNECHT).

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

Mr. Chairman, I am reminded of a Rodney Dangerfield line where he comes home one night and his wife is packing and he says, "What is the matter, dear?" She says, "I am leaving." And he asked her, "Is there another man?" She looked at him and said, "There must be."

When I look at this system that we have today, the way we put a budget together, the way we are going to spend \$1.83 billion this year, I look at that and I say, there must be a better way. Because, essentially, what we have now is we have no rules. I mean, the House has one set of rules, the Senate has a different set of rules, and the President of the United States has no rules.

What is the President's target this year?

If we do not have the same target, if we do not have the same rules, how will we ever get there, how will we know where we are?

This is just simply a reform package that says we are all going to have the same set of rules.

I submit that not a single Member of this body can defend the system that we have today, let alone explain it. There must be a better way. This, I think, is one better way. If my colleagues have a better idea, we are willing to listen.

Mr. SPRATT. Mr. Chairman, could the Chair advise me how much time is remaining on our side?

The CHAIRMAN. The gentleman from South Carolina (Mr. SPRATT) has 3½ minutes remaining, and the gentleman from Iowa (Mr. NUSSLE) has 4 minutes remaining.

Mr. SPRATT. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, I will stipulate that the budget process is broken, and I will stipulate that the gentleman from Iowa (Mr. NUSSLE) and the gentleman from Maryland (Mr. CARDIN) have worked in earnest and in good faith to come forth with solutions, some of which I agree with, but not all of them. In fact, I think there are provisions in this bill that could compound our budget problems rather than solving them.

At the core of the bill is a new idea: that we make the budget resolution a joint resolution rather than a concurrent resolution. Basically, this means

that the President has to sign it before it is effective. And when and if he does sign it, of course, it becomes law.

Now, frankly, I think that idea is not without merit. It could be the device for bringing the President and the Congress together earlier in the process rather than later in the process. But, in reality, we are all politicians and we know that these budget compromises are usually made at the 11th hour because that is usually when our back is against the wall and we have to come to some kind of decision.

The chances are that we would not have an agreement, not have closure with the White House, particularly in a divided government. And, in that event, this bill would not facilitate the process, it would not improve the process; it would only delay the budget process well into the month of June.

Now, if a joint resolution which becomes law is the chosen vehicle for the budget resolution, it also becomes a moving vehicle which is an occasion for passing all sorts of laws, not just budget laws, but other things too.

The text of the bill recognizes this problem and tries to prohibit these extraneous matters from being attached to the budget resolution. But we all know that the Committee on Rules in this House is master at overruling such prohibitions, waiving points of order. And in the Senate, the other body, there are hardly any germaneness rules, and 60 Senators can override anything.

So this moving vehicle becomes a vehicle for passing all kinds of laws. It opens the door to one-shot riders, such as some prohibition on abortion spending across the board, and to major legislation.

The President and the leadership might get together and decide they want to ram something through in a hurry, bypass the authorizing committees. That is why the Committee on Transportation, among others, has said this has insidious potential, this could open the door to all kinds of diversions.

What do we get if we do make it through this process, if this joint resolution does, in fact, get adopted? We get a shell of a resolution. The irony of this bill is they elevate the status of it to a law, and then they gut it if it is meaningful content.

What we get is about six or seven numbers. This debate is not about programmatic choices, it is about numbers. And because this particular bill would take the budget functions and put them in the report; would take the one power that the committee has, the power of reconciliation directives and put that in the report and downgrade the status of the two, we diminish the status of the debate on the floor.

The one opportunity when we come to the floor and have a debate on programmatic priorities is taken away from us, because we are not talking about programmatic priorities. There are no more budget functions in the resolution before us. They are just ag-

gregate numbers, discretionary spending, defense spending, nondefense spending, surpluses, and things of that nature.

So, this takes us back, it does not take us forward. I do not think this is an improvement on the process. That is why I think we should vote down the base bill and go back to work on real solutions to our budget problems.

Mr. NUSSLE. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. COX), my friend who wrote the original budget process reform bill quite a few years ago.

Mr. COX. Mr. Chairman, I want to thank the gentleman from Iowa (Chairman NUSSLE), the chairman of the task force that is bringing this legislation to the floor; as well as his colleague, the gentleman from Maryland (Mr. CARDIN); the gentleman from Ohio (Mr. KASICH), chairman of the Committee on the Budget; the gentleman from Texas (Mr. STENHOLM), who, on the Democratic side, did so much work on this bill; the gentleman from New Hampshire (Mr. SUNUNU); and the gentleman from California (Mr. RADANOVICH), Members who spent a great deal of time making this happen.

A dozen years ago, Mr. Chairman, President Reagan stood at the rostrum just before us addressing Congress with his State of the Union message and he demanded that Congress reform the incomprehensible Budget Act of 1974. President Reagan submitted legislation to do just that.

I know, because, as a White House counsel, I drafted that legislation, brought it to Capitol Hill, and then 2 years later, as a Member of Congress, had the opportunity to introduce it here, with over 100 sponsors.

By the 105th Congress, that legislation had over 200 sponsors. And thanks to the leadership of the Members whose names I have just recalled, this bill is on the floor today 14 years later.

The ideas are the same. Rationalize this budget process. Make it a law, not a nonbinding resolution. Give us discipline. Plan for disasters. All of these reforms are in this legislation. It is the most important vote, perhaps, that we will cast this year. I urge an "aye" vote.

Mr. NUSSLE. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. STENHOLM).

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

Mr. STENHOLM. Mr. Chairman, I rise in support of this bill. It is not a perfect bill, but it is a good bill.

I would like to focus my comments on a provision that I have supported since I came to the Congress, a sunset requirement that requires Congress to review all programs at least every 10 years.

The bill also provides that any new program created by Congress ought to have its authorization limited to no more than 10 years.

There is no provision in H.R. 853 that would terminate any current programs

under any circumstances. I cannot understand why some of my colleagues are opposing such a common sense requirement.

I am very disappointed that some have resorted to scare tactics, suggesting that this bill would somehow threaten veterans' programs, student loans, Social Security, or Medicare.

The bill does no such thing. It simply requires that we, as Members of Congress, do our job in reviewing Government programs, see what is working, see what is not working, figure out what needs to be changed, what else we should be doing at least once every 10 years.

The Committee on Agriculture already lives with this requirement. Every 5 years we have a farm bill. This requirement that the farm bill be reauthorized every 10 years does not threaten agricultural programs. I do not see why some suggest this bill does.

Support it.

The CHAIRMAN. The gentleman from Iowa (Mr. NUSSLE) has 2 minutes remaining.

Mr. NUSSLE. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, I have an opportunity here to fix something that is broken. That is why I proposed the particular bill that I did in a bipartisan way with so many different Members.

The excuses today are flying. Everyone says, well, the process is broken. Everybody admits it. There are very few coming to the floor today suggesting that it is not. The question is how do we fix it.

Most of the excuses regarding this particular method of fixing it surrounds whether or not the President should be involved in the process. And the complaint is that the President should not be involved in this process.

Well, wake up, my colleagues. The President is involved in this process. First, he has got to propose the budget. That is the first thing that has to happen.

Is it a realistic budget? I would submit to my colleagues that there has not been a President probably since the 1970s that did not submit a political document as their draft. I see my very good friend the gentleman from Wisconsin (Mr. OBEY), the ranking member of the Committee on Appropriations, nodding his head.

□ 1515

Both parties, is that not true? That is what is wrong. This is not a political exercise. This should be a practical exercise. Can you imagine a family paying its bills for the mortgage, for the lights, for the gas, for the water, paying for their kids to go to college and at the end of the year they gather all those checks together and they say, "Oh, we've got a budget. Just add all these up and that's our budget." That is basically what we do here. That it is okay to have the President involved at the end of the process but not at the beginning of the process I suggest to

my colleagues is a fallacy. We need to include to make this process responsible to the White House and the Congress early in this process.

There have been some that have suggested that in fact there would be a summit meeting. Well, heaven forbid we would actually have a conversation with the White House, be they of any particular party, prior to the last possible moment of the year when three or four people get to sit in a room and write the final bill.

Folks, wake up. The process is broken, it needs to be fixed. This is an opportunity to do so. Vote for the bill.

The CHAIRMAN. The time allocated to the Committee on the Budget has expired. It is now in order to conduct the portion of the debate allocated to the Committee on Appropriations.

The gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) each will control 10 minutes.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield such time as he may consume to the gentleman from Alabama (Mr. CALLAHAN).

Mr. CALLAHAN. I thank the gentleman for yielding me this time, Mr. Chairman. I am reminded, since one of my predecessors at this dais today talked about Rodney Dangerfield, I read a comic strip once in Dog Patch, Little Abner. It seems they had a problem going in the Dog Patch. There was a gigantic curve, an S curve on the steep embankment and people were always running off the embankment. They were breaking their arms and their necks and their legs. So they formed a committee such as has been done here today and they came up with a resolve. The resolve the committee came up with was to build a larger hospital. That does not solve the problem. Neither does this underlying bill here today resolve a problem.

How could anyone in the United States House of Representatives not understand the Constitution sufficiently to be against this measure? Why delegate what authority you have as Members of the Congressional body to the President of the United States regardless of who he is? Some of us hope we have a Republican President in the next 4 years and therefore we would be advantaged, you might think. But the fact that we are delegating all of our constitutional authority is absolutely wrong and a big mistake.

What we are seeing here today are the same things that the Committee on the Budget has been leaning toward for a great number of years. They want to authorize and they want to appropriate. Now they want to lock in their suggestions, their power by getting the President of the United States involved in the process. This issue that we are debating today is not something for next year, it is not something for a biennial budget, it is a law that will be here until it is repealed by the Con-

gress of the United States and some future President signs it, which you would never get a President to do. He would veto a repeal of this mistake if indeed we were to pass it.

I urge my colleagues today to take a close look at what they are doing. There are many things in this bill I support. I support biennial budgeting, for example. Some of my colleagues are against biennial budgeting. But we can bring up biennial budgeting and we can debate that issue without involving this complicated, new idea that a great many members of the Committee on the Budget have come up with as a way to resolve a problem.

This is not the resolve. This is causing a greater problem for this Congress and leading us into dangerous territory when we delegate our constitutional authority to the administrative branch of government. I urge my colleagues to vote against the underlying bill.

Mr. OBEY. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, absolutely the budget process is broken. The problem is that what is being proposed today will make it even worse.

The major argument that is being used for adopting this proposal is that too much time is spent in the budget and appropriations process and we have to find a way to shorten it. By making the budget a joint resolution which requires a signature by the President rather than a concurrent resolution which does not, you double the length of time that it will take for us to finish our job, because it requires Congress to reach agreement with the President not once but twice during each budget cycle, once on the budget resolution and the second time on each and every appropriation bill that will work their way through here. That is a prescription for having us never finish our budget business.

Secondly, we also have the problem of 2-year budgeting, which apparently is going to be attached to this proposal. The problem that I see when you move to 2-year budgeting is that we wind up living in a permanent race-track of supplementals. We have too many supplemental appropriations now when we set the budget for a year in advance. If you set the budget for 2 years in advance, the world is not static, wars happen, disasters happen, economic disruption happens, and that means we will be required to push through more and more supplementals. When that happens, there is a huge shift of power that takes place if we are in a 2-year budget versus a 1-year budget.

First of all, we will transfer an unparalleled amount of power to the Senate, because Senators do not have to work under a rule of germaneness. If we pass an education supplemental through here, the Senate can go through and add anything they want to it because they do not have a rule of germaneness. We have a Committee on Rules that requires a rule of germane-

ness. That fundamentally transfers power to the Senate.

Secondly, we have a total abdication of power to the agencies. It is hard enough right now to get unelected agencies to follow the instructions of the elected officials of the Congress. And if they do not have to pay any attention to us until the last 18 months of a budget cycle, you know that they will be even more obstreperous than they are right now in dealing with Congressional intent in any legislation. To me, that creates an even more unresponsive government than we have right now.

I would make just this one point. We are the last independent legislative body on the face of the Earth. The reason we are is because we hold tightly and fiercely to the power of the purse. It is only when you have the power of the purse firmly in the hands of this House that this House can meet its constitutional responsibilities to protect liberty, to protect justice and to protect the country against the abuse of power that comes from anyone who does not have to seek anyone else's approval for their conduct.

It is no accident that every President for as long as I have served here, including the one who serves now, wants to see 2-year budgeting and wants to see a joint resolution approach to the budget. It is because Presidents by nature want all the power—95 cents out of every dollar in every budget we have passed except 2 over the last 20 years has gone where Presidents have wanted that money to go. The other 5 percent is the difference between having a President and having a king. And when you move from 1-year budget to a 2-year budget and when you move from a resolution which is a congressional product to a resolution that requires the blessing of the President, then he controls the process at every juncture. And when we allow that to happen, we violate the very constitutional oath that we took to uphold the Constitution and within it Article I, which speaks to the duty of the Congress to stand independent, not on our behalf but on behalf of the people we represent.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New York (Mr. WALSH).

Mr. WALSH. Mr. Chairman, I thank the gentleman for yielding me this time on this critical issue of importance to this House and to the balance of power in this country. I could not agree more with my colleague from Wisconsin who just spoke. There are many, many times when he and I disagree, many, many times. But on this he has never been righter. At the heart of this is the constitutional power of the House of Representatives.

Just a couple of thoughts, Mr. Chairman. The Budget Act of 1974, it was a reform. This also is posed as a reform. Since that reform in 1974, we have created \$5 trillion in deficit spending. So that budget reform has been a disaster.

The second item is by allowing for 2-year budgets, we are now going to have to make assumptions on revenue and spending over 2 years. We cannot get it right over 1 year now. How in God's name are we going to plan for 2 years? So we go to a 2-year budget, we do not get our budget completed, we run on these automatic continuing resolutions. It is a mindless, Band-Aid approach to budgeting. We lose all incentive to resolve the budget issues each year because we go on automatic pilot.

What happens when we are on automatic pilot? One supplemental Christmas tree after another. Without the thought process that goes into the authorizing bills and the appropriations bills, we are on automatic pilot, we conjure up these supplementals, we cover them up with Christmas tree ornaments at the taxpayers' expense to get them through the process, and we completely blow the budget process even further wide open. If we want to continue to produce trillions and trillions of dollars in deficit spending, this is the right reform, Mr. Speaker, but if we want to exhibit and exert fiscal control, allow us to continue annually, one year at a time, to create a budget and to do it with the proper balance by using the authorizing committees to authorize the appropriations and the appropriations process to continue as it has the past several years in a proper way.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from Connecticut (Ms. DELAURO).

Ms. DELAURO. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in opposition to the Dreier amendment and I rise in opposition to the underlying bill and in support of responsible budgeting that meets America's priorities and reflects their values. I understand the concerns of this amendment's sponsors and I support their goals. Vigorous Congressional oversight is vital if we are to safeguard public funds and ensure that Federal agencies follow Congressional directives. But biennial budgeting will not improve oversight or guard against increased spending. In fact, it will have the opposite effect. Biennial budgeting will reduce the oversight that the Congress has over government spending.

Agency heads, Cabinet secretaries, administrators, they all have to come to the Congress every year to justify their requests, to explain their actions, and to face tough questions. Why would Congress want to relinquish the power of the purse strings? With the biennial budgeting, these agencies have to only come every 2 years. We would have then less assurance that the agencies will spend money in the right way.

I also challenge the principle in the underlying bill of sunseting entitlement programs after 10 years. Does this include Social Security and Medicare? Why do we want to sunset Social Security and Medicare and deal with it every 10 years? Yesterday we had indication that there are those who would

privatize the Social Security system. Is this another way in fact to threaten those bedrocks of our commitment generationally to seniors in this country? It makes no sense at all for us to be talking about sunseting Social Security or Medicare or other entitlement programs every 10 years.

□ 1530

This is a blueprint for bad budgeting. It fails to meet the needs of Americans. Support responsible budgeting that is responsive to the needs of working families. I call on my colleagues to reject the underlying amendment and to reject the Dreier amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, last year a similar bill was introduced. The Committee on Appropriations asked that it be referred to the committee, and, after thorough consideration, we reported the bill with a negative recommendation.

Some of the things that we were concerned about have now been taken out of this basic bill, which makes us a little more happy. However, there are amendments made in order that would restore some of those items that we really do not want to see in this bill. So we will deal with those as they come.

I was going to use this chart later in the debate on the two year budget amendment, but I want to use it now since the gentleman from Wisconsin (Mr. OBEY) made such a compelling case as to how this bill would drag out the budget process by involving the executive branch of government at this early stage.

What I want all of our colleagues to know is if you look at this chart, every one of these months that are colored red are days that the Committee on Appropriations lost in dealing with its 13 appropriations bills. We lost all of that time, 6½ months, before we could even begin our work because we did not have a budget resolution. Until we have a budget resolution which allows us to make our 302(b) assignments, we cannot begin the actual markup of our legislation.

Now, if you look at the green color, that is how many days have gone by since we got the 302(a) allocation. Since that time, the committee went to work very rapidly. We have already marked up six of our 13 bills in subcommittee, and we have already marked up four of our major bills in committee. We already passed earlier today one of our primary bills, and we have others prepared to go to the floor. So we have done that much appropriations work in the couple of weeks that are colored green.

If we extend the time it takes before we can actually begin our work for another 2, 3 or 4 weeks, we are not going to be able to get to the end of the fiscal year and have our work completed. We promised the leadership on both sides of the aisle that we would complete our work expeditiously, and we are well on

target to do that. Any further delay in the budget process takes time away from the appropriations process, and, Mr. Chairman, time is not on our side, as you can see from this calendar.

So rather than finding ways to extend the length of the budget process, we should be trying to find ways to reduce the time of the budget process, to give more time for the Committee on Appropriations to deal with the 13 appropriations bills in subcommittee, in full committee, on the House floor and in conference committee with the other body.

Mr. OBEY. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I often quote my friend Archie the cockroach, and Archie said once, "Did you ever notice when a politician does get an idea, he gets it all wrong?" I think that can be said of the remedy that is being proposed for the budget process problems.

But Archie also said something else that I think is useful in this context. He said, "Man always fails because he is not honest enough to succeed. There are not enough men continuously on the square with themselves and with other men. The system of government does not matter so much. The thing that matters so much is what men do with any kind of system they happen to have."

That would be my message with respect to the budget resolution. Whether we get our work done on time depends on how serious we are, it depends on how political both sides of the aisle are, and it depends on what determination we have to compromise.

The problem with this proposition which is being set up today is that if a President does not want to compromise with the Congress on a budget, he can delay his approval of the initial budget resolution forever before he signs it. And then after he signs it, he can delay action on every appropriation bill again, and it strings you out forever. I would say to my conservative friends here, I do not think that is the result that you want, but that is the result you are going to get if this proposition passes.

I would also say that every authorizing committee needs to understand that they will be out of business if this proposition passes, because Senate authorizing chairs who have not been able to have their way with House authorizers, when the budget resolution goes to the Senate they will say (because they operate in a body that has to run on unanimous consent so that any one Member can throw a monkey wrench into the gears) so every authorizing Chair will be able to say, "Mr. Leader, if you don't put my authorizing bill in here, if you don't put my banking bill in, if you don't put my farm bill in, if you don't put my interior bill in, I 'ain't' going to vote for your budget resolution."

That means that every House authorizing committee will be dealing with a Senate authorizing committee in a

budget summit situation where they get buried in larger issues, and that is not the way this Congress is supposed to run.

The reason this Congress survives as a vibrant institution is because of each of our individual expertise which we apply to the areas that we work with in our committees. I urge you not to destroy that by putting the President in the middle of it all.

Mr. YOUNG of Florida. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Michigan (Mr. SMITH).

Mr. SMITH of Michigan. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, just following up a bit on what the gentleman from Wisconsin (Mr. OBEY) suggested, what is eventually going to make us successful in the way we budget, in the way we appropriate, in the way that we oversee administration, is the willingness of the Members of Congress, of the House and the Senate, to be more diligent, to have some guts, to have some intestinal fortitude, to make sure we are doing the right thing to best of our ability. Whether you have a 1-year budget or a 2-year budget, whether you have the President sign on to something early on or later on, if Congress wants to be, excuse the expression, lazy and shift more power to the administration, we are going to lose what made this republic great in the first place. Our forefathers, when they wrote this Constitution, gave us a powerful legislative branch and a less powerful executive branch. Biennial budgeting puts this at risk and may diminish us in terms of our effectiveness as a democracy and a republic.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I would just urge the Members to pay very close attention to the debate today. We are not talking about just a run-of-the-mill piece of legislation. We are talking about a decision that this House would have to live with for a long, long time in policy and procedure on some of the most important things that we do.

Mr. Chairman, of all the legislation we consider, the bills that really have to pass are appropriations bills. So let us be careful that we do not create some procedure or way to conduct a budget process, an appropriations process, that cannot work, that results in longer delays than under the current budget process.

I just ask Members to be very careful in how they listen to the debate and how they choose to vote on some of the amendments and on the final package, whatever condition that final package is when we go to a final vote.

The CHAIRMAN. The time allocated to the Committee on Appropriations having expired, it is now in order to conduct the debate on the time assigned to the Committee on Rules.

The gentleman from Florida (Mr. GOSS) and the gentleman from Massa-

chusetts (Mr. MOAKLEY) each will control 15 minutes.

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

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

Mr. Chairman, I would like to focus my time on a couple of the rules changes in H.R. 853 that are designed to increase accountability. We think that is a reform. Accountability in Federal spending we think is something that most taxpayers feel we can do better about.

Not surprisingly, some the reforms have been demagogued by opponents of accountability, in my view fostering unwarranted anxiety among some of our Nation's students, perhaps, and some of our veterans and some of our senior citizens, if they have not gotten the full understanding of what is actually in front of us. There is no need to worry. We are advocating good oversight and advocating more accountability, and I think all of those groups, in fact, all Americans, favor those types of accomplishments here.

Currently our rules state you cannot appropriate money unless a program has been authorized first. That is the normal order. Despite this rule, however, in FY 2000 we appropriated \$120 billion in taxpayer money to 137 programs that lack authorization. Now, that is just by our count. Probably somebody else could find more unauthorized programs, unauthorized programs that were funded in the appropriations process.

To encourage committees to do a better job, we think that H.R. 853 adds a requirement that they provide specific timetables for authorization of those programs under their jurisdiction, and we have picked a 10-year time period, thinking that is a very fair chunk of time. While we still will be able to waive the rule and no program will be punished, as is the situation now, we think that providing some added sunshine in a 10-year period with oversight is going to give us greater accountability, and it certainly is going to create an incentive for more accountability and for the authorizers to do their jobs.

Another rule changed would simply require that any new programs have a fixed year authorization. In our view, it makes sense that Congress should take a look at new programs it creates. We do not get it right every time the first time it turns out, and so maybe making a requirement that if we have a new program every 10 years or so, we ought to take a look at it and see if it is working and doing what we actually thought it was supposed to do.

But, be clear, no matter what, the school lunches are still going to be served; we are still going to have senior prescriptions; we are still going to have our veterans services, and everybody getting their benefits. It is all going to happen. This process is not going to change that. There may be votes about policy change or appropriations

amounts, but the process is not going to take away anything from anybody, and, hopefully, will give benefits to people that they lack now in terms of greater accountability and oversight.

I think to argue otherwise indicates either a lack of understanding about how things really work here, or, worse, a desire perhaps to exploit anxieties for partisan reasons to some of our most vulnerable Americans. In either way, that is wrong, not acceptable, and not part of the spirit of the good substance we are trying to accomplish in this legislation.

I encourage all Members to read the details of H.R. 835 before voting later this evening. It is a good bipartisan bill that promises nothing more than a better framework within to make our budgetary decisions. We have the joint budget resolution, we have the emergency rainy day fund, baseline budgeting reform, budgeting for unfunded liabilities, the Byrd rule reform, increased authorization oversight requirements, a lot of things we talk a lot about here. Well, we have brought them to the floor for debate, we are going to debate them under the rule and have a chance to vote them up or down.

On top of that, there are several other issues that we did not include in the bill because we knew they were controversial, but we know that they will be debated in the amendment process, or we assume they will. I think of the lockbox, the continuing resolution and those types of things, we will be able to debate those too. So we will have some accountability on where we really stand when we talk about reform of our process here. I think that is a good outcome, and I think certainly worth our time.

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

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

Mr. Chairman, this bill really hides an inability to govern behind procedural changes, and I urge my colleagues to oppose it. This bill changes our current budget resolution from a concurrent resolution to a joint resolution. The difference between the two is a concurrent resolution is created by Congress to guide the way through a budget process, whereas a joint resolution, on the other hand, is signed by the President and becomes law.

□ 1545

Because it must be agreed upon by both the Congress and the President, a joint resolution necessarily takes much longer than a concurrent resolution.

Mr. Chairman, our budget process is already slow enough. Under this bill's proposed joint resolution, the Committee on Appropriations cannot begin their work until a budget resolution is worked out and that, Mr. Chairman, as pointed out by the gentleman from Florida (Mr. YOUNG), could take an awful long time.

If my Republican colleagues had a history of finishing the appropriation bills well before October 1, this proposal would not seem quite as ridiculous, but as it stands now the history leaves a bit to be desired.

In the 104th Congress, my Republican colleagues, led by Speaker Gingrich, refused to compromise and failed to enact the 13 appropriation bills on time, and as a result they shut down the Federal Government for a period of 28 days.

In the 105th Congress, my Republican colleagues compromised on everything and passed a bloated omnibus bill that still has people shaking their heads.

Last year, my Republican colleagues could not reach agreement amongst themselves and as a result they failed to pass a budget resolution for the first time since the Budget Act was enacted back in 1974.

This year, my Republican colleagues have already given up on keeping spending below their caps and at some point, Mr. Chairman, Congress must summons the will to make the budget process work. It is not the fault of the Budget Act that we cannot fund everything we would like to fund and still reduce the deficit. Congress must make that tough decision, and there is just no way around it.

Another way my colleagues are hoping to avoid budget decisions is by making them far in advance. My good friend, my chairman, will offer an amendment to change our system to a biennial system. The biennial system will cover a much longer period of time and therefore will need to be debated for even a longer period of time.

It eliminates one year of Committee on Appropriations review. It tightens the reins on executive branch officials. Furthermore, Mr. Chairman, budget predictions are notoriously inaccurate. If we limit ourselves to making budget decisions every other year, our projections will be even further off the mark.

It is a radical change from our current system and if my colleagues are determined to make these changes, I would urge them to proceed slowly.

Mr. Chairman, I urge my colleagues to oppose this bill.

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

Mr. GOSS. Mr. Chairman, I yield such time as he may consume to the gentleman from Georgia (Mr. LINDER), the distinguished chairman of the Subcommittee on Rules and Organization of the House of the Committee on Rules.

Mr. LINDER. Mr. Chairman, I rise in strong support of the Comprehensive Budget Process Reform Act and I want to congratulate my colleagues on the Committee on Rules, the gentleman from Florida (Mr. GOSS) and the gentleman from California (Mr. DREIER) for their commitment to these reforms and specifically their efforts to craft the amendment to establish a 2-year budgeting timetable.

The Comprehensive Budget Process Reform Act is an important institu-

tional reform that will strengthen the enforcement of budgetary controls, enhance accountability for Federal spending, set aside funds in the budget for emergencies and alleviate the tendency toward higher spending.

Specifically, I want to comment on the biennial budgeting amendment that will create a 2-year budget cycle. Before acting on these historic budget reforms, the Committee on Rules held two days of hearings on budget process reform and an additional 3 days of comprehensive hearings focused solely on biennial budgeting. Over and over again, we heard testimony that not only would biennial budgeting not diminish the role of Congress in the budget process, but that it would actually improve legislative branch management of Federal spending.

For example, Dan Crippen, Director of the Congressional Budget Office, stated that "It seems unlikely that agencies would be less responsive to the Congress simply because they would be requesting regular appropriations every other year. Also, a biennial budget cycle by setting aside time for Congressional action on oversight and authorizing legislation might relieve the appropriations process of time consuming debates on substantive policy issues which can actually improve Congressional control of spending."

Congress will continue to decide, down to the account level, the exact amount of spending in every appropriation bill just as is done under current law. In fact, biennial budgeting may enhance Congress' control over the budget since the process gives legislators an increased opportunity to review existing policies and expenditures.

On the topic of increased opportunities to review programs, we have taken testimony in the Committee on Rules and in my subcommittee on the need to dramatically increase what is clearly a priority responsibility of ours: The issue of programmatic oversight. In addition to saving time and resources, I strongly believe that this bipartisan, biennial reform proposal will improve oversight and management of Federal spending.

Specifically, the Dreier-Luther-Regula-Hall amendment will permit committees to concentrate on budget and appropriations in the first session, and authorization and oversight in the second session. The 1993 Joint Committee on the Organization of Congress, led by our former colleague Lee Hamilton and the gentleman from California (Mr. DREIER), chairman of the Committee on Rules, recognize that the current budget system is not working effectively and recommended biennial budgeting as a key reform.

In hearings of the Committee on Rules in March, OMB Director Jack Lew stated that "The primary potential benefit from biennial budgeting is that by concentrating budget decisions in the first year of each 2-year period, time would be freed up in the second year that could be redirected to man-

agement, long-range planning and oversight."

The bipartisan biennial budget amendment will also put the requirements of the Government Performance and Results Act on a logical timetable in conjunction with the development of budgets every 2 years.

Under the new timetable, the GPRA reporting requirements would come at the most optimal time of the budget process to provide committees with the opportunity to utilize the performance information. As a result, we will deliver more efficient services to the American people in the most effective way.

Under the biennial timetable, the President's budget will be submitted to Congress with biennial government-wide performance plans and reports and agencies will submit separate biennial performance plans. The process will effectively give authorizing committees the opportunity to include their views of the GPRA plans and reports as parts of the views they submit to the Committee on the Budget.

Utilizing GPRA in this manner will improve performance by letting us examine the program structures that Congress has put into place to achieve better results for the American people.

It appears clear that the Federal Government is too often preoccupied with budget matters and has limited time to manage and oversee Federal programs or concentrate on long-term planning. In an effort to streamline the budget process and enhance Congressional oversight of Federal programs, I urge strong support for the biennial budgeting amendment and final passage of this historic institutional reform.

Mr. MOAKLEY. Mr. Chairman, I yield 3½ minutes to the gentleman from Minnesota (Mr. MINGE).

Mr. MINGE. Mr. Chairman, I thank the gentleman from Massachusetts (Mr. MOAKLEY) for yielding me this time.

Mr. Chairman, this afternoon we are debating budget reform legislation. I do not think there is a Member of this Chamber that has not been embarrassed by the performance of the House of Representatives and the Senate in the last 5 years in the handling of the budget. We have had massive agreements with the White House, late in the night, late in the session, thousands of pages. We are being asked to vote on things that we have not had an opportunity to analyze. It is an embarrassment to the institution.

We recognize that we must reform the way we do business, and, yes, it could be that if we acted in a much more expeditious fashion earlier under the current budget framework we would not have these problems, but unfortunately it does not seem to be within our power to do that.

I also know that it is tempting to blame the other side of the aisle, to say that therein lies the problem, and assume that on our side of the aisle it

would not be a difficulty if we were only in the majority.

Well, I think that we are deluding ourselves. Certainly part of the problem that we face in enacting budgets on a timely basis, in handling the appropriations bills on a timely basis, is attributable to human nature and the difficulty of making decisions and the need to bring things to closure in the heat of the final moments of a session, but this piece of legislation that we are considering today is an effort to move us towards an improved process. It is an experiment admittedly, and like all other experiments there are risks in trying it, but I think that when we recognize the enormity of the problems that we have had and the potential for improvement, it is worth taking that risk.

We talk about the powers of Congress. Now we are comprising the powers of Congress, the prerogatives of Congress, giving more power to the White House, the executive branch. I submit there is nothing that compromises Congress' power in the long-term than the embarrassment of not timely dispatching our affairs.

We need to make progress, and whether or not this would be progress would remain to be seen, but I submit it is worth taking the chance, and therein lies the debate over whether it should be a joint resolution or whether we should continue with the concurrent resolution such as we have had.

There are many other things in this legislation that go beyond the joint resolution issue and the role of the President earlier in the process. I urge my colleagues to recognize that the way that this legislation deals with emergency spending, the way it deals with emergency spending, the way that it deals with accrual accounting, the way that it deals with the baseline and the so-called Byrd rule and other issues, represents a very dramatic and significant improvement over the current budget process.

This bill has been a bipartisan bill in that it was developed by a bipartisan subcommittee of the Committee on the Budget and this ought to have bipartisan support this evening. It ought to be approved.

Mr. MOAKLEY. Mr. Chairman, I yield 2 minutes to the gentleman from Alabama (Mr. CALLAHAN), the chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs.

Mr. CALLAHAN. Mr. Chairman, I thank the gentleman from Massachusetts (Mr. MOAKLEY) for yielding me this time.

Mr. Chairman, let me just say that maybe we ought to all take a good close look at our Constitution and the makeup of the United States House of Representatives. We are each elected every 2 years for one session of the Congress. The people who wrote the Constitution and drafted this government that we have, which admittedly is the best government mankind has

ever known, said that we would be elected for one session of the Congress. It also says we will have an organizational session and we will elect our leadership and that we will establish our rules.

Each session of the Congress gives the Members of that Congress the authority to set their own rules. If they want biennial budgeting, there is nothing from prohibiting them from establishing a rule in the next session of the Congress, including those Members of the next session of the Congress, to have biennial budgeting for that one session of the Congress. They establish their own rules at each session of the Congress, and what we do here today with this underlying bill is to say that we are going to hamstring future sessions of the Congress. We are going to tell the Members of the next session of Congress, which will convene in January, that they do not have a sufficient intellect level to establish their own rules.

Instead, we are going to say that this session of the Congress is the more brilliant than any succeeding session and, therefore, they must obey the rules that we think are best for them.

This is a wrong Constitutional area that we are debating, and we should vote this issue down unanimously.

Mr. GOSS. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Ohio (Mr. REGULA), the chairman of the Committee on Appropriations Subcommittee of the Interior.

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

Mr. REGULA. Mr. Chairman, I thank the gentleman from Florida (Mr. GOSS) for yielding me this time.

Mr. Chairman, I have been a long-time advocate of 2-year budgeting as a management tool. We are the directors of the largest corporation in the world today. We collect taxes and we deliver services.

□ 1600

The challenge to all of us is to deliver these services in the most efficient way, because the more efficient we can be in our distribution of services, the less we have to collect in taxes.

I think we need to think about how we can manage these resources in the most effective way. Two-year budgeting provides that kind of opportunity. Through the first year, we would establish the appropriation for a 2-year budget cycle. I might say, I served in the Ohio State legislature. We did it that way in Ohio and it worked very effectively, and many other States operate on a 2-year budget.

The second year would be devoted to oversight. In our subcommittee, we have had over 25 oversight sessions over the last several years. We have discovered that in so doing, we have found ways in which we can more effi-

ciently write our bills to ensure that the money is used wisely and produces the greatest benefit to the people of this Nation.

I think also another advantage of 2-year budgeting is that we have time to do planning. Too often I find that we are so consumed, we no sooner finish one budget than we start on another one. We do not have time to think about how we can plan effectively.

Just using the Subcommittee on the Interior, for example, I think we need to think about how we can manage the resources that will leave a legacy that will be valuable to the people of this Nation 50 or 100 years from now, because what kind of a legacy they will inherit, what kind of parks and forests and fish and wildlife, and the Bureau of Land Management, the Smithsonian, the Kennedy Center, the National Gallery, what they will be like 50 years from now is being decided today.

Therefore, we need time to do oversight, we need time to do planning, to ensure that we get the best possible management of the resources that come our way as a subcommittee.

Secondly, I think so much time is devoted to establishing budgets that we do not get the time we need to think about the ways in which we can be more effective.

The other advantage I see is that the people that manage these enterprises, the superintendents of parks, the directors of the various agencies, could plan more efficiently in the purchase of products, simple things like gasoline and food and so on, if they could contract on a 2-year basis, if they could manage the resources that they are provided under our appropriations process in a way that would be most efficient in the use of these materials. A 2-year budget would give managers an opportunity to use their time, their resources in a more effective way.

I suspect that most industries have longer than a 2-year budget cycle in terms of managing the resources that they have to produce products for the marketplace. I think the previous speaker, the gentleman from Alabama (Mr. CALLAHAN) has a point. Perhaps we ought to try it. But I believe, based on the experience that our States have had with 2-year budgeting, that it is an effective tool in terms of management of the resources available.

I believe we should certainly try this, because as government and life gets more complicated, it becomes more important than ever that we have time for oversight, that we have time to visit facilities. We have found in our subcommittee if we can get out and look at some of our facilities, if we have time to do that, that it helps us a great deal in making the decisions that will provide a legacy for future generations that we can all take pride in.

Certainly, we are elected by the people, as the previous speaker said, to make policy decisions. That is the role of the Members of this body. That is the separation of powers.

We constitutionally have a responsibility for policy, and the executive branch has the responsibility for executing that policy. To do it well, I believe a 2-year budget cycle would be very constructive.

Mr. Chairman, I rise in support of the two-year budget amendment that we will consider later today. I consider two-year budgeting as a management tool.

As Members of Congress, we are the directors of the largest U.S. enterprise—namely the U.S. Government. We can no longer view the federal government as just a provider of services. In today's world—with increasing populations and increasing needs—we need to approach the federal budget in a more business-like manner. We need to determine how we can manage resources and provide services to the American public in the most efficient way within our budget constraints.

I believe that two-year budgets would provide us with a mechanism to budget more efficiently and to provide more oversight over federal spending. In the first year we would appropriate funds. The second year would be devoted to oversight and planning for the next budget cycle.

A two-year cycle would reduce significantly the number of repetitive votes that Congress takes on budget issues every year. It would allow more time for oversight hearings.

Since becoming Chairman of the Interior Subcommittee, I have chaired more than 25 oversight hearings to closely examine the more than 30 agencies funded in the bill.

These hearings have allowed Members of the Subcommittee to explore management reforms within these agencies that encourage the agencies and programs to be run more efficiently. A two-year budget would allow for more oversight and follow-up to ensure that reforms are fully implemented.

Furthermore, I believe a two-year budget process would allow agencies to be more effective. It would allow program managers and agency heads to do their planning on a two-year cycle.

As a practical matter, they could contract for supplies for a two-year period instead of just one. They wouldn't spend as much time putting together a budget every year and preparing the huge budget justifications that are sent to Congress every year.

A two-year cycle would give agency managers more time to engage in long-term planning and in implementing management reforms.

Historically, we have not viewed the federal government as a management challenge. I believe that it is time to do so. A two-year cycle would allow the time necessary to explore and implement positive management policies for the federal government. I urge you to support the two-year budget amendment.

Mr. MOAKLEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida (Mrs. MEEK).

Mrs. MEEK of Florida. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I stand to address the Congress and ask them to vote no on H.R. 853 because, number one, it weakens the power of the authorizing committees. It weakens the power and the utilization of the Committee on Appropriations. It weakens the power of each Member of Congress.

With that diminution, I ask each Member to think about why should we change this process. There is absolutely nothing wrong with the process that we use in budgeting now. It is not the process, it is those of us who administer this process, where we put in many times a lot of partisan wrangling and we put in a lot of intramural arguments. Whatever we put into it to make the process lasts too long. That is what is wrong.

If we were to take this process seriously and use it for the time appointed, then we would notice that the budgeting process would end up as we wanted it to.

I want to remind this Congress, I stood on the floor of Congress and spoke against it the last time we gave power to the President in determining line item vetoes. I was not shouted down, but I was voted down.

Here we go again, now, giving power to the President for something each of us was elected to do. That was to make solid decisions in a time certain for the budgetary process.

I have lived through this biennial budgeting situation in the State of Florida. It did not work there and it will not work here. Sooner or later, we would just become a Congress of supplemental kinds of bills that would come up when there is something that we need to do something quickly on that we had not thought about.

I want to tell the Members that there will be things that come up because of the economic conditions and other conditions that happen in this great country of ours.

Mr. Chairman, many of the things we have heard about the biennial budget will not happen if we properly do our jobs and think timely and decisively in expediting it.

Mr. MOAKLEY. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Chairman, the gentleman from Alabama made a point which I think bears repeating. Every day we recognize the fact that Congress cannot bind future Congresses in terms of the action that they will take. But if we pass this legislation today, we are enabling future presidents to bind future Congresses, because if we pass this proposal and discover, as we most assuredly will, that it does not work the way we intended, we will not be able to change it without the permission of the President of the United States. That is not a position which any independent legislative body should be in.

Secondly, on 2-year budgets, there is a vast difference between multiyear planning and multiyear budgeting. I favor long-term planning. I favor 5- and 10-year planning. But when we go to a 2-year budget, we put the House at a huge disadvantage vis-a-vis the Senate.

In the House, we have germaneness rules, so if we pass an Interior supple-

mental through the place, no one can attach an education item or an agricultural item to it. We stick to the subject. But in a world of 2-year budgeting, we will have constant supplementals. When supplementals move through this body and move to the Senate, we will have individual Senators free to add any item they want to any supplemental that moves through there. That means a giant loss of control of spending and it means a giant transfer of powers and prerogatives to the Senate.

Most perniciously, I believe it ruins our ability to keep agencies on a short leash. The healthiest thing that occurs in this town is in the annual appropriation process, when senior program managers discover that they are not ordained by God to follow policies of their own making. They have to answer to the Congress. The problem is that if we put them on a 2-year leash rather than a 1-year leash, it will be very difficult to get them to follow congressional intent in legislation that we pass.

People will say, "oh, well, don't worry about it; as long as they need supplementals, they will need the support of the Congress". But supplementals are different than regular appropriation bills. Supplementals add money only to programs. They do not deal with personnel levels, they do not deal with agency size. That is where we really have control over agencies, and we should not give that control up.

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

Mr. Chairman, it is really difficult to believe the majority is serious about reaching agreement on the budget early with a Democratic president. Given the history and the failure to even seek consensus with the Democratic colleagues in the House on a budget resolution, it is very hard to believe, why would they give up the opportunity to clarify their differences with us? Given their history, my guess is that the majority would rather send the President a resolution he has to veto. That slows up the process. It does not help.

Mr. Chairman, we agree the process has not run well lately, but what makes them propose what they propose does not help. I think it will make things worse. I now urge a no vote on the bill.

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

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

Mr. Chairman, I recall very well Members feeling some frustration, to say the least, at the end of the budget cycle for the past few years, thinking, gosh, we need to do better on this. Why does not the Committee on Rules and the Committee on the Budget and the people responsible get together and give us some choices?

We filed a bill at the end of the last session just because we listened. We

went through a couple of years of hard work, a lot of effort, to focus on issues that Members wanted to debate. We filed that bill. This year we have worked from that bill, taken the controversial issues out, brought them forward, and left the controversial issues available for amendment, and in addition, brought forward some other amendments that we know will have a lot of Member appeal, such as the biennial budget process that my good friend, the gentleman from California (Mr. DREIER) of the Committee on Rules has championed so long and ardently.

We think we have provided some good choices out here for debate. I think that any effort to get away from the chaos at the end of the budget year is right.

Our good friend, the gentleman from Wisconsin (Mr. OBEY) has gotten up and said that bad things can happen. Yes, bad things can happen any time. I think the idea of getting together early with the President at the beginning of the session and working out an arrangement is a very good idea, but if it does not work, we have a fallback. The fallback is where we are now, so nobody loses power. We do not have these dire consequences that I keep hearing about.

I think it is also true that if the other body decides that they wish to get off the subject of the budget matter, that there are provisions in this for a self-destruct mechanism, so that the dangers are not as great as they have been outlined.

I think these are worthwhile changes. They deserve our careful attention during the debate, and I hope we will see strong support for good process reform.

Mr. OBERSTAR. Mr. Chairman, I rise in strong opposition to H.R. 853, the Comprehensive Budget Reform Act.

JOINT RESOLUTION

H.R. 853 changes the current non-binding concurrent resolution to a joint budget resolution that would be signed by the President and have the force of law. Such a process would weaken the role of Congress (particularly the House of Representatives), authorizing committees, and rank-and-file Members.

We know this from history—think back to the major budget agreements of the past decade, beginning with the 1990 Andrews Air Force Base budget summit during the Bush Administration. These agreements were negotiated by the House and Senate Leaderships and the President, without the participation of authorizing committees or rank-and-file Members. In practice, creating a budget resolution with the force of law means we will have these budget summits each and every year. Budget targets and committee allocations would be negotiated by the Budget Committees, the House and Senate Leaderships, and the President, without the participation of authorizing committees or rank-and-file Members. Most Members would be shut out of the process.

In addition to the budget being negotiated by the House and Senate Leaderships and the President, the bill eliminates Members' ability

to alter this Leadership-negotiated package. Members would no longer have the ability to offer amendments to either the reconciliation instructions or the functional allocations assumed by the joint budget resolution because these times would now only be included in the report accompanying the law.

Finally, I am extremely concerned that once we head down the road of a statute implementing budget policy, the Budget Committees, the House and Senate Leaderships, and the President will use this must-pass legislative vehicle to legislate their agendas. Look at the tens and sometimes hundreds of legislative riders included in the Omnibus Appropriations Acts of the last several years—the last thing this Body needs is more Leadership-driven, must-pass legislation.

Given the experiences of past budget summits, it is unlikely that this process will include authorizing committees, including those Members with the most specific issue expertise, or rank-and-file Members. We will simply be urged: "Don't break the deal"—a deal in which almost all of us will have had no input. I recall that three years ago this week, the House considered the 1997 Balanced Budget Agreement negotiated by the House and Senate Leadership and the President. The Gentleman from Pennsylvania, Mr. SHUSTER, and I offered an amendment to increase highway and transit infrastructure investment, adjusting the deal by one-third of one percent—one-third of one percent. "A deal is a deal," intoned our colleagues. "Do not break the deal," said a panicked White House. "Stick to the deal," said the Budget Committee. As I said then, "Who are a part of this deal? Not me, and not many in this Chamber. We did not have much to say about the deal, so why are we being asked to stick with it?" We lost that vote by two votes and it made TEA 21 impossible in 1997. Now, the proponents of this bill want us to have that debate each year. Moreover, by eliminating the functional categories from the budget resolution, they want to even take away our ability to offer amendments to alter their Leadership-negotiated package.

EFFECT ON TRANSPORTATION COMMITTEE PROGRAMS

I also rise in opposition to H.R. 853 because I am concerned about the impact of this bill on transportation trust funds. I believe that this bill will undermine the enormous progress we have made in infrastructure investment with the Transportation Equity Act for the 21st Century (TEA 21) and the Aviation Investment and Reform Act for the 21st Century (AIR 21), and will make it more difficult to reauthorize these programs in the future.

H.R. 853 does not acknowledge the important budget reforms contained in TEA 21 and AIR 21—including the reform that transportation revenues must be used for transportation purposes. Rather than updating the budget process to reflect a link between transportation trust fund spending and transportation trust fund receipts—a budget process change that was mandated by the overwhelming majority of the House in TEA 21 and AIR 21—H.R. 853 merely strengthens the old budget process, which assumes that transportation trust fund revenues are no different from general revenues.

H.R. 853 would also shift power to entities that are institutionally opposed to the trust fund reforms that our Committee achieved in TEA 21 and AIR 21, and would effectively shut most Members and committees out of the

budget process. As a former Member of the Budget Committee (1987–1993) and a Member of this Body and the Transportation and Infrastructure Committee for 25 years, I know that the Budget Committee and the Office of Management and Budget have always opposed the trust fund reforms that the Transportation Committee has advocated and an overwhelming majority of this House have supported.

Not only does H.R. 853 fail to institutionalize the trust fund reforms enacted in TEA 21 and AIR 21, it assumes flat spending from transportation trust funds for purposes of calculating the budget surplus after TEA 21 and AIR 21 expire. This assumption is made despite the fact that transportation trust fund revenues will continue to increase each year as our economy and highway and air travel continue to grow. A flat-spending assumption would result in a return to the old days of trust fund surpluses being used for non-transportation purposes. If the link between trust fund revenues and trust fund spending is to be maintained, budget procedures and the assumptions for transportation spending must reflect the annual growth in trust fund revenues.

CONCLUSION

Do not be lulled into thinking that this bill simply changes a technical House procedure. This bill significantly alters the congressional budget process. The budget process is where we decide priorities for America's future. It is the process where, to a large degree, we decide what our values are, and put a price tag on them. It is a process in which all Members and all committees should play a role. H.R. 853 will shut Members out of that process.

I urge all Members to vote "no" on H.R. 853.

Mr. BENTSEN. Mr. Chairman, I rise in reluctant opposition to H.R. 853, the Comprehensive Budget Process Reform Act of 1999. I commend the gentleman from Iowa, Mr. NUSSLE and the gentleman from Maryland, Mr. CARDIN for their hard work, but in the end this bill is not yet ready for adoption.

My colleagues argue that this bill will fix the "broken" budget process. While this bill may correct some deficiencies in the current law, no bill is going to fix what is the real problem—the behavior of the members of this body and the Senate. For years following inclusion of pay-as-you-go rules and discretionary spending caps amendments to the Budget Act in 1990, the Budget Act had an effect on law rather than serving as a mere target. It was not until 1998 that the process fell apart when members on both sides of the aisle felt compelled to violate the caps by abusing the Emergency spending designation. In 1999, Congress did the same thing. The primary problem with the budget process lies not with the system or the end game, but rather Congress and the Administration. There were legitimate concerns, greater defense, education and agriculture spending demands weighed against other domestic priorities, but rather than honestly argue the needs to the American people and raise the caps, we chose to engage in budget subterfuge. That is not a flaw in the process so much as human nature.

While this bill includes some good reforms such as a tighter designation for emergency spending to stem abuse and bringing the use of accrual accounting to the federal budget process, it is flawed in converting the concurrent budget resolution to a joint resolution

signed into law by the President. This is intended to move the end game to the front of budget cycle but it is a little like moving the goal posts from the end of the field to the middle. The practical effect is to shift more power to the Executive branch at the expense of the Congress. As a result, the appropriations process will be delayed and the end game will be extended throughout most the year. Unintended by its proponents, this could result in greater, not less, politicization of the budget process.

Moreover, as a joint resolution, the budget resolution would be vulnerable to having certain other pieces of legislation the Congressional leadership favored attached. The drafters of H.R. 853 have inserted a weak provision aimed at preventing the budget resolution from becoming a major legislative vehicle but it cannot assure this body the budget resolution will be free from being taken hostage by an abortion amendment or, more likely, an amendment to raise discretionary spending caps or alter the pay-as-you-go rules to let projected budget surpluses be used to "pay for" large tax cuts.

With regard to the biennial budgeting amendment which Representative DREIER plans to offer, I believe it is unrealistic and unworkable. The GAO has cautioned against biennial budgeting and cites "difficulty in forecasting" as the major force behind an increasing number of states abandoning biennial budgeting, in favor of annual cycles. Under H.R. 853, agencies would have to begin to put together budgets for the second year of a two-year cycle at least 28 months before the year would start. Such long lead times will certainly result in decisions that become outdated. During the intervening period, there would inevitably be findings concerning the effectiveness of various programs and changes needed in those programs from GAO reports, Inspector Generals' reports, and research studies. Proponents of biennial budgeting assert that it will free up time for more oversight. They overlook the fact that a significant amount of oversight is conducted by the appropriations committees in the course of reviewing agency budget requests annually. But, I believe that if we adopt biennial budgeting, we will be creating new problems. We will be constructing a system that lacks flexibility to address GAO findings or developments in a program or substantial changes in our nation's economic conditions.

Mr. Chairman, while I oppose H.R. 853, I support its commitment to limit use of emergency spending outside the spending caps only for true emergencies. There can be little question that in recent years, the emergency supplemental appropriations process has been abused and loaded with billions of dollars of spending which do not meet the true test of an "emergency." We must, as a body, reign in emergency spending. H.R. 853 would create a reserve fund for emergencies and specifically defines "emergency" as "loss of life or property, or a threat to national security" and an "unanticipated" situation that is sudden, urgent, unforeseen and temporary.

Mr. Chairman, I will also oppose the Gekas Automatic Continuing Resolution Amendment to avoid a government shutdown. We debated this in the House Budget Committee last year. I opposed a "freeze" of appropriations in event of a budgetary stalemate because I believed it would give Congress and the Administration an out, as opposed to compelling that

the hard work of passing the budget and appropriations bills is done. Rather, I suggested that any automatic continuing resolution not be a disincentive to compromise. My amendment would have set the automatic continuing resolution at 75% of the previous year's appropriated level in order to fund essential functions, but low enough to spur the Congress and Administration into action.

Finally, Mr. Chairman, I will oppose the Ryan amendment to eliminate the on-budget surplus from the pay-as-you-go rules. While the intent of this amendment is to free up on-budget surpluses for tax cuts or new mandatory spending instead of being used for debt relief, its real impact would be to allow Congress to leverage tax cuts or new spending on the basis of long-term budget projections. And, if the projections are wrong, such tax cuts or spending would be ultimately backed by sequestration against Medicare, Medicaid or tax increases if the projections are wrong. This amendment is a redo of Gramm-Rudman-Hollings, allowing Congress to make long-term spending and tax commitments with uncertain offsets.

Accordingly, Mr. Chairman, I rise in opposition to H.R. 853. Rather than insure an expedited budget process, H.R. 853 will create new barriers to formulating a federal budget and interfere with effective oversight.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise in opposition to H.R. 853, the Comprehensive Budget Process Reform Act. We may all agree that the current budget process does not run as smoothly as we may like; however, this bill does not adequately address the inefficiencies in the budget process. The problem with the budget process is that for the last three years, the Leadership has engaged in conduct that has hindered this process.

In 1998, we failed to adopt a budget resolution and for the last two years Congress approved budget resolutions that were difficult to implement. To work through these problems the Congress had to waive rules to circumvent the budget resolutions. This bill does nothing to address this issue.

H.R. 853 will significantly hamper our ability to agree on a budget by requiring a joint budget resolution. Requiring the President to enter the process early in the year by transforming the joint budget resolution into an omnibus budget law, while simultaneously curtailing the ability of the appropriations committees to press forward if a budget has not been agreed to by May 15, will delay rather than speed up our budget process.

Contemplate how much deliberation occurs between the House and the Senate on the budget resolution, just imagine how delayed this process will be with the interjection of the President. In the years where the President and Congress are in serious disagreement as to budget priorities, disagreements are likely to linger into the waning days of future legislative sessions.

The budget resolution would be transformed into "must pass" legislation that may likely entice the Leadership to attach bills they favor. This is true of provisions in this bill to change Congressional budget procedures that include measures to impose discretionary caps or actual appropriations, as well as provisions to impose caps on entitlement programs from responding to changes in unemployment, poverty, the health status of our nation, and other such programs.

The removal of functional levels and reconciliation instructions from the budget resolution to a budget committee report is unwise. Relying on an aggregate budget amount without debating the details of specific functions may result in significant budget cuts in discretionary spending without the opportunity for vigorous debate on the virtues of each budget request.

Some may argue that debating budget functions obscure the ability to debate a set aggregate amount. On the other hand, we need to analyze budget functions to make the aggregate number more meaningful in addressing the needs of the nation. My amendment sought to reinstate a process that ensures that the American people's needs are sufficiently addressed by the Congress during the budget process.

Finally, I do not support the Drier Biennial Budgeting Amendment because biennial budgeting and appropriating will not ease Congress's ability to meet deadlines, enact authorization provisions or engage in more meaningful oversight. Biennial budgeting will further complicate an already complicated process.

Biennial budgeting will not assist Congress pass budget or appropriations bills on time. No matter whether the fiscal year begin on July 1 or October 1, Congress often finishes its appropriations work approximately one month after an imposed deadline. The real concern with biennial budgeting is that appropriations' debates will fall into the second year, as Members become less willing to compromise.

In addition, budget projections change too quickly for biennial budgeting. The events of the nation and world change from year-to-year. It would be increasingly difficult for the Congressional Budget Office to project budgets for two years. The difficulty in forecasting for biennial budgets will likely create a need for supplemental appropriations. Thus, the impetus for biennial budgeting would diminish.

As Martin Luther King, Jr. once said, "Our nettlesome task is to discover how to organize our strength into compelling power." The Congress's task is to organize our best ideas on meaningful budget reform and not measures which will exacerbate the complexity of our nation's budget process. We can do better and we must do better.

Mr. SHAYS. Mr. Chairman, I strongly support H.R. 853, the Comprehensive Budget Process Reform Act. This bill represents the most fundamental revision of the Congressional budget process since 1974.

H.R. 853 contains a variety of critical reforms, including changing the Budget Resolution from a concurrent resolution to a joint resolution that would have to be presented to the president and therefore would have the force of law.

This would improve the budget process in two ways. First, it would force the president to play a formal role in the budget process, rather than only engaging in the final stages of the appropriations process.

Providing for formal executive participation through a joint resolution would avoid year-end scrambling to finance government programs. It would also encourage the president to submit a realistic budget because he will be compelled to defend it.

Second, a joint resolution would force inter-branch agreement on aggregate spending levels prior to agreement on details. Currently,

since the president does not have to approve the Budget Resolution, gaining approval on the final spending measures presents a greater challenge.

Forcing an early agreement on the principles in the Resolution will make coming together on the details of budget bills much easier in the fall. Moreover, this bill is still sensitive to the likelihood of an earlier budget "train wreck" by enabling Congress to adopt a concurrent budget resolution under expedited procedures if the president vetoes the joint budget resolution.

In other words, H.R. 853 provides incentives for the president to sign an agreement on principles, but allows the process to move forward if he does not.

The bill also requires the president and Congress to set aside a reserve within the budget for emergencies. This reserve would be equivalent to the five year historical average of emergency spending. The reserve could only be used for emergencies that meet both of the following criteria: (1) funding for "loss of life or property, or a threat to national security" and (2) an "unanticipated situation."

This important provision will prevent supplemental appropriations bills that are stuffed with fraudulent "emergency" spending. Unfortunately such bills have often become vehicles for pork-barrel spending rather than ways to alleviate the suffering of Americans who have experienced genuine crises.

I would like to thank Congressman NUSSLE and other members of the House Budget Committee's bipartisan task force on the budget process for bringing this bill to the floor. I urge my colleagues to support it.

Mr. DINGELL. Mr. Chairman, certainly the budget process could benefit from useful progressive reform. However, the bill we are considering is neither useful nor progressive. It can properly be described as deform. As long as the majority lacks the political courage to set realistic spending caps, we will continue to see the abuse of the budget process that we have become accustomed to under Republican control of the Congress. Where more than \$34 billion, including the cost of the census, is declared an "emergency." These "emergencies" are nothing but an absolute circumvention of the budget process and a parliamentary exercise to evade hard choices.

Let history be our guide and let us examine how the budget process has operated under Republican control.

I would observe that last year Congress failed to even adopt a budget resolution for the first time since the Budget Act was signed into law. Why, because the budget process was broken? Hardly. Because the Republican majority in Congress could not agree with itself on a budget resolution. Rather than negotiate a bipartisan document, the majority chose not to draft a budget at all. This unprecedented failure is not an indictment of the budget process but rather of the majority's incompetence.

In the 104th Congress, under the leadership of then-Speaker Newt Gingrich, the Republican majority could not agree with the President on the budget, failed to pass the regular 13 appropriations bills on time, and proceeded to shut down the government for 28 days. Why, because the budget process was broken? Hardly. Because the Republican majority was unwilling to compromise and negotiate in good faith with the President. Like little chil-

dren, the majority took their toys and went home. This was not a result of a flawed budget process but of flawed leadership in the Congress.

The Republican majority, having learned their harsh lesson from the rebuke of the public for such fiscal recklessness, reversed course in the 105th Congress and gave in on everything. The result was an unseemly, bloated omnibus bill that contained everything—including the kitchen sink. Why, because the budget process was broken? Hardly. It was another example of the irresponsible manner in which the majority runs the Congress and once again demonstrated their remarkable inability to govern.

H.R. 853 continues in this rich tradition of flawed proposals and failed ideas. It should rightly and properly be relegated to the scrap heap, to reside next to the Contract with America, where it will, with good fortune and the good Lord's mercy, rust in peace. I urge my colleagues to defeat this bill so we can move on to the people's business.

The CHAIRMAN. All time has expired.

Pursuant to the rule, the amendment in the nature of a substitute consisting of the text of H.R. 4397 shall be considered as an original bill for the purpose of amendment under the 5-minute rule, and shall be considered read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 4397

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Comprehensive Budget Process Reform Act of 2000".

(b) TABLE OF CONTENTS.—

- Sec. 1. Short title; table of contents.
- Sec. 2. Purpose.
- Sec. 3. Effective date.
- Sec. 4. Declaration of purposes for the Budget Act.

TITLE I—BUDGET WITH FORCE OF LAW

- Sec. 101. Purposes.
- Sec. 102. The timetable.
- Sec. 103. Annual joint resolutions on the budget.
- Sec. 104. Budget required before spending bills may be considered; fallback procedures if President vetoes joint budget resolution.
- Sec. 105. Conforming amendments to effectuate joint resolutions on the budget.

TITLE II—RESERVE FUND FOR EMERGENCIES

- Sec. 201. Purpose.
- Sec. 202. Repeal of adjustments for emergencies.
- Sec. 203. OMB emergency criteria.
- Sec. 204. Development of guidelines for application of emergency definition.
- Sec. 205. Reserve fund for emergencies in President's budget.
- Sec. 206. Adjustments and reserve fund for emergencies in joint budget resolutions.
- Sec. 207. Up-to-date tabulations.
- Sec. 208. Prohibition on amendments to emergency reserve fund.
- Sec. 209. Effective date.

TITLE III—ENFORCEMENT OF BUDGETARY DECISIONS

- Sec. 301. Purposes.

Subtitle A—Application of Points of Order to Unreported Legislation

Sec. 311. Application of Budget Act points of order to unreported legislation.

Subtitle B—Compliance With Budget Resolution

Sec. 321. Budget compliance statements.

Subtitle C—Justification for Budget Act Waivers

Sec. 331. Justification for Budget Act waivers in the House of Representatives.

Subtitle D—CBO Scoring of Conference Reports

Sec. 341. CBO scoring of conference reports.

TITLE IV—ACCOUNTABILITY FOR FEDERAL SPENDING

Sec. 401. Purposes.

Subtitle A—Limitations on Direct Spending

Sec. 411. Fixed-year authorizations required for new programs.

Sec. 412. Amendments to subject new direct spending to annual appropriations.

Subtitle B—Enhanced Congressional Oversight Responsibilities

Sec. 421. Ten-year congressional review requirement of permanent budget authority.

Sec. 422. Justifications of direct spending.

Sec. 423. Survey of activity reports of House committees.

Sec. 424. Continuing study of additional budget process reforms.

Sec. 425. GAO reports.

Subtitle C—Strengthened Accountability

Sec. 431. Ten-year CBO estimates.

Sec. 432. Repeal of rule XXIII of the Rules of the House of Representatives.

TITLE V—BUDGETING FOR UNFUNDED LIABILITIES AND OTHER LONG-TERM OBLIGATIONS

Sec. 501. Purposes.

Subtitle A—Budgetary Treatment of Federal Insurance Programs

Sec. 511. Federal insurance programs.

Subtitle B—Reports on Long-Term Budgetary Trends

Sec. 521. Reports on long-term budgetary trends.

TITLE VI—BASELINE AND BYRD RULE

Sec. 601. Purpose.

Subtitle A—The Baseline

Sec. 611. The President's budget.

Sec. 612. The congressional budget.

Sec. 613. Congressional Budget Office reports to committees.

Sec. 614. Out-year assumptions for discretionary spending.

Subtitle B—The Byrd Rule

Sec. 621. Limitation on Byrd rule.

SEC. 2. PURPOSE.

The purposes of this Act are to—

- (1) give the budget the force of law;
- (2) budget for emergencies;
- (3) strengthen enforcement of budgetary decisions;
- (4) increase accountability for Federal spending;
- (5) display the unfunded liabilities of Federal insurance programs; and
- (6) mitigate the bias in the budget process toward higher spending.

SEC. 3. EFFECTIVE DATE.

Except as otherwise specifically provided, this Act and the amendments made by this Act shall become effective on the date of enactment of this Act and shall apply with respect to fiscal years beginning after September 30, 2001.

SEC. 4. DECLARATION OF PURPOSES FOR THE BUDGET ACT.

Paragraphs (1) and (2) of section 2 of the Congressional Budget and Impoundment Control Act of 1974 are amended to read as follows:

“(1) to assure effective control over the budgetary process;

“(2) to facilitate the determination each year of the appropriate level of Federal revenues and expenditures by the Congress and the President;”.

TITLE I—BUDGET WITH FORCE OF LAW

SEC. 101. PURPOSES.

The purposes of this title are to—

(1) focus initial budgetary deliberations on aggregate levels of Federal spending and taxation;

(2) encourage cooperation between Congress and the President in developing overall budgetary priorities; and

(3) reach budgetary decisions early in the legislative cycle.

SEC. 102. THE TIMETABLE.

Section 300 of the Congressional Budget Act of 1974 is amended to read as follows:

“TIMETABLE

“SEC. 300. The timetable with respect to the congressional budget process for any fiscal year is as follows:

“On or before:	Action to be completed:
First Monday in February	President submits his budget.
February 15	Congressional Budget Office submits report to Budget Committees.
Not later than 6 weeks after President submits budget.	Committees submit views and estimates to Budget Committees.
April 1	Senate Budget Committee reports joint resolution on the budget.
April 15	Congress completes action on joint resolution on the budget.
June 10	House Appropriations Committee reports last annual appropriation bill.
June 15	Congress completes action on reconciliation legislation.
June 30	House completes action on annual appropriation bills.
October 1	Fiscal year begins.”.

SEC. 103. ANNUAL JOINT RESOLUTIONS ON THE BUDGET.

(a) **CONTENT OF ANNUAL JOINT RESOLUTIONS ON THE BUDGET.**—Section 301(a) of the Congressional Budget Act of 1974 is amended as follows:

(1) Strike paragraph (4) and insert the following new paragraph:

“(4) subtotals of new budget authority and outlays for nondefense discretionary spending, defense discretionary spending, direct spending (excluding interest), and interest; and for fiscal years to which the amendments made by title II of the Comprehensive Budget Process Reform Act of 2000 apply, subtotals of new budget authority and outlays for emergencies;”.

(2) Strike the last sentence of such subsection.

(b) **ADDITIONAL MATTERS IN JOINT RESOLUTION.**—Section 301(b) of the Congressional Budget Act of 1974 is amended as follows:

(1) Strike paragraphs (2), (4), and (6) through (9).

(2) After paragraph (1), insert the following new paragraph:

“(2) if submitted by the Committee on Ways and Means of the House of Representatives or the Committee on Finance of the Senate to the Committee on the Budget of that House of Congress, amend section 3101 of title 31, United States Code, to change the statutory limit on the public debt;”.

(3) After paragraph (3), insert the following new paragraph:

“(4) require such other congressional procedures, relating to the budget, as may be appropriate to carry out the purposes of this Act;” and

(4) After paragraph (5), insert the following new paragraph:

“(6) set forth procedures in the Senate whereby committee allocations, aggregates, and other levels can be revised for legislation if that legislation would not increase the deficit, or would not increase the deficit when taken with other legislation enacted after the adoption of the resolution, for the first fiscal year or the total period of fiscal years covered by the resolution.”.

(c) **REQUIRED CONTENTS OF REPORT.**—Section 301(e)(2) of the Congressional Budget Act of 1974 is amended as follows:

(1) Redesignate subparagraphs (A), (B), (C), (D), (E), and (F) as subparagraphs (B), (C), (E), (F), (H), and (I), respectively.

(2) Before subparagraph (B) (as redesignated), insert the following new subparagraph:

“(A) new budget authority and outlays for each major functional category, based on allocations of the total levels set forth pursuant to subsection (a)(1);”.

(3) In subparagraph (C) (as redesignated), strike “mandatory” and insert “direct spending”.

(4) After subparagraph (C) (as redesignated), insert the following new subparagraph:

“(D) a measure, as a percentage of gross domestic product, of total outlays, total Federal revenues, the surplus or deficit, and new outlays for nondefense discretionary spending, defense spending, and direct spending as set forth in such resolution;”.

(5) After subparagraph (F) (as redesignated), insert the following new subparagraph:

“(G) if the joint resolution on the budget includes any allocation to a committee (other than the Committee on Appropriations) of levels in excess of current law levels, a justification for not subjecting any program, project, or activity (for which the allocation is made) to annual discretionary appropriations;”.

(d) **ADDITIONAL CONTENTS OF REPORT.**—Section 301(e)(3) of the Congressional Budget Act of 1974 is amended as follows:

(1) Redesignate subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively, strike subparagraphs (C) and (D), and redesignate subparagraph (E) as subparagraph (D).

(2) Before subparagraph (B), insert the following new subparagraph:

“(A) reconciliation directives described in section 310;”.

(e) **PRESIDENT’S BUDGET SUBMISSION TO THE CONGRESS.**—(1) The first two sentences of section 1105(a) of title 31, United States Code, are amended to read as follows:

“On or after the first Monday in January but not later than the first Monday in February of each year the President shall submit a budget of the United States Government for the following fiscal year which shall set forth the following levels:

“(A) totals of new budget authority and outlays;

“(B) total Federal revenues and the amount, if any, by which the aggregate level of Federal revenues should be increased or decreased by bills and resolutions to be reported by the appropriate committees;

“(C) the surplus or deficit in the budget;

“(D) subtotals of new budget authority and outlays for nondefense discretionary spending, defense discretionary spending, direct spending, and interest; and for fiscal years to which the amendments made by title II of

the Comprehensive Budget Process Reform Act of 2000 apply, subtotals of new budget authority and outlays for emergencies; and

“(E) the public debt.

Each budget submission shall include a budget message and summary and supporting information and, as a separately delineated statement, the levels required in the preceding sentence for at least each of the 9 ensuing fiscal years.”.

(2) The third sentence of section 1105(a) of title 31, United States Code, is amended by inserting “submission” after “budget”.

(f) **LIMITATION ON CONTENTS OF BUDGET RESOLUTIONS.**—Section 305 of the Congressional Budget Act of 1974 is amended by adding at the end the following new subsection:

“(e) **LIMITATION ON CONTENTS.**—(1) A joint resolution on the budget and the report accompanying it may not—

“(A) appropriate or otherwise provide, impound, or rescind any new budget authority, increase any outlay, or increase or decrease any revenue (other than through reconciliation instructions);

“(B) directly (other than through reconciliation instructions) establish or change any program, project, or activity;

“(C) establish or change any limit or control over spending, outlays, receipts, or the surplus or deficit except those that are enforced through congressional rule making; or

“(D) amend any law except as provided by section 304 (permissible revisions of joint resolutions on the budget) or enact any provision of law that contains any matter not permitted in section 301(a) or (b).

“(2) No allocation under section 302(a) shall be construed as changing such discretionary spending limit.

“(3) It shall not be in order in the House of Representatives or in the Senate to consider any joint resolution on the budget or any amendment thereto or conference report thereon that contains any matter not permitted in section 301(a) or (b).

“(4) Any joint resolution on the budget or any amendment thereto or conference report thereon that contains any matter not permitted in section 301(a) or (b) shall not be treated in the House of Representatives or the Senate as a budget resolution under subsection (a) or (b) or as a conference report on a budget resolution under subsection (c) of this section.”.

SEC. 104. BUDGET REQUIRED BEFORE SPENDING BILLS MAY BE CONSIDERED; FALL-BACK PROCEDURES IF PRESIDENT VETOES JOINT BUDGET RESOLUTION.

(a) **AMENDMENTS TO SECTION 302.**—Section 302(a) of the Congressional Budget Act of 1974 is amended by striking paragraph (5).

(b) **AMENDMENTS TO SECTION 303 AND CONFORMING AMENDMENTS.**—(1) Section 303 of the Congressional Budget Act of 1974 is amended—

(A) in subsection (b), by striking paragraph (2), by inserting “or” at the end of paragraph (1), and by redesignating paragraph (3) as paragraph (2); and

(B) by striking its section heading and inserting the following new section heading: “CONSIDERATION OF BUDGET-RELATED LEGISLATION BEFORE BUDGET BECOMES LAW”.

(2) Section 302(g)(1) of the Congressional Budget Act of 1974 is amended by striking “and, after April 15, section 303(a)”.

(3)(A) Section 904(c)(1) of the Congressional Budget Act of 1974 is amended by inserting “303(a),” before “305(b)(2),”.

(B) Section 904(d)(2) of the Congressional Budget Act of 1974 is amended by inserting “303(a),” before “305(b)(2),”.

(c) **EXPEDITED PROCEDURES UPON VETO OF JOINT RESOLUTION ON THE BUDGET.**—(1) Title III of the Congressional Budget Act of 1974 is amended by adding after section 315 the following new section:

“EXPEDITED PROCEDURES UPON VETO OF JOINT RESOLUTION ON THE BUDGET

“SEC. 316. (a) SPECIAL RULE.—If the President vetoes a joint resolution on the budget for a fiscal year, the majority leader of the House of Representatives or Senate (or his designee) may introduce a concurrent resolution on the budget or joint resolution on the budget for such fiscal year. If the Committee on the Budget of either House fails to report such concurrent or joint resolution referred to it within five calendar days (excluding Saturdays, Sundays, or legal holidays except when that House of Congress is in session) after the date of such referral, the committee shall be automatically discharged from further consideration of such resolution and such resolution shall be placed on the appropriate calendar.

“(b) PROCEDURE IN THE HOUSE OF REPRESENTATIVES AND THE SENATE.—

“(1) Except as provided in paragraph (2), the provisions of section 305 for the consideration in the House of Representatives and in the Senate of joint resolutions on the budget and conference reports thereon shall also apply to the consideration of concurrent resolutions on the budget introduced under subsection (a) and conference reports thereon.

“(2) Debate in the Senate on any concurrent resolution on the budget or joint resolution on the budget introduced under subsection (a), and all amendments thereto and debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours and in the House such debate shall be limited to not more than 3 hours.

“(c) CONTENTS OF CONCURRENT RESOLUTIONS.—Any concurrent resolution on the budget introduced under subsection (a) shall be in compliance with section 301.

“(d) EFFECT OF CONCURRENT RESOLUTION ON THE BUDGET.—Notwithstanding any other provision of this title, whenever a concurrent resolution on the budget described in subsection (a) is agreed to, then the aggregates, allocations, and reconciliation directives (if any) contained in the report accompanying such concurrent resolution or in such concurrent resolution shall be considered to be the aggregates, allocations, and reconciliation directives for all purposes of sections 302, 303, and 311 for the applicable fiscal years and such concurrent resolution shall be deemed to be a joint resolution for all purposes of this title and the Rules of the House of Representatives and any reference to the date of enactment of a joint resolution on the budget shall be deemed to be a reference to the date agreed to when applied to such concurrent resolution.”

(2) The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after the item relating to section 315 the following new item:

“Sec. 316. Expedited procedures upon veto of joint resolution on the budget.”

SEC. 105. CONFORMING AMENDMENTS TO EFFECTUATE JOINT RESOLUTIONS ON THE BUDGET.

(a) CONFORMING AMENDMENTS TO THE CONGRESSIONAL BUDGET AND IMPOUNDMENT CONTROL ACT OF 1974.—(1)(A) Sections 301, 302, 303, 305, 308, 310, 311, 312, 314, 405, and 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.) are amended by striking “concurrent” each place it appears and by inserting “joint”.

(B)(i) Sections 302(d), 302(g), 308(a)(1)(A), and 310(d)(1) of the Congressional Budget Act of 1974 are amended by striking “most recently agreed to concurrent resolution on the budget” each place it occurs and inserting “most recently enacted joint resolution on the budget or agreed to concurrent resolution on the budget (as applicable)”.

(ii) The section heading of section 301 is amended by striking “adoption of concurrent resolution” and inserting “joint resolutions”;

(iii) Section 304 of such Act is amended to read as follows:

“PERMISSIBLE REVISIONS OF BUDGET RESOLUTIONS

“SEC. 304. At any time after the joint resolution on the budget for a fiscal year has been enacted pursuant to section 301, and before the end of such fiscal year, the two Houses and the President may enact a joint resolution on the budget which revises or reaffirms the joint resolution on the budget for such fiscal year most recently enacted. If a concurrent resolution on the budget has been agreed to pursuant to section 316, then before the end of such fiscal year, the two Houses may adopt a concurrent resolution on the budget which revises or reaffirms the concurrent resolution on the budget for such fiscal year most recently agreed to.”

(C) Sections 302, 303, 310, and 311, of such Act are amended by striking “agreed to” each place it appears and by inserting “enacted”.

(2)(A) Paragraph (4) of section 3 of the Congressional Budget and Impoundment Control Act of 1974 is amended by striking “concurrent” each place it appears and by inserting “joint”.

(B) The table of contents set forth in section 1(b) of such Act is amended—

(i) in the item relating to section 301, by striking “adoption of concurrent resolution” and inserting “joint resolutions”;

(ii) by striking the item relating to section 303 and inserting the following:

“Sec. 303. Consideration of budget-related legislation before budget becomes law.”;

(iii) in the item relating to section 304, by striking “concurrent” and inserting “budget” the first place it appears and by striking “on the budget”; and

(iv) by striking “concurrent” and inserting “joint” in the item relating to section 305.

(b) CONFORMING AMENDMENTS TO THE RULES OF THE HOUSE OF REPRESENTATIVES.—(1) Clauses 1(e)(1), 4(a)(4), 4(b)(2), 4(f)(1)(A), and 4(f)(2) of rule X, clause 10 of rule XVIII, and clause 10 of rule XX of the Rules of the House of Representatives are amended by striking “concurrent” each place it appears and inserting “joint”.

(2) Clause 10 of rule XVIII of the Rules of the House of Representatives is amended—

(A) in paragraph (b)(2), by striking “(5)” and inserting “(6)”; and

(B) by striking paragraph (c).

(c) CONFORMING AMENDMENTS TO THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985.—Section 258C(b)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907d(b)(1)) is amended by striking “concurrent” and inserting “joint”.

(d) CONFORMING AMENDMENTS TO SECTION 310 REGARDING RECONCILIATION DIRECTIVES.—

(1) The side heading of section 310(a) of the Congressional Budget Act of 1974 (as amended by section 105(a)) is further amended by inserting “JOINT EXPLANATORY STATEMENT ACCOMPANYING CONFERENCE REPORT ON” before “JOINT”.

(2) Section 310(a) of such Act is amended by striking “A” and inserting “The joint explanatory statement accompanying the conference report on a”.

(3) The first sentence of section 310(b) of such Act is amended by striking “If” and inserting “If the joint explanatory statement accompanying the conference report on”.

(4) Section 310(c)(1) of such Act is amended by inserting “the joint explanatory statement accompanying the conference report on” after “pursuant to”.

(5) Subsection (g) of section 310 of such Act is repealed.

(e) CONFORMING AMENDMENTS TO SECTION 3 REGARDING DIRECT SPENDING.—Section 3 of the Congressional Budget and Impoundment Control Act of 1974 is amended by adding at the end the following new paragraph:

“(11) The term ‘direct spending’ has the meaning given to such term in section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985.”

(f) TECHNICAL AMENDMENT REGARDING REVISED SUBALLOCATIONS.—Section 314(d) of the Congressional Budget Act of 1974 is amended by—

(1) striking “REPORTING” in the side heading, by inserting “the chairmen of” before “the Committees”, and by striking “may report” and inserting “shall make and have published in the Congressional Record”; and

(2) adding at the end the following new sentence: “For purposes of considering amendments (other than for amounts for emergencies covered by subsection (b)(1)), suballocations shall be deemed to be so adjusted.”

TITLE II—RESERVE FUND FOR EMERGENCIES

SEC. 201. PURPOSE.

The purposes of this title are to—

(1) develop budgetary and fiscal procedures for emergencies;

(2) subject spending for emergencies to budgetary procedures and controls; and

(3) establish criteria for determining compliance with emergency requirements.

SEC. 202. REPEAL OF ADJUSTMENTS FOR EMERGENCIES.

(a) DISCRETIONARY SPENDING LIMITS.—(1) Section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 is repealed.

(2) Such section 251(b)(2) is further amended by redesignating subparagraphs (B) through (G) as subparagraphs (A) through (F).

(b) DIRECT SPENDING.—Sections 252(e) and 252(d)(4)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985 are repealed.

(c) EMERGENCY DESIGNATION.—Clause 2 of rule XXI of the Rules of the House of Representatives is amended by repealing paragraph (e) and by redesignating paragraph (f) as paragraph (e).

(d) AMOUNT OF ADJUSTMENTS.—Section 314(b) of the Congressional Budget Act of 1974 is amended by striking paragraph (1) and by redesignating paragraphs (2) through (6) as paragraphs (1) through (5), respectively.

SEC. 203. OMB EMERGENCY CRITERIA.

Section 3 of the Congressional Budget and Impoundment Control Act of 1974 (as amended by section 105(e)) is further amended by adding at the end the following new paragraph:

“(12)(A) The term ‘emergency’ means a situation that—

“(i) requires new budget authority and outlays (or new budget authority and the outlays flowing therefrom) for the prevention or mitigation of, or response to, loss of life or property, or a threat to national security; and

“(ii) is unanticipated.

“(B) As used in subparagraph (A), the term ‘unanticipated’ means that the situation is—

“(i) sudden, which means quickly coming into being or not building up over time;

“(ii) urgent, which means a pressing and compelling need requiring immediate action;

“(iii) unforeseen, which means not predicted or anticipated as an emerging need; and

“(iv) temporary, which means not of a permanent duration.”

SEC. 204. DEVELOPMENT OF GUIDELINES FOR APPLICATION OF EMERGENCY DEFINITION.

Not later than 5 months after the date of enactment of this Act, the chairmen of the Committees on the Budget (in consultation with the President) shall, after consulting with the chairmen of the Committees on Appropriations and applicable authorizing committees of their respective Houses and the Directors of the Congressional Budget Office and the Office of Management and Budget, jointly publish in the Congressional Record guidelines for application of the definition of emergency set forth in section 3(12) of the Congressional Budget and Impoundment Control Act of 1974.

SEC. 205. RESERVE FUND FOR EMERGENCIES IN PRESIDENT'S BUDGET.

Section 1105 of title 31, United States Code is amended by adding at the end the following new subsections:

“(h) The budget transmitted pursuant to subsection (a) for a fiscal year shall include a reserve fund for emergencies. The amount set forth in such fund shall be calculated as provided under section 317(b) of the Congressional Budget Act of 1974.

“(i) In the case of any budget authority requested for an emergency, such submission shall include a detailed justification of the reasons that such emergency is an emergency within the meaning of section 3(12) of the Congressional Budget Act of 1974, consistent with the guidelines described in section 204 of the Comprehensive Budget Process Reform Act of 2000.”.

SEC. 206. ADJUSTMENTS AND RESERVE FUND FOR EMERGENCIES IN JOINT BUDGET RESOLUTIONS.

(a) EMERGENCIES.—Title III of the Congressional Budget Act of 1974 (as amended by section 104(c)) is further amended by adding at the end the following new section:

“EMERGENCIES

“SEC. 317. (a) ADJUSTMENTS.—

“(1) IN GENERAL.—After the reporting of a bill or joint resolution or the submission of a conference report thereon that provides budget authority for any emergency as identified pursuant to subsection (d)—

“(A) the chairman (in consultation with the ranking minority member) of the Committee on the Budget of the House of Representatives or the Senate shall determine and certify, pursuant to the guidelines referred to in section 204 of the Comprehensive Budget Process Reform Act of 2000, the portion (if any) of the amount so specified that is for an emergency within the meaning of section 3(12); and

“(B) such chairman shall make the adjustment set forth in paragraph (2) for the amount of new budget authority (or outlays) in that measure and the outlays flowing from that budget authority.

“(2) MATTERS TO BE ADJUSTED.—The adjustments referred to in paragraph (1) are to be made to the allocations made pursuant to the appropriate joint resolution on the budget pursuant to section 302(a) and shall be in an amount not to exceed the amount reserved for emergencies pursuant to the requirements of subsection (b).

“(3) PERMISSIBLE COMMITTEE VOTE ON ADJUSTMENTS.—Any adjustment made by the chairman of the Committee on the Budget of the House of Representatives or the Senate under paragraph (1) may be placed before the committee for its consideration by a majority vote of the members of the committee, a quorum being present.

“(b) RESERVE FUND FOR EMERGENCIES.—

“(1) AMOUNTS.—(A) The amount set forth in the reserve fund for emergencies for budget authority for a fiscal year pursuant to section 301(a)(4) shall equal the average of

the enacted levels of budget authority for emergencies in the 5 fiscal years preceding the current year.

“(B) The amount set forth in the reserve fund for emergencies for outlays pursuant to section 301(a)(4) shall be the following:

“(i) For the budget year, the amount provided by subparagraph (C)(i).

“(ii) For the year following the budget year, the sum of the amounts provided by subparagraphs (i) and (ii).

“(iii) For the second year following the budget year, the sum of the amounts provided by subparagraphs (i), (ii), and (iii).

“(iv) For the third year following the budget year, the sum of the amounts provided by subparagraphs (i), (ii), (iii), and (iv).

“(v) For the fourth year following the budget year, the sum of the amounts provided by subparagraphs (i), (ii), (iii), (iv), and (v).

“(C) The amount used to calculate the levels of the reserve fund for emergencies for outlays shall be the—

“(i) average outlays flowing from new budget authority in the fiscal year that the budget authority was provided;

“(ii) average outlays flowing from new budget authority in the fiscal year following the fiscal year in which the budget authority was provided;

“(iii) average outlays flowing from new budget authority in the second fiscal year following the fiscal year in which the budget authority was provided;

“(iv) average outlays flowing from new budget authority in the third fiscal year following the fiscal year in which the budget authority was provided; and

“(v) average outlays flowing from new budget authority in the fourth fiscal year following the fiscal year in which the budget authority was provided;

if such budget authority was provided within the period of the 5 fiscal years preceding the current year.

“(2) AVERAGE LEVELS.—For purposes of paragraph (1), the amount used for a fiscal year to calculate the average of the enacted levels when one or more of such 5 preceding fiscal years is any of fiscal years 1996 through 2000 shall be for emergencies within the definition of section 3(12)(A) as determined by the Committees on the Budget of the House of Representatives and the Senate after receipt of a report on such matter transmitted to such committees by the Director of the Congressional Budget Office 6 months after the date of enactment of this section and thereafter in February of each calendar year.

“(c) EMERGENCIES IN EXCESS OF AMOUNTS IN RESERVE FUND.—Whenever the Committee on Appropriations or any other committee reports any bill or joint resolution that provides budget authority for any emergency and the report accompanying that bill or joint resolution, pursuant to subsection (d), identifies any provision that increases outlays or provides budget authority (and the outlays flowing therefrom) for such emergency, the enactment of which would cause—

“(1) in the case of the Committee on Appropriations, the total amount of budget authority or outlays provided for emergencies for the budget year; or

“(2) in the case of any other committee, the total amount of budget authority or outlays provided for emergencies for the budget year or the total of the fiscal years;

in the joint resolution on the budget (pursuant to section 301(a)(4)) to be exceeded:

“(A) Such bill or joint resolution shall be referred to the Committee on the Budget of the House or the Senate, as the case may be, with instructions to report it without

amendment, other than that specified in subparagraph (B), within 5 legislative days of the day in which it is reported from the originating committee. If the Committee on the Budget of either House fails to report a bill or joint resolution referred to it under this subparagraph within such 5-day period, the committee shall be automatically discharged from further consideration of such bill or joint resolution and such bill or joint resolution shall be placed on the appropriate calendar.

“(B) An amendment to such a bill or joint resolution referred to in this subsection shall only consist of an exemption from section 251 or 252 (as applicable) of the Balanced Budget and Emergency Deficit Control Act of 1985 of all or any part of the provisions that provide budget authority (and the outlays flowing therefrom) for such emergency if the committee determines, pursuant to the guidelines referred to in section 204 of the Comprehensive Budget Process Reform Act of 2000, that such budget authority is for an emergency within the meaning of section 3(12).

“(C) If such a bill or joint resolution is reported with an amendment specified in subparagraph (B) by the Committee on the Budget of the House of Representatives or the Senate, then the budget authority and resulting outlays that are the subject of such amendment shall not be included in any determinations under section 302(f) or 311(a) for any bill, joint resolution, amendment, motion, or conference report.

“(d) COMMITTEE NOTIFICATION OF EMERGENCY LEGISLATION.—Whenever the Committee on Appropriations or any other committee of either House (including a committee of conference) reports any bill or joint resolution that provides budget authority for any emergency, the report accompanying that bill or joint resolution (or the joint explanatory statement of managers in the case of a conference report on any such bill or joint resolution) shall identify all provisions that provide budget authority and the outlays flowing therefrom for such emergency and include a statement of the reasons why such budget authority meets the definition of an emergency pursuant to the guidelines referred to in section 204 of the Comprehensive Budget Process Reform Act of 2000.”.

(b) CONFORMING AMENDMENT.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after the item relating to section 316 the following new item:

“Sec. 317. Emergencies.”.

SEC. 207. UP-TO-DATE TABULATIONS.

Section 308(b)(2) of the Congressional Budget Act of 1974 is amended by striking “and” at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting “; and”, and by adding at the end the following new subparagraph:

“(D) shall include an up-to-date tabulation of amounts remaining in the reserve fund for emergencies.”.

SEC. 208. PROHIBITION ON AMENDMENTS TO EMERGENCY RESERVE FUND.

(a) POINT OF ORDER.—Section 305 of the Congressional Budget Act of 1974 (as amended by section 103(c)) is further amended by adding at the end the following new subsection:

“(f) POINT OF ORDER REGARDING EMERGENCY RESERVE FUND.—It shall not be in order in the House of Representatives or in the Senate to consider an amendment to a joint resolution on the budget which changes the amount of budget authority and outlays set forth in section 301(a)(4) for emergency reserve fund.”.

(b) TECHNICAL AMENDMENT.—(1) Section 904(c)(1) of the Congressional Budget Act of 1974 is amended by inserting “305(e), 305(f),” after “305(c)(4).”

(2) Section 904(d)(2) of the Congressional Budget Act of 1974 is amended by inserting “305(e), 305(f),” after “305(c)(4).”

SEC. 209. EFFECTIVE DATE.

The amendments made by this title shall apply to fiscal year 2002 and subsequent fiscal years, but such amendments shall take effect only after the enactment of legislation changing or extending for any fiscal year the discretionary spending limits set forth in section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 or legislation reducing the amount of any sequestration under section 252 of such Act by the amount of any reserve for any emergencies.

TITLE III—ENFORCEMENT OF BUDGETARY DECISIONS

SEC. 301. PURPOSES.

The purposes of this title are to—

(1) close loopholes in the enforcement of budget resolutions;

(2) require committees of the House of Representatives to include budget compliance statements in reports accompanying all legislation;

(3) require committees of the House of Representatives to justify the need for waivers of the Congressional Budget Act of 1974; and

(4) provide cost estimates of conference reports.

Subtitle A—Application of Points of Order to Unreported Legislation

SEC. 311. APPLICATION OF BUDGET ACT POINTS OF ORDER TO UNREPORTED LEGISLATION.

(a) Section 315 of the Congressional Budget Act of 1974 is amended by striking “reported” the first place it appears.

(b) Section 303(b) of the Congressional Budget Act of 1974 (as amended by section 104(b)(1)) is further amended—

(1) in paragraph (1), by striking “(A)” and by redesignating subparagraph (B) as paragraph (2) and by striking the semicolon at the end of such new paragraph (2) and inserting a period; and

(2) by striking paragraph (2) (as redesignated by such section 104(b)(1)).

Subtitle B—Compliance With Budget Resolution

SEC. 321. BUDGET COMPLIANCE STATEMENTS.

Clause 3(d) of rule XIII of the Rules of the House of Representatives is amended by adding at the end the following new subparagraph:

“(4) A budget compliance statement prepared by the chairman of the Committee on the Budget, if timely submitted prior to the filing of the report, which shall include assessment by such chairman as to whether the bill or joint resolution complies with the requirements of sections 302, 303, 306, 311, and 401 of the Congressional Budget Act of 1974 or any other requirements set forth in a joint resolution on the budget and may include the budgetary implications of that bill or joint resolution under section 251 or 252 of the Balanced Budget and Emergency Deficit Control Act of 1985, as applicable.”

Subtitle C—Justification for Budget Act Waivers

SEC. 331. JUSTIFICATION FOR BUDGET ACT WAIVERS IN THE HOUSE OF REPRESENTATIVES.

Clause 6 of rule XIII of the Rules of the House of Representatives is amended by adding at the end the following new paragraph:

“(h) It shall not be in order to consider any resolution from the Committee on Rules for the consideration of any reported bill or joint resolution which waives section 302,

303, 311, or 401 of the Congressional Budget Act of 1974, unless the report accompanying such resolution includes a description of the provision proposed to be waived, an identification of the section being waived, the reasons why such waiver should be granted, and an estimated cost of the provisions to which the waiver applies.”

Subtitle D—CBO Scoring of Conference Reports

SEC. 341. CBO SCORING OF CONFERENCE REPORTS.

(a) The first sentence of section 402 of the Congressional Budget Act of 1974 is amended as follows:

(1) Insert “or conference report thereon,” before “and submit”.

(2) In paragraph (1), strike “bill or resolution” and insert “bill, joint resolution, or conference report”.

(3) At the end of paragraph (2) strike “and”, at the end of paragraph (3) strike the period and insert “; and”, and after such paragraph (3) add the following new paragraph:

“(4) A determination of whether such bill, joint resolution, or conference report provides direct spending.”

(b) The second sentence of section 402 of the Congressional Budget Act of 1974 is amended by inserting before the period the following: “, or in the case of a conference report, shall be included in the joint explanatory statement of managers accompanying such conference report if timely submitted before such report is filed”.

TITLE IV—ACCOUNTABILITY FOR FEDERAL SPENDING

SEC. 401. PURPOSES.

The purposes of this title are to—

(1) require committees to develop a schedule for reauthorizing all programs within their jurisdictions;

(2) provide an opportunity to offer amendments to subject new entitlement programs to annual discretionary appropriations;

(3) require the Committee on the Budget to justify any allocation to an authorizing committee for legislation that would not be subject to annual discretionary appropriation;

(4) provide estimates of the long-term impact of spending and tax legislation;

(5) provide a point of order for legislation creating a new direct spending program that does not expire within 10 years; and

(6) require a vote in the House of Representatives on any measure that increases the statutory limit on the public debt.

Subtitle A—Limitations on Direct Spending

SEC. 411. FIXED-YEAR AUTHORIZATIONS REQUIRED FOR NEW PROGRAMS.

Section 401 of the Congressional Budget Act of 1974 is amended—

(1) by striking subsection (b) and inserting the following new subsections:

“(b) LIMITATION ON DIRECT SPENDING.—It shall not be in order in the House of Representatives or in the Senate to consider a bill or joint resolution, or an amendment, motion, or conference report that provides direct spending for a new program, unless such spending is limited to a period of 10 or fewer fiscal years.

“(c) LIMITATION ON AUTHORIZATION OF DISCRETIONARY APPROPRIATIONS.—It shall not be in order in the House of Representatives or in the Senate to consider any bill, joint resolution, amendment, or conference report that authorizes the appropriation of new budget authority for a new program, unless such authorization is specifically provided for a period of 10 or fewer fiscal years.”; and

(2) by redesignating subsection (c) as subsection (d) and by striking “(a) and (b)” both places it appears in such redesignated subsection (d) and inserting “(a), (b), and (c)”.

SEC. 412. AMENDMENTS TO SUBJECT NEW DIRECT SPENDING TO ANNUAL APPROPRIATIONS.

(a) HOUSE PROCEDURES.—Clause 5 of rule XVIII of the Rules of the House of Representatives is amended by adding at the end the following new paragraph:

“(c)(1) In the Committee of the Whole, an amendment only to subject a new program which provides direct spending to discretionary appropriations, if offered by the chairman of the Committee on the Budget (or his designee) or the chairman of the Committee of Appropriations (or his designee), may be precluded from consideration only by the specific terms of a special order of the House. Any such amendment, if offered, shall be debatable for twenty minutes equally divided and controlled by the proponent of the amendment and a Member opposed and shall not be subject to amendment.

“(2) As used in subparagraph (1), the term ‘direct spending’ has the meaning given such term in section 3(11) of the Congressional Budget and Impoundment Control Act of 1974, except that such term does not include direct spending described in section 401(d)(1) of such Act.”

(b) ADJUSTMENT OF DISCRETIONARY SPENDING LIMITS FOR DISCRETIONARY APPROPRIATIONS OFFSET BY DIRECT SPENDING SAVINGS.—

(1) PURPOSE.—The purpose of the amendments made by this subsection is to hold the discretionary spending limits and the allocations made to the Committee on Appropriations under section 302(a) of the Congressional Budget Act of 1974 harmless for legislation that offsets a new discretionary program with a designated reduction in direct spending.

(2) DESIGNATING DIRECT SPENDING SAVINGS IN AUTHORIZATION LEGISLATION FOR NEW DISCRETIONARY PROGRAMS.—Section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 (as amended by section 202) is further amended by adding at the end the following new subsection:

“(e) OFFSETS.—If a provision of direct spending legislation is enacted that—

“(1) decreases direct spending for any fiscal year; and

“(2) is designated as an offset pursuant to this subsection and such designation specifically identifies an authorization of discretionary appropriations (contained in such legislation) for a new program,

then the reductions in new budget authority and outlays in all fiscal years resulting from that provision shall be designated as an offset in the reports required under subsection (d).”

(3) EXEMPTING SUCH DESIGNATED DIRECT SPENDING SAVINGS FROM PAYGO SCORECARD.—

Section 252(d)(4) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as amended by section 202(b)) is further amended by adding at the end the following new subparagraph:

“(B) offset provisions as designated under subsection (e).”

(4) ADJUSTMENT IN DISCRETIONARY SPENDING LIMITS.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as amended by section 202(a)(2)) is further amended by adding at the end the following new subparagraph:

“(G) DISCRETIONARY AUTHORIZATION OFFSETS.—If an Act other than an appropriation Act includes any provision reducing direct spending and specifically identifies any such provision as an offset pursuant to section 252(e), the adjustments shall be an increase in the discretionary spending limits for budget authority and outlays in each fiscal year equal to the amount of the budget authority and outlay reductions, respectively, achieved by the specified offset in that fiscal

year, except that the adjustments for the budget year in which the offsetting provision takes effect shall not exceed the amount of discretionary new budget authority provided for the new program (authorized in that Act) in an Act making discretionary appropriations and the outlays flowing therefrom."

(5) **ADJUSTMENT IN APPROPRIATION COMMITTEE'S ALLOCATIONS.**—Section 314(b) of the Congressional Budget Act of 1974 (as amended by section 202(d)) is further amended by striking "; or" at the end of paragraph (4), by striking the period and inserting "; or" at the end of paragraph (5), and by adding at the end the following new paragraph:

"(6) the amount provided in an Act making discretionary appropriations for the program for which an offset was designated pursuant to section 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985 and any outlays flowing therefrom, but not to exceed the amount of the designated decrease in direct spending for that year for that program in a prior law."

(6) **ADJUSTMENT IN AUTHORIZING COMMITTEE'S ALLOCATIONS.**—Section 314 of the Congressional Budget Act of 1974 is amended by adding at the end the following new subsection:

"(f) **ADJUSTMENT IN AUTHORIZING COMMITTEE'S ALLOCATIONS BY AMOUNT OF DIRECT SPENDING OFFSET.**—After the reporting of a bill or joint resolution (by a committee other than the Committee on Appropriations), or the offering of an amendment thereto or the submission of a conference report thereon, that contains a provision that decreases direct spending for any fiscal year and that is designated as an offset pursuant to section 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985, the chairman of the Committee on the Budget shall reduce the allocations of new budget authority and outlays made to such committee under section 302(a)(1) by the amount so designated."

Subtitle B—Enhanced Congressional Oversight Responsibilities

SEC. 421. TEN-YEAR CONGRESSIONAL REVIEW REQUIREMENT OF PERMANENT BUDGET AUTHORITY.

(a) **TIMETABLE FOR REVIEW.**—Clause 2(d)(1) of rule X of the Rules of the House of Representatives is amended by striking subdivisions (B) and (C) and inserting the following new subdivision:

"(B) provide in its plans a specific timetable for its review of those laws, programs, or agencies within its jurisdiction, including those that operate under permanent budget authority or permanent statutory authority and such timetable shall demonstrate that each law, program, or agency within the committee's jurisdiction will be reauthorized at least once every 10 years."

(b) **REVIEW OF PERMANENT BUDGET AUTHORITY BY THE COMMITTEE ON APPROPRIATIONS.**—Clause 4(a) of rule X of the Rules of the House of Representatives is amended—

(1) by striking subparagraph (2); and
(2) by redesignating subparagraphs (3) and (4) as subparagraphs (2) and (3) and by striking "from time to time" and inserting "at least once each Congress" in subparagraph (2) (as redesignated).

(c) **CONFORMING AMENDMENT.**—Clause 4(e)(2) of rule X of the Rules of the House of Representatives is amended by striking "from time to time" and inserting "at least once every ten years."

SEC. 422. JUSTIFICATIONS OF DIRECT SPENDING.

(a) **SECTION 302 ALLOCATIONS.**—Section 302(a) of the Congressional Budget Act of 1974 (as amended by section 104(a)) is further amended by adding at the end the following new paragraph:

"(5) **JUSTIFICATION OF CERTAIN SPENDING ALLOCATIONS.**—The joint explanatory state-

ment accompanying a conference report on a joint resolution on the budget that includes any allocation to a committee (other than the Committee on Appropriations) of levels in excess of current law levels shall set forth a justification (such as an activity that is fully offset by increases in dedicated receipts and that such increases would trigger, under existing law, an adjustment in the appropriate discretionary spending limit) for not subjecting any program, project, or activity (for which the allocation is made) to annual discretionary appropriation."

(b) **PRESIDENTS' BUDGET SUBMISSIONS.**—Section 1105(a) of title 31, United States Code, is amended by adding at the end the following new paragraph:

"(3) a justification for not subjecting each proposed new direct spending program, project, or activity to discretionary appropriations (such as an activity that is fully offset by increases in dedicated receipts and that such increases would trigger, under existing law, an adjustment in the appropriate discretionary spending limit)."

(c) **COMMITTEE JUSTIFICATION FOR DIRECT SPENDING.**—Clause 4(e)(2) of rule X of the Rules of the House of Representatives is amended by inserting before the period the following: ", and will provide specific information in any report accompanying such bills and joint resolutions to the greatest extent practicable to justify the reasons that the programs, projects, and activities involved would not be subject to annual appropriation (such as an activity that is fully offset by increases in dedicated receipts and that such increases would trigger, under existing law, an adjustment in the appropriate discretionary spending limit)".

SEC. 423. SURVEY OF ACTIVITY REPORTS OF HOUSE COMMITTEES.

Clause 1(d) of rule XI of the Rules of the House of Representatives is amended by redesignating paragraph (4) as paragraph (5) and by inserting after paragraph (3) the following new paragraph:

"(4) Such report shall include a summary of and justifications for all bills and joint resolutions reported by such committee that—

"(A) were considered before the adoption of the appropriate budget resolution and did not fall within an exception set forth in section 303(b) of the Congressional Budget Act of 1974;

"(B) exceeded its allocation under section 302(a) of such Act or breached an aggregate level in violation of section 311 of such Act; or

"(C) contained provisions in violation of section 401 of such Act.

Such report shall also specify the total amount by which legislation reported by that committee exceeded its allocation under section 302(a) or breached the revenue floor under section 311(a) of such Act for each fiscal year during that Congress."

SEC. 424. CONTINUING STUDY OF ADDITIONAL BUDGET PROCESS REFORMS.

Section 703 of the Congressional Budget Act of 1974 is amended as follows:

(1) In subsection (a), strike "and" at the end of paragraph (3), strike the period at the end of paragraph (4) and insert "; and", and at the end add the following new paragraph:

"(5) evaluating whether existing programs, projects, and activities should be subject to discretionary appropriations and establishing guidelines for subjecting new or expanded programs, projects, and activities to annual appropriation and recommend any necessary changes in statutory enforcement mechanisms and scoring conventions to effectuate such changes. These guidelines are only for advisory purposes."

(2) In subsection (b), strike "from time to time" and insert "during the One Hundred Seventh Congress".

SEC. 425. GAO REPORTS.

The last sentence of section 404 of the Congressional Budget Act of 1974 is amended to read as follows: "Such report shall be revised at least once every five years and shall be transmitted to the chairman and ranking minority member of each committee of the House of Representatives and the Senate."

Subtitle C—Strengthened Accountability

SEC. 431. TEN-YEAR CBO ESTIMATES.

(a) **CBO REPORTS ON LEGISLATION.**—Section 308(a)(1)(B) of the Congressional Budget Act of 1974 is amended by striking "four" and inserting "nine".

(b) **ANALYSIS BY CBO.**—Section 402(1) of the Congressional Budget Act of 1974 is amended by striking "4" and inserting "nine".

(c) **COST ESTIMATES.**—Clause 3(d)(2)(A) of rule XIII of the Rules of the House of Representatives is amended by striking "five" each place it appears and inserting "10".

SEC. 432. REPEAL OF RULE XXIII OF THE RULES OF THE HOUSE OF REPRESENTATIVES.

Rule XXIII of the Rules of the House of Representatives (relating to the establishment of the statutory limit on the public debt) is repealed.

TITLE V—BUDGETING FOR UNFUNDED LIABILITIES AND OTHER LONG-TERM OBLIGATIONS

SEC. 501. PURPOSES.

The purposes of this title are to—

(1) budget for the long-term costs of Federal insurance programs;

(2) improve congressional control of those costs; and

(3) periodically report on long-term budgetary trends.

Subtitle A—Budgetary Treatment of Federal Insurance Programs

SEC. 511. FEDERAL INSURANCE PROGRAMS.

(a) **IN GENERAL.**—The Congressional Budget Act of 1974 is amended by adding after title V the following new title:

"TITLE VI—BUDGETARY TREATMENT OF FEDERAL INSURANCE PROGRAMS

"SEC. 601. SHORT TITLE.

"This title may be cited as the 'Federal Insurance Budgeting Act of 2000'.

"SEC. 602. BUDGETARY TREATMENT.

"(a) **PRESIDENT'S BUDGET.**—Beginning with fiscal year 2007, the budget of the Government pursuant to section 1105(a) of title 31, United States Code, shall be based on the risk-assumed cost of Federal insurance programs.

"(b) **BUDGET ACCOUNTING.**—For any Federal insurance program—

"(1) the program account shall—

"(A) pay the risk-assumed cost borne by the taxpayer to the financing account, and

"(B) pay actual insurance program administrative costs;

"(2) the financing account shall—

"(A) receive premiums and other income,

"(B) pay all claims for insurance and receive all recoveries,

"(C) transfer to the program account on not less than an annual basis amounts necessary to pay insurance program administrative costs;

"(3) a negative risk-assumed cost shall be transferred from the financing account to the program account, and shall be transferred from the program account to the general fund; and

"(4) all payments by or receipts of the financing accounts shall be treated in the budget as a means of financing.

“(c) APPROPRIATIONS REQUIRED.—(1) Notwithstanding any other provision of law, insurance commitments may be made for fiscal year 2007 and thereafter only to the extent that new budget authority to cover their risk-assumed cost is provided in advance in an appropriation Act.

“(2) An outstanding insurance commitment shall not be modified in a manner that increases its risk-assumed cost unless budget authority for the additional cost has been provided in advance.

“(3) Paragraph (1) shall not apply to Federal insurance programs that constitute entitlements.

“(d) REESTIMATES.—The risk-assumed cost for a fiscal year shall be reestimated in each subsequent year. Such reestimate can equal zero. In the case of a positive reestimate, the amount of the reestimate shall be paid from the program account to the financing account. In the case of a negative reestimate, the amount of the reestimate shall be paid from the financing account to the program account, and shall be transferred from the program account to the general fund. Reestimates shall be displayed as a distinct and separately identified subaccount in the program account.

“(e) ADMINISTRATIVE EXPENSES.—All funding for an agency’s administration of a Federal insurance program shall be displayed as a distinct and separately identified subaccount in the program account.

“SEC. 603. TIMETABLE FOR IMPLEMENTATION OF ACCRUAL BUDGETING FOR FEDERAL INSURANCE PROGRAMS.

“(a) AGENCY REQUIREMENTS.—Agencies with responsibility for Federal insurance programs shall develop models to estimate their risk-assumed cost by year through the budget horizon and shall submit those models, all relevant data, a justification for critical assumptions, and the annual projected risk-assumed costs to OMB with their budget requests each year starting with the request for fiscal year 2003. Agencies will likewise provide OMB with annual estimates of modifications, if any, and reestimates of program costs. Nothing in this subsection shall be construed to require an agency, which is subject to statutory requirements, to maintain a risk-based assessment system with a minimum level of reserves against loss and to assess insured entities for risk-based premiums, to provide models, critical assumptions, or other data that would, as determined by such agency, affect financial markets or the viability of insured entities.

“(b) DISCLOSURE.—When the President submits a budget of the Government pursuant to section 1105(a) of title 31, United States Code, for fiscal year 2003, OMB shall publish a notice in the Federal Register advising interested persons of the availability of information describing the models, data (including sources), and critical assumptions (including explicit or implicit discount rate assumptions) that it or other executive branch entities would use to estimate the risk-assumed cost of Federal insurance programs and giving such persons an opportunity to submit comments. At the same time, the chairman of the Committee on the Budget shall publish a notice for CBO in the Federal Register advising interested persons of the availability of information describing the models, data (including sources), and critical assumptions (including explicit or implicit discount rate assumptions) that it would use to estimate the risk-assumed cost of Federal insurance programs and giving such interested persons an opportunity to submit comments.

“(c) REVISION.—(1) After consideration of comments pursuant to subsection (b), and in consultation with the Committees on the Budget of the House of Representatives and

the Senate, OMB and CBO shall revise the models, data, and major assumptions they would use to estimate the risk-assumed cost of Federal insurance programs. Except as provided by the next sentence, this paragraph shall not apply to an agency that is subject to statutory requirements to maintain a risk-based assessment system with a minimum level of reserves against loss and to assess insured entities for risk-based premiums. However, such agency shall consult with the aforementioned entities.

“(2) When the President submits a budget of the Government pursuant to section 1105(a) of title 31, United States Code, for fiscal year 2004, OMB shall publish a notice in the Federal Register advising interested persons of the availability of information describing the models, data (including sources), and critical assumptions (including explicit or implicit discount rate assumptions) that it or other executive branch entities used to estimate the risk-assumed cost of Federal insurance programs.

“(d) DISPLAY.—

“(1) IN GENERAL.—For fiscal years 2004, 2005, and 2006 the budget submissions of the President pursuant to section 1105(a) of title 31, United States Code, and CBO’s reports on the economic and budget outlook pursuant to section 202(e)(1) and the President’s budgets, shall for display purposes only, estimate the risk-assumed cost of existing or proposed Federal insurance programs.

“(2) OMB.—The display in the budget submissions of the President for fiscal years 2004, 2005, and 2006 shall include—

“(A) a presentation for each Federal insurance program in budget-account level detail of estimates of risk-assumed cost;

“(B) a summary table of the risk-assumed costs of Federal insurance programs; and

“(C) an alternate summary table of budget functions and aggregates using risk-assumed rather than cash-based cost estimates for Federal insurance programs.

“(3) CBO.—In the 108th Congress and the first session of the 109th Congress, CBO shall include in its estimates under section 308, for display purposes only, the risk-assumed cost of existing Federal insurance programs, or legislation that CBO, in consultation with the Committees on the Budget of the House of Representatives and the Senate, determines would create a new Federal insurance program.

“(e) OMB, CBO, AND GAO EVALUATIONS.—(1) Not later than 6 months after the budget submission of the President pursuant to section 1105(a) of title 31, United States Code, for fiscal year 2006, OMB, CBO, and GAO shall each submit to the Committees on the Budget of the House of Representatives and the Senate a report that evaluates the advisability and appropriate implementation of this title.

“(2) Each report made pursuant to paragraph (1) shall address the following:

“(A) The adequacy of risk-assumed estimation models used and alternative modeling methods.

“(B) The availability and reliability of data or information necessary to carry out this title.

“(C) The appropriateness of the explicit or implicit discount rate used in the various risk-assumed estimation models.

“(D) The advisability of specifying a statutory discount rate (such as the Treasury rate) for use in risk-assumed estimation models.

“(E) The ability of OMB, CBO, or GAO, as applicable, to secure any data or information directly from any Federal agency necessary to enable it to carry out this title.

“(F) The relationship between risk-assumed accrual budgeting for Federal insurance programs and the specific requirements

of the Balanced Budget and Emergency Deficit Control Act of 1985.

“(G) Whether Federal budgeting is improved by the inclusion of risk-assumed cost estimates for Federal insurance programs.

“(H) The advisability of including each of the programs currently estimated on a risk-assumed cost basis in the Federal budget on that basis.

“SEC. 604. DEFINITIONS.

“For purposes of this title:

“(1) The term ‘Federal insurance program’ means a program that makes insurance commitments and includes the list of such programs included in the joint explanatory statement of managers accompanying the conference report on the Comprehensive Budget Process Reform Act of 2000.

“(2) The term ‘insurance commitment’ means an agreement in advance by a Federal agency to indemnify a nonfederal entity against specified losses. This term does not include loan guarantees as defined in title V or benefit programs such as social security, medicare, and similar existing social insurance programs.

“(3)(A) The term ‘risk-assumed cost’ means the net present value of the estimated cash flows to and from the Government resulting from an insurance commitment or modification thereof.

“(B) The cash flows associated with an insurance commitment include—

“(i) expected claims payments inherent in the Government’s commitment;

“(ii) net premiums (expected premium collections received from or on behalf of the insured less expected administrative expenses);

“(iii) expected recoveries; and

“(iv) expected changes in claims, premiums, or recoveries resulting from the exercise by the insured of any option included in the insurance commitment.

“(C) The cost of a modification is the difference between the current estimate of the net present value of the remaining cash flows under the terms of the insurance commitment, and the current estimate of the net present value of the remaining cash flows under the terms of the insurance commitment as modified.

“(D) The cost of a reestimate is the difference between the net present value of the amount currently required by the financing account to pay estimated claims and other expenditures and the amount currently available in the financing account. The cost of a reestimate shall be accounted for in the current year in the budget of the Government pursuant to section 1105(a) of title 31, United States Code.

“(E) For purposes of this definition, expected administrative expenses shall be construed as the amount estimated to be necessary for the proper administration of the insurance program. This amount may differ from amounts actually appropriated or otherwise made available for the administration of the program.

“(4) The term ‘program account’ means the budget account for the risk-assumed cost, and for paying all costs of administering the insurance program, and is the account from which the risk-assumed cost is disbursed to the financing account.

“(5) The term ‘financing account’ means the nonbudget account that is associated with each program account which receives payments from or makes payments to the program account, receives premiums and other payments from the public, pays insurance claims, and holds balances.

“(6) The term ‘modification’ means any Government action that alters the risk-assumed cost of an existing insurance commitment from the current estimate of cash flows. This includes any action resulting

from new legislation, or from the exercise of administrative discretion under existing law, that directly or indirectly alters the estimated cost of existing insurance commitments.

“(7) The term ‘model’ means any actuarial, financial, econometric, probabilistic, or other methodology used to estimate the expected frequency and magnitude of loss-producing events, expected premiums or collections from or on behalf of the insured, expected recoveries, and administrative expenses.

“(8) The term ‘current’ has the same meaning as in section 250(c)(9) of the Balanced Budget and Emergency Deficit Control Act of 1985.

“(9) The term ‘OMB’ means the Director of the Office of Management and Budget.

“(10) The term ‘CBO’ means the Director of the Congressional Budget Office.

“(11) The term ‘GAO’ means the Comptroller General of the United States.

“SEC. 605. AUTHORIZATIONS TO ENTER INTO CONTRACTS; ACTUARIAL COST ACCOUNT.

“(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$600,000 for each of fiscal years 2001 through 2006 to the Director of the Office of Management and Budget and each agency responsible for administering a Federal program to carry out this title.

“(b) TREASURY TRANSACTIONS WITH THE FINANCING ACCOUNTS.—The Secretary of the Treasury shall borrow from, receive from, lend to, or pay the insurance financing accounts such amounts as may be appropriate. The Secretary of the Treasury may prescribe forms and denominations, maturities, and terms and conditions for the transactions described above. The authorities described above shall not be construed to supersede or override the authority of the head of a Federal agency to administer and operate an insurance program. All the transactions provided in this subsection shall be subject to the provisions of subchapter II of chapter 15 of title 31, United States Code. Cash balances of the financing accounts in excess of current requirements shall be maintained in a form of uninvested funds, and the Secretary of the Treasury shall pay interest on these funds.

“(c) APPROPRIATION OF AMOUNT NECESSARY TO COVER RISK-ASSUMED COST OF INSURANCE COMMITMENTS AT TRANSITION DATE.—(1) A financing account is established on September 30, 2006, for each Federal insurance program.

“(2) There is appropriated to each financing account the amount of the risk-assumed cost of Federal insurance commitments outstanding for that program as of the close of September 30, 2006.

“(3) These financing accounts shall be used in implementing the budget accounting required by this title.

“SEC. 606. EFFECTIVE DATE.

“(a) IN GENERAL.—This title shall take effect immediately and shall expire on September 30, 2008.

“(b) SPECIAL RULE.—If this title is not reauthorized by September 30, 2008, then the accounting structure and budgetary treatment of Federal insurance programs shall revert to the accounting structure and budgetary treatment in effect immediately before the date of enactment of this title.”

(b) CONFORMING AMENDMENT.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after the item relating to section 507 the following new items:

“TITLE VI—BUDGETARY TREATMENT OF FEDERAL INSURANCE PROGRAMS

“Sec. 601. Short title.

“Sec. 602. Budgetary treatment.

“Sec. 603. Timetable for implementation of accrual budgeting for Federal insurance programs.

“Sec. 604. Definitions.

“Sec. 605. Authorizations to enter into contracts; actuarial cost account.

“Sec. 606. Effective date.”

Subtitle B—Reports on Long-Term Budgetary Trends

SEC. 521. REPORTS ON LONG-TERM BUDGETARY TRENDS.

(a) THE PRESIDENT'S BUDGET.—Section 1105(a) of title 31, United States Code (as amended by section 404), is further amended by adding at the end the following new paragraph:

“(34) an analysis based upon current law and an analysis based upon the policy assumptions underlying the budget submission for every fifth year of the period of 75 fiscal years beginning with such fiscal year, of the estimated levels of total new budget authority and total budget outlays, estimated revenues, estimated surpluses and deficits, and, for social security, medicare, medicaid, and all other direct spending, estimated levels of total new budget authority and total budget outlays; and a specification of its underlying assumptions and a sensitivity analysis of factors that have a significant effect on the projections made in each analysis; and a comparison of the effects of each of the two analyses on the economy, including such factors as inflation, foreign investment, interest rates, and economic growth.”

(b) CBO REPORTS.—Section 202(e)(1) of the Congressional Budget Act of 1974 is amended by adding at the end the following new sentences: “Such report shall also include an analysis based upon current law for every fifth year of the period of 75 fiscal years beginning with such fiscal year, of the estimated levels of total new budget authority and total budget outlays, estimated revenues, estimated surpluses and deficits, and, for social security, medicare, medicaid, and all other direct spending, estimated levels of total new budget authority and total budget outlays. The report described in the preceding sentence shall also specify its underlying assumptions and set forth a sensitivity analysis of factors that have a significant effect on the projections made in the report.”

TITLE VI—BASELINES AND BYRD RULE

SEC. 601. PURPOSE.

The purposes of this title are to—

(1) require budgetary comparisons to prior year levels; and

(2) restrict the application of the Byrd rule to measures other than conference reports.

Subtitle A—The Baseline

SEC. 611. THE PRESIDENT'S BUDGET.

(a) Paragraph (5) of section 1105(a) of title 31, United States Code, is amended to read as follows:

“(5) except as provided in subsection (b) of this section, estimated expenditures and appropriations for the current year and estimated expenditures and proposed appropriations the President decides are necessary to support the Government in the fiscal year for which the budget is submitted and the 4 fiscal years following that year, and, except for detailed budget estimates, the percentage change from the current year to the fiscal year for which the budget is submitted for estimated expenditures and for appropriations.”

(b) Section 1105(a)(6) of title 31, United States Code, is amended to read as follows:

“(6) estimated receipts of the Government in the current year and the fiscal year for which the budget is submitted and the 4 fiscal years after that year under—

“(A) laws in effect when the budget is submitted; and

“(B) proposals in the budget to increase revenues, and the percentage change (in the case of each category referred to in subparagraphs (A) and (B)) between the current year and the fiscal year for which the budget is submitted and between the current year and each of the 9 fiscal years after the fiscal year for which the budget is submitted.”

(c) Section 1105(a)(12) of title 31, United States Code, is amended to read as follows:

“(12) for each proposal in the budget for legislation that would establish or expand a Government activity or function, a table showing—

“(A) the amount proposed in the budget for appropriation and for expenditure because of the proposal in the fiscal year for which the budget is submitted;

“(B) the estimated appropriation required because of the proposal for each of the 4 fiscal years after that year that the proposal will be in effect; and

“(C) the estimated amount for the same activity or function, if any, in the current fiscal year,

and, except for detailed budget estimates, the percentage change (in the case of each category referred to in subparagraphs (A), (B), and (C)) between the current year and the fiscal year for which the budget is submitted.”

(d) Section 1105(a)(18) of title 31, United States Code, is amended by inserting “new budget authority and” before “budget outlays”.

(e) Section 1105(a) of title 31, United States Code, (as amended by sections 412(b) and 521(a)) is further amended by adding at the end the following new paragraphs:

“(35) a comparison of levels of estimated expenditures and proposed appropriations for each function and subfunction in the current fiscal year and the fiscal year for which the budget is submitted, along with the proposed increase or decrease of spending in percentage terms for each function and subfunction.

“(36) a table on sources of growth in total direct spending under current law and as proposed in this budget submission for the budget year and the ensuing 9 fiscal years, which shall include changes in outlays attributable to the following: cost-of-living adjustments; changes in the number of program recipients; increases in medical care prices, utilization and intensity of medical care; and residual factors.

“(37) a comparison of the estimated level of obligation limitations, budget authority, and outlays for highways subject to the discretionary spending limits for highways (if any) set forth in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 for the fiscal year for which the budget is submitted and the corresponding levels for such year under current law as adjusted pursuant to section 251(b)(1)(D) of such Act.”

(f) Section 1109(a) of title 31, United States Code, is amended by inserting after the first sentence the following new sentence: “For discretionary spending, these estimates shall assume the levels set forth in the discretionary spending limits under section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, as adjusted, for the appropriate fiscal years (and if no such limits are in effect, these estimates shall assume the adjusted levels for the most recent fiscal year for which such levels were in effect).”

SEC. 612. THE CONGRESSIONAL BUDGET.

Section 301(e) of the Congressional Budget Act of 1974 (as amended by section 103) is further amended—

(1) in paragraph (1), by inserting at the end the following: “The basis of deliberations in developing such joint resolution shall be the

estimated budgetary levels for the preceding fiscal year. Any budgetary levels pending before the committee and the text of the joint resolution shall be accompanied by a document comparing such levels or such text to the estimated levels of the prior fiscal year. Any amendment offered in the committee that changes a budgetary level and is based upon a specific policy assumption for a program, project, or activity shall be accompanied by a document indicating the estimated amount for such program, project, or activity in the current year.”; and

(2) in paragraph (2), by striking “and” at the end of subparagraph (H) (as redesignated), by striking the period and inserting a semicolon at the end of subparagraph (I) (as redesignated), and by adding at the end the following new subparagraphs:

“(J) a comparison of levels for the current fiscal year with proposed spending and revenue levels for the subsequent fiscal years along with the proposed increase or decrease of spending in percentage terms for each function; and

“(K) a comparison of the proposed levels of new budget authority and outlays for the highway category (if any) (as defined in section 250(c)(4)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985) for the budget year with the corresponding levels under current law as adjusted consistent with the anticipated revenue alignment adjustments to be made pursuant to section 251(b)(1)(D) of such Act.”.

SEC. 613. CONGRESSIONAL BUDGET OFFICE REPORTS TO COMMITTEES.

(a) The first sentence of section 202(e)(1) of the Congressional Budget Act of 1974 is amended by inserting “compared to comparable levels for the current year” before the comma at the end of subparagraph (A) and before the comma at the end of subparagraph (B).

(b) Section 202(e)(1) of the Congressional Budget Act of 1974 is amended by inserting after the first sentence the following new sentence: “Such report shall also include a table on sources of spending growth in total direct spending for the budget year and the ensuing 9 fiscal years, which shall include changes in outlays attributable to the following: cost-of-living adjustments; changes in the number of program recipients; increases in medical care prices, utilization and intensity of medical care; and residual factors.”.

(c) Section 308(a)(1)(B) of the Congressional Budget Act of 1974 is amended by inserting “and shall include a comparison of those levels to comparable levels for the current fiscal year” before “if timely submitted”.

SEC. 614. OUTYEAR ASSUMPTIONS FOR DISCRETIONARY SPENDING.

For purposes of chapter 11 of title 31 of the United States Code, or the Congressional Budget Act of 1974, unless otherwise expressly provided, in making budgetary projections for years for which there are no discretionary spending limits, the Director of the Office of Management and Budget and the Director of the Congressional Budget Office shall assume discretionary spending levels at the levels for the last fiscal year for which such levels were in effect.

Subtitle B—The Byrd Rule

SEC. 621. LIMITATION ON BYRD RULE.

(a) PROTECTION OF CONFERENCE REPORTS.—Section 313 of the Congressional Budget Act of 1974 is amended—

(1) in subsection (c), by striking “and again upon the submission of a conference report on such a reconciliation bill or resolution,”;

(2) by striking subsection (d);

(3) by redesignating subsection (e) as subsection (d); and

(4) in subsection (e), as redesignated—

(A) by striking “, motion, or conference report” the first place it appears and inserting “, or motion”; and

(B) by striking “, motion, or conference report” the second and third places it appears and inserting “or motion”.

(b) CONFORMING AMENDMENT.—The first sentence of section 312(e) of the Congressional Budget Act of 1974 is amended by inserting “, except for section 313,” after “Act”.

The CHAIRMAN. No amendment to that amendment is in order except those printed in House Report 106-613. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to an amendment, and shall not be subject to a demand for a division of the question.

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

It is now in order to consider amendment No. 1 printed in House Report 106-613.

AMENDMENT NO. 1 OFFERED BY MR. DREIER

Mr. DREIER. Mr. Chairman, I offer amendment No. 1 made in order under the rule.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. DREIER:

At the end, add the following new title:

TITLE VII—BIENNIAL BUDGETING

SEC. 701. FINDINGS.

The Congress finds that—

(1) the annual appropriations and budget process increasingly dominates the congressional agenda and Congress regularly fails to meet the deadlines of the Congressional Budget Act of 1974;

(2) the design of the budget process has led to repetitive and time-consuming budget votes, decreasing the time available for the systematic and programmatic oversight of Federal programs and delaying the enactment of legislation necessary to fund the Government;

(3) Congress' responsibility to improve the efficiency, economy, and effectiveness of governmental operations, evaluate programs and performance, detect and prevent poor administration, waste, or abuse in Government programs, ensure that executive policies reflect the public interest, ensure administrative compliance with legislative intent, and prevent executive encroachment on legislative authority and prerogatives is undermined by the current time-consuming and repetitive budget process;

(4) an annual budget process encourages inefficiency in the management, stability, and predictability of Federal funding, particularly for States and localities;

(5) a biennial budget process will reduce the number of budget-related votes during each Congress, enhance congressional oversight of Government operations, encourage longer time horizons in policy planning and greater stability in fiscal policy;

(6) a biennial budget process was a principal recommendation of the 1993 Joint Committee on the Organization of Congress and the Vice President's National Performance Review;

(7) since the enactment of the Congressional Budget Act of 1974, more than 50 bills addressing a two-year budget cycle have been introduced, 10 biennial budget related provisions were reported by congressional committees, 7 passed either chamber and 4 were enacted; more than 40 congressional or special committee hearings addressed the issue of biennial budgeting; and the Congressional Budget Office, the Office of Management and Budget, and 5 different special task forces or joint committees of Congress have either recommended biennial budgeting or further studies of it;

(8) the adoption of a biennial budget process was recommended by President Reagan in the fiscal year 1989 budget submission, by President Bush in the fiscal year 1990 and 1991 budget submissions, and by President Clinton in the fiscal year 1995, 2000, and 2001 budget submissions; and

(9) a bipartisan majority of Members of the House of Representatives support a biennial budget process.

SEC. 702. REVISION OF TIMETABLE.

Section 300 of the Congressional Budget Act of 1974 (2 U.S.C. 631) is amended to read as follows:

“TIMETABLE

“SEC. 300. (a) IN GENERAL.—Except as provided by subsection (b), the timetable with respect to the congressional budget process for any Congress (beginning with the One Hundred Eighth Congress) is as follows:

“On or before:	“First Session
First Monday in February	Action to be completed:
February 15	President submits budget recommendations.
	Congressional Budget Office submits report
	to Budget Committees.
Not later than 6 weeks	Committees submit views and estimates to
after budget submission.	Budget Committees.
April 1	Budget Committees report concurrent resolu-
	tion on the biennial budget.
May 15	Congress completes action on concurrent resolu-
	tion on the biennial budget.
May 15	Biennial appropriation bills may be consid-
	ered in the House.
June 10	House Appropriations Committee reports last
	biennial appropriation bill.
June 30	House completes action on biennial appro-
	priation bills.
October 1	Biennium begins.
	“Second Session
“On or before:	Action to be completed:
February 15	President submits budget review.
Not later than 6 weeks	Congressional Budget Office submits report
after President submits	to Budget Committees.
budget review.	
The last day of the session	Congress completes action on bills and resolu-
	tions authorizing new budget authority
	for the succeeding biennium.

“(b) SPECIAL RULE.—In the case of any first session of Congress that begins in any year during which the term of a President (except a President who succeeds himself) begins, the following dates shall supersede those set forth in subsection (a):

“On or before:	“First Session
First Monday in April	Action to be completed:
April 20	President submits budget recommendations.
	Committees submit views and estimates to
	Budget Committees.
May 15	Budget Committees report concurrent resolu-
	tion on the biennial budget.
June 1	Congress completes action on concurrent resolu-
	tion on the biennial budget.
June 1	Biennial appropriation bills may be consid-
	ered in the House.
July 1	House Appropriations Committee reports last
	biennial appropriation bill.
July 20	House completes action on biennial appro-
	priation bills.
October 1	Biennium begins.”.

SEC. 703. AMENDMENTS TO THE CONGRESSIONAL BUDGET AND IMPOUNDMENT CONTROL ACT OF 1974.

(a) DECLARATION OF PURPOSE.—Section 2(2) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 621(2)) is amended by striking “each year” and inserting “biennially”.

(b) DEFINITIONS.—

(1) BUDGET RESOLUTION.—Section 3(4) of such Act (2 U.S.C. 622(4)) is amended by striking “fiscal year” each place it appears and inserting “biennium”.

(2) BIENNIUM.—Section 3 of such Act (2 U.S.C. 622) (as amended by section 203) is further amended by adding at the end the following new paragraph:

“(13) The term ‘biennium’ means the period of 2 consecutive fiscal years beginning on October 1 of any odd-numbered year.”.

(c) BIENNIAL CONCURRENT RESOLUTION ON THE BUDGET.—

(1) CONTENTS OF RESOLUTION.—Section 301(a) of such Act (2 U.S.C. 632(a)) is amended—

(A) in the matter preceding paragraph (1) by—

(i) striking “April 15 of each year” and inserting “May 15 of each odd-numbered year”;

(ii) striking “the fiscal year beginning on October 1 of such year” the first place it appears and inserting “the biennium beginning on October 1 of such year”; and

(iii) striking “the fiscal year beginning on October 1 of such year” the second place it appears and inserting “each fiscal year in such period”;

(B) in paragraph (6), by striking “for the fiscal year” and inserting “for each fiscal year in the biennium”; and

(C) in paragraph (7), by striking “for the fiscal year” and inserting “for each fiscal year in the biennium”.

(2) ADDITIONAL MATTERS.—Section 301(b) of such Act (2 U.S.C. 632(b)) is amended—

(A) in paragraph (3), by striking “for such fiscal year” and inserting “for either fiscal year in such biennium”; and

(B) in paragraph (7), by striking “for the first fiscal year” and inserting “for each fiscal year in the biennium”.

(3) VIEWS OF OTHER COMMITTEES.—Section 301(d) of such Act (2 U.S.C. 632(d)) is amended by inserting “(or, if applicable, as provided by section 300(b))” after “United States Code”.

(4) HEARINGS.—Section 301(e)(1) of such Act (2 U.S.C. 632(e)) is amended by—

(A) striking “fiscal year” and inserting “biennium”; and

(B) inserting after the second sentence the following: “On or before April 1 of each odd-numbered year (or, if applicable, as provided by section 300(b)), the Committee on the Budget of each House shall report to its House the concurrent resolution on the budget referred to in subsection (a) for the biennium beginning on October 1 of that year.”.

(5) GOALS FOR REDUCING UNEMPLOYMENT.—Section 301(f) of such Act (2 U.S.C. 632(f)) is amended by striking “fiscal year” each place it appears and inserting “biennium”.

(6) ECONOMIC ASSUMPTIONS.—Section 301(g)(1) of such Act (2 U.S.C. 632(g)(1)) is amended by striking “for a fiscal year” and inserting “for a biennium”.

(7) SECTION HEADING.—The section heading of section 301 of such Act is amended by striking “ANNUAL” and inserting “BIENNIAL”.

(8) TABLE OF CONTENTS.—The item relating to section 301 in the table of contents set forth in section 1(b) of such Act is amended by striking “Annual” and inserting “Biennial”.

(d) COMMITTEE ALLOCATIONS.—Section 302 of such Act (2 U.S.C. 633) is amended—

(1) in subsection (a)(1) by—

(A) striking “for the first fiscal year of the resolution,” and inserting “for each fiscal year in the biennium,”;

(B) striking “for that period of fiscal years” and inserting “for all fiscal years covered by the resolution”; and

(C) striking “for the fiscal year of that resolution” and inserting “for each fiscal year in the biennium”;

(2) in subsection (f)(1), by striking “for a fiscal year” and inserting “for a biennium”;

(3) in subsection (f)(1), by striking “first fiscal year” and inserting “either fiscal year of the biennium”;

(4) in subsection (f)(2)(A), by—

(A) striking “first fiscal year” and inserting “each fiscal year of the biennium”; and

(B) striking “the total of fiscal years” and inserting “the total of all fiscal years covered by the resolution”; and

(5) in subsection (g)(1)(A), by striking “April” and inserting “May”.

(e) SECTION 303 POINT OF ORDER.—

(1) IN GENERAL.—Section 303(a) of such Act (2 U.S.C. 634(a)) is amended by striking “for a fiscal year” and inserting “for a biennium” and by striking “the first fiscal year” and inserting “each fiscal year of the biennium”.

(2) EXCEPTIONS IN THE HOUSE.—Section 303(b) of such Act (2 U.S.C. 634(b)) is amended—

(A) in paragraph (1)(A), by striking “the budget year” and inserting “the biennium”;

(B) in paragraph (1)(B), by striking “the fiscal year” and inserting “the biennium”; and

(C) in paragraph (2), by inserting “(or June 1 whenever section 300(b) is applicable)”.

(3) APPLICATION TO THE SENATE.—Section 303(c)(1) of such Act (2 U.S.C. 634(c)) is amended by—

(A) striking “fiscal year” and inserting “biennium”; and

(B) striking “that year” and inserting “each fiscal year of that biennium”.

(f) PERMISSIBLE REVISIONS OF CONCURRENT RESOLUTIONS ON THE BUDGET.—Section 304 of such Act (2 U.S.C. 635) is amended—

(1) by striking “fiscal year” the first two places it appears and inserting “biennium”;

(2) by striking “for such fiscal year”; and

(3) by inserting before the period “for such biennium”.

(g) PROCEDURES FOR CONSIDERATION OF BUDGET RESOLUTIONS.—Section 305(a)(3) of such Act (2 U.S.C. 636(b)(3)) is amended by striking “fiscal year” and inserting “biennium”.

(h) COMPLETION OF HOUSE COMMITTEE ACTION ON APPROPRIATION BILLS.—Section 307 of such Act (2 U.S.C. 638) is amended—

(1) by striking “each year” and inserting “each odd-numbered year (or, if applicable, as provided by section 300(b), July 1)”;

(2) by striking “annual” and inserting “biennial”;

(3) by striking “fiscal year” and inserting “biennium”; and

(4) by striking “that year” and inserting “each odd-numbered year”.

(i) QUARTERLY BUDGET REPORTS.—Section 308 of such Act (2 U.S.C. 639) is amended by adding at the end the following new subsection:

“(d) QUARTERLY BUDGET REPORTS.—The Director of the Congressional Budget Office shall, as soon as practicable after the completion of each quarter of the fiscal year, prepare an analysis comparing revenues, spending, and the deficit or surplus for the current fiscal year to assumptions included in the congressional budget resolution. In preparing this report, the Director of the Congressional Budget Office shall combine actual budget figures to date with projected revenue and spending for the balance of the fiscal year. The Director of the Congressional Budget Office shall include any other information in this report that it deems useful for a full understanding of the current fiscal position of the Federal Government. The reports mandated by this subsection shall be transmitted by the Director to the Senate and House Committees on the Bud-

et, and the Congressional Budget Office shall make such reports available to any interested party upon request.”.

(j) COMPLETION OF HOUSE ACTION ON REGULAR APPROPRIATION BILLS.—Section 309 of such Act (2 U.S.C. 640) is amended—

(1) by striking “It” and inserting “Except whenever section 300(b) is applicable, it”;

(2) by inserting “of any odd-numbered calendar year” after “July”;

(3) by striking “annual” and inserting “biennial”; and

(4) by striking “fiscal year” and inserting “biennium”.

(k) RECONCILIATION PROCESS.—Section 310 of such Act (2 U.S.C. 641) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking “any fiscal year” and inserting “any biennium”;

(2) in subsection (a)(1), by striking “such fiscal year” each place it appears and inserting “any fiscal year covered by such resolution”; and

(3) by striking subsection (f) and redesignating subsection (g) as subsection (f).

(l) SECTION 311 POINT OF ORDER.—

(1) IN THE HOUSE.—Section 311(a)(1) of such Act (2 U.S.C. 642(a)) is amended—

(A) by striking “for a fiscal year” and inserting “for a biennium”;

(B) by striking “the first fiscal year” each place it appears and inserting “either fiscal year of the biennium”; and

(C) by striking “that first fiscal year” and inserting “each fiscal year in the biennium”.

(2) IN THE SENATE.—Section 311(a)(2) of such Act is amended—

(A) in subparagraph (A), by striking “for the first fiscal year” and inserting “for either fiscal year of the biennium”; and

(B) in subparagraph (B)—

(i) by striking “that first fiscal year” the first place it appears and inserting “each fiscal year in the biennium”; and

(ii) by striking “that first fiscal year and the ensuing fiscal years” and inserting “all fiscal years”.

(3) SOCIAL SECURITY LEVELS.—Section 311(a)(3) of such Act is amended by—

(A) striking “for the first fiscal year” and inserting “each fiscal year in the biennium”; and

(B) striking “that fiscal year and the ensuing fiscal years” and inserting “all fiscal years”.

(m) MAXIMUM DEFICIT AMOUNT POINT OF ORDER.—Section 312(c) of the Congressional Budget Act of 1974 (2 U.S.C. 643) is amended—

(1) by striking “for a fiscal year” and inserting “for a biennium”;

(2) in paragraph (1), by striking “first fiscal year” and inserting “either fiscal year in the biennium”;

(3) in paragraph (2), by striking “that fiscal year” and inserting “either fiscal year in the biennium”; and

(4) in the matter following paragraph (2), by striking “that fiscal year” and inserting “the applicable fiscal year”.

SEC. 704. AMENDMENTS TO RULES OF HOUSE OF REPRESENTATIVES.

(a) Clause 4(a)(1)(A) of rule X of the Rules of the House of Representatives is amended by inserting “odd-numbered” after “each”.

(b) Clause 4(a)(4) of rule X of the Rules of the House of Representatives is amended by striking “fiscal year” and inserting “biennium”.

(c) Clause 4(b)(2) of rule X of the Rules of the House of Representatives is amended by striking “each fiscal year” and inserting “the biennium”.

(d) Clause 4(b) of rule X of the Rules of the House of Representatives is amended by striking “and” at the end of subparagraph (5), by striking the period and inserting “; and” at the end of subparagraph (6), and by adding at the end the following new subparagraph:

“(7) use the second session of each Congress to study issues with long-term budgetary and economic implications, which would include—

“(A) hold hearings to receive testimony from committees of jurisdiction to identify problem areas and to report on the results of oversight; and

“(B) by January 1 of each odd-number year, issuing a report to the Speaker which identifies the key issues facing the Congress in the next biennium.”.

(e) Clause 11(i) of rule X of the Rules of the House of Representatives is amended by striking “the same or preceding fiscal year”.

(f) Clause 4(e) of rule X of the Rules of the House of Representatives is amended by striking “annually” each place it appears and inserting “biennially” and by striking “annual” and inserting “biennial”.

(g) Clause 4(f) of rule X of the Rules of the House of Representatives is amended—

(1) by inserting “during each odd-numbered year” after “submits his budget”;

(2) by striking “fiscal year” the first place it appears and inserting “biennium”; and

(3) by striking “that fiscal year” and inserting “each fiscal year in such ensuing biennium”.

(h) Clause 3(d)(2)(A) of rule XIII of the Rules of the House of Representatives is amended by striking “five” both places it appears and inserting “six”.

(i) Clause 5(a)(1) of rule XIII of the Rules of the House of Representatives is amended by striking “fiscal year after September 15 in the preceding fiscal year” and inserting “biennium after September 15 of the year in which such biennium begins”.

SEC. 705. AMENDMENTS TO TITLE 31, UNITED STATES CODE.

(a) DEFINITION.—Section 1101 of title 31, United States Code, is amended by adding at the end thereof the following new paragraph:

“(3) ‘biennium’ has the meaning given to such term in paragraph (13) of section 3 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 622(13)).”.

(b) BUDGET CONTENTS AND SUBMISSION TO THE CONGRESS.—

(1) SCHEDULE.—The matter preceding paragraph (1) in section 1105(a) of title 31, United States Code, is amended to read as follows:

“(a) On or before the first Monday in February of each odd-numbered year (or, if applicable, as provided by section 300(b) of the Congressional Budget Act of 1974), beginning with the One Hundred Seventh Congress, the President shall transmit to the Congress, the budget for the biennium beginning on October 1 of such calendar year. The budget transmitted under this subsection shall include a budget message and summary and supporting information. The President shall include in each budget the following:”.

(2) EXPENDITURES.—Section 1105(a)(5) of title 31, United States Code, is amended by striking “the fiscal year for which the budget is submitted and the 4 fiscal years after that year” and inserting “each fiscal year in the biennium for which the budget is submitted and in the succeeding 4 years”.

(3) RECEIPTS.—Section 1105(a)(6) of title 31, United States Code, is amended by striking “the fiscal year for which the budget is submitted and the 4 fiscal years after that year” and inserting “each fiscal year in the biennium for which the budget is submitted and in the succeeding 4 years”.

(4) BALANCE STATEMENTS.—Section 1105(a)(9)(C) of title 31, United States Code, is amended by striking “the fiscal year” and inserting “each fiscal year in the biennium”.

(5) GOVERNMENT FUNCTIONS AND ACTIVITIES.—Section 1105(a)(12) of title 31, United States Code, is amended in subparagraph (A), by striking “the fiscal year” and inserting “each fiscal year in the biennium”.

(6) ALLOWANCES.—Section 1105(a)(13) of title 31, United States Code, is amended by striking “the fiscal year” and inserting “each fiscal year in the biennium”.

(7) ALLOWANCES FOR UNANTICIPATED AND UNCONTROLLABLE EXPENDITURES.—Section 1105(a)(14) of title 31, United States Code, is amended by striking “that year” and inserting “each fiscal year in the biennium for which the budget is submitted”.

(8) TAX EXPENDITURES.—Section 1105(a)(16) of title 31, United States Code, is amended by striking “the fiscal year” and inserting “each fiscal year in the biennium”.

(9) ESTIMATES FOR FUTURE YEARS.—Section 1105(a)(17) of title 31, United States Code, is amended—

(A) by striking “the fiscal year following the fiscal year” and inserting “each fiscal year in the biennium following the biennium”; and

(B) by striking “that following fiscal year” and inserting “each such fiscal year”; and

(C) by striking “fiscal year before the fiscal year” and inserting “biennium before the biennium”.

(10) PRIOR YEAR OUTLAYS.—Section 1105(a)(18) of title 31, United States Code, is amended—

(A) by striking “the prior fiscal year” and inserting “each of the 2 most recently completed fiscal years.”;

(B) by striking “for that year” and inserting “with respect to those fiscal years”; and

(C) by striking “in that year” and inserting “in those fiscal years”.

(11) PRIOR YEAR RECEIPTS.—Section 1105(a)(19) of title 31, United States Code, is amended—

(A) by striking “the prior fiscal year” and inserting “each of the 2 most recently completed fiscal years”; and

(B) by striking “for that year” and inserting “with respect to those fiscal years”; and

(C) by striking “in that year” each place it appears and inserting “in those fiscal years”.

(c) ESTIMATED EXPENDITURES OF LEGISLATIVE AND JUDICIAL BRANCHES.—Section 1105(b) of title 31, United States Code, is amended by striking “each year” and inserting “each even numbered year”.

(d) RECOMMENDATIONS TO MEET ESTIMATED DEFICIENCIES.—Section 1105(c) of title 31, United States Code, is amended—

(1) by striking “the fiscal year for” the first place it appears and inserting “each fiscal year in the biennium for”; and

(2) by striking “the fiscal year for” the second place it appears and inserting “each fiscal year of the biennium, as the case may be.”; and

(3) by striking “that year” and inserting “for each year of the biennium”.

(e) CAPITAL INVESTMENT ANALYSIS.—Section 1105(e)(1) of title 31, United States Code, is amended by striking “ensuing fiscal year” and inserting “biennium to which such budget relates”.

(f) SUPPLEMENTAL BUDGET ESTIMATES AND CHANGES.—

(1) IN GENERAL.—Section 1106(a) of title 31, United States Code, is amended—

(A) in the matter preceding paragraph (1), by—

(i) inserting “and before February 15 of each even numbered year” after “Before July 16 of each year”; and

(ii) striking “fiscal year” and inserting “biennium”; and

(B) in paragraph (1), by striking “that fiscal year” and inserting “each fiscal year in such biennium”; and

(C) in paragraph (2), by striking “4 fiscal years following the fiscal year” and inserting “4 fiscal years following the biennium”; and

(D) in paragraph (3), by striking “fiscal year” and inserting “biennium”.

(2) CHANGES.—Section 1106(b) of title 31, United States Code, is amended by—

(A) striking “the fiscal year” and inserting “each fiscal year in the biennium”; and

(B) inserting “and before February 15 of each even numbered year” after “Before July 16 of each year”.

(g) CURRENT PROGRAMS AND ACTIVITIES ESTIMATES.—

(1) THE PRESIDENT.—Section 1109(a) of title 31, United States Code, is amended—

(A) by striking “On or before the first Monday after January 3 of each year (on or before February 5 in 1986)” and inserting “At the same time the budget required by section 1105 is submitted for a biennium”; and

(B) by striking “the following fiscal year” and inserting “each fiscal year of such period”.

(2) JOINT ECONOMIC COMMITTEE.—Section 1109(b) of title 31, United States Code, is amended by striking “March 1 of each year” and inserting “within 6 weeks of the President’s budget submission for each odd-numbered year (or, if applicable, as provided by section 300(b) of the Congressional Budget Act of 1974)”.

(h) YEAR-AHEAD REQUESTS FOR AUTHORIZING LEGISLATION.—Section 1110 of title 31, United States Code, is amended by—

(1) striking “May 16” and inserting “March 31”; and

(2) striking “year before the year in which the fiscal year begins” and inserting “calendar year preceding the calendar year in which the biennium begins”.

SEC. 706. TWO-YEAR APPROPRIATIONS; TITLE AND STYLE OF APPROPRIATIONS ACTS.

Section 105 of title 1, United States Code, is amended to read as follows:

“§ 105. Title and style of appropriations Acts

“(a) The style and title of all Acts making appropriations for the support of the Government shall be as follows: ‘An Act making appropriations (here insert the object) for each fiscal year in the biennium of fiscal years (here insert the fiscal years of the biennium).’

“(b) All Acts making regular appropriations for the support of the Government shall be enacted for a biennium and shall specify the amount of appropriations provided for each fiscal year in such period.

“(c) For purposes of this section, the term ‘biennium’ has the same meaning as in section 3(11) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 622(11)).”.

SEC. 707. MULTIYEAR AUTHORIZATIONS.

(a) IN GENERAL.—Title III of the Congressional Budget Act of 1974 (as amended by section 206(a) is further amended by adding at the end the following new section:

“MULTIYEAR AUTHORIZATIONS OF APPROPRIATIONS

SEC. 318. (a) POINT OF ORDER.—(1)(A) It shall not be in order in the House of Representatives or the Senate to consider any measure that contains a specific authorization of appropriations for any purpose unless the measure includes such a specific authorization of appropriations for that purpose for not less than each fiscal year in one or more bienniums.

“(B) For purposes of this paragraph, a specific authorization of appropriations is an authorization for the enactment of an amount of appropriations or amounts not to exceed an amount of appropriations (whether stated as a sum certain, as a limit, or as such sums as may be necessary) for any purpose for a fiscal year.

“(2) Paragraph (1) does not apply with respect to an authorization of appropriations for a single fiscal year for any program,

project, or activity if the measure containing that authorization includes a provision expressly stating the following: 'Congress finds that no authorization of appropriation will be required for [Insert name of applicable program, project, or activity] for any subsequent fiscal year.'

(3) For purposes of this subsection, the term 'measure' means a bill, joint resolution, amendment, motion, or conference report.

(b) AMENDMENT TO TABLE OF CONTENTS.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by adding after the item relating to section 317 the following new item:

"Sec. 318. Multiyear authorizations of appropriations."

SEC. 708. GOVERNMENT STRATEGIC AND PERFORMANCE PLANS ON A BIENNIAL BASIS.

(a) STRATEGIC PLANS.—Section 306 of title 5, United States Code, is amended—

(1) in subsection (a), by striking "September 30, 1997" and inserting "September 30, 2002";

(2) in subsection (b)—

(A) by striking "at least every three years" and inserting "at least every 4 years"; and

(B) by striking "five years forward" and inserting "six years forward"; and

(3) in subsection (c), by inserting a comma after "section" the second place it appears and adding "including a strategic plan submitted by September 30, 2002, meeting the requirements of subsection (a)".

(b) BUDGET CONTENTS AND SUBMISSION TO CONGRESS.—Paragraph (28) of section 1105(a) of title 31, United States Code, is amended by striking "beginning with fiscal year 1999, a" and inserting "beginning with fiscal year 2004, a biennial".

(c) PERFORMANCE PLANS.—Section 1115 of title 31, United States Code, is amended—

(1) in subsection (a)—

(A) in the matter before paragraph (1)—

(i) by striking "section 1105(a)(29)" and inserting "section 1105(a)(28)"; and

(ii) by striking "an annual" and inserting "a biennial";

(B) in paragraph (1) by inserting after "program activity" the following: "for both years 1 and 2 of the biennial plan";

(C) in paragraph (5) by striking "and" after the semicolon,

(D) in paragraph (6) by striking the period and inserting a semicolon; and inserting "and" after the inserted semicolon; and

(E) by adding after paragraph (6) the following:

"(7) cover each fiscal year of the biennium beginning with the first fiscal year of the next biennial budget cycle.";

(2) in subsection (d) by striking "annual" and inserting "biennial"; and

(3) in paragraph (6) of subsection (f) by striking "annual" and inserting "biennial".

(d) MANAGERIAL ACCOUNTABILITY AND FLEXIBILITY.—Section 9703 of title 31, United States Code, relating to managerial accountability, is amended—

(1) in subsection (a)—

(A) in the first sentence by striking "annual"; and

(B) by striking "section 1105(a)(29)" and inserting "section 1105(a)(28)";

(2) in subsection (e)—

(A) in the first sentence by striking "one or" before "years";

(B) in the second sentence by striking "a subsequent year" and inserting "for a subsequent 2-year period"; and

(C) in the third sentence by striking "three" and inserting "four".

(e) PILOT PROJECTS FOR PERFORMANCE BUDGETING.—Section 1119 of title 31, United States Code, is amended—

(1) in paragraph (1) of subsection (d), by striking "annual" and inserting "biennial"; and

(2) in subsection (e), by striking "annual" and inserting "biennial".

(f) STRATEGIC PLANS.—Section 2802 of title 39, United States Code, is amended—

(1) in subsection (a), by striking "September 30, 1997" and inserting "September 30, 2002";

(2) in subsection (b), by striking "at least every three years" and inserting "at least every 4 years";

(3) by striking "five years forward" and inserting "six years forward"; and

(4) in subsection (c), by inserting a comma after "section" the second place it appears and inserting "including a strategic plan submitted by September 30, 2002, meeting the requirements of subsection (a)".

(g) PERFORMANCE PLANS.—Section 2803(a) of title 39, United States Code, is amended—

(1) in the matter before paragraph (1), by striking "an annual" and inserting "a biennial";

(2) in paragraph (1), by inserting after "program activity" the following: "for both years 1 and 2 of the biennial plan";

(3) in paragraph (5), by striking "and" after the semicolon;

(4) in paragraph (6), by striking the period and inserting "; and"; and

(5) by adding after paragraph (6) the following:

"(7) cover each fiscal year of the biennium beginning with the first fiscal year of the next biennial budget cycle."

(h) COMMITTEE VIEWS OF PLANS AND REPORTS.—Section 301(d) of the Congressional Budget Act (2 U.S.C. 632(d)) is amended by adding at the end "Each committee of the Senate or the House of Representatives shall review the strategic plans, performance plans, and performance reports, required under section 306 of title 5, United States Code, and sections 1115 and 1116 of title 31, United States Code, of all agencies under the jurisdiction of the committee. Each committee may provide its views on such plans or reports to the Committee on the Budget of the applicable House."

(i) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall take effect on March 1, 2003.

(2) AGENCY ACTIONS.—Effective on and after the date of enactment of this Act, each agency shall take such actions as necessary to prepare and submit any plan or report in accordance with the amendments made by this title.

SEC. 709. BIENNIAL APPROPRIATION BILLS.

(a) IN THE HOUSE OF REPRESENTATIVES.—(1) Clause 2(a) of rule XXI of the Rules of the House of Representatives is amended by adding at the end the following new subparagraph:

"(3)(A) Except as provided by subdivision (B), an appropriation may not be reported in a general appropriation bill (other than a supplemental appropriation bill), and may not be in order as an amendment thereto, unless it provides new budget authority or establishes a level of obligations under contract authority for each fiscal year of a biennium.

"(B) Subdivision (A) does not apply with respect to an appropriation for a single fiscal year for any program, project, or activity if the bill or amendment thereto containing that appropriation includes a provision expressly stating the following: 'Congress finds that no additional funding beyond one fiscal year will be required and the [Insert name of applicable program, project, or activity] will be completed or terminated after the amount provided has been expended.'

"(C) For purposes of paragraph (b), the statement set forth in subdivision (B) with respect to an appropriation for a single fiscal year for any program, project, or activity may be included in a general appropriation bill or amendment thereto."

(2) Clause 5(b)(1) of rule XXII of the House of Representatives is amended by striking "or (c)" and inserting "or (3) or 2(c)".

(b) IN THE SENATE.—(1) Title III of the Congressional Budget Act of 1974 (2 U.S.C. 631 et seq.) (as amended by section 707) is further amended by adding at the end the following:

"CONSIDERATION OF BIENNIAL APPROPRIATION BILLS

"SEC. 319. It shall not be in order in the Senate in any odd-numbered year to consider any regular appropriation bill providing new budget authority or a limitation on obligations under the jurisdiction of the Committee on Appropriations for only the first fiscal year of a biennium, unless the program, project, or activity for which the new budget authority or obligation limitation is provided will require no additional authority beyond one year and will be completed or terminated after the amount provided has been expended."

(2) The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by adding after the item relating to section 318 the following new item:

"Sec. 319. Consideration of biennial appropriation bills."

SEC. 710. ASSISTANCE BY FEDERAL AGENCIES TO STANDING COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES.

(a) INFORMATION REGARDING AGENCY APPROPRIATIONS REQUESTS.—To assist each standing committee of the House of Representatives and the Senate in carrying out its responsibilities, the head of each Federal agency which administers the laws or parts of laws under the jurisdiction of such committee shall provide to such committee such studies, information, analyses, reports, and assistance as may be requested by the chairman and ranking minority member of the committee.

(b) INFORMATION REGARDING AGENCY PROGRAM ADMINISTRATION.—To assist each standing committee of the House of Representatives and the Senate in carrying out its responsibilities, the head of any agency shall furnish to such committee documentation, containing information received, compiled, or maintained by the agency as part of the operation or administration of a program, or specifically compiled pursuant to a request in support of a review of a program, as may be requested by the chairman and ranking minority member of such committee.

(c) SUMMARIES BY COMPTROLLER GENERAL.—Within thirty days after the receipt of a request from a chairman and ranking minority member of a standing committee having jurisdiction over a program being reviewed and studied by such committee under this section, the Comptroller General of the United States shall furnish to such committee summaries of any audits or reviews of such program which the Comptroller General has completed during the preceding six years.

(d) CONGRESSIONAL ASSISTANCE.—Consistent with their duties and functions under law, the Comptroller General of the United States, the Director of the Congressional Budget Office, and the Director of the Congressional Research Service shall continue to furnish (consistent with established protocols) to each standing committee of the House of Representatives or the Senate such information, studies, analyses, and reports

as the chairman and ranking minority member may request to assist the committee in conducting reviews and studies of programs under this section.

SEC. 711. REPORT ON TWO-YEAR FISCAL PERIOD.

Not later than 180 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall—

(1) determine the impact and feasibility of changing the definition of a fiscal year and the budget process based on that definition to a 2-year fiscal period with a biennial budget process based on the 2-year period; and

(2) report the findings of the study to the Committees on the Budget of the House of Representatives and the Senate and the Committee on Rules of the House of Representatives.

SEC. 712. SPECIAL TRANSITION PERIOD FOR THE 107TH CONGRESS.

(a) **PRESIDENT'S BUDGET SUBMISSION FOR FISCAL YEAR 2002.**—The budget submission of the President pursuant to section 1105(a) of title 31, United States Code, for fiscal year 2002 shall include the following:

(1) An identification of the budget accounts for which an appropriation should be made for each fiscal year of the fiscal year 2002-2003 biennium.

(2) Budget authority that should be provided for each such fiscal year for the budget accounts identified under paragraph (1).

(b) **REVIEW AND RECOMMENDATIONS OF THE COMMITTEES ON APPROPRIATIONS.**—The Committee on Appropriations of the House of Representatives and the Senate shall review the items included pursuant to subsection (a) in the budget submission of the President for fiscal year 2002 and include its recommendations thereon in its views and estimates made under section 301(d) of the Congressional Budget Act of 1974 within 6 weeks of that budget submission.

(c) **ACTIONS BY THE COMMITTEES ON THE BUDGET.**—(1) The Committee on the Budget of the House of Representatives and the Senate shall review the items included pursuant to subsection (a) in the budget submission of the President for fiscal year 2002 and the recommendations submitted by the Committee on Appropriations of its House pursuant to subsection (b) included in its views and estimates made under section 301(d) of the Congressional Budget Act of 1974.

(2) The report of the Committee on the Budget of each House accompanying the concurrent resolution on the budget for fiscal year 2002 and the joint explanatory statement of managers accompanying such resolution shall also include allocations to the Committee on Appropriations of its House of total new budget authority and total outlays (which shall be deemed to be made pursuant to section 302(a) of the Congressional Budget Act of 1974 for purposes of budget enforcement under section 302(f) for fiscal year 2003 from which the Committee on Appropriations may report regular appropriation bills for fiscal year 2002 that include funding for certain accounts for each of fiscal years 2002 and 2003.

(3) The report of the Committee on the Budget of each House accompanying the concurrent resolution on the budget for fiscal year 2002 and the joint explanatory statement of managers accompanying such resolution shall also include the assumptions upon which such allocations referred to in paragraph (2) are based.

(d) **GAO PROGRAMMATIC OVERSIGHT ASSISTANCE.**—(1) During the first session of the 107th Congress the committees of the House of Representatives and the Senate are directed to work with the Comptroller General of the United States to develop plans to transition program authorizations to a multi-year schedule.

(2) During the 107th Congress, the Comptroller General of the United States will continue to provide assistance to the Congress with respect to programmatic oversight and in particular will assist the committees of Congress in designing and conforming programmatic oversight procedures for the fiscal year 2003-2004 biennium.

(e) **CBO AUTHORIZATION REPORT.**—On or before January 15, 2002, the Director of the Congressional Budget Office, after consultation with the appropriate committees of the House of Representatives and Senate, shall submit to the Congress a report listing (A) all programs and activities funded during fiscal year 2002 for which authorizations for appropriations have not been enacted for that fiscal year and (B) all programs and activities funded during fiscal year 2002 for which authorizations for appropriations will expire during that fiscal year, fiscal year 2003, or fiscal year 2004.

(f) **PRESIDENT'S BUDGET SUBMISSION FOR FISCAL YEAR 2003.**—The budget submission of the President pursuant to section 1105(a) of title 31, United States Code, for fiscal year 2003 shall include an evaluation of, and recommendations regarding, the transitional biennial budget process for the fiscal year 2002-2003 biennium that was carried out pursuant to this section.

(g) **CBO TRANSITIONAL REPORT.**—On or before March 31, 2002, the Director of the Congressional Budget Office shall submit to Congress an evaluation of, and recommendations regarding, the transitional biennial budget process for the fiscal year 2002-2003 biennium that was carried out pursuant to this section.

SEC. 713. EFFECTIVE DATE.

Except as provided by sections 708, 711, and 712, this title and the amendments made by this title shall take effect on January 1, 2003, and shall apply to budget resolutions and appropriations for the biennium beginning with fiscal year 2004.

In section 1(b), at the end of the table of contents, insert the following new items:

TITLE VII—BIENNIAL BUDGETING

- Sec. 701. Findings.
- Sec. 702. Revision of timetable.
- Sec. 703. Amendments to the Congressional Budget and Impoundment Control Act of 1974.
- Sec. 704. Amendments to rules of House of Representatives.
- Sec. 705. Amendments to title 31, United States Code.
- Sec. 706. Two-year appropriations; title and style of appropriations acts.
- Sec. 707. Multiyear authorizations.
- Sec. 708. Government plans on a biennial basis.
- Sec. 709. Biennial appropriation bills.
- Sec. 710. Assistance by Federal agencies to standing committees of the Senate and the House of Representatives.
- Sec. 711. Report on two-year fiscal period.
- Sec. 712. Special transition period for the 107th Congress.
- Sec. 713. Effective date.

The **CHAIRMAN**, Pursuant to House Resolution 499, the gentleman from California (Mr. DREIER) and a Member opposed each will control 20 minutes.

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

□ 1615

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

Mr. Chairman, I rise today along with my colleagues, the gentleman from Minnesota (Mr. LUTHER), the gen-

tleman from Ohio (Mr. REGULA), the gentleman from Ohio (Mr. HALL), the gentleman from Florida (Mr. YOUNG), the chairman of the Committee on Appropriations, the gentleman from Kentucky (Mr. WHITFIELD), the gentleman from Missouri (Ms. MCCARTHY), the gentleman from New Hampshire (Mr. BASS), the gentleman from North Carolina (Mr. JONES), and others who worked long and hard on this to offer a bipartisan amendment, and I underscore the word "bipartisan amendment," to establish a biennial budget and appropriations process and to enhance programmatic oversight, management, efficiency, and performance of the Federal Government.

I would like to specifically commend the hard work of the gentleman from New Hampshire (Mr. BASS), my colleague as I mentioned, who is here on the floor. He has been a strong supporter of this. He is a member of the Committee on the Budget.

This is also, I should say, a recommendation, as we pointed out several times, of the bipartisan Joint Committee on the Organization of Congress back in 1993.

Under a biennial budget process, the President would submit a 2-year budget, and Congress would consider a 2-year budget resolution and 13 2-year appropriations bills during the first session of a Congress. The second session of the Congress would be devoted to consideration of authorization bills and for the very important programmatic oversight of government agencies.

Now, Mr. Chairman, I happen to believe that the enactment of a biennial budget process could lead to the most significant government-wide fiscal reform that we have seen in a quarter century. I am not alone in that belief. President Clinton proposed it in his most recent budget. Vice President Gore proposed it as a key component of his reinventing government reform outlined in the National Performance Review Report.

Governor George W. Bush has stated that biennial budgeting is a reform that needs to be done by the Congress. Let me say that again. We have got President Bill Clinton, the presumptive Democratic nominee Vice President Al Gore, presumptive Republican nominee Governor George Bush of Texas, all agreeing on the need for us to have a biennial budget.

Earlier this year, the Committee on Rules held three separate days of hearings on biennial budgeting where we received detailed testimony from 32 witnesses. I should stress the Committee on Rules held three separate hearings, very important hearings, on the issue of biennial budgeting. Thirty-two witnesses, which included the former House Committee on the Budget chairman and Director of the Office of Management and Budget, Leon Panetta, my former California colleague, the

current director of the Office of Management and Budget, Jack Lew, 10 academics, the Congressional Budget Office, the Congressional Accounting Office, and 17 Members of Congress, which included opponents like the gentleman from Michigan (Mr. SMITH) and the Speaker of the House and the chairman of the Committee on Appropriations, both of whom testified in strong support of this measure.

Let me tell my colleagues that I recently met with our former colleague, Leon Panetta. He feels very strongly about this. He is a strong partisan Democrat. But, remember, he was chairman of the Committee on the Budget. He served as Director of the Office of Management and Budget, and he served as Chief of Staff to President Clinton.

He stated in his testimony "a biennial budget built around a 2-year life of the Congress offers a better way for Congress to commit itself to continuing fiscal discipline and to better planning for the coming years."

Jack Lew stated, "the primary potential benefit from biennial budgeting is that, by concentrating budget decisions in the first year of each 2-year period, time would be freed up in the second year that could be redirected to management, long-range planning, and oversight."

My cochairman of the Joint Committee on the Organization of Congress, our former Democratic colleague, Lee Hamilton, now the head of the great Woodrow Wilson Center here in town said "biennial budgeting would free up Members' time for important work that is now being squeezed out by competing pressures."

Now, this bipartisan amendment, Mr. Chairman, is the product of months of extensive hearings, technical consultation, and legislative drafting. It addresses comprehensive concerns with uncertainty in projections, weakened oversight, and larger supplementals.

There are only two reasons, only two reasons to oppose this amendment. One either wants to maintain the status quo, which has created government shutdowns and a lot of contention late in a session. It breeds that annual conflict, and it enhances the level of cynicism that the people have towards this institution. Or one is one of those who supports the idea of a do-nothing Congress. Let us block any kind of reform that might be coming forward.

I will say that I do not think that we should be doing either of those things. I do not think that we should be maintaining simply the status quo, and this Congress is dedicated to doing everything that it can to bring about major reforms. We have an historic opportunity here, again, the first time that we have had a chance to vote on biennial budgeting; and it is the first time in a quarter century that we could offer such a sweeping reform to this budget process which has created so many problems for us.

So with that, I urge strong support of this bipartisan amendment which I am honored to author.

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

Mr. MOAKLEY. Mr. Chairman, I rise to claim the time in opposition to the biennial budgeting amendment.

The CHAIRMAN. The gentleman from Massachusetts (Mr. MOAKLEY) is recognized for 20 minutes.

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

Mr. Chairman, although I have the greatest respect for the gentleman from California (Mr. DREIER), my chairman, I believe the biennial system will make our budget process slower and less accurate. A biennial system will make it harder to reach budget agreements because the agreements will have to cover a longer period of time.

Although no one wants to admit it, the pressure to get things finished is what ensures that we address the difficult issues. If Congress did not have that pressure each and every year, we would put off the more controversial issues for later; and that is really no way to govern.

Proponents may argue that authorization bills are crowded off the schedule by appropriation bills. But it is actually policy disputes, not lack of time, that trip up the authorization bills.

According to the Congressional Research Service, Congress spends less than one-fifth of its total floor time on budget bills. Furthermore, we are now in the 15th week of the session, and we have spent only 49 days in formal session.

In addition to slowing things down, biennial budgeting will actually limit oversight. In 1993, the State of Connecticut converted to a biennial budget in order to improve oversight, in order to improve program review. But Connecticut State officials says there has not been any improvement in either of those areas.

There are two reasons for that, Mr. Chairman. Biennial budgeting removes one year of the Committee on Appropriations review, and it shortens the leash on executive branch officials.

It also relies heavily on budget predictions which are notoriously inaccurate. Mr. Chairman, if budget predictions are inaccurate on an annual system, they will be even worse on a biennial system. Decisions will become outdated, and changes will need to be made. But we would be hobbled by an every-other-year system, and our budget will have been slowed down to the point that we could hardly respond.

Congress will be faced with only one choice, pass more supplemental appropriation bills and pile spending upon spending.

Mr. Chairman, I do not need to remind anyone here that supplemental appropriation bills are not a model of fiscal discipline. But there will be no

alternative. Congress will fail to predict every single spending need; and as a result, the need for supplemental appropriation bills in the off years will just skyrocket.

The same is true on the State level. States with biennial budget tend to spend more per capita than States on an annual budget because they have to pass additional appropriation bills to keep up with their budget needs.

Mr. Chairman, history shows that States have learned their lesson. In 1940, 44 States had a 2-year budget cycle. Today, only 21 States have a 2-year budget. Those States that have kept the biennial budgets tend to have a small or mid-sized budget. Mr. Chairman, if the States are the laboratories of democracy, we should avoid this at all costs. The Federal Government's budget is neither small, nor mid-sized.

Mr. Chairman, switching to a biennial budget will have very far-reaching implications for the entire Federal budget. It is a brand-new system, a system that has not worked well for larger States. I would urge my colleagues to proceed cautiously. I urge my colleagues to oppose this amendment.

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

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

Let me just say, since 1990, every State that has changed its budget cycle has changed from an annual to a biennial process.

Mr. Chairman, I yield 2 minutes to the gentleman from New Hampshire (Mr. BASS).

Mr. BASS. Mr. Chairman, I thank the gentleman from California for yielding 2 minutes to me. I rise in strong support of the amendment to create biennial budgets and appropriations.

I would point out that passage of such an amendment will remove the bulk of budgeting and appropriations from election years. It increases government efficiency and encourages more responsive spending. It increases the time and quality of oversight and authorizing legislation. It provides budget stability for the States, many of which were forced to abandon their own biennial budgets because of their growing dependence on annual Federal appropriations.

Indeed, by passing biennial budgeting and appropriations, we would be getting back in sync with the States and we would most likely see a reversal in the trend that was brought up by the gentleman from Massachusetts (Mr. MOAKLEY).

Indeed, this bill is supported by the President, both candidates for President, House and Senate leaders, the Committee on Appropriations chairman in the House and the Senate Committee on the Budget chairman.

For once, we have a truly bipartisan amendment to move this Congress forward into the 21st century so that we can be a body that works on real legislative proposals rather than being totally reactive and being totally controlled by the appropriations process.

Indeed, Mr. Chairman, if my colleagues like omnibus spending bills every year, if they like spending late nights until 1:00 and 2:00 in the morning, if they like turning the appropriations process ultimately over to two or three people, out of the hands of even the appropriators, if they like the system that we have now, which is clearly broken, then they will not support this amendment. But if they believe that we can run Congress better, that we can be a Congress that is bold enough to step forward and change fundamentally its process, then they will support the Dreier amendment.

Mr. MOAKLEY. Mr. Chairman, I yield 3½ minutes to the gentleman from North Carolina (Mr. PRICE).

(Mr. PRICE of North Carolina asked and was given permission to revise and extend his remarks.)

Mr. PRICE of North Carolina. Mr. Chairman, the budget conflicts and frustrations of the last 3 years have prompted various proposed procedural fixes for what is mainly a failure of political will and responsibility.

In my view, the most misguided of these proposals is the amendment before us, instituting biennial budgeting and appropriating. This supposed remedy is not only unresponsive to the problem we face, but it actually would weaken Congress' power of the purse and its ability to hold the Executive Branch accountable.

I would like to remind my colleagues that Congress already has the authority to adopt multiyear budget plans and multiyear authorizations. These have been important instruments in achieving advance planning and fiscal discipline. But to go beyond this to biennial budgeting and appropriating would greatly weaken Congress' hand in shaping national priorities and holding the Executive Branch accountable. In fact, annual appropriating is necessary as a complement to multiyear budget plans, to ensure flexibility, responsiveness, and coequal power with the executive.

Under biennial budgeting, Congress would not be able to react as effectively to congressional oversight, GAO reports, Inspector General's reports, research studies, and other findings that bear on the effectiveness of Federal programs. Agencies would have to begin working in late spring on a 2-year budget, the second year of which would not commence for some 28 months. The President and OMB would make budget decisions 22 to 23 months before the beginning of the second year of a budget cycle.

Biennial appropriations could limit the ability of the Federal Government to use fiscal policy to stabilize the economy during economic downturns. There would be pressure to frequently revise 2-year budgets through supplemental after supplemental appropriations bills. We know from experience that these supplemental appropriations are less deliberative and less systematic than regular appropriations bills,

and they are certainly less subject to fiscal discipline and control.

Now, some proponents argue that biennial budgeting would leave Congress more time to conduct oversight of the Executive Branch. That is an ironic claim, for the unique oversight provided through the appropriations process, when agency budgets and performance are gone over line by line, program by program, is one of the most important tools we have in holding the Executive Branch accountable.

Off-year oversight under biennial appropriations would become less intense, less systematic, and most importantly, it would lose the teeth provided by the actual power of decision.

Proponents have talked today about the support from the three most recent Presidents for biennial appropriations, Bill Clinton, George Bush, Ronald Reagan. Why should that surprise anyone? Of course Presidents support biennial budgeting. If that support indicates biennial budgeting is not a partisan issue, it surely makes our point for us that it is an institutional issue. Biennial budgeting would result in a major devolution of power from Congress to the Executive Branch.

We would do our appropriating in the first 9 months of a Congress and become fiscal lame ducks thereafter, with executive agencies less subject to effective scrutiny and direction. That would be a loss, not only for individual Members and individual committees, but it would be a loss for this institution, for our constitutional system of checks and balances, and for the people we represent.

We need to enhance Congress' power and performance in both budgeting and oversight. But moving to biennial budgeting and appropriating would take us in precisely the opposite direction.

I urge my colleagues to defeat this amendment.

□ 1630

Mr. MOAKLEY. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan (Mr. SMITH), and I ask unanimous consent that he be allowed to control that amount of time.

The CHAIRMAN. Without objection, the gentleman from Michigan (Mr. SMITH) will control and yield time on 10 minutes.

There was no objection.

Mr. SMITH of Michigan. Mr. Chairman, I thank the gentleman for yielding me this time, and I yield myself 2 minutes.

In 1940, there were 44 States that had biennial budgets. Today, there are just 20 States that have biennial budgets, with eight of those having biennial legislatures. As we talked to the CRS, as we talked to the executives of budget directors for all of the States, they suggest and claim that a biennial budget transfers power from the legislative branch to the executive branch.

Look, we have not had hearings on this issue. The Committee on the Budg-

et that has jurisdiction on this issue had zero hearings on biennial budgets. The Committee on Rules had three informational hearings. None of the hearings were in Committee on the Budget. Also, we are looking at a situation where, on the 39-page amendment at issue, there have not been hearings anyplace. Informational hearings only in the Committee on Rules.

So if we risk transferring power from the legislative branch to the executive branch, do we really want to charge ahead to make this decision?

Look at this chart. This 20 percent goes to Social Security pretty much on automatic pilot. The Congress has transferred already too much power to the executive branch of government. Medicare, 11 percent, on automatic pilot; Medicaid, automatic pilot; other entitlements, 14 percent, automatic pilot; interest on automatic pilot. Only Defense and the other 12 appropriation bills that represent less than 40 percent of the total budget is in the control of the Congress, and I think we have to be very careful as we move ahead.

The result of the congressional majority, whether it is a Republican or a Democrat, will find it far more difficult and perhaps impossible to pass agenda-setting legislation, like tax cuts, tax increases, whatever, if we lose reconciliation in the Senate.

Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. KNOLLENBERG).

Mr. KNOLLENBERG. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise today in opposition to this amendment on biennial budgeting. I am concerned that in our haste to push forward this type of legislation we are overlooking unintended consequences that will drastically affect our budget process.

Despite today's projections of enormous surpluses, these numbers will invariably rise and fall with the economic cycles, with emergencies and other factors that, frankly, are outside of Congress' immediate control.

Last week, CBO updated their projections to show a \$40 billion on-budget surplus, which is an increase of \$14 billion from their estimate of last month. Over the last 4 years, CBO incorrectly estimated the deficit or surplus for the upcoming fiscal year by \$99.5 billion. Given these inevitable fluctuations of our economy and Federal revenues, Congress needs every tool at its disposal to ensure that there are sufficient surpluses each year to meet its target for tax cuts and for debt reduction.

One of the supposed benefits of biennial budgeting is to provide additional time to focus on oversight. The truth of this whole matter is that most experts believe otherwise. They believe that biennial budgeting actually reduces oversight. One of the most important tools that we have in this House, in holding the executive branch accountable, is the appropriations process. Oversight is best accomplished

when the agencies are dependent on Congress for funding in the near term and, therefore, more responsive to Congress' intentions.

The President, the executive branch and his agencies, will be less inclined to work with Congress once they receive their funding. In effect, it turns the Members of the House into fiscal lame ducks.

Further, with no regular appropriations bills in the second session, Congress would be forced to consider massive supplemental bills or correction bills to take care of changing priorities, unanticipated events, and emergencies. I truly believe biennial budgeting is not the most effective way to solve our frustrations in the appropriations process.

Mr. DREIER. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. LUTHER), a very able coauthor of this bipartisan amendment.

Mr. LUTHER. Mr. Chairman, before coming to Congress 5 years ago, I served in the Minnesota legislature for 20 years working on 2-year budgets. From that experience, there is no question in my mind that a 2-year budget is a better process. It would also, as has been pointed out, allow time for other important nonbudget issues. I think we all know the number of issues that are not going to be dealt with this year because we are, again, working on budget issues.

Proponents of biennial budgets have already stated the arguments that I agree with in terms of fiscal management, oversight, and cost effectiveness. But I also believe biennial budgets will add to long-term planning and it will allow us an easier time of making the budget cuts necessary to meet today's and tomorrow's needs.

What is happening today is that we argue the same issues year after year but still have a very difficult time meeting the future needs of our Nation because we are unwilling oftentimes to cut the kinds of things we thought were important years ago. The biennial budget process, I believe, would make it easier to make those difficult decisions.

Due to the initial closing costs associated with shutting down many programs, it is hard to see a lot of savings when we are looking at just 1 year. But if we look out 2 years, we can see the substantial savings. And that is the experience that I had when I worked on 2-year budgets in the Minnesota legislature.

Successful families and businesses do a lot better than 1-year budgets, they plan into the future, and I think it is time we get that kind of thinking here in Washington.

I respect many of the opponents of this amendment, certainly the gentleman from Massachusetts (Mr. MOAKLEY) and the others, and I respect those arguments. But based on the experience I have had working with both 1-year and 2-year budgets, there is no question in my mind that while biennial

budgets may not be the total solution, they move us in the right direction.

Mr. DREIER. Mr. Chairman, I yield 2 minutes to the gentleman from Kentucky (Mr. WHITFIELD), the very able coauthor of this amendment.

Mr. WHITFIELD. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise in support of H.R. 853, the Comprehensive Budget Process Reform Act and the biennial budgeting amendment thereto. Both the underlying budget reform bill and the biennial budgeting amendment are the result of extensive study and deliberation during a process characterized by bipartisan cooperation.

The changes in the reform bill and the biennial budget amendment changes address long-standing inefficiencies which hamper the work of Congress and Federal agencies. Each year the Congress is so consumed by the budget process, by the appropriation process, we end up with omnibus bills. We do not know what is in there. This bill increases the accountability for Federal spending, promotes fiscal discipline and encourages long-term planning. It also preserves the progress we have made in reducing the public debt by requiring a vote on legislation that increases the debt.

In my view, the most necessary reform which we will consider today is the biennial budget amendment. Biennial budgeting was a key recommendation of the 1993 Joint Committee on the Organization of Congress and the Vice President's National Performance Review, and as has been said earlier, President Reagan supported it, President Bush supports it, President Clinton supports it, Vice President GORE supports it, Governor George W. Bush of Texas supports it, and I believe that is what we should do as well.

Critics of biennial budgeting allege that a 2-year cycle will reduce the leverage Congress exercises over Federal agencies through the appropriation process, resulting in a shift of power from Congress to the executive branch. I believe the opposite is true. Currently the budget process detracts from Congress' ability to conduct programmatic oversight and reauthorization.

Mr. Chairman, I urge support for the amendment and the reform bill.

Mr. SMITH of Michigan. Mr. Chairman, I yield myself 3 minutes.

Can my colleagues imagine that 4 to 5 months after a new Congress is elected in November that they are going to be asked to analyze and evaluate and decide on a 2-year budget? What we are doing, again, by forcing a new Congress into that position, is transferring power to the executive branch.

On oversight. I served in the administration, and it is my firm conviction that the administration, the agencies, the Departments, are much more respectful and responsive to Congress at budget time. If we allow the administration to have this longer leash, a longer leash because they are only obli-

gated to come to Congress half as often, we are going to see an extra transfer of power and a further weakening of the legislative branch.

The authorizing committees are not affected by a 2-year budget. They already have 2-, 3-, 5-year authorization bills. They are the committees that should be doing the greatest part of that work in terms of oversight; evaluating how the administration is performing and assuring that the taxpayers get their money's worth.

Mr. Chairman, does anyone believe Members facing reelection will spend their time going over the dry details of Federal programs? With those States that have biennial budgets, every one of those States comes in for a second year modification of that budget with huge supplementals. Does anybody believe that Members that have 2 years to go or 18 months to go on a new budget are going to be able to get a quorum in those authorizing committees?

Look, I plead with this Chamber. Let us evaluate this idea. Let us not rush into a situation that may very well weaken the legislative branch, which has already been weakened. We have an executive branch that is now passing more laws in the form of promulgated rules than actually the legislature passes. Let us evaluate this idea. Let us have long hearings to make sure that we are not losing further control. Let us have the kind of review that is necessary to consider this kind of dramatic change, after 200 years of annual budgeting. Let us not jump into something new in a 2-year budget that is going to weaken the legislative branch.

Mr. Chairman, I submit for the RECORD an article in Roll Call written by me dated February 28.

ENTITLEMENT REFORM THE WAY TO GO

For 224 years, Congress has wrestled with the budget. As an ex-wrestler and current Budget Committee member, I know that can be both strenuous and challenging.

This has led some Members to seek a "quick fix" in an attempt to end the annual struggle. Biennial budgeting, however, is a mirage that distracts us from the real budget problems we face.

Biennial budgeting would be an enormous change in our budget processes, the biggest since at least 1974. The effects on the budget struggle would be far-reaching and very largely negative from the Congressional perspective. Biennial budgeting will deprive Congress of much of the leverage it needs to compete equally with the administration. Specifically, Congress gives up:

Reconciliation in off years. The Congressional majority could lose much of its power in election years to use reconciliation. This will endanger its priorities in election years and would rule out the House tax cut strategy for this year.

Congress could include multiple reconciliation instructions in a biennial budget resolution, but this deprives Congress of flexibility needed to react to changing political and economic needs. The majority would have to fashion its political strategy for the next two years just three months after the preceding election.

Control over the agencies. The annual budget process allows Congress to express its will to government agencies. I know that we were more eager to cooperate with Congress

at budget time when I was a member of the Nixon administration. Biennial budgeting will reduce our leverage to hold agencies accountable and encourage defiance.

Budget accuracy and flexibility. Economic forecasting is highly uncertain. The Congressional Budget Office estimate for fiscal 2000 two years ago was for a \$70 billion unified budget deficit. That's \$240 billion off the current fiscal 2000 estimate of a \$170 billion unified budget surplus. The estimate has shifted by \$40 billion just since October 1999.

This uncertainty means the President would bargain for high second-year spending, and we would frequently need or be tempted to reopen the budget. When we reopen the budget, we would find ourselves with little leverage against a pre-funded administration that can resist unwanted budget modifications with near impunity. When revenue is lower or spending is higher than projected, the pressure to increase fees, taxes and borrowing, rather than cut the administration, would be considerable.

Leverage over spending. Congress will inevitably grapple with supplemental spending requests in the off years. In the absence of pressure to produce a complete budget, an administration will always have poll-tested and politically motivated requests in off years that will be hard to fend off in the absence of broader budget issues.

As a result, we will pass supplemental appropriations bills in most years that will grow as Members add their own pet election-year projects. All of this threatens even the very modest spending restraint that we've been able to exercise over the last five years.

I find it surprising, then, to hear of growing support for moving from our current annual budget to a biennial budget process. It does seem sometimes that we are on a budget treadmill that never stops. There is no solution, however, in ducking our responsibilities to exercise the power the Constitution grants us. Power atrophies unless it is used, that is what will surely continue to happen to Congressional power is we adopt biennial budgeting.

Members interested in getting a handle on the budget should focus on substance rather than process. The truth is that the discretionary portion of the budget—which is the substance of the 13 annual appropriations bills—makes up just one-third of total federal spending.

The rest of the spending—chiefly, entitlement programs—is on automatic pilot and rising faster than inflation. This growth in entitlement spending puts enormous pressure on the other parts of the budget and will inevitably necessitate higher taxes or a return to excessive government borrowing.

Acting promptly and boldly will bring benefits as well. The unremarked secret of our current budget surplus is the welfare reforms enacted in 1996 and the Medicare changes enacted in 1997. To be blunt, we should still be in deficit without these reforms. But in both cases, one could also argue that the programs have been strengthened.

I have long believed that there are similar opportunities to improve our largest entitlement, Social Security, which is now 23 percent of total federal spending. As chairman of the Budget Committee Task Force on Social Security, I helped develop 18 unanimous and bipartisan findings that could serve as the basis for reform.

After the completion of the task force's business, I also introduced the bipartisan Social Security Solvency Act (H.R. 3206), which is scored to keep Social Security solvent based on these findings.

The effect of this reform (or of similarly reforms such as the 21st Century Retirement Act (H.R. 1793)) would be to dramatically reduce the growth of government spending for

decades to come. The charts (not shown here) indicate how significant reform can be.

The first chart shows that federal spending will rise to nearly 35 percent of the nation's gross domestic produce without changes in our entitlement programs, about 75 percent higher than it is today. Needless to say, giant tax increases will be needed to sustain this level of spending.

In contrast, the second chart shows what could happen if we simply adopt the Social Security Solvency Act. Under this scenario, we would experience a gradual reduction in federal spending as we shift to a retirement system based partly on worker-owned accounts starting at 2.5 percent of income and partly on traditional government-paid benefits.

This legislation would also fully restore the program's shaky finances and create opportunities for workers to live better in retirement by making full use of the power of compound interest.

This is not easy work. But if we do nothing, taxes will have to rise to the equivalent of 40 percent of payroll by 2040 to pay for Social Security, Medicare, and Medicaid. Social Security and our other entitlement programs are complicated and alternation carries political risk.

The benefits from this effort, however, will also be substantial. Sound reforms will allow Congress to master the federal budget where gimmicky process reforms such as biennial budgeting are bound to fail.

Mr. DREIER. Mr. Chairman, may I inquire of the Chair how much time is remaining on all sides here?

The CHAIRMAN. The gentleman from California (Mr. DREIER) has 8½ minutes remaining, the gentleman from Massachusetts (Mr. MOAKLEY) has 2½ minutes remaining, and the gentleman from Michigan (Mr. SMITH) has 3 minutes remaining.

Mr. DREIER. Mr. Chairman, I yield 4 minutes to the gentleman from Florida (Mr. YOUNG), and let me just say that it has been an honor to work with the chairman of the very important Committee on Appropriations, who has long been a great champion of this issue of biennial budgeting.

Mr. YOUNG of Florida. Mr. Chairman, I disagree with the argument that I just heard about weakening the appropriations process, or weakening the House. I believe that we actually strengthen the position of the United States Congress in our separation of powers, in our separate but equal branches of government, by providing oversight of the hundreds of billions of dollars spent by the agencies of the Federal Government.

Now, if we do not have time to do oversight, we are not strengthening the position of the House of Representatives or the Congress in that whole process. I referred to this chart earlier, and I would ask the Members to look at it again. All of the days and weeks colored in red are days that have gone past, that have expired, that are gone before the Committee on Appropriations ever got a budget allocation.

Now, we cannot assign 302(b) allocations to our subcommittees until we get a 302(a) allocation that comes from the budget resolution.

□ 1645

When we lose more than half of the year before we can even begin to make

our allocations, we are losing valuable time in getting appropriations bills considered, passed in the House and the Senate, and approved by the President of the United States. We run out of time and do not have adequate time for negotiations with the Senate or the President, and we do not have time to do the oversight.

And they say, well, do the oversight over here. That is fine, and we do some oversight during this period. But we need to see the President's budget and we need to see the resolution of the Committee on the Budget so we know what kind of oversight we are supposed to provide.

We do a pretty good job as appropriators in oversight. We eliminate a lot of the wasteful programs. There is a lot more to be done. We eliminate a lot of duplicative programs. There is a lot more to be done. And if we had more time to apply to this job rather than having to rush and rush and hurry to get the appropriations bills done before the end of September, we could do more oversight. We could strengthen the hand of the United States House of Representatives and the United States Congress as we deal with the executive branch of Government.

The branches of Government are supposedly, under our Constitution, separate but equal. It seems that in recent years, the executive branch has become more equal than any other branch, for a lot of reasons. One reason is the confusion that we created in the budget process that was put into effect in 1974. That cost us time and cost us the ability to do the real oversight that we ought to be doing.

So I am a supporter of biennial appropriations, and I know a lot of my colleagues on the Committee on Appropriations are also supporters. I also know that a lot of my appropriating colleagues are not. But I think it is a good move and I think we ought to support this.

While there is a difference of opinion on the Committee on Appropriations, for a number of reasons, it is my opinion, having served on this committee for 27 years that, prior to the time that we had limitations put on us by the Budget and Impoundment Control Act, we had more time to do better oversight. But once the budget act was put into effect and we were given dates that were not realistic as far as appropriations were concerned, we lost a lot of the time that we could use in oversight and in appropriating.

So I would just ask the Members to think about this seriously and consider giving us the opportunity to have time to do this oversight and do it properly by supporting this amendment.

Mr. SMITH of Michigan. Mr. Chairman, I yield 1½ minutes to the gentleman from South Carolina (Mr. SPRATT), the ranking member of our Committee on the Budget.

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

Mr. SPRATT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, one of the gravest responsibilities that is given to us in Congress is the power to declare war. We have the power to raise armies and navies. We have the power to regulate them. And we have the power to determine when they will be put in the field, when young men and women will be put in harm's way to protect the interests of this country.

Frankly, we do not exercise that power very well. We have the War Powers Act, which gives the President presumptive authority to dispatch troops into conflict; and we have the power to recall them by passing a resolution of dubious legal status. We rarely exercise it. In the 18 years I have been here, I think we have used it twice.

One restraint we have is the knowledge on the part of the President and the executive branch that every year, every year, they must come here hat in hand and ask us to fund the defense budget of this country. And if they dispatch troops, under the biennial budget, they will have \$600 billion to spend, they will have twice the amount that we will appropriate this year in our defense budget and a 2-year lapse of time before they have to come up here and account for how they have spent and used that money.

Unless we have better controls on how we are going to dispatch troops to combat and commit our forces, I do not think we need biennial budgeting. It is one of the few limits we have, however we may exercise it, upon the use of our military in foreign theaters.

I think we should retain that short leash, that 1-year appropriation, to remind the executive that he still must come to Congress for the authority to put our men and women in harm's way.

Mr. MOAKLEY. Mr. Chairman, would the Chair be kind enough to inform all parties of the remaining time?

The CHAIRMAN. The gentleman from Michigan (Mr. SMITH) has 1½ minutes remaining. The gentleman from Massachusetts (Mr. MOAKLEY) has 2½ minutes remaining. The gentleman from California (Mr. DREIER) has 4½ minutes remaining.

Mr. MOAKLEY. Mr. Chairman, I yield 1 minute to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Mr. Chairman, while I understand the frustrations sometimes we have with the budget process, I come from a State that had biennial budgets. They did not work very well. Let me tell my colleagues why they did not work very well.

In that off year, we talk about having review and oversight. Well, when we do it in the off year, what I found is that it does not work very well, it has no teeth.

It was a time when that oversight is less systematic, it is less intense and, again, it really does not have any teeth. In fact, most of the time it did not happen. So it does not work very well.

This is only chance we have to sit down every year and go over those budgets item by item and agency by agency. And again, by my experience, biennial budgets do not work very well.

If we want to experiment, let us experiment with it. But this is a time that we should not change the process because there is not the oversight that happens in those opposite years.

Mr. DREIER. Mr. Chairman, I yield 1½ minutes to my very good friend, the gentleman from Tennessee (Mr. CLEMENT).

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

Mr. Chairman, I rise today in strong support of the Dreier amendment to replace our current time consuming, bloated, and inefficient budget process with the biennial budgeting.

I believe in our budget leaders, Democrat and Republican alike. But the fact is, after being here for so many years, we have got to change the system. We have got to make some reforms. We are going to elect a new President in November, and let us start it out in a correct manner.

When we do this, we are going to be fighting over surpluses and priorities rather than fighting over deficits in the past. And the amount of time spent on the annual appropriations bills both in committee and on the floor leaves us significantly less time to engage in needed oversight activities and enact authorization bills.

Congress routinely funds unauthorized programs because we do not have time to take up the authorization legislation.

For fiscal year 2000, appropriations were provided for 137 programs whose authorization had expired, providing \$121 billion for programs that lacked authorization. This is simply wrong.

Part of responsible governing includes funding programs that have gone through the authorization process. Biennial budgeting will allow us time to review and fund programs that merit taxpayers' dollars. That is what the people at home want. They want fairness. They want equity.

Let us have a 2-year budget rather than a 1-year budget, and we will get a lot more done and we will save a lot more taxpayers' dollars.

Mr. SMITH of Michigan. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, we have problems with budgets projections. It should be obvious to everybody how far off our projections are 1 year in advance, let alone 2 years in advance.

Two years ago, CBO projected a \$70 billion deficit for the year 2000. The current estimate is that there will be a \$170 billion surplus. That is a \$240 billion difference.

Budget inflation. Agencies will deal with uncertainty in two year budgets by padding their budget request. This will result in more spending.

Mr. Chairman, Congress has had annual Federal budgets since 1789. Our

present budget problems have nothing to do with annual budgets. Our present budget problems have to do with the willingness of Members to take the time to make the effort to oversee and review spending bills in the United States Congress.

When it comes to giving taxpayers their money's worth, whether the budget is 2 years or 1 year, there will be no difference unless there is a willingness of Members to review programs that need to be reviewed. The authorizing committees that now have 2-, 3-, 5-year authorization bills now have the time available to do that.

What is going to happen with an election year when Members want to go home if there is no budget to pass? I urge Members to vote against this amendment.

Mr. DREIER. Mr. Chairman, I yield 1 minute to the gentlewoman from Washington (Ms. DUNN), one of the able coauthors of this amendment.

Ms. DUNN. Mr. Chairman, I rise today in support of the amendment offered by my friend, the gentleman from California (Mr. DREIER), to require a biennial budget.

When the gentleman from California (Mr. DREIER) and I served together on the Commission to Reform the House of Representatives in 1993 and 1994, we came out with some pretty important recommendations that then were passed into law when we took over the running of the Congress, for example, the Open Meetings Act, the first ever private audit of the House of Representatives, reduction of staff and committee by a third, which allowed us to run this body at \$200 million less than the other party had run it the year before.

But the most important of all of those recommendations is the one that is being considered today on the floor, and that is implementing a biennial budget. It will bring us much more value for our tax dollar by allowing us to focus more on the efficiency of Government and the scrutiny that Federal programs should receive. Biennial budgeting will bring greater trust in Government.

By allowing greater deliberation over budgeting by the legislative bodies, we can assure our constituents that their tax dollars are being spent wisely and judiciously.

I urge my colleagues to support this amendment.

The CHAIRMAN. The gentleman from California (Mr. DREIER) has 2 minutes remaining. The gentleman from Massachusetts (Mr. MOAKLEY) has 1½ minutes remaining. The gentleman from Massachusetts (Mr. MOAKLEY) has the right to close the debate.

Mr. DREIER. Mr. Chairman, the gentleman from Massachusetts (Mr. MOAKLEY) has the right to close?

The CHAIRMAN. As representing one of the committees managing the bill, the gentleman from Massachusetts (Mr. MOAKLEY) has the right to close the debate, as the gentleman from

California (Mr. DREIER) is seeking to amend the committee's bill.

Mr. DREIER. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, this amendment has a great deal of common sense to it. There are a number of statements that have been made that I think need to be refuted.

This argument that the gentleman from Michigan (Mr. SMITH) is making about oversight, biennial budgeting dramatically enhances the ability to have oversight.

The subcommittee of the gentleman from Alabama (Mr. CALLAHAN) can continue with its oversight and appropriations. But, also, we very much want to have the authorizers spend time on oversight.

It is a constitutional responsibility which, unfortunately, we do not get to do enough of now because we spend so doggone much time on all of these budget disputes that are going on.

This argument that has been made about this transfer of authority down to the executive branch, Jack Lew, a great protege of the gentleman from Massachusetts (Mr. MOAKLEY), who is now our Director of the Office of Management and Budget, said in his testimony, "While I respect the concern of those who believe that biennial budgeting will shift power between the two branches, I don't share this concern. I do not believe that, under biennial budgeting, executive branch officials would become less responsive to Congress. That is because biennial budgeting would not alter the fundamental reality that, under the Constitution, Congress has the power of the purse."

Dan Crippen, who is the Director of the Congressional Budget Office, stated, "It seems unlikely that agencies would be less responsive to the Congress simply because they would be requesting regular appropriations every other year. Also, a biennial budget cycle by setting aside some time for Congressional action on oversight and authorizing legislation might relieve the appropriation process of time-consuming debates on substantive policy issues, which could actually improve congressional control of spending."

That is what we are trying to get at. Mr. Chairman, this is the most sweeping reform in a quarter century. It makes so much sense. We have got everyone who is now in the White House and seeking the White House in support of this. We have bipartisan support. The chairman of the Committee on Appropriations, the Speaker of the House, many of the cardinals, many Democrats have joined in support of it.

We should provide this very, very key to the reform of the budget process. I urge an aye vote.

□ 1700

Mr. MOAKLEY. Mr. Chairman, I yield myself the balance of my time. I think the gentleman just made the argument why Presidents want this. It

gives them an advantage. Every President wants it. Jack Lew who works for the President is doing a great job carrying out the President's orders because the President knows that it would have the legislature up against the wall in the off years.

Mr. Chairman, I call to the Members' attention an editorial from yesterday's Washington Post urging the defeat of this amendment, "Fleeing Hard Choices." I urge a "no" vote on the biennial budget amendment.

[From the Washington Post, May 15, 2000]

FLEEING HARD CHOICES

The House this week may take up a proposal to shift to biennial budgeting. The bad idea suggests that even the members are disgusted with the duplicitous farce in which they now annually engage. It is part of a 15-year effort to find a procedural fix that will somehow magically save them from their own indiscipline. But process can't solve the problem, and as with so many of its predecessors, this is a proposal that would do more harm than good.

The problem is not that the budget takes too much time each year, but that the Republicans particularly persist in pretending that they can spend the same dollars twice. They say as they have since 1981 that they can give a large tax cut, protect Social Security and Medicare, increase defense spending and still balance the budget by cutting other domestic spending. But as everyone understands by now, they lack the votes for such cuts even within their own caucus.

The appropriations process once again has begun. To pay for their tax cut plus all the rest, the Republicans would have to cut domestic appropriations by about 10 percent in real terms over the next five years and more thereafter. A cut that large would do real harm to basic functions of government, but the sponsors aren't required to name specific cuts. They strike their pose, then use accounting gimmicks to crawl back from the abyss to which the pose took them. That's what the budget process has become. It's squalid and demeaning, and members can be forgiven for wanting to engage in it only once every two years. But it's their unwillingness to make hard choices from which they flee.

The choices occur within particular appropriations bills. The Democrats want to increase education spending. The Republicans want at least to match them without doing notable harm in an election year to the health and other social programs with which education competes for appropriations. But in part to pay for their tax cut, their budget calls for a freeze on appropriations for health, education, etc., next fiscal year—not even an allowance for inflation. So they already are resorting to gimmicks. Likewise in the so-called VA-HUD bill, in which they propose to cut overall spending while increasing veterans' health spending. But do they want to offend the big cities by cutting the subsidized housing programs for the poor with which the veterans' programs compete?

Myth and math don't match; truth becomes the victims. But biennial budgeting won't solve that; if anything, it will make it worse. The budget would have to be drawn up more than two years in advance. It would be an exercise in guesswork. There would have to be even more adjustments—"emergency" appropriations, with all the opportunities for mischief they present—than now. That's especially so because they would postpone until the second year the discipline from which they would give themselves a bye in the first. No procedural fix can take the place of political will.

Mr. STEARNS. Mr. Chairman. I rise in support of the biennial budget amendment being offered by Mr. DREIER.

I became an original cosponsor of the biennial budget resolution because I want to see our budget process improved. As we all know, the budget process often results in gridlock. In the past we have witnessed train wrecks, government shutdowns, and continuing resolutions.

Although establishing spending levels in Washington will always be contentious, there is strong agreement on adopting a two-year, or biennial, budget process. President Clinton, Senate Majority Leader TRENT LOTT, and other congressional leaders have endorsed this streamlined system.

Under a biennial budget the President would submit a two-year budget resolution during the first session of Congress.

Congress then would consider and pass 13 two-year appropriation bills for the President's signature. The second session of Congress would be devoted to overseeing government programs, considering authorization bills, and working on other legislative priorities. Imagine, members of the House and Senate carefully considering legislative proposals and addressing major issues and emergencies at a deliberate and reasoned pace.

The annual budget process has become a tool of political theatrics yielding poor policies. By adopting a biennial budget spending, decisions would be made in the year prior to an election year, putting policy ahead of politics.

Annual budgeting also encourages using accounting gimmickry and wishful thinking. Lawmakers frequently adopt budgets with ambitious out-year spending restrictions; restrictions that rarely materialize. It is easy to promise to make tough decisions next year, beyond the reach of the current budget. Biennial budgeting doubles the period for specific spending levels and holds decision makers more accountable.

Since 1950, Congress has only twice met the fiscal year deadline for completion of all 13 individual appropriation bills. A two-year budget cycle will introduce greater stability to the funding process, decrease political manipulation of federal spending, and enhance the efficiency of Congress and federal agencies. It would also increase the public's confidence in the ability of the federal government to manage its responsibilities. That is the mark of good government.

Adoption of a biennial budget makes sense because it would be an important improvement to our budget process.

Mr. HORN. Mr. Chairman, I rise in support of Representative DREIER's two-year budget amendment. This amendment would create a two-year budget cycle which would save both time and money. That cycle would enable Congress to increase its oversight of Federal programs and Federal spending.

That is long overdue!

Of the functions, we do well when we engage in law making and helping our constituents who have had difficulties with a complicated bureaucracy.

We all know that we do not do enough to regularly examine how the executive branch implements our laws.

Why don't we do a better job of oversight? For one reason is a lack of time in which to do it. Another reason is that our staffs want to develop policy. It is glamorous. The media also enjoys policy, not the hard work.

The really difficult work is to spend weeks and months of going over a lot of paper and interviews with civil servants and clients. In 1994 we put the government performance and results act in the public laws of our nation.

Those of us on Government Reform have urged our colleagues to meet with their political counter-parts in the Executive Branch—the Cabinet Secretary, the Agency Administrator, the Deputy Secretary, the Deputy Administrator, or the various Assistant Secretaries. We need the dialogue between the principal agents of the President's administration and those of us who have been elected by the people.

As we know, the Results Act is off to a very slow start. The General Accounting Office report on Federal agencies' 1999 performance plans found that only 14 of 35 agencies defined a relationship between their program activities and their performance goals. Few agencies explained how they would use their funding to achieve those goals.

Sustained congressional oversight is essential. Congressional appropriators and authorizers are in the best position to provide that oversight. But they must have the time in which to do so. Congress must demand accurate and timely program performance data from the Federal departments and agencies.

That objective will require agency leadership that is strong committed to implementing all phases of the Government Performance and Results Act.

It will require the Office of Management and Budget to require agencies to justify their funding requests by linking them to the agency's program results.

Finally, it will require greater congressional scrutiny to ensure that the job gets done.

It is time for two year budgeting, and it is time to start linking Government spending with the results of that spending.

I strongly urge my colleague to support the Drier amendment.

Ms. MCCARTHY of Missouri. Mr. Chairman, today we have a historic opportunity to fundamentally change the way we do business in Congress. Implementing biennial budgeting will insert new efficiencies and programmatic oversight into the budget process, provide agencies with more decisionmaking stability with which to plan for future needs, and allow the Congress more time to consider policy matters critical to the citizens.

As is often the case with important policy decisions, Congress can benefit from the experiences of the States. My State of Missouri is among the 23 States that have implemented biennial budgeting. Missouri began using a mixed biennial budget process several years ago (1994–1995 biennium).

The day-to-day operations of the State continue to be authorized on a yearly basis, but our capital improvements budget—about \$700 million—operates on a biennium to aid in planning major capital investments and to increase agency oversight.

As with the Missouri experience, a Federal biennial budget will improve both our fiscal and programmatic management, and enable us to become more efficient and more productive. This works in my State; I am here today to say it can also work at the Federal level.

Improvement is vitally needed at the Federal level. Only twice in the past quarter-century has Congress completed action on all 13 appropriations bills by the start of the new fiscal year on October 1.

Since my election to the House of Representatives in 1994, Congress has never gotten all of its budgeting responsibilities completed on time.

In 1995, our inability to act forced a government shut down at the end of the year. In 1996, Congress didn't pass the Budget Resolution until mid-summer and barely completed all of the appropriations bills prior to the fiscal year deadline. In 1997, we didn't bother to pass a Budget Resolution at all.

For the past two years we have only been able to complete work on the annual funding bills by passing an omnibus appropriations bill with less than 24 hours to review a multi-agency appropriation bill containing critically important program funding.

This is no way to allocate precious taxpayer dollars or to do our critically important oversight duties such as finding ways to expand enrollment in Head Start, working in a bipartisan fashion to provide safe streets and schools for our children, identifying strategies to extend the solvency of the Social Security Trust Fund, or debating how we can provide quality health care to all Americans.

Let us take an important step today toward truly reforming how we do our nation's business and adopt biennial budgeting. Biennial budgeting does not eliminate our responsibility to make the difficult choices among spending priorities nor with it cure all the problems within the budget process, but biennial budgeting is a step in the right direction.

I strongly urge the House to adopt my distinguished colleague's amendment to H.R. 853 to establish a biennial budget process, so we can begin a new millennium with a renewed emphasis on cooperation, results, and efficiency.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. DREIER).

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

RECORDED VOTE

Mr. DREIER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 201, noes 217, not voting 17, as follows:

[Roll No. 186]

AYES—201

Archer	Camp	Foley
Armey	Canady	Fossella
Bachus	Cannon	Fowler
Baker	Castle	Franks (NJ)
Ballenger	Chabot	Galleghy
Barr	Chambliss	Ganske
Barrett (NE)	Clement	Gekas
Bartlett	Coble	Gibbons
Barton	Coburn	Gilchrest
Bass	Combest	Gillmor
Bateman	Condit	Gilman
Bereuter	Cook	Goode
Biggett	Cooksey	Goodlatte
Bilbray	Crane	Goodling
Bilirakis	Cubin	Goss
Bliley	Davis (VA)	Graham
Blunt	Deal	Granger
Boehkert	DeFazio	Green (WI)
Boehner	DeLay	Greenwood
Bono	DeMint	Gutknecht
Boucher	Diaz-Balart	Hall (OH)
Brady (TX)	Doggett	Hall (TX)
Bryant	Dreier	Hansen
Burr	Dunn	Hastert
Burton	Ehlers	Hastings (WA)
Buyer	Ehrlich	Hayworth
Callahan	English	Hefley
Calvert	Ewing	Hergert

Hilleary	Minge	Shadegg
Hoekstra	Moran (KS)	Shaw
Horn	Morella	Shays
Hostettler	Myrick	Shimkus
Houghton	Napolitano	Simpson
Hulshof	Nethercutt	Sisisky
Hutchinson	Ney	Smith (NJ)
Hyde	Northup	Smith (TX)
Inslee	Norwood	Smith (WA)
Isakson	Ose	Souder
Jenkins	Oxley	Stearns
Johnson (CT)	Pease	Stump
Johnson, Sam	Peterson (PA)	Sununu
Jones (NC)	Pickering	Sweeney
Kind (WI)	Pitts	Talent
King (NY)	Porter	Tancredo
Klecza	Portman	Tanner
Kolbe	Pryce (OH)	Tauscher
Kuykendall	Quinn	Tauzin
LaHood	Radanovich	Terry
Latham	Ramstad	Thomas
LaTourette	Regula	Thompson (CA)
Lazio	Reynolds	Thornberry
Leach	Riley	Thune
Linder	Roemer	Tiahrt
LoBiondo	Rogan	Toomey
Lucas (OK)	Rohrabacher	Upton
Luther	Ros-Lehtinen	Vento
Martinez	Roukema	Vitter
McCarthy (MO)	Royce	Walden
McCrery	Ryan (WI)	Wamp
McHugh	Ryun (KS)	Watts (OK)
McInnis	Salmon	Weldon (FL)
McKeon	Sandin	Weldon (PA)
Meehan	Sanford	Weller
Metcalfe	Scarborough	Whitfield
Mica	Schaffer	Wilson
Miller (FL)	Sensenbrenner	Young (AK)
Miller, Gary	Sessions	Young (FL)

NOES—217

Abercrombie	Edwards	Lee
Aderholt	Emerson	Levin
Allen	Eshoo	Lewis (CA)
Andrews	Etheridge	Lewis (GA)
Baca	Evans	Lewis (KY)
Baird	Everett	Lipinski
Baldacci	Farr	Lofgren
Baldwin	Fattah	Lucas (KY)
Barcia	Filner	Maloney (CT)
Barrett (WI)	Fletcher	Manzullo
Becerra	Forbes	Markey
Bentsen	Ford	Mascara
Berkley	Frank (MA)	Matsui
Berman	Frelinghuysen	McCarthy (NY)
Berry	Frost	McDermott
Bishop	Gejdenson	McGovern
Blagojevich	Gephardt	McIntyre
Blumenauer	Gonzalez	McKinney
Bonilla	Gordon	Meek (FL)
Bonior	Green (TX)	Menendez
Borski	Gutierrez	Millender
Boswell	Hastings (FL)	McDonald
Boyd	Hayes	Miller, George
Brady (PA)	Hill (IN)	Mink
Brown (FL)	Hill (MT)	Moakley
Brown (OH)	Hilliard	Mollohan
Capps	Hinchee	Moore
Capuano	Hinojosa	Moran (VA)
Cardin	Hobson	Murtha
Carson	Hoefel	Neal
Chenoweth-Hage	Holden	Nussle
Clay	Holt	Oberstar
Clayton	Hooley	Obey
Clyburn	Hoyer	Olver
Collins	Hunter	Ortiz
Conyers	Istook	Packard
Costello	Jackson (IL)	Pallone
Cox	Jackson-Lee	Pascrell
Coyne	(TX)	Pastor
Cramer	Jefferson	Paul
Crowley	John	Payne
Cummings	Johnson, E. B.	Pelosi
Cunningham	Jones (OH)	Peterson (MN)
Danner	Kanjorski	Petri
Davis (FL)	Kaptur	Phelps
Davis (IL)	Kasich	Pickett
DeGette	Kelly	Pommo
Delahunt	Kennedy	Pomeroy
DeLauro	Kildee	Price (NC)
Deutsch	Kilpatrick	Rahall
Dicks	Kingston	Reyes
Dingell	Klink	Rivers
Dixon	Knollenberg	Rodriguez
Dooly	Kucinich	Rogers
Doolittle	LaFalce	Rothman
Doyle	Lampson	Roybal-Allard
Duncan	Lantos	Rush
	Larson	Sabo

Sanchez	Spence	Visclosky
Sanders	Spratt	Walsh
Sawyer	Stabenow	Waters
Saxton	Stark	Watkins
Schakowsky	Stenholm	Watt (NC)
Scott	Strickland	Waxman
Sherman	Taylor (MS)	Weiner
Sherwood	Taylor (NC)	Wexler
Shows	Thompson (MS)	Weygand
Shuster	Tierney	Wicker
Skeen	Towns	Wise
Skelton	Trafficant	Wolf
Slaughter	Turner	Woolsey
Smith (MI)	Udall (CO)	Wu
Snyder	Velazquez	Wynn

NOT VOTING—17

Ackerman	McCollum	Rangel
Campbell	McIntosh	Serrano
Engel	McNulty	Stupak
Largent	Meeks (NY)	Thurman
Lowey	Nadler	Udall (NM)
Maloney (NY)	Owens	

□ 1721

Ms. SANCHEZ, Mr. EVERETT and Mr. FORD changed their vote from "aye" to "no."

Messrs. PITTS, BLILEY and SWEENEY changed their vote from "no" to "aye." So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 106-613.

AMENDMENT NO. 2 OFFERED BY MR. GEKAS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. GEKAS:

At the end of title VI, add the following new subtitle:

Subtitle C—Automatic Continuing Resolution
SEC. 631. AUTOMATIC CONTINUING RESOLUTION.

(a) AMENDMENT TO TITLE 31.—Chapter 13 of title 31, United States Code, is amended by inserting after section 1310 the following new section:

“§ 1311. Continuing appropriations

“(a)(1) If any regular appropriation bill for a fiscal year does not become law prior to the beginning of such fiscal year and a joint resolution making continuing appropriations (other than pursuant to this subsection) is not in effect, there is appropriated, out of any moneys in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, such sums as may be necessary to continue any program, project, or activity for which funds were provided in the preceding fiscal year—

“(A) in the corresponding regular appropriation Act for such preceding fiscal year; or

“(B) if the corresponding regular appropriation bill for such preceding fiscal year did not become law, then in a joint resolution making continuing appropriations for such preceding fiscal year.

“(2)(A) Except as provided by subparagraphs (B), (C), and (D), appropriations and funds made available, and authority granted, for a program, project, or activity for any fiscal year pursuant to this section shall be at a rate of operations not in excess of the rate of operations provided for in the regular appropriation Act providing for such program, project, or activity for the preceding fiscal year, or in the absence of such an Act, the rate of operations provided for such program, project, or activity pursuant to a joint resolution making continuing appropriations for such preceding fiscal year.

“(B) The applicable rate of operations for a program, project, or activity for any fiscal year pursuant to this section shall exclude amounts—

“(i) for which any adjustment was made under section 251(b)(2)(A) or section 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985 before the date of enactment of this section;

“(ii) provided for emergencies for which an exemption from section 251 or 252 of such Act is granted under section 317(c) of the Congressional Budget Act of 1974; or

“(iii) for which any adjustment is made under section 251(b)(2) (C) or (D) of such Act.

“(C) The applicable rate of operations for a program, project, or activity for any fiscal year pursuant to this section shall include amounts provided and rescinded for such program, project, or activity in any supplemental or special appropriations Act and in any rescission bill for that year that is enacted into law.

“(D) The applicable rate of operations for a program, project, or activity for any fiscal year pursuant to this section shall be reduced by the amount of budgetary resources cancelled in any such program, project, or activity resulting from the prior year's sequestration under section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 as published in OMB's final sequestration report for the prior fiscal year.

“(3) Appropriations and funds made available, and authority granted, for any fiscal year pursuant to this section for a program, project, or activity shall be available for the period beginning with the first day of a lapse in appropriations and ending with the earlier of—

“(A) the date on which the applicable regular appropriation bill for such fiscal year becomes law (whether or not such law provides for such program, project, or activity) or a continuing resolution making appropriations becomes law, as the case may be, or

“(B) the last day of such fiscal year.

“(b) An appropriation or funds made available, or authority granted, for a program, project, or activity for any fiscal year pursuant to this section shall be subject to the terms and conditions imposed with respect to the appropriation made or funds made available for the preceding fiscal year, or authority granted for such program, project, or activity under current law.

“(c) Appropriations and funds made available, and authority granted, for any program, project, or activity for any fiscal year pursuant to this section shall cover all obligations or expenditures incurred for such program, project, or activity during the portion of such fiscal year for which this section applies to such program, project, or activity.

“(d) Expenditures made for a program, project, or activity for any fiscal year pursuant to this section shall be charged to the applicable appropriation, fund, or authorization whenever a regular appropriation bill or a joint resolution making continuing appropriations until the end of a fiscal year providing for such program, project, or activity for such period becomes law.

“(e) This section shall not apply to a program, project, or activity during a fiscal year if any other provision of law (other than an authorization of appropriations)—

“(1) makes an appropriation, makes funds available, or grants authority for such program, project, or activity to continue for such period, or

“(2) specifically provides that no appropriation shall be made, no funds shall be made available, or no authority shall be granted for such program, project, or activity to continue for such period; or

“(f) For purposes of this section, the term ‘regular appropriation bill’ means any an-

nual appropriation bill making appropriations, otherwise making funds available, or granting authority, for any of the following categories of programs, projects, and activities:

“(1) Agriculture, rural development, and related agencies programs.

“(2) The Departments of Commerce, Justice, and State, the judiciary, and related agencies.

“(3) The Department of Defense.

“(4) The government of the District of Columbia and other activities chargeable in whole or in part against the revenues of the District.

“(5) The Departments of Labor, Health and Human Services, and Education, and related agencies.

“(6) The Department of Housing and Urban Development, and sundry independent agencies, boards, commissions, corporations, and offices.

“(7) Energy and water development.

“(8) Foreign assistance and related programs.

“(9) The Department of the Interior and related agencies.

“(10) Military construction.

“(11) The Department of Transportation and related agencies.

“(12) The Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies.

“(13) The legislative branch.”

(b) CONFORMING AMENDMENT.—Section 202(e)(3) of the Congressional Budget Act of 1974 is amended by inserting “and on or before September 30” before “of each year”.

(c) CHAPTER ANALYSIS.—The analysis of chapter 13 of title 31, United States Code, is amended by inserting after the item relating to section 1310 the following new item:

“1311. Continuing appropriations.”

(d) EFFECT OF AMENDMENTS.—Nothing in the amendments made by this section shall be construed to affect Government obligations mandated by other law, including obligations with respect to social security, medicare, and medicaid.

The CHAIRMAN. Pursuant to House Resolution 499, the gentleman from Pennsylvania (Mr. GEKAS) and a Member opposed each will control 20 minute.

Mr. YOUNG of Florida. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from Florida (Mr. YOUNG) will be recognized for 20 minutes in opposition to the amendment.

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

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

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

Mr. Chairman, the amendment which we are about to consider is one that we have proposed several times over the last decade, and each year it becomes more important and more salient to the process which we are debating here today, namely, how can we prepare and devise a suitable budget for the people of the United States without the fear of or actual causing of a shutdown of government?

Let me take you back to December of 1990, because it is important to recognize and for the American people to realize what the nature of this debate is.

In that month, you will recall, half a million of our fellow Americans, young people serving in the Armed Forces, were in the deserts of Saudi Arabia, musket in hand, ready to do battle to rescue Kuwait from the Iraqi conquest.

While they were poised, ready to do battle, guess what? The government of the United States shut down. It shut down, and, for all intents and purposes, then the man in uniform, the woman in uniform, was a man without a country, a woman without a country, because the Congress did not have the negotiating ability or brain power to put together a budget to forestall this shutdown of government.

Now, that is the worst example. Since then we have had several shutdowns or threats of shutdown. The most notable one, of course, was in 1995 when the Clinton strategy and the Gingrich strategy collided in such a way that we had a colossal shutdown of government.

What I am asking here today is for us to adopt the amendment which would call for an instant replay on October 1, the first day of the new fiscal year, an instant replay of last year's budget for all those appropriations bills not completed by September 30.

□ 1730

That means that there will never be a shutdown and that the negotiators and the appropriators, like our good friend the gentleman from Florida (Mr. YOUNG), who does a superb job, is not robbed of one iota of his power in the appropriation or his ability to negotiate and to deal with the problems of fashioning a budget, and we would be in a position to proceed with the level of government without interruption.

That is the force and effect of my amendment. Ask the Federal employees and the people who have to run the Federal bureaucracy, the Social Security Administration, the Pentagon, what the people of the United States expect. Like the Smithsonian Institute to stay open for tourism in Washington, do they not have a right to expect that, as the bottom line, government services to be available at all times? Yet we would shut down not just our 500,000 men and women in Saudi Arabia but the Smithsonian Institute as well for the rationale that is employed in the bickering between the White House and the Congress.

I am saying what we want to put in place today is not for this Congress, not for this President. All those who are blindly loyal to the President, this President, or those who are blindly hostile to the President, have to set all of that aside because we are talking about the future budget process for the next Congress and for the next President, not for us who went through these shutdowns and who do not fully understand how it occurred in the first place.

So what we are talking about is good government, better government, for the future. The gentleman from Flor-

ida (Mr. YOUNG) wants a staunch, workable system. I know he does, but he opposes this, I learned from a wonderful letter that he sent to me about his rationale, because in his way of looking at things he, as an appropriator, is robbed of the power to negotiate and to bring about an orderly process, as he sees it, of a budget for the year.

I say the reverse is true. If we can have the instant replay on October 1, with no shutdown, a smooth transition into the new fiscal year, he has more power than ever as an appropriator to be able to put all the pieces together for a new budget and all the time unpressured by emergencies and unpressured by special interests that always have a hand in that mammoth last budget that all of us are forced to support because there is nothing else before us except the threat of a shutdown in government.

I implore my colleagues to vote in favor of the Gekas amendment.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. KNOLLENBERG), who is a member of the Committee on Appropriations and also a member of the Committee on the Budget.

Mr. KNOLLENBERG. Mr. Chairman, I thank the gentleman from Florida (Mr. YOUNG) for yielding this time.

Mr. Chairman, I rise in total opposition to this amendment. No matter how well written an automatic CR might be, there are always special cases that must be addressed with legislation in order to maintain the continuity of operations. The census is a perfect example, as well as many research programs and construction projects, including those that are related to national defense. In practice, this prevents Congress from being able to pass a CR without any changes to any departments or programs. Because of this reality, any automatic CR will have to be supplemented with other legislation in order to work effectively and to avoid the semi-shutdown impacts across the Federal Government. Therefore, even with an automatic CR, we will be in a situation not that much different than what we currently face.

In addition, I am also concerned about the change in context under which appropriations bills are negotiated with the President. Since the individual appropriations bills would no longer be viewed as must-pass, this has the possibility of prolonging negotiations between Congress and the President.

This amendment will remove the backbone from appropriators because there will be no sense of urgency in passing appropriations bills. I understand the concerns of many of my colleagues about the effects of the threat of a government shutdown but government shutdowns can easily be avoided without an automatic CR. Prior shut-

downs have not occurred over appropriations issues but over extraneous issues. Short-term CRs written as cleanly as possible have always been signed by the President.

While I support the efforts to avoid any appropriations train wreck at the end of the year, I do not believe the automatic CR will accomplish this goal, and I urge my colleagues to oppose this amendment.

Mr. GEKAS. Mr. Chairman, I yield 2½ minutes to the gentleman from California (Mr. ROHRBACHER), a staunch supporter of our concept.

Mr. ROHRBACHER. Mr. Chairman, I rise in strong support of the amendment given us today by the gentleman from Pennsylvania (Mr. GEKAS).

Mr. Chairman, it is time for us to give up, which is the budgetary equivalent of a doom's day strategy, a nuclear weapon. It is time to repeal for all time the threat of a government shutdown. It is not a threat to us as much as it is a threat to the people of the United States. It is time for us to say that we do not have to threaten ourselves and the American people to do our job. We do not have to threaten to do something that everyone agrees is stupid, just to give ourselves enough incentive to do our job and to enact appropriation bills.

Mr. Chairman, whenever we propose to end government shutdowns, we always hear the same thing as we have heard. How can we pass appropriations bills without the threat of a government shutdown? One answer is that almost every year we somehow manage to enact one or more supplemental appropriations bills, even though we know for a fact that the government will not shut down if we pass them.

The larger question is this: Are our appropriation bills so bad that the only thing worse than passing them is the totally irrational alternative of shutting down the government?

I, for one, have more confidence in our appropriators and the appropriations process that it will work than that. Even a step towards sanity would be worthwhile. The main reason that I supported the amendment that we just debated and which failed, which provided for a 2-year budget cycle, is that it would mean that at least every other year there would be no threat of a shutdown, but if we can eliminate the threat for just half the time, which unfortunately we did not do, why should we not go all the way? Why should we not just eliminate this threat?

Let me suggest this: The American people are looking to us. There is no reason for us to threaten the American people, especially there is no reason for us to threaten government employees with the hardship and the burden of government shutdowns just to get us to do our bills. Let us work together. We have proven we can work together this year, but let us put an insurance policy in place that protects the American workers, the American people and government workers; protects them if we

are not doing our job, and let us instead insist that the job get done and not threaten the American people if we do not do it.

Mr. Chairman, I strongly support the Gekas amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. WALSH).

Mr. WALSH. Mr. Chairman, I thank the gentleman from Florida (Mr. YOUNG) for yielding me this time.

Mr. Chairman, this amendment, I think, would be a terrible mistake if we passed it. The Founding Fathers over 200 years ago put this system together, a system of checks and balances, and there are consequences to our actions and also to our inactions. The concern here is that if we fail to pass an appropriations bill or several appropriations bills, that portion of the government will not be funded. That has happened once in my 12 years here and I am told the last time it happened before that was 1986. It was not the end of the world. Did it cause some disruptions? It did. The fact of the matter is, there has to be some discipline in the system, and if we do not get our bills done on time and an automatic continuing resolution takes over, all impetus, all momentum, all consequences to not completing our budget work are lost. It is a Band-Aid approach to a very complicated, delicate balance of power that has been working for over 200 years.

This idea of a 2-year budget, the Founding Fathers rejected that. An automatic continuing resolution, I am sure they did not envision that but they would have rejected it, too. What we do here, if we put the government on automatic pilot, the pilot is the President of the United States and we, as the legislators, our job is to be independent of the executive, fiercely independent.

Now, we already had reform in a recent Congress where we passed a line item veto, where we gave power to the President and the Supreme Court said do not do that, you idiots; do not give that power to the President. That is your power; and they gave it back to us, thank God.

Now we are going to yield more power to the President by putting the government out on automatic pilot. We lose our control of the budget process and the President just runs us around. That is not what we want. We want to maintain our independence. Please defeat this bill.

Mr. GEKAS. Mr. Chairman, I yield 1 minute to the gentleman from Maryland (Mr. WYNN).

Mr. WYNN. Mr. Chairman, I thank the gentleman from Pennsylvania (Mr. GEKAS) for yielding me this time and for his leadership on this issue.

Mr. Chairman, I rise in strong support of this amendment. We need a continuing resolution, an automatic continuing resolution, for one simple reason. Pause and think a moment. We were elected to run the government,

not to stop the government, not to shut it down. The current structure we have in place, and this is no slap at the appropriators for whom I have a great deal of respect, masks two things. The current structure masks either our ineptitude, our failure to come to a reasonable agreement on budget agreements, or it masks our selfishness. The notion that our personal and perceived objectives are more important than the government of the United States, that it is more important that we get our way than it is that we have museums open, that we fund our military, that we send out Social Security checks, some people in this body think their decision-making is so important that it is worth shutting down the government. I disagree with that notion. I think that a continuing resolution maintains the status quo. If one feels that cutting the government is that important, continue the debate and negotiate. If they feel expanding government is important, continue that debate, but in the meantime do not shut down the government. I support the Gekas amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Alabama (Mr. CALLAHAN).

Mr. CALLAHAN. Mr. Chairman, there is no one in the House that I respect more than the gentleman from Pennsylvania (Mr. GEKAS). I literally have spent hours across the desk from him listening to his philosophy, sort of straining him to tell me some of the great depth of knowledge he has of the great Civil War and his process knowledge of this body.

I would say to the gentleman from Pennsylvania (Mr. GEKAS), I am here today to maybe engage in a colloquy with him to ask him some specific questions.

As the gentleman may know, my niche in Congress is chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs, and as a result it is up to me to draft a bill each year to bring to the Members to vote on how much foreign aid we are going to give. This is not a real popular position. For example, I would say to the gentleman from Pennsylvania (Mr. GEKAS), we are in the process of reducing aid to Israel, reducing Israel \$120 million a year, with an agreement with the Israeli government that this is the right direction we should go, but under the Gekas amendment, as I understand it, there would be no room for that reduction in a continuing resolution.

Israel gets all of their money the first 15 days of the fiscal year. So if indeed that is the case, under the Gekas resolution when would I be able to cut foreign aid, which is what I have been doing every single year I have been chairman?

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

Mr. CALLAHAN. I yield to the gentleman from Pennsylvania.

Mr. GEKAS. The answer is in two parts. First, when next the gentleman meets with the appropriators to sit down for the new budget he can do it but, secondly, I answer the question with a question. What does the gentleman do now if we come to the end of the fiscal year and a continuing resolution temporary for 2 weeks occurs?

Mr. CALLAHAN. Rerestrict that in the resolution. In the continuing resolution, we deny that early disbursal, and I am saying under the Gekas amendment, as I understand it, and I have great respect for the gentleman's tremendous knowledge of this process, but I am saying in my particular case we do not give foreign aid like an entitlement. We give it to countries based upon their needs.

Mr. GEKAS. My answer to the gentleman is what does he do now under a temporary CR? The same thing.

□ 1745

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

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

Mr. Chairman, I rise in strong support of the Gekas amendment to provide for an automatic continuing resolution for those appropriations bills which have not been enacted by the start of the fiscal year.

To respond to our previous distinguished speaker, our response is, get the bills done by the end of that fiscal year.

This amendment offered by the gentleman from Pennsylvania (Mr. GEKAS) responds to the American people, who are tired of watching the spectacle of a possible Federal Government shutdown because of an impasse in budget negotiations between Congress and the President.

This amendment simply prevents what all of us want to see prevented.

Mr. Chairman, there have been 17 government shutdowns since 1977. When this happens, those who bear the real burden of these national embarrassments are not Members of Congress, nor are they those in the upper echelons of the executive branch. Instead, those who pay the price are our senior citizens and our veterans, who rely on receiving their social security and benefit checks on time, and our Federal work force, who find themselves jerked around from one day to the next, sometimes even 1 hour to the next, not knowing or having any control over their only livelihoods.

Let us stop that and support this amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. BENTSEN).

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

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

Mr. Chairman, I have the greatest respect for the gentleman from Pennsylvania (Mr. GEKAS). We are co-chairs on the Biomedical Research Caucus. However, this is just a bad amendment. It is well-intentioned, but I consider this amendment to be the dumbing down of American government.

It means well that we do not want government shutdowns, but what this amendment does is it puts the government on automatic pilot. We might as well pass this and leave town and not come back, because if we have any discrepancy between the executive branch and the legislative branch, nothing will ever get done. All we will do is have automatic CRs that will go one after the other, and we will never take care of policy issues we should be addressing.

Yes, there are times when the government is shut down. We had it during the Clinton administration, we had it during the Reagan administration. Usually the power inures to the executive in that process. Nonetheless, that is how the system works. In the end, we are better off because there is that separation of powers between the branches.

I would encourage my colleagues to oppose this. When we debated this in the Committee on the Budget, I was against it. At the very least, what we should consider is something to do with the essential functions, but not 100 percent, or not a freeze at 95 percent, because we will never do anything around here. We will never make the hard decisions. That is the unintended consequences of what is otherwise a very well-meaning amendment.

I would hope that my colleagues would defeat this, because, as I said, if we pass this, we might as well shut the place down, go home, put the government on automatic pilot, and let the bureaucrats run the operation. I do not think that is what the gentleman from Pennsylvania intends.

Mr. GEKAS. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. STEARNS).

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

Mr. STEARNS. Mr. Chairman, I thank my colleague for yielding time to me.

Mr. Chairman, let us go to October 17 of this year. We are here on the weekends, and it is 3 o'clock in the morning. The President has vetoed three or four of our appropriations bills. The Republicans meet, the Democrats meet. We do not know what to do. We are trying to get together.

Sound familiar? That is what happened in 1999, what happened in 1998, what happened in 1997. What do we do? We put everything together in an omnibus appropriations bill for \$500 billion. There is not one person in this body that knew what was in that appropriations bill. We brought it all on the House floor and everybody, exhausted, votes for it.

Is that the way to run a government? That is not the way we should do it. There is so much in-fighting and partisanship near the end, particularly in an election year, that we need some failsafe method. This is what the Gekas amendment does, it fully funds 100 percent of the previous year's budget at the funding levels so we can go home and not have these omnibus appropriations bills that are so awful that all of us are embarrassed to go home after voting for them.

I urge my colleagues to think in terms of protecting their constituents, protecting the integrity of this office. If Members do not pass the Gekas amendment for this continuing level, they are corrupting the process. We need to pass this today.

Mr. Chairman, I rise today in support of the amendment being offered by Mr. GEKAS—the Automatic Continuing Resolution, or CR.

I do so because an automatic Continuing Resolution is a fail safe provisions that would automatically and fully fund the thirteen appropriations measures should any or all fail to be passed into law. In other words, we would be adding a common sense provision to this budget reform measure.

the CR is a simply and reasonable effort to protect America from the kind of partisan political battle that resulted in shutting down the government and suspending essential government services back in 1995. None of us want this to happen ever again. Passage of this amendment would ensure the uninterrupted continuation of vital services like Social Security and Veterans benefits—the CR remove politics from the appropriations process.

The CR provision is actually quite simple and generous: should any of the bills fail to become law by the end of the fiscal year, they would be funded at fully 100 percent of the previous year's funding levels. In other words, there are no cuts and no elimination of programs as a result of passage.

Today, America is not in desperate need of a dire course of action, but one never knows what the future holds. For the good of our country and the peace of mind of her citizens, we should pass into law this common sense insurance mechanism.

As an original cosponsor of this legislation and a long-time supporter of the sentiments behind the CR, I urge my colleagues to vote in favor of this worthy amendment. I also call upon the president to reconsider his position on this issue for the long-term good of the entire country.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. LEWIS), the distinguished chairman of the Subcommittee on Defense of the Committee on Appropriations.

Mr. LEWIS of California. Mr. Chairman, I very much appreciate the gentleman yielding time to me, and rise in strong opposition to the amendment offered by my colleague, the gentleman from Pennsylvania (Mr. GEKAS).

It is with some hesitancy that I do so, but he and I had talked more than once about the fact that the Founding Fathers designed this system almost to stimulate confrontation. The body is made up of two parties, and the debate

that takes place between the two parties oftentimes is the healthiest part of the work that we do around here. Sometimes we have a Democratic Congress and a Republican president, and vice versa. Indeed, that dialogue and exchange is very healthy for the process.

The automatic continuing resolution presumes that we cannot get our work done without some way of avoiding that confrontation. Nothing could be worse for our government than that. If we had an automatic continuing resolution in place, there are some pretty dramatic things that could happen in the months ahead. Let me illustrate that point.

The presumption here is that in the 00 year, everything was fine with certain kinds of programming, so we do not need increases for the 01 year. Let me suggest that if the proposal of the gentleman from Pennsylvania were in place, this is what would occur in the defense arena, the area that I have responsibility for appropriating about.

The 01 bill provides for \$19.6 billion for national security above last year's bill. In specific categories, the military would be dramatically impacted by this proposal if it were in place. For example, for military personnel, those people we wanted so desperately to help last year, we would lose \$2 billion; for operations and maintenance, there would be a reduction of \$5.2 billion; for procurement, very important assets for the military, \$8.6 billion. The problem goes on and on.

I would suggest very, very strongly that the Gekas amendment, while carefully thought out by the author, is not what we need in this legislation. Indeed, with this amendment, I would urge all of my colleagues to vote no on the entire bill.

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

Mr. LEWIS of California. I yield to the gentleman from Pennsylvania.

Mr. GEKAS. Mr. Chairman, if we came to the end of a cycle, thinking about those expenditures that the gentleman is talking about for the Pentagon, and we did not have a budget for the military, would the gentleman vote for a temporary CR for 30 days or 45 days? The answer is yes, the gentleman would, and he would be under the same constraints then in not being able to spend.

Mr. LEWIS of California. Taking back my time, the fact is that short-term clean CRs have worked from time to time. It is when we get in confrontations between the administration or between parties that often the process falls apart.

Therefore, I strongly urge my colleagues to oppose this amendment, and if it should pass, to oppose the bill.

Mr. GEKAS. Mr. Chairman, I yield 1 minute to the gentleman from Iowa (Mr. NUSSLE), the author of the overall budget reform system that we are debating generally.

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

Mr. Chairman, I am amazed to hear the debate today, so much discussion about personal and individual power, committee jurisdiction, prerogative, the need to put discipline into a system.

Mr. Chairman, this is not about us, this is about America; We, the people. People come from around the world to see how 260 million people govern a Nation. They do not come here to see how much power the chairman of the Committee on Resources has, they come here to see how it works.

What they cannot believe and what I cannot believe, and what my constituents in Iowa cannot believe, is that if in fact we do come to impasse, that they should be so affected by a government shutdown that everything has to stop because a couple of chairmen, a couple of powerful chairmen, rightfully have an argument, rightfully have a disagreement, and cannot come to an agreement. Therefore, everything has to suffer, everything has to shut down.

The beauty of America is that we have been able to for more than 200 years talk about the power of the people of this country, not individual power of Members of Congress. Let us pass this amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the gentleman from South Carolina (Mr. SPRATT), the distinguished ranking member of the Committee on the Budget.

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

Mr. SPRATT. Mr. Chairman, this amendment is not necessary. It is not necessary as long as we keep our institutional memory and remember what happened among the public the last time we shut the government down. That ought to be impetus enough to get the job done, get the bills passed, and use temporary CRs to breach the gap until we do.

It is not necessary and it is not useful, either. For one thing, it is not good for the institutions, in my opinion. It takes away all incentive for us to enact 13 appropriation bills on time, on schedule, by regular order. It is hard enough for us to do that now. If we pass the CR, it is no sweat, we do not have to get the job done. The automatic CR provision would be there to put \$600 billion of spending on automatic pilot. We could not do our job with impunity.

It is not good budget policy. What this effectively does is turn all existing discretionary appropriations into capped entitlements at this year's rate, because unless they are cut by a majority vote, they remain in effect. This backstops existing spending. It takes away all pressure for us to compromise.

Having said that, I do not think we can begin to imagine all of the possibilities of games playing with the budget if this is adopted, not necessarily in this body, although I am sure we are up to it, but in the other

body, where they have the power of filibuster. A minority of the Senate, by filibuster, can prevent the enactment of regular appropriation bills and leave the program funding levels at the capped entitlement level in the automatic CR.

The President with his veto has all the more power now, if we pass this bill, because he can veto with impunity. He does not have to worry about the government keeping going because the automatic CR will fill the gap.

We do not need any of these factors overhanging the budget process. This amendment solves very little and it raises all sorts of problems. It should be defeated.

Mr. GEKAS. Mr. Chairman, it now gives me personal pleasure to yield 1 minute to my colleague, the gentleman from Pennsylvania (Mr. TOOMEY).

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

Mr. Chairman, I rise in strong support of this amendment. Every year, at the end of the appropriation process, we end up facing the shutdown showdown. Congress and the President disagree on the spending level, and when a stalemate occurs, the threat of a disruptive, costly, irresponsible government shutdown looms ominously over the negotiations.

Who wins those negotiations? The winner is whichever side can blame the other for the shutdown. The politics of who will win and who will get to blame the other side for the shutdown determines the winner. That is no way to run the government.

The gentleman from Pennsylvania (Mr. GEKAS) has a good commonsense solution that says, keep the government running, keep spending bills in dispute constant at the previous year's level. One of the best things about this approach is, as we have heard today, nobody likes freezing things at last year's level. No one likes it. I do not like a freeze, I would like to see lower spending. Others do not like a freeze, they want to see higher spending. The appropriators do not like the freeze, they want to play the role allocated to them of allocating the spending.

The good result of that is that if the Gekas amendment becomes law, there is plenty of pressure from all sides to reach a reasonable compromise, much more likely to be based on policy matters and less likely to be driven by the politics of a shutdown.

I urge a yes vote on this amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the distinguished chairman of the Subcommittee on Commerce, Justice, State, and Judiciary, the gentleman from Kentucky (Mr. ROGERS).

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

Mr. Chairman, the passage of this amendment would be an admission by the Members of this body that we cannot do the job our people elected us to do.

We were elected by our constituents, all of us, to come here and pass on

spending and funding the Federal government. Passing this amendment would say, no, we are going to put things on automatic pilot. We do not have the capacity or the ability to pass on individual spending bills. I think that would be a dereliction of our duties.

We would take away the automatic period at the end of the sentence, the October 1 deadline, and therefore these appropriations bills are not must-pass pieces of legislation. We would extend the appropriating process, rather than bring it to a successful conclusion.

Number two, passage of this amendment would put a premium on people opposing and stonewalling and causing inaction. Those who would want to increase spending or those who want to avoid a funding cut for a program or a bill would be automatically strengthened by the existence of the automatic continuing resolution, saying, if we do nothing, the status quo prevails.

□ 1800

Most Members of this body want some change in the status quo, either up or down. Automatic continuing resolution would take away the incentive to make something happen by a deadline. If we remove the deadline of October 1, then I predict nothing will take place. The government will be on automatic pilot. We would have, as the gentleman from South Carolina (Mr. SPRATT) says, capped entitlements. Every program would stay just exactly like it is year in and year out because there would not be the ability in this body to muster a majority of votes to overcome that incentive to do nothing and to cause some change.

So I would hope that the body would reject this amendment by a very large margin because I think the people that elected us sent us here to decide how we spend their Federal tax dollars, not to sit by on automatic pilot and say I am helpless, I cannot do anything.

I think my colleagues are elected to do something. I think they were elected to represent their constituents in deciding how their taxes were spent. If my colleagues adopt this amendment, they are saying to their folks back home, I cannot affect the process. I am putting it on automatic pilot.

Mr. Chairman, I urge a rejection of the amendment.

Mr. GEKAS. Mr. Chairman, I yield 1½ minutes to the gentleman from Arizona (Mr. SHADEGG).

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

Mr. SHADEGG. Mr. Chairman, I rise in strong support of the Gekas amendment. Each year, this Congress is faced with a government shutdown. Indeed, as an earlier speaker noted, there have been 17 government shutdowns since 1977. The last speaker made a point that it would be an admission that somehow this would reflect badly on this body.

I want to echo what was said earlier by one of my colleagues from Iowa.

This is not about us. I have great respect for the Committee on Appropriations. They work very hard at doing their job. They sort out the priorities and do it very, very well.

But this is not about us. This is about the American people. Quite simply, the American people deserve better. They deserve to know that, if this Congress, working with the President, cannot come to an agreement, the government will not shut down. They deserve to know that they will not become the innocent victims of our inability to reach an agreement.

Let me ask a simple question. I would make the point that if my wife and I could not come to an agreement on our family budget, would we stop feeding our children? Would we stop paying our light bill? Would we stop paying our mortgage? The answer is no, obviously we would not.

Indeed, this is a reasonable proposal, and the notion that the budget would go on auto pilot and nothing would happen is ridiculous. What would happen is that we would debate the spending bills as we should debate them, on the merits in them, without a gun at our head and being forced to say we must reach agreement by a certain deadline or we will hurt innocent people. The notion of hurting innocent people should not be a part of this debate. What should be a part of it is responsible government.

Mr. Chairman, I urge support for the Gekas amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Pennsylvania (Mr. MURTHA).

Mr. MURTHA. Mr. Chairman, I worry that the Members believe that there is some easy way to solve these problems. The reason we do not come to a conclusion is because there are legitimate differences between Members, between parties when we are trying to solve them.

Certainly a continuing resolution that is automatic does not solve it. It just puts it off and puts it off again and puts it off again. It is a way for us to find a deadline to solve the problem.

I am talking about the practical results of how we legislate. If we face a deadline, we solve the problem. If we do not, it goes on and on. I have seen it happen for years. I have seen us come up to a deadline and finally pass the legislation.

If my colleagues pass something like this, they may never get the legislation that they want. So they are making a tactical mistake when they try to pass something and think they are going to solve the problem.

I understand the concern of the gentleman from Pennsylvania (Mr. GEKAS), but that does not answer the concern. It does not solve the problem. Every time we run into a conflict and there is no deadline, we just put it off. That is the nature of the legislative business.

So I say to the Members, we make a serious mistake if we think there is

some easy way to solve this kind of a problem. Our continuing resolutions allow us to solve the problem.

I remember President Reagan getting up and saying, I will never sign another continuing resolution the rest of my career. Well, I do not remember whether he did or did not, but the point was that was a way of solving the problem. He put the continuing resolution on the desk, and he said, this is 2 feet high, and we should not pass something like this. Well, that got us to the culmination of the session and got us through to the next year.

There are all kinds of ways to avoid it. I am sure if we pass something like this, all we will do is eliminate the deadline, eliminate the possibility of solving the problem.

So I would urge the Members to vote against this amendment that is very damaging to our process.

Mr. GEKAS. Mr. Chairman, how much time is remaining, may I ask?

The CHAIRMAN pro tempore (Mr. LATOURETTE). The gentleman from Pennsylvania (Mr. GEKAS) has 5½ minutes remaining. The gentleman from Florida (Mr. YOUNG) has 3 minutes remaining.

Mr. GEKAS. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. COX).

Mr. COX. Mr. Chairman, I thank the gentleman from Pennsylvania (Chairman GEKAS) for yielding me this time.

I am pleased to rise in support of the Gekas amendment, which will provide a sustaining mechanism so that whatever conflicts and debates might arise between the branches, between the executive branch and the legislative branch, during our annual exercise of allocating our national resources, we will not suffer needless brinkmanship exercises, we will not have budgetary games of chicken, and we will not have wasteful government shutdowns.

In 1986, the Federal Government shutdown, I was working in the White House for President Reagan at the time. That prompted President Reagan to observe that the 1974 Budget Act, which establishes our current budget process was badly flawed. He proposed budget reform legislation which is essentially the Nussle-Cardin bill that we are getting to vote on today.

The only difference between what President Reagan then proposed and the base text that we have on the floor today is that we lack a sustaining mechanism in the base text. That is what the Gekas amendment provides.

I urge my colleagues to vote aye.

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

Mr. Chairman, I wanted to say to all of those who opposed the amendment on the floor, particularly the ones on our side of the aisle, on the Republican side, that I was elated a few years back when this same proposition came up in the midst of the debate on disaster relief. I was overjoyed when I saw that the gentleman from Florida (Chairman YOUNG) and the gentleman from Ken-

tucky (Mr. ROGERS), others who oppose this legislation, voted in favor of the Gekas amendment of that era. The rationale was exactly the same, and the prospects were exactly the same, and the result would have been exactly the same.

It would have been in operation today had the President not vetoed it. It is the fault of the President that we do not have a continuing resolution, an instant replay concept like the one we are proposing here today. He vetoed the disaster relief program that contained the Gekas amendment of that era.

Now, what I am imploring the Members to consider is to replicate that which was said by the gentleman from Maryland (Mr. WYNN) and the gentleman from Iowa (Mr. NUSSLE) that this is not about this Congress and the makeup of the personalities and egos of this Congress. The gentleman from Florida (Mr. YOUNG) and I are going to be friends way beyond our service in the Congress. But both of us can look back, I would presume, to say that we put some mechanism into play as incumbent legislators for the good of the future of our government, the future of our system, the bolstering of our Constitution.

How anyone can say that it would be automatic pilot has to forget the fact that, when we vote for this amendment, we are saying that is what we want for the American people.

We want a continuing automatic transition until the appropriators can work out a budget. I want this bill to pass, not for me or for the gentleman from Florida (Mr. YOUNG), but I want it to pass for the future Congresses of the United States, long after we are gone, to put something stable and something of which we can be proud to know that, forever and ever, never again will the government of the United States shut down, and particularly will that never occur again when we are poised for some emergency action and then become toothless in the face of the inability of the Members of Congress to come to an agreement.

Let us support the Gekas amendment.

Mr. Chairman, today is a great day for the American people. Soon the House will be voting to approve a measure of which all Americans can embrace and be proud—the "Government Shutdown Prevention Act."

Mr. Chairman, unfortunately, the image of government shutdowns from the 104th Congress remains etched in the mind of the American citizen as shameful—and unnecessary—incidents in our nation's history. As taxpayers, they were incensed that the government would choose not to perform its essential duties. As statesmen, we were all embarrassed to have forsaken our obligations to the American people. While the Republican Congress was blamed for the shutdowns, I believe we were all responsible for this disgraceful exhibition of failed governance: the House, the Senate, Republicans, Democrats, and the President.

Before us today is a message to the American people. An affirmation, if you will, in the

form of an amendment which states that we, the Congress, will not forsake the American people's trust to deliver essential government services and allow for another shameful government shutdown in this fiscal cycle. We will achieve this by voting for my amendment to provide 100 percent of a Fiscal Year's spending levels to continue through the end of the next Fiscal Year, in the absence of a regularly passed appropriations bill or a continuing resolution.

Since my election to the House of Representatives in 1982, I have witnessed eight government shutdowns. The worst of which occurred when our soldiers were poised for battle in the Persian Gulf. It was at this time that I introduced my first government shutdown prevention bill, what I referred to as an "instant replay" mechanism. At the time, I knew I was facing an uphill battle in a long war. After all, the threat of a shutdown is one of the most effective weapons in the arsenal of legislative politics.

However, I remained vigilant with the image in my mind of our fighting men and women ready to sacrifice their lives as they stood poised for Operation Desert Storm without an operating government for which to fight. I pledged never to let that happen again. Today, I and others proudly stand ready to fulfill that pledge as the House prepares to vote on the Government Shutdown Prevention Act Amendment now before us, so that we can send a clear message to the American people that we will no longer allow them to be pawns in budget disputes between Congress and the White House.

Mr. Chairman, without question, we should have enacted the Shutdown Prevention Act years ago. But we did not. So let us restore the public's faith in its leaders by showing that we have learned from our mistakes by enacting this budget reform. I ask for its adoption and urge all members, Republican and Democrat, to vote for its passage, and especially urge the President to support this "good government" reform measure.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, I want to agree with the gentleman from Pennsylvania (Mr. GEKAS). We are friends. I would say to the gentleman from Pennsylvania (Mr. GEKAS), we live and learn. He referred to how I might have voted on an earlier Gekas amendment, but the situation was considerably different then than it is now.

But I have a great difference with the gentleman from Pennsylvania (Mr. GEKAS), as he said this is what the American people want. They want the status quo. Well, I do not believe that. The reason I do not believe that is that every Member in this House was elected by about the same number of people to represent that district and to do what is right for the country. That is where the people speak.

Now, let me tell my colleagues how the people have spoken in just this year alone. What I am holding here is a stack of legal-sized papers. On each of these pages is a specific request made to the Committee on Appropriations,

including requests for changes in the budget and changes in appropriations over last year.

Now, here they are. The Members of Congress have spoken. I hope that they are all listening to this. There are 21,547 requests from Members of this House, mostly to change from the status quo of last year. Now, are the Members that asked for these requests to be considered by the Committee on Appropriations going to be satisfied with the status quo? I do not think so, Mr. Chairman.

To be honest, will the Committee on Appropriations grant every one of these requests? Of course not, because they run close to \$90 billion over last year's budget, so we cannot do all of that.

So one thing that appropriators do is go through these lists, and they try to prioritize based which requests have the most merit. Well, the people of America, through their elected representatives in the House of Representatives, have spoken. They do not want the status quo. They want all these changes over last year. Here is the fact and here are the pages. These are the pages and the requests of all members.

But if we have an automatic continuing resolution in place where we enjoy this status quo that makes life easy for all of us, the people's voice will have been muted because these 21,457 requests will not even be considered, let alone adopted.

Mr. Chairman, I oppose this amendment.

Mr. DAVIS of Virginia. Mr. Chairman, I am in strong support of the amendment offered by the Gentleman from Pennsylvania, and urge all my colleagues to do the same. During 17 of the last twenty budget cycles, there has been some level of budgetary impasse between the Congress and the President. More often than not, these temporary delays go relatively unnoticed because they are tempered by the passage of a Continuing Resolution (CR) that maintains the current fiscal year's spending levels.

Unfortunately, in 1995, the rancor of the budget battles here in Washington were raised to such a pitch, that their consequences ultimately resonated across the nation. As many of you remember, we reached an impasse so insurmountable that no CR could be passed, and the federal government was effectively shut-down. Overnight, the people we were sent here to represent could no longer count on the federal government to provide the services they paid for. Additionally, roughly 1 million federal employees found themselves without a job or a paycheck during one of the busiest commercial spending times of the year.

Mr. Chairman, more than 56,000 federal employees reside in my district just across the Potomac River. They constitute one of my largest constituencies, and are by far one of the most politically astute groups in the Nation. But more important than that, they are the people who process the millions of social security checks, they are the DEA Agents that intercept drugs before they reach our streets, they are the surveyors at the Department of Agriculture that distribute aid to struggling

farmers, and they are the HUD employees who make sure a poor family has its rent covered for the next month.

No one can argue that the differences we have about the federal budget are not of paramount importance. But when the entire federal government is forced to close its door to the American people because of a political dispute in Washington, then we have failed the people we were sent here to represent. I want every member in this August Chamber to keep in mind that when my 56,000 federal employees can't do their jobs, it will be your constituents that will ultimately suffer.

I want to thank Mr. GEKAS for offering an amendment that will provide an automatic CR whenever the political rhetoric reaches such a pitch as to potentially shutdown the Government. I strongly support the amendment and urge all my colleagues to do the same.

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

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

The question is on the amendment offered by the gentleman from Pennsylvania (Mr. GEKAS).

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

Mr. GEKAS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 499, further proceedings on the amendment offered by the gentleman from Pennsylvania (Mr. GEKAS) will be postponed.

It is the Chair's understanding that amendment No. 3 will not be offered.

It is now in order to consider amendment No. 4 printed in House Report 106-613.

AMENDMENT NO. 4 OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Ms. JACKSON-LEE of Texas:

Section 103(a) is amended by striking paragraph (1) and by striking "(2)".

Section 103(c) is amended—

(1) by striking paragraph (1) and inserting the following new paragraph:

(1) Redesignate subparagraphs (C), (D), (E), and (F) as subparagraphs (D), (E), (G), and (H), respectively.

(2) by striking paragraph (2);

(3) in paragraph (3), by striking "subparagraph (C) (as redesignated)" and inserting "subparagraph (B)";

(4) in paragraph (4), by striking "subparagraph (C) (as redesignated)" and inserting "subparagraph (B)" and by striking "(D)" and inserting "(C)"; and

(5) in paragraph (5), by striking "subparagraph (F) (as redesignated)" and inserting "subparagraph (E) (as redesignated)" and by striking "(G)" and inserting "(F)".

The CHAIRMAN pro tempore. Pursuant to House Resolution 499, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

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

The CHAIRMAN pro tempore. The gentleman from Iowa (Mr. NUSSLE) will control 5 minutes in opposition.

The Chair recognize the gentlewoman from Texas (Ms. JACKSON-LEE) for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself 2½ minutes.

Mr. Chairman, I hope that my discussion of this amendment would draw appropriators and budgeters together, because I believe the process of budgeting and appropriating are two very crucial aspects of this House business.

□ 1815

Call me today the conciliatory lady, the lady who is trying to bring us all together on the process that I think is extremely important.

We all agree that the current budget process does not run as smoothly as we may like; however, this bill does not answer all of our concerns. The problem with the budget process is that for the last 3 years, the leadership has engaged sometimes in processes that do not forward the opportunity for resolution.

In 1998, we failed to adopt a budget resolution, and for the last 2 years Congress approved budget resolutions that were difficult to implement. To work through these problems, the Congress has to waive rules to circumvent the budget resolutions. This bill does nothing to address this issue.

Mr. Chairman, H.R. 853 will significantly hamper our ability to agree on a budget by requiring a joint budget resolution, requiring the President to enter the process early in the year, by transforming the joint budget resolution to omnibus budget law, while simultaneously curtailing the ability of the appropriation committees to press forward if a budget has not been agreed to by May 15. This will delay the process rather than speed it up. So it is important that we look for options.

To interject the President in this is not a good option. The budget resolution will be transformed into a must-pass legislation. It is important, then, to offer an amendment that puts back into the process the actual ability to discuss the budget items as they are noted in the budget process. It gives us the opportunity to be able to discuss thoroughly the needs of education, the needs of Medicare, the needs of Social Security.

In my district, in particular, we are suffering in our public hospital system because of the formula of disproportionate share. It is important, Mr. Chairman, that we have the opportunity to ensure that we discuss these items in a manner that is respectful of the needs of the American people. That vigorous debate in the Committee on the Budget, that vigorous debate that is heard by the Committee on Appropriations is important.

So I would hope that this amendment that strikes language, that would take analysis of the budget functions out of the House budget resolution and place

them in the committee report would be accepted and would be viewed as an important feature, an important aspect of the budgeting process for all Americans.

Mr. Chairman, I rise in strong support of my amendment to eliminate H.R. 853's provision taking the analysis of the budget functions out of the House budget resolution and placing them in a Committee report. This Committee report would not permit the debate of each individual budget function; instead, the budget debate would shift to the comprehensive total amount.

The prohibition of debate on individual budget functions would significantly curtail the ability to increase discretionary spending. This amendment reinstates the inclusion of budget functions in the budget resolution. Under my amendment, the budget resolution would continue to set spending targets for the current 20 budget functions.

It is a mistake to remove budget functions and reconciliation directives from the budget resolution, because floor amendments that seek to address where money is spent, not just how much is spent, will no longer be possible. Priorities are often as important as aggregates, perhaps even more so in an era of surpluses. And if we pay inadequate attention to the detailed priorities, the aggregates are more likely to be unrealistic.

With functional levels included in the report and not subject to amendment, the issue of relative priorities cannot be addressed as well as they are now. And with the text of the budget resolution itself including fewer details, those details may take on less importance over time. Such a result will focus the debate on total spending and tax levels, and generally strengthen the position of those who talk about lower taxes and less spending.

Those who favor a series of programs such as Medicare, veterans benefits, education, highways, WIC, child care grants, defense, or environmental protection will be at a disadvantage in the budget resolution debate. This would be a tragic result for our nation.

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

Mr. NUSSLE. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, to me, the reason that the budget functions were removed from the budget process as part of the base bill probably makes the most sense, to me, of just about any of the provisions. And the reason is because, as a new Member of the Committee on the Budget, one of the things that I did and one of the things that my staff did as an exercise is we actually tried to make sense of the budget functions and how there was a correlation between those 20 budget functions and the 13 appropriation bills.

So my colleagues understand what I am saying, let me show this chart. This is what the budget currently looks like, and what the gentlewoman is suggesting is that these budget functions need to remain in the budget that we pass. The problem is, there is not one number within these 20 budget functions that correlates to anything in reality later on in the year.

In other words, let me just take an example. Income security is the budget

function called budget function 600. As an example, for this last budget there was \$252 billion, with a B, billion dollars, set aside for income security. Now, my colleagues might guess what that is, but let me suggest to my colleagues that, first of all, it crossed the jurisdiction of four committees, it crossed the authorizing jurisdiction of seven different committees, and let me just give my colleagues an idea of some of the things that were part of that budget function: The drug elimination grants for low-income housing was in this, Section 8 housing vouchers, homeless assistance grants, child care and development block grant. That was part of the discretionary portion of that budget function.

But see if it makes sense to have, for instance, military retirement as part of that budget function. Should that not be in defense? Should that not be someplace else? Why do we have budget functions that are never used after the budget is passed? That is the question that we as a budget reform panel asked ourselves.

So, instead of having budget functions that would make it even more difficult for the President and the Congress to come together and make an agreement on the budget overall, what we said was, if we really do want to illustrate these 20 different budget functions, let us include them, but let us not include them on the face sheet of the report. Let us put them in the report language.

It does not mean there is not going to be income security; it does not mean there will not be agriculture; it does not mean there will not be education; it does not mean there will not be all of the other important programs. Nothing is changed. Nothing is eliminated. In fact, all of those programs can increase.

What the gentlewoman is trying to include in here is included already in our bill. What we try and do, however, is take out the confusion of numbers that do not make sense to anybody after the budget is passed. So I would recommend that we vote down this amendment.

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

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield 1½ minutes to the gentleman from South Carolina (Mr. SPRATT), the ranking member of the Committee on the Budget.

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

Mr. SPRATT. Mr. Chairman, I thank the gentlewoman for yielding me this time.

The irony of this bill is that it elevates the budget resolution to a joint resolution so that it has the force and effect of law, and then it takes the contents of this newly elevated resolution and literally guts it. It reduces us from what we have now, a debate on programmatic priorities, the different functions in this budget, which are

more aligned to programmatic spending than any of the 13 appropriation bills that we have. It takes those and relegates them to the committee report so they lose a lot of their cause and effect.

Secondly, it takes the one power that we have as a committee to sort of move the budget process and require committees to do what the House would have them do, a process called reconciliation, and also relegates it to the report. So having raised the status of the resolution to a law, it then downgrades the contents of them to relative insignificance.

It means that, when we have the budget debate on the floor, we will be talking about big aggregated numbers that do not mean a lot of anything. We will not be coming here to say that we are talking about more for defense or more for health care or more for veterans' health care or more for housing. We will not be able to make that argument nearly as convincingly as we do now because all of this will be tucked away in the report, and all we will have in the resolution itself will be big aggregate numbers which will not necessarily mean anything about individual programs.

This is a good amendment. It should be adopted.

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

The gentleman from South Carolina proposed an amendment in the committee, which I thought was an interesting one when we were debating my base bill. And that is that instead of the budget functions, what we do is have the 302(b) allocations, which for everybody's edification are the amounts that are given to the different 13 appropriation subcommittees. I happened to think that was a fairly ingenious idea, because then the numbers would connect.

Now, having said that, I can see the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Alabama (Mr. CALLAHAN) about ready to come out of their chairs, and I do not think we are probably going to have much success in passing that. The gentleman from Wisconsin does not need to come out of his chair, I would say, because we did not put that in there.

See, I should not have even brought that up.

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

Mr. NUSSLE. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I would inform the gentleman that I was merely making an innocent inquiry about the fate of the Chicago Cubs, that is all.

Mr. NUSSLE. Well, reclaiming my time, Mr. Chairman, let me advise the gentleman that they are losing.

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

Mr. NUSSLE. I yield to the gentleman from South Carolina.

Mr. SPRATT. Mr. Chairman, my colleague may have noticed that I winced

when I heard him speak up in the back-ground. I was not quite sure what was happening back there because that was a bold proposal. It was almost heresy because it breaks with the compromise that was reached in 1974.

Mr. NUSSLE. Reclaiming my time, Mr. Chairman, I would agree with the gentleman from South Carolina. That is right.

To conclude, Mr. Chairman, I would suggest that if there was some reality between the numbers, then I think there would be more of a reason to have them in the base bill.

The frustrating thing, I think for both sides, is that these budget functions are confusing. What we tried to do is we pushed them into the report and we put the reconciliation restrictions into the base bill. That way we, as a Congress, could decide exactly what committees made those decisions, if there were changes that needed to be made. It does not change the budget function numbers. It just, to some extent we believe, makes them more realistic and makes them easier to understand.

The current budget functions, as the gentleman from South Carolina knows, if we tried to add them up at the end of the year and make them fit into the budget, rarely do. They rarely have any kind of basis in reality when everything is said and done. So we felt it was important to make this more of a real document and not have the confusion that we feel was part of the original budget law, and that is the reason for that change.

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

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

If we are concerned about priorities for the American people, then we will vote for this coming-together amendment. If we are concerned about veterans' payments, Medicare, WIC, child care grants, education and highways, issues that bring people together, if we care about how the appropriators do their jobs well, and they do it well; how the Committee on the Budget does its job well, and it does it well, then we will give ourselves the opportunity to establish priorities on the floor dealing with the American people.

This is a good amendment, Mr. Chairman, and it brings people together. It allows both committees respectively to do their jobs. I respect the jobs they do, and I would ask my colleagues to vote for the Jackson-Lee amendment that provides for aggregate assessment, and also the ability to discuss these particular programs in a way that will address the issues and concerns of the American people. I ask for the vote of my colleagues on my amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Ms. JACKSON-LEE).

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

Ms. JACKSON-LEE of Texas. Mr. Chairman, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 499, further proceedings on the amendment offered by the gentleman from Texas (Ms. JACKSON-LEE) will be postponed.

The point of no quorum is considered withdrawn.

The CHAIRMAN. It is now in order to consider amendment No. 5 printed in House Report 106-613.

AMENDMENT NO. 5 OFFERED BY MR. TANCREDO

Mr. TANCREDO. Mr. Chairman, I offer an amendment made in order under the rule.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. TANCREDO:

Subtitle B of title IV is amended by adding at the end the following new section:

SEC. 426. COMMITTEE ON APPROPRIATIONS REPORTS.

Clause 3(f)(1)(B) of rule XIII of the Rules of the House of Representatives is amended to read as follows:

“(B) a list of all appropriations contained in the bill for expenditures not currently authorized by law along with the last year for which the expenditures were authorized, the level of expenditures authorized that year, the actual level of expenditures that year, and the level of expenditures contained in the bill (except classified intelligence or national security programs, projects, or activities).”

The CHAIRMAN. Pursuant to House Resolution No. 499, the gentleman from Colorado (Mr. TANCREDO) and a Member opposed each will control 5 minutes.

The gentleman from Colorado (Mr. TANCREDO) is recognized for 5 minutes.

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

Mr. Chairman, the Tancredo amendment to H.R. 853, the Comprehensive Budget Process Reform Act, would simply expand the reporting requirements for unauthorized programs which appear in the back of the House appropriations reports.

I want to take this opportunity to bring to the attention of the committee and, to help put this thing in perspective, some historical tidbits that I think are interesting.

In 1979, for instance, the Conservative Party leader, Margaret Thatcher, was elected Britain's first female Prime Minister, the Facts of Life began as a four-episode spin-off from an already successful sitcom *Different Strokes*, and the Legal Services Corporation was last authorized.

In 1980, Mount Saint Helens erupted in May, Ronald Reagan was elected President in November, and the Department of Justice was last reauthorized.

In 1983, the invasion of Grenada, the last episode of *MASH* was broadcast,

and the EPA toxic substance program was last reauthorized.

In 1984, the Olympics came to Los Angeles, the movie Ghost Busters premiered, and the Power Marketing Administration was last reauthorized.

Well, I could go on, there are quite a bit of what I would call interesting tidbits that puts this issue in perspective. We have a lot of programs out there that are continuing to be appropriated for that have not been reauthorized for years. This is a dereliction of our duty, I think, and something we have to draw attention to.

As my colleagues know, the current House rules require a list of all unauthorized programs to appear in the back of the appropriations report. While this current rule is very helpful in ensuring that Congress is aware of the programs that are unauthorized, I believe that much more needs to be done to increase the awareness.

The amendment I propose would simply expand on current rules to include, one, the last year for which the expenditures were authorized; two, the level of expenditures authorized that year; three, the actual level of expenditures for that year; and, four, the level of expenditures contained in that current bill.

I believe this is, although not a gigantic step in the direction I would like to take in terms of reauthorization, it is an important one.

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

The CHAIRMAN. Does any Member seek the time in opposition to the Tancredo amendment?

Mr. TANCREDO. Mr. Chairman, I yield 30 seconds to the gentleman from Iowa (Mr. NUSSLE).

Mr. NUSSLE. Mr. Chairman, we have had an opportunity to look at this amendment. We think it improves and enhances this particular bill and we would like to accept this amendment. We feel that it helps us particularly with the section on oversight, and we thank the gentleman for his work on this cause.

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Mr. TANCREDO. Mr. Chairman, I yield 1 minute to my colleague, the gentleman from South Carolina (Mr. DEMINT).

Mr. DEMINT. Mr. Chairman, I rise in strong support of the amendment offered by my friend, the gentleman from Colorado (Mr. TANCREDO).

This is a very simple amendment with a very important purpose, to increase access to Government spending information for Members of the House and the Senate and, especially, to the voting public.

This is a step in the right direction because it brings reform to our Government. It increases accountability, not by creating a new Government program, but by empowering the people with information.

The information required by this amendment answers the questions

many of us and many citizens ask when we see un-budgeted spending, questions such as: When did Congress approve this program? How much money was originally approved? How does this compare with current spending levels?

This amendment is important because an informed electorate is crucial to the future of our democracy and informed Members of Congress will also make better decisions.

I urge my colleagues to support this common sense amendment.

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

Mr. Chairman, since coming to Congress a little over a year ago, I have spent a considerable amount of time trying to highlight the problems that I have come across in unauthorized spending. As I say, I know this is not the ultimate answer. It is our attempt to focus a little attention, a little light on the problem.

The chart I have here does not come anywhere near indicating all the programs that are being presently appropriated for without authorization, but it just looks at a couple of things that I think are again interesting.

Department of Justice, the last year it was authorized was 1980. The amount of authorization at that time was \$1,954,000,000. The level appropriated in this bill \$18,213,926,000. That growth has occurred without any authorization activity.

For fiscal year 2000, according to the annual budget report released by the CBO, there were 247 programs funded in 137 laws, totaling over \$120 billion wherein authorizations have expired. Last year there were 198 programs funded in 118 laws, totaling over \$101 billion.

I believe that this continuing practice has led to the deterioration of power of the authorizing committees and, thus, the loss of aggressive congressional oversight and fiscal responsibility. It has also led to the shift of power away from the legislative branch toward the administration and Federal bureaucracy.

I recognize that H.R. 853 includes a provision requiring authorizing committees to detail how they will authorize programs within a 10-year period, but I believe it is time that the House adds additional provisions to shine the light on this egregious problem.

The CHAIRMAN. All time for debate has expired.

The question is on the amendment offered by the gentleman from Colorado (Mr. TANCREDO).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider Amendment No. 6 printed in House Report 106-613.

AMENDMENT NO. 6 OFFERED BY MR. RYAN OF WISCONSIN

Mr. RYAN of Wisconsin. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. RYAN of Wisconsin:

At the end, add the following new title:

TITLE VII—BUDGETING IN AN ERA OF SURPLUSES

SEC. 701. PAYGO REQUIREMENTS AND THE ON-BUDGET SURPLUS.

(a) Section 252(a) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended to read as follows:

“(a) PURPOSE.—The purpose of this section is to trigger an offsetting sequestration in the amount by which any excess of decreases in receipts and increases in direct spending over increases in receipts and decreases in direct spending, caused by all direct spending and receipts legislation enacted prior to October 1, 2002, exceeds estimates of the on-budget surplus.”.

(b) TIMING AND CALCULATION OF SEQUESTRATION.—Section 252(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended to read as follows:

“(b) SEQUESTRATION.—

“(1) TIMING.—Not later than 15 calendar days after the date Congress adjourns to end a session and on the same day as a sequestration (if any) under section 251, there shall be a sequestration to offset an amount equal to—

“(A) any excess of decreases in receipts and increases in direct spending over increases in receipts and decreases in direct spending for legislation enacted prior to October 1, 2002; minus

“(B) the estimated on-budget surplus (which shall not be less than zero), as calculated under paragraph (2).

“(2) CALCULATION OF SEQUESTRATION.—OMB shall calculate the amount of the sequestration by adding—

“(A) all OMB estimates for the budget year of direct spending and receipts legislation transmitted under subsection (d) for legislation enacted prior to October 1, 2002;

“(B) the estimated amount of savings in direct spending programs applicable to the budget year resulting from the prior year's sequestration under this section, if any, as published in OMB's final sequestration report for that prior year; and

“(C) all OMB estimates for the current year that were not reflected in the final OMB sequestration report for that year; and

then by subtracting from such sum the OMB estimate for the budget year of the on-budget surplus (if any) as set forth in the OMB final sequestration report increased by the amount of budgetary resources cancelled in any such program, project, or activity resulting from a sequestration for the budget year on the same day under section 251 as published in OMB's final sequestration report.”.

(c) PREVIEW REPORTS.—Section 254(c)(3) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by redesignating subparagraph (C) as subparagraph (D) and by adding after subparagraph (B) the following new subparagraph:

“(C)(i) MANDATORY.—In projecting the on-budget surplus (if any) for the budget year, direct spending and receipts shall be calculated consistent with the assumptions under section 257(b) but shall exclude all estimates of direct spending and receipts legislation for such year enacted after the date of enactment of this subparagraph (as estimated by OMB when such legislation was originally enacted).

“(ii) DISCRETIONARY.—Except as provided by the preceding sentence, the following assumptions shall apply to the calculation of such estimated surplus:

“(I) For programs, projects, and activities for which a regular appropriation Act or a

joint resolution (other than pursuant to section 1311 of title 31, United States Code) continuing appropriations through the end of the budget year is enacted, budgetary resources other than unobligated balances shall be at the level provided by that Act with the following adjustments:

“(aa) Include amounts of budget authority provided and rescinded for such year in any supplemental or special appropriation Act or rescission bill that is enacted into law.

“(bb) Reduce the level by the amount of budgetary resources canceled in any such program, project, or activity by a sequestration under section 251 as published in OMB’s final sequestration report for such year.

Substantive changes to or restrictions on entitlement law or other mandatory spending law in an appropriation Act shall be counted in determining the level of direct spending and receipts for purposes of calculating the on-budget surplus under this section.

“(II) For programs, projects, and activities for which a regular appropriation Act or a joint resolution (other than pursuant to section 1311 of title 31, United States Code) continuing appropriations through the end of the budget year is not enacted, budgetary resources other than unobligated balances shall be at the level provided for the current year in regular appropriation Acts or a joint resolution (other than pursuant to section 1311 of title 31, United States Code) continuing appropriations through the end of the current year with the following adjustments:

“(aa) Include amounts of budget authority provided and rescinded for such year in any supplemental or special appropriation Act or rescission bill that is enacted into law.

“(bb) Reduce the level by the amount of budgetary resources canceled in any such program, project, or activity by a sequestration under section 251 as published in OMB’s final sequestration report for such year.

Substantive changes to or restrictions on entitlement law or other mandatory spending law in an appropriation Act shall be counted in determining the level of direct spending and receipts for purposes of calculating the on-budget surplus under this section. After making such adjustments, further adjust such amount using the assumptions set forth in section 257(c) (1)–(5).”

(d) DEFINITION OF ON-BUDGET SURPLUS.—Section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by adding at the end the following new paragraph:

“(20) The term ‘on-budget surplus’ means, with respect to a fiscal year, the amount by which receipts exceed outlays for all spending and receipt accounts of the United States Government that are designated as on-budget. Such term does not include outlays and receipts of the Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund, or any other off-budget entity.”

(e) EXPEDITED RECONCILIATION PROCESS.—Section 258C of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended as follows:

(1) The side heading of subsection (a) is amended by inserting “OR IN THE HOUSE OF REPRESENTATIVES” after “SENATE”.

(2) In paragraphs (1), (2), (3), and (4) of subsection (a), insert “or House” after “Senate” each place it appears.

(3) In subsection (a)(7), strike “For” and insert “In the Senate, for”.

(4) In subsection (b)(1), insert “or House” after “Senate”.

(5) In the side heading of subsection (b)(4), insert “OTHER” after “THE”.

(6) In subsection (b)(4), strike “in the Senate from the House” and insert “in the Sen-

ate or House of Representatives from the other House”, strike “Senate” the second place it appears and insert “Senate or House of Representatives, as the case may be.”, and strike “Senate” the third place it appears and insert “in the applicable House”.

The CHAIRMAN. Pursuant to House Resolution 499, the gentleman from Wisconsin (Mr. RYAN) and the gentleman from South Carolina (Mr. SPRATT) each will control 10 minutes.

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

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is a very simple amendment. The reason why I am proposing this amendment is because our current budget process, our current budget laws, have failed to take into consideration that we are now in an era of surpluses. The budget laws were written in a time when we were knee deep in deficits and we had deficits as far as the eye could see.

I believe that it is very important that, as we redo our budget process, we do it to take into consideration the fact that we now have budget surpluses.

What my amendment would do is to carry out our commitment to allow that the on-budget or non-Social Security surpluses would be used for tax relief or entitlement reform or debt reduction, as current law allows.

Under current law, the budget surplus cannot be used to offset tax relief provisions or increases in mandatory spending. This law, which is commonly referred to as pay-as-you-go, or the pay-go statute, was enacted in 1990. It says that the sum of all tax-and-entitlement legislation could not increase the deficit in any given fiscal year over a period 5 years.

This means that if a tax or spending legislation increased the deficit, it had to be offset with increasing taxes or decreasing entitlement spending, a wise law, for a deficit period.

But what happens when we run into a budget surplus? Mr. Chairman, that is what this amendment addresses. This law updates that. This legislation has been introduced by Members of both sides of the aisle in this Congress and last Congress.

I introduced H.R. 1016 to do just this, which is similar to this amendment. My amendment would simply apply the on-budget surplus to the pay-go scorecard to allow that the surplus could be used for either offsetting tax relief or entitlement reform.

If they want to pass a prescription drug benefit to Medicare, now, under my amendment, if it becomes law, they can do so. If they want to give deductibility for health insurance, if they want to abolish the marriage tax penalty, right now they cannot use that budget surplus. Under my amendment, they can do so.

What we simply achieve in this amendment is catching up with the fact that we have surpluses. If we do

not rewrite the pay-go statute to catch up with the current situation, we will spend this money.

Mr. Chairman, what we have seen time and time again this year and last, if there is money left on the table by our constituents overpaying their income taxes, that money will be spent. Make no bones about that.

What this amendment does is play off of the good support and the good policy we have achieved by dedicating all Social Security surpluses toward paying off our public debt.

Mr. Chairman, let me add that, with the passage of our budget resolution, with legislation we have passed earlier, and with the discipline of Congress last year, we stopped the raid on the Social Security trust fund and we are well on our way to paying off our public debt in 12 years.

What this amendment does is address those other surpluses, the non-Social Security surpluses, the on-budget surpluses. And it simply says, after paying that public debt off, after taking Social Security off budget, if constituents, if the American taxpayer still overpays their taxes, that money ought to be used for either changing entitlements like Medicare reform or reducing their taxes. Because, after all, that is what surpluses are, tax overpayments.

It is a very common sense bill. It is a very common sense amendment. It is endorsed and promoted by the National Taxpayer Union and Citizens Against Government Waste.

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

Mr. SPRATT. Mr. Chairman, I yield 5½ minutes to the gentleman from Texas (Mr. BENTSEN).

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

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

Mr. Chairman, this is a little more than a simple amendment. But I do want say to my colleague, the gentleman from Wisconsin (Mr. RYAN), he is one of the more thoughtful Members on these issues, even though we do not always agree, and I respect him for that.

The problem with this amendment, in my opinion, is that this would repeal half of the pay-go rules only if it applies to the on-budget surplus and it would allow the Congress to leverage long-term projections for tax cuts or new spending which might turn out to be wrong.

In the event they were wrong, then half of pay-go would apply and it would apply against things either as tax increases or Medicare or title XX social services block grants or veterans’ education or student loans or farm price supports, or quite possibly, and the appropriators should think about this, it might indirectly affect discretionary spending, because if the Congress decided it did not want to have sequestration in the Medicare programs or the

farm price support programs, then they would have to revisit the discretionary side of the ledger and make adjustments in there.

My colleagues would be better off, and I oppose this, but they would be better off, quite frankly, repealing all of pay-go rather than doing what they are doing here, which is sort of doubling up the straitjacket that pay-go does.

I appreciate what the gentleman from Wisconsin (Mr. RYAN) is trying to do. He is trying to say, in this new era of bucket surplus, it is time to forget pay-go and move on.

My feeling is, one, we do not know how long this is going to go on for. We do not know how good these projections are. We ought to be dedicating the vast majority of both the on-budget and off-budget surplus to paying down debt because we may well have to borrow in the future for some unforeseen event. But to do this would just ratchet tighter and tighter pay-go on a smaller portion of the budget.

And it probably would fail. It would probably go back to the days of Gramm-Rudman-Hollings. I was staff here when Gramm-Rudman-Hollings first came in, and all I can remember was Congress missed, missed, missed and missed through Gramm-Rudman-Hollings.

So it was not until the 1990 Budget Act, and I had left, I was on Wall Street at that time, that Congress then started to follow the spending caps and the pay-go rules.

I think it would be a grave mistake to adopt this amendment. The gentleman from Wisconsin (Mr. RYAN) is well-intentioned, but he either is going to set us up to fail or he is going to set us up to make huge leverage decisions on long-term projections, which very likely could be wrong and make us have to make cuts in these programs or raise taxes in the future. I have not found too many Members in this body on either side of the aisle who are eager to raise taxes.

Mr. RYAN of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. BENTSEN. I yield to the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. Mr. Chairman, to respond, I appreciate the compliments of the gentleman from Texas (Mr. BENTSEN). I, too, believe that he is one of the more thoughtful members of the Committee on the Budget who understands these issues.

I would like to address just a couple of points he makes. I think it is a valid point to suggest that we are locking in projections on this pay-go scorecard fix and that that might, indeed, become a case where those projections do not materialize.

That is why, if we look at the amendment, we have rewritten this amendment so that it takes into account changes in budget projections. Every January, CBO would reanalyze the projections. So every single year we would redo the projections so that the score-

card would be adjusted on an annual basis so that we would not wind ourselves up into the point where we are going to pass a tax cut, say, for example, that uses a credit on the scorecard on old projections. It would be annual projections. And if we would exceed those projections, we would offset that spending.

Mr. BENTSEN. Mr. Chairman, reclaiming my time, I understand that. But they are going to have projections that they are going to get for, say, fiscal year 2001 and then they are going to pass the capital gains tax cut. I do not think they want to pass the capital gains tax cut and do it on an annual basis. I think they want to do it on a long-term basis, and I think it is going to be a problem in how it works.

The point is that they would not want to have to come back and say, well, we set the cap gains rate at 20 percent this year, but because we got new CBO forecast, in order not to have to cut Medicare, we are going to go back and reset it at 21 percent.

For the investor who is holding an instrument for 6 months or a longer period of time, that is going to be quite disruptive. And that is a problem in trying to do this. They either have to try to go all the way or no way.

Mr. RYAN of Wisconsin. Mr. Chairman, if the gentleman will continue to yield, right now if we cut taxes and we pass a tax bill saying it decreases capital gains taxes that is offset with spending cuts or mandatory spending cuts, what this amendment simply says is that the mixture of offsets would be on-budget surpluses or mandatory offsets, and that mixture would be determined by the annual re-estimate of the projection on an annual basis. So that, if they lock in place a capital gains tax cut, say, for 10 years, their on-budget portion which pays for that would adjust on the actual re-estimate every year and any money that comes in above and beyond the surplus projection amount that is required to offset taxes would be dedicated toward offsets coming from mandatory spending.

Mr. BENTSEN. Mr. Chairman, reclaiming my time, I understand what the gentleman is saying. It is well-intentioned. But the point he made is that, if the numbers do not turn out, they have locked in the cap gains tax cut for 10 years and, so, they are going to have to go back and make it up on the mandatory spending side.

That is my point exactly, they do not know for certain. They are going to have to come back and keep reevaluating it. So they may start this where they have a large surplus. Things change and they have to come back and take it out of the Medicare program. I do not think the Members on either side of the aisle are really going to want to do it.

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

Mr. RYAN of Wisconsin. Mr. Chairman, may I inquire as to how much time is remaining.

The CHAIRMAN. The gentleman from Wisconsin (Mr. RYAN) has 6½ minutes remaining. The gentleman from South Carolina (Mr. SPRATT) has 4½ minutes remaining.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, before I yield to my friend from Pennsylvania, I would like to actually quote Mr. Leon Panetta. Leon Panetta was the former chairman of the House Committee on the Budget when the Democrats controlled the House.

□ 1845

He was the former Budget Director of the Office of Management and Budget and the former Chief of Staff to President Clinton. Recently at a budget symposium, Mr. Panetta said, "We should set aside a specific amount of the projected budget surplus for either use on entitlement programs or tax cuts, and Members can then fight on how that should be done. But to establish a pay-go account for that purpose and if that pay-go account is exceeded, you then have to pay for any additional spending above that limit."

Mr. Chairman, this is precisely what my amendment does. It is an amendment that has been endorsed effectively by Mr. Panetta, the former chairman of the House Committee on the Budget, the former chairman of the Office of Management and Budget.

To respond to the gentleman from Texas, who is a thoughtful gentleman on these issues, I say that we are always passing tax relief packages here in the House. The only difference that this amendment presents is that if constituents, taxpayers continue to overpay their tax, that should be factored into it. We should not spend the money on discretionary spending if it shows up in town, if we have brand new surpluses. That money should instead go toward tax reduction or entitlement reform.

Mr. Chairman, I yield 1½ minutes to the gentleman from Pennsylvania (Mr. TOOMEY).

Mr. TOOMEY. I thank the gentleman from Wisconsin for yielding me this time.

Mr. Chairman, I would point out that I think he deserves congratulations for delving so deeply into the land of esoteria here. This is not a very well understood topic and I congratulate him for his conscientious efforts certainly to understand it, which he thoroughly does, but to offer a constructive solution.

I think what this amendment is all about really is honest budgeting, specifically honest budgeting in the age of surpluses. Pay-go is a relic of the era of deficits. It was designed at the time for the worthy purpose of preventing further growth in existing deficits. What the Ryan amendment does is it simply updates this tool so that it will also work when there are surpluses. If, God forbid, we go back to the days of deficits, this tool will continue to work as

it was designed, as it was intended, as it worked then. But today, fortunately, we are in a time of surplus and we need to update this tool.

Theoretically, under the current budget rules, if we want to use part of the on-budget surplus, the non-Social Security surplus for a tax cut, the rules say you have got to cut entitlement spending in order to do that. Now, we certainly do not want to cut entitlement spending because we want to lower taxes from the on-budget surplus, and we do not. When we propose a tax cut, what we do is we waive this rule. We pretend it is not there. Well, that is not the right way to do things. That really makes a mockery of the rules of the House.

What the gentleman from Wisconsin is attempting to do is to modify this rule, update it, bring it up to the era of surpluses and make it workable, whether we have deficits or surpluses. It is a good, thoughtful amendment. I urge my colleagues to support it.

Mr. SPRATT. Mr. Chairman, I yield 30 seconds to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, what the Ryan amendment says is that no matter how big the surpluses become in the future that you cannot spend a dime on veterans health care, you cannot spend a dime on education, you cannot spend a dime on cancer research. All you can do is use that money for tax cuts or entitlements, which are the fastest growing portion of the budget. With all due respect, he may define that as being balanced and fair. I think veterans and persons suffering from cancer and people who want their kids to get a decent education would respectfully disagree.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself such time as I may consume to say just one thing. That is why we have a discretionary budget. We have a discretionary budget which increases every year for veterans programs, for NIH spending. This money goes toward either tax reform or entitlement reform. Medicare is a very, very important program for every single American in this country over the age of 65. We are simply saying, let us fix Medicare, let us fix our entitlements and let us fix the fact that we have the highest tax burden in the peacetime history of this Nation.

Mr. Chairman, I yield 2 minutes to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Chairman, I rise in support of this amendment, along with the others who are simply here because we passionately feel that to secure America's future and protect our children, that we need to limit the growth of government and that we are tired of being on the losing end of those attempts. What we want to do is just put in real, common sense measures that really focus the attention on limiting spending and trying to do the right things in this Congress. This amendment would do that. This amendment would allow the on-budget surplus to

offset tax relief or mandatory spending increases.

The Ryan pay-go amendment is endorsed by the National Taxpayers Union and Citizens Against Government Waste. What it does is that under current law, known as pay-go, only tax increases or cuts in mandatory spending may be used to offset other tax relief measures or mandatory spending increases. This amendment would allow the on-budget surplus, not the Social Security surplus, to offset these measures. In essence, this amendment would allow for the budget surplus to be used for tax relief, for mandatory spending reforms such as Medicare reform.

This is bipartisan language that is similar to bills that have been introduced in the past. It is sensible. It is common sense. I support it and urge all of my colleagues to support it.

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

The gentleman began his amendment by saying that this would allow us to dedicate all Social Security funds to debt reduction. But in truth, the debt reduced, the debt held by the public, would be bought up by the Social Security administrators and there would be a commensurate increase in the debt held by the administrator, the Social Security Administration, for the decrease in the debt held by the public. So in truth there is no real debt retirement. I am in favor of doing that, but that is not really debt retirement. If you want to retire debt, pay off debt, you have got to use the on-budget surplus for debt reduction. If you wipe it out with tax cuts or mandatory spending increases as this would allow, then it will not be there for additional debt reduction, point number one.

Point number two. He says this will protect Social Security. But in truth what he is doing is removing the cushion that does protect Social Security. Suppose we are wrong about future surpluses and suppose we have a big tax cut or a big spending increase premised on the expectation that these projections will actually obtain and they do not obtain, the economy takes a downturn. What happens is that you are into Social Security, because you have removed the cushion, the on-budget surplus that would absorb the downturn in the economy. You are back into Social Security, so it puts Social Security in jeopardy.

To protect Social Security, he reaches back into the past and gets an instrument, a tool, we called it a club in the closet once, called sequestration. We go back to the old principles of sequestration and Gramm-Rudman-Hollings I and Gramm-Rudman-Hollings II here. If you have a downturn in the economy, if the surplus does not obtain, if you have a tax cut or a spending increase premised on payment out of the surplus and the surplus does not show up in the future, then you have sequestration so that you stay out of Social Security. We had sequestration

in Gramm-Rudman-Hollings. How many times did we use it? Once. March 1, 1986. Thereafter, when the law was changed, we never used sequestration again to any substantial extent. It is a phony device. It will not ever happen. In any event, if it does, you will cut Medicare instead of cutting Social Security and the same people are going to be hurt. So this is not a good idea.

Let me tell the gentleman, I respect him. We work together on the Committee on the Budget. He was not here in the 1980s and the 1990s when we grappled with solutions. One of the solutions to the deficit that we came up with was the pay-go rule. The other was the discretionary spending ceiling. The pay-go rule was a reaction to our failed experience under Gramm-Rudman-Hollings. In Gramm-Rudman-Hollings, we said we are going to project the deficit for the future each year, and we had then \$180 billion deficits. So we said over 5 years we are going to eradicate this deficit. 180 over 5 equals 36, every year we are going to reduce the deficit by \$36 billion until it is zero. It did not happen.

One reason it did not happen is that the first year out of the box, the first year in our experience with Gramm-Rudman-Hollings the deficit went from \$180 billion to \$221 billion. That was not supposed to happen. The economy made it happen. As a consequence, we were \$41 billion deeper in debt than we really thought we were, \$41 billion behind the mark where we thought we were going to start. That could happen here. We have been lucky, we have been fortunate, but one day this gravy train could come to an end. The increasing revenues that have fueled the increasing surplus could also terminate. When that happens, all of these spending increases and tax cuts that we are premising on paper are projected surpluses may turn awry. We may find ourselves in deep trouble because we have assumed that they were going to happen. The safe, conservative, responsible and proven way to go is to leave the pay-go rule the way it is and only cut taxes when you identify a revenue stream or an entitlement cut to offset the consequences to the surplus.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 1 minute to the gentleman from New Hampshire (Mr. SUNUNU).

Mr. SUNUNU. Mr. Chairman, I have rarely heard so much time and effort made into making a pretty simple amendment sound so complicated. It is simple because if you ask anyone in this country what should be done with the on-budget surpluses, they give you a pretty straightforward response. They say, we should increase education funding, we should strengthen Social Security or Medicare, we should get rid of the marriage penalty, give individuals deductibility for their health insurance cost. But the fact of the matter is under the existing pay-go rule, you cannot get rid of the marriage penalty using the on-budget surplus. You cannot strengthen Medicare using the on-budget surplus.

Then how in fact do we do those things? Last year we passed a Medicare update bill. We had to waive the pay-go rule, which is arcane and outdated in an age of on-budget surpluses. How did we eliminate the Social Security earnings limit, which is good bipartisan legislation that everyone in this body supports? We had to waive the pay-go rule. How do we get rid of the marriage penalty? We have to waive the pay-go rule. If you want to do these things, if you want to reduce taxes without cutting entitlements and if you want to strengthen entitlements without cutting other entitlements, you need to waive the existing pay-go rules.

That is what this gentleman's amendment does. It updates them in a common sense way.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself such time as I may consume.

This is a very simple amendment. For those Members who are endorsing pay-go as it is currently structured, it is expiring next year, anyway. We should be supporting this amendment. This amendment not only retains pay-go but it improves and extends pay-go to apply to the fact that we now have budget surpluses.

Mr. Chairman, those who are opposing this amendment are trying to make it more complicated than it is. All we are saying is in the land of budget surpluses, non-Social Security surpluses, when Washington gets flooded with all of this new money, that money should not go toward more frivolous spending. That money should go toward entitlement reform and tax reform or debt reduction. Congress will decide the mixture of those things. It extends and updates pay-go to take into account the fact that we have a surplus era. I urge the passage of this amendment.

The CHAIRMAN pro tempore (Mr. MCHUGH). The question is on the amendment offered by the gentleman from Wisconsin (Mr. RYAN).

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

Mr. SPRATT. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 499, further proceedings on the amendment offered by the gentleman from Wisconsin (Mr. RYAN) will be postponed.

It is now in order to consider amendment No. 7 printed in House Report 106-613.

AMENDMENT NO. 7 OFFERED BY MR. RYAN OF WISCONSIN

Mr. RYAN of Wisconsin. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. RYAN of Wisconsin:

At the end of title VI, add the following new subtitle:

Subtitle C—Spending Accountability Lock-box

SEC. 631. SHORT TITLE.

This subtitle may be cited as the "Spending Accountability Lock-box Act of 1999".

SEC. 632. SPENDING ACCOUNTABILITY LOCK-BOX LEDGER.

(a) ESTABLISHMENT OF LEDGER.—Title III of the Congressional Budget Act of 1974 (as amended by sections 104(c) and 206(a)) is further amended by adding after section 317 the following new section:

"SPENDING ACCOUNTABILITY LOCK-BOX LEDGER

"SEC. 318. (a) ESTABLISHMENT OF LEDGER.—The chairman of the Committee on the Budget of the House of Representatives and the chairman on the Committee on the Budget of the Senate shall each maintain a ledger to be known as the 'Spending Accountability Lock-box Ledger'. The Ledger shall be divided into entries corresponding to the subcommittees of the Committees on Appropriations. Each entry shall consist of three components: the 'House Lock-box Balance'; the 'Senate Lock-box Balance'; and the 'Joint House-Senate Lock-box Balance'.

"(b) COMPONENTS OF LEDGER.—Each component in an entry shall consist only of amounts credited to it under subsection (c). No entry of a negative amount shall be made.

"(c) CREDIT OF AMOUNTS TO LEDGER.—(1) In the House of Representatives or the Senate, whenever a Member offers an amendment to an appropriation bill to reduce new budget authority in any account, that Member may state the portion of such reduction that shall be—

"(A) credited to the House or Senate Lock-box Balance, as applicable; or

"(B) used to offset an increase in new budget authority in any other account;

"(C) allowed to remain within the applicable section 302(b) suballocation.

If no such statement is made, the amount of reduction in new budget authority resulting from the amendment shall be credited to the House or Senate Lock-box Balance, as applicable, if the amendment is agreed to.

"(2)(A) Except as provided by subparagraph (B), the chairmen of the Committees on the Budget shall, upon the engrossment of any appropriation bill by the House of Representatives and upon the engrossment of Senate amendments to that bill, credit to the applicable entry balance of that House amounts of new budget authority and outlays equal to the net amounts of reductions in new budget authority and in outlays resulting from amendments agreed to by that House to that bill.

"(B) When computing the net amounts of reductions in new budget authority and in outlays resulting from amendments agreed to by the House of Representatives or the Senate to an appropriation bill, the chairmen of the Committees on the Budget shall only count those portions of such amendments agreed to that were so designated by the Members offering such amendments as amounts to be credited to the House or Senate Lock-box Balance, as applicable, or that fall within the last sentence of paragraph (1).

"(3) The chairmen of the Committees on the Budget shall, upon the engrossment of Senate amendments to any appropriation bill, credit to the applicable Joint House-Senate Lock-box Balance the amounts of new budget authority and outlays equal to—

"(A) an amount equal to one-half of the sum of (i) the amount of new budget authority in the House Lock-box Balance plus (ii) the amount of new budget authority in the Senate Lock-box Balance for that subcommittee; and

"(B) an amount equal to one-half of the sum of (i) the amount of outlays in the

House Lock-box Balance plus (ii) the amount of outlays in the Senate Lock-box Balance for that subcommittee.

"(4) CALCULATION OF LOCK-BOX SAVINGS IN SENATE.—For purposes of calculating under this section the net amounts of reductions in new budget authority and in outlays resulting from amendments agreed to by the Senate on an appropriation bill, the amendments reported to the Senate by its Committee on Appropriations shall be considered to be part of the original text of the bill.

"(d) DEFINITION.—As used in this section, the term 'appropriation bill' means any general or special appropriation bill, and any bill or joint resolution making supplemental, deficiency, or continuing appropriations through the end of a fiscal year.

"(e) TALLY DURING HOUSE CONSIDERATION.—The chairman of the Committee on the Budget of the House of Representatives shall maintain a running tally of the amendments adopted reflecting increases and decreases of budget authority in the bill as reported. This tally shall be available to Members in the House of Representatives during consideration of any appropriations bill by the House."

(b) CONFORMING AMENDMENT.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after the item relating to section 317 the following new item:

"Sec. 318. Spending accountability lock-box ledger."

SEC. 633. DOWNWARD ADJUSTMENT OF SECTION 302(a) ALLOCATIONS AND SECTION 302(b) SUBALLOCATIONS.

(a) ALLOCATIONS.—Section 302(a) of the Congressional Budget Act of 1974 (as amended by section 422) is further amended by adding at the end the following new paragraph:

"(6) ADJUSTMENT OF ALLOCATIONS.—Upon the engrossment of Senate amendments to any appropriation bill (as defined in section 318(d)) for a fiscal year, the amounts allocated under paragraph (1) to the Committee on Appropriations of each House upon the adoption of the most recent joint resolution on the budget for that fiscal year shall be adjusted downward by the amounts credited to the applicable Joint House-Senate Lock-box Balance under section 318(c)(2). The revised levels of new budget authority and outlays shall be submitted to each House by the chairman of the Committee on the Budget of that House and shall be printed in the Congressional Record."

(b) SUBALLOCATIONS.—Section 302(b) of the Congressional Budget Act of 1974 is amended by adding at the end the following new sentence: "Whenever an adjustment is made under subsection (a)(6) to an allocation under that subsection, the Committee on Appropriations of each House shall make downward adjustments in the most recent suballocations of new budget authority and outlays under this subparagraph to the appropriate subcommittees of that committee in the total amounts of those adjustments under section 318(c)(2). The revised suballocations shall be submitted to each House by the chairman of the Committee on Appropriations of that House and shall be printed in the Congressional Record."

SEC. 634. PERIODIC REPORTING OF LEDGER STATEMENTS.

Section 308(b)(1) of the Congressional Budget Act of 1974 is amended by adding at the end the following new sentence: "Such reports shall also include an up-to-date tabulation of the amounts contained in the ledger and each entry established by section 318(a)."

SEC. 635. DOWNWARD ADJUSTMENT OF DISCRETIONARY SPENDING LIMITS.

The discretionary spending limits for new budget authority and outlays for any fiscal

year set forth in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, shall be reduced by the amounts set forth in the final regular appropriation bill for that fiscal year or joint resolution making continuing appropriations through the end of that fiscal year. Those amounts shall be the sums of the Joint House-Senate Lock-box Balances for that fiscal year, as calculated under section 302(a)(6) of the Congressional Budget Act of 1974. That bill or joint resolution shall contain the following statement of law: "As required by section 635 of the Spending Accountability Lock-box Act of 1999, for fiscal year [insert appropriate fiscal year] and each outyear, the adjusted discretionary spending limit for new budget authority is reduced by \$ [insert appropriate amount of reduction] and the adjusted discretionary limit for outlays is reduced by \$ [insert appropriate amount of reduction] for the fiscal year and each outyear.". Section 306 shall not apply to any bill or joint resolution because of such statement. This adjustment shall be reflected in reports under sections 254(f) and 254(g) of the Balanced Budget and Emergency Deficit Control Act of 1985.

The CHAIRMAN pro tempore. Pursuant to House Resolution 499, the gentleman from Wisconsin (MR. RYAN) and the gentleman from South Carolina (MR. SPRATT) each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin (MR. RYAN).

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself such time as I may consume. I will be very brief in the summary of this amendment. This amendment has been here before. In fact, 321 Members of this body have at one time or another in this or past Congresses either cosponsored or voted for this amendment; 42 Members of the Committee on Appropriations today have either voted for or cosponsored this amendment.

This amendment is commonly referred to as the discretionary lockbox. It simply says this. If you are a Member of Congress and you come to the floor of Congress with an amendment to reduce or cut spending, that money will go toward debt reduction. What it says is that money will go toward debt reduction unless you choose to designate that money to go toward other parts of spending. But today under current law, we have this crazy budget system under which if you go to the floor of Congress, pass an amendment to cut or eliminate spending, save some taxpayer dollars, that program may not be authorized or appropriated but the money you save by law will have to be respent at another part of the Federal Government. That is part of the crazy budget laws we live under today.

Simply put, this amendment says if you want to pass an amendment to cut out some pork barrel spending, to cut some wasteful spending, that money will go toward paying down the national debt rather than being plowed into spending in another form of the Federal Government.

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

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

It is true that this has been voted upon before. We were desperate for so-

lutions and so this was one of the jerry-rigged solutions that we came up with. It has been through committee. It has been on the floor. Let me tell my colleagues what is wrong with it.

□ 1900

We can have a cut here on the House floor or in committee of a particular program that is unpopular amongst Members here in the House. They can have a cut in the Senate of the same amount, or roughly the same amount, of a totally different program. When you then go to conference, there is no coming together on the cut that has been made. The House has decided to cut one thing that is not popular here, the Senate has decided to cut another thing that is not popular there.

The amount is roughly the same, so both Houses have interests in their so-called lockbox accounts that have to be reconciled, but there is no reconciliation on the item to be cut, how that number is to be achieved. They may be at total loggerheads over that particular issue. That is one of the problems with it.

Secondly, you can cut something that is one time, nonrecurring, that would not have any really future prospect of spendout, but nevertheless, it has future consequences for the budget, because, if I understand the gentleman's amendment correctly, once you achieve that cut here on the House floor, if you specify that the cut will be charged to the lockbox account, then you have to reduce 302(a) and (b), and then, having done that, discretionary spending has been reduced overall, the discretionary spending ceiling is not only lowered for that year, but successive years so long as it remains in effect. Even though if this could have been a one-time nonrecurring item, something that did not have future consequences, it could and will have consequences for the budget.

For all of these reasons, this lockbox idea is an idea whose time has come and passed. We do not need it now. There is no reason to complicate the process with it. I strongly recommend that we do not approve it tonight.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to respond to those two concerns by the gentleman from South Carolina (Mr. SPRATT), who voted for this lockbox amendment in prior Congresses. We have changed it a little bit since the last time the gentleman from South Carolina (Mr. SPRATT) voted for it.

Number one, the conference report must pass for the savings to be realized. We lower the 302(a) after the conference report with the House and the Senate passes.

Number two, it is a 1 year time savings. It happens in the first year. It does not change the 5-year budget resolution window. So I think those are very good points the gentleman has raised. We have taken care of those

concerns in this amendment. The gentleman voted for it once before, and I hope he will do so again.

Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. TOOMEY).

Mr. TOOMEY. Mr. Chairman, I rise in support of this amendment. It is really very simple. What this amendment is all about, as it says, is if Congress passes an amendment designed, intended, and it passes, to save taxpayer money, then it should do just that. It should not be spent somewhere else.

The Ryan amendment, frankly, is a reasonable and sensible compromise on how that happens. It says any money that is saved through an amendment to an appropriation bill is not going to be used for a tax cut and it cannot be used for additional spending. It simply will be used for debt reduction.

Now, some may point out, well, you know, if nothing else happens, eventually this money automatically will go for debt reduction. But, keep in mind, that is only if it is not spent first on a subsequent bill. I think experience shows that it is very hard for this Chamber and it is very hard for the other Chamber to resist the temptation of spending money that is sitting on the table.

What the Ryan amendment does is it says when this Chamber expresses its will by reducing the spending level, let us make that happen. Take the money off the table. This is a very modest modicum of fiscal discipline, and I urge my colleagues to support this amendment.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (MR. BENTSEN).

Mr. BENTSEN. Mr. Chairman, I am starting a new practice in the House, and also an old practice in the House.

The question I have, and the staff has explained this to me, if an amendment passed, say, to the defense appropriations bill, I will give an example, which, say, cuts the D-5 missile program for \$10 billion in the House, and then it passes in the Senate for \$5 billion, then you take the average of \$7.5 billion and reduce the overall discretionary spending by \$7.5 billion, could the committee still then fully fund the D-5 missile and just take it out of somewhere else so Members would think they are voting for one thing but get something else in return?

Mr. RYAN of Wisconsin. Mr. Chairman, if the gentleman will yield, first of all, that would be something that would be operated under a conference report agreement. If one side does one policy and the other does not, that could be changed in conference.

As to the issue of the allocation, not the appropriation of a particular program, the allocation would be changed after the conference report is passed.

Mr. SPRATT. Mr. Chairman, I yield 1 minute to the gentleman from Texas (MR. BENTSEN).

Mr. BENTSEN. Mr. Chairman, the question though is this: The Members

on the floor of the House would be voting to cut a specific program that they think is going in a lockbox, and the members of the other body would be voting to cut a specific program. But then the members of the Committee on Appropriations could actually go back and fund that program, but we would get credited.

I know it would come to a great shock to everybody that that might happen, that the members of the committee and conference might not follow the will of the House or the other body, but it seems like we are sort of giving a blanket approach to a lockbox, just stick whatever program on there nobody likes, and then we will do that, and then we will cut it and take it out of somewhere else.

Mr. RYAN of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. BENTSEN. I yield to the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. Mr. Chairman, we cannot control what happens in a conference report. We cannot control from this Chamber or from the other Chamber what they do in conference reports. So this amendment does not try to control that, it simply tries to capture the savings from successful appropriations amendments to be used for debt reduction. You cannot control the level.

Mr. BENTSEN. Mr. Chairman, reclaiming my time, my only concern is it would be something people would say we are going to vote against a program we do not like, but we will take it out of a program we like.

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

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Wisconsin is recognized for 1 minute.

Mr. RYAN of Wisconsin. Mr. Chairman, this is a very, very straightforward amendment. All this amendment does is it simply says that if you are a Member of Congress and you want to reduce spending, you want to go after a wasteful program, that means you can then use that money to pay off national debt.

We have some weird laws in this body. I am a new Member of Congress and I am becoming acquainted with these. But one of the weirdest laws that we have here in this body is that if you eliminate or reduce spending in the appropriations process, that money is spent somewhere else in the Federal Government. It cannot go toward paying down our National debt.

All this amendment does, an amendment supported by the National Taxpayers Union, an amendment supported by the Citizens Against Government Waste, all this amendment says is that if you successfully pass an amendment to save money, that that money will go toward paying down the National debt, unless you designate it to go to another account or another spending pro-

gram within the Federal Government. It is good fiscal discipline, it is bipartisan. I am pleased to have as my cosponsors the gentleman from Minnesota (Mr. MINGE) and the gentleman from New Jersey (Mr. ANDREWS). I am pleased that 321 Members of this House have already voted for or cosponsored this bill.

I ask Members to be consistent. I ask Members to vote for this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. RYAN).

The amendment was agreed to.

Mr. SPRATT. Mr. Chairman, I ask unanimous consent to withdraw my request for a recorded vote on Ryan amendment No. 7.

The CHAIRMAN. Does any other Member ask for a recorded vote?

PARLIAMENTARY INQUIRY

Mr. NUSSLE. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. NUSSLE. Mr. Chairman, on the amendment that the gentleman from South Carolina was requesting unanimous consent regarding, what was the determination of the Chair?

The CHAIRMAN. The result on the previous amendment was "aye" by a voice vote.

The Chair would make an inquiry of the gentleman from South Carolina. The amendment just concluded was Ryan No. 7. I understand the gentleman's unanimous consent request to be with regard to which amendment?

Mr. SPRATT. It was Ryan No. 7, according to mine. It is Ryan No. 6, the pay-go amendment.

The CHAIRMAN. The gentleman's request concerns the previous amendment, Ryan No. 6, on which the gentleman from South Carolina asked for a recorded vote. He is now seeking unanimous consent to withdraw his request for a recorded vote.

Mr. RYAN of Wisconsin. Are you talking about the pay-go amendment?

The CHAIRMAN. Yes. Without objection, the request for a recorded vote entered by the gentleman from South Carolina is withdrawn. Does any other Member seek a recorded vote on Ryan No. 6?

If not, that amendment is adopted.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 499, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

Amendment No. 2 offered by Mr. GEKAS of Pennsylvania; and,

Amendment No. 4 offered by Ms. JACKSON-LEE of Texas.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. GEKAS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gen-

tleman from Pennsylvania (Mr. GEKAS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 173, noes 236, not voting 25, as follows:

[Roll No. 187]

AYES—173

Aderholt	Goode	Peterson (PA)
Archer	Goodlatte	Petri
Armey	Goodling	Pickering
Bachus	Goss	Pitts
Ballenger	Graham	Pombo
Barr	Green (WI)	Porter
Bartlett	Greenwood	Quinn
Barton	Gutknecht	Radanovich
Bass	Hall (OH)	Ramstad
Bateman	Hansen	Reynolds
Bereuter	Hastings (WA)	Riley
Bilbray	Hayworth	Rogan
Bilirakis	Hefley	Rohrabacher
Blunt	Herger	Ros-Lehtinen
Boehlert	Hill (MT)	Roukema
Bono	Hilleary	Royce
Brady (TX)	Hoekstra	Ryan (WI)
Bryant	Horn	Ryun (KS)
Burr	Hostettler	Salmon
Burton	Houghton	Sanford
Buyer	Hulshof	Scarborough
Camp	Hutchinson	Schaffer
Canady	Hyde	Sensenbrenner
Cannon	Isakson	Sessions
Castle	Istook	Shadegg
Chabot	Jenkins	Shaw
Chambliss	Johnson (CT)	Shays
Coble	Johnson, Sam	Shimkus
Coburn	Jones (NC)	Shows
Combest	Kasich	Shuster
Cook	Kelly	Simpson
Cox	King (NY)	Smith (MI)
Crane	Kingston	Smith (NJ)
Cubin	Kleczka	Smith (TX)
Cunningham	LaHood	Souder
Davis (VA)	LaTourette	Stearns
Deal	Lazio	Stump
DeMint	Leach	Sununu
Diaz-Balart	Lewis (KY)	Sweeney
Doggett	Linder	Talent
Doolittle	LoBiondo	Tancredo
Dreier	Lucas (OK)	Tauzin
Duncan	McHugh	Taylor (MS)
Dunn	McInnis	Terry
Ehlers	McKeon	Thomas
Ehrlich	Metcalfe	Thune
English	Mica	Toomey
Everett	Miller (FL)	Vitter
Ewing	Miller, Gary	Walden
Fletcher	Minge	Weldon (FL)
Foley	Moran (KS)	Weldon (PA)
Forbes	Morella	Weller
Fossella	Myrick	Whitfield
Fowler	Nethercutt	Wicker
Franks (NJ)	Ney	Wilson
Galleghy	Norwood	Wynn
Gekas	Nussle	Young (AK)
Gillmor	Pease	

NOES—236

Abercrombie	Blagojevich	Cardin
Allen	Blumenauer	Carson
Andrews	Boehner	Chenoweth-Hage
Baca	Bonilla	Clay
Baird	Bonior	Clayton
Baldacci	Borski	Clement
Baldwin	Boswell	Clyburn
Barcia	Boucher	Collins
Barrett (NE)	Boyd	Condit
Becerra	Brady (PA)	Conyers
Bentsen	Brown (FL)	Cooksey
Berkley	Brown (OH)	Costello
Berman	Callahan	Coyne
Berry	Calvert	Cramer
Biggert	Capps	Crowley
Bishop	Capuano	Cummings

Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
DeLauro
DeLay
Deutsch
Dickey
Dicks
Dingell
Dixon
Dooley
Doyle
Edwards
Emerson
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frelinghuysen
Frost
Gejdenson
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Gordon
Granger
Green (TX)
Gutierrez
Hall (TX)
Hastings (FL)
Hayes
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Hoyer
Hunter
Inslie
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)

NOT VOTING—25

Ackerman
Baker
Barrett (WI)
Bliley
Campbell
Delahunt
Engel
Ganske
Largent

Lowey
Maloney (NY)
Martinez
McCollum
McCrary
McIntosh
McNulty
Meeks (NY)
Nadler

□ 1932

Mr. LEWIS of Georgia and Mr. HUNTER changed their vote from "aye" to "no."

Mrs. MORELLA and Messrs. SMITH of Michigan, PETERSON of Pennsylvania, REYNOLDS, and DOGGETT changed their vote from "no" to "aye."
So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to House Resolution 499, the Chair announces that he will reduce to a minimum of 5 minutes the time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 4 OFFERED BY MS. JACKSON-LEE OF TEXAS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 188, noes 225, not voting 21, as follows:

[Roll No. 188]

AYES—188

Abercrombie
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett (NE)
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Billbray
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Carson
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Ehlers
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
Inslie
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kennedy
Kildee
Kilpatrick
Kind (WI)
Klecza
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Linder
Lipinski
Lofgren
Lucas (KY)
Maloney (CT)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
Meehan
Meek (FL)
Menendez
Millender-
McDonald
Miller, George
Mink
Moakley

Moore
Moran (VA)
Napolitano
Neal
Obey
Olver
Ortiz
Pallone
Pascarell
Pastor
Paul
Payne
Pelosi
Phelps
Pomeroy
Price (NC)
Rahall
Reyes
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Sherman
Simpson
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Strickland
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Velazquez
Vento
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOES—225

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilirakis
Blunt
Boehler
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Cardin
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallely
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte

NOT VOTING—21

Ackerman
Bliley
Campbell
Engel
Ganske
Kaptur
Largent

Lowey
Maloney (NY)
Martinez
McCollum
McIntosh
McNulty
Meeks (NY)

□ 1941

Mr. LUTHER changed his vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the amendment in the nature of a substitute, as amended.

Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson, Sam
Jones (NC)
Kanjorski
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
LoBiondo
Lucas (OK)
Luther
Manzullo
McCrary
McHugh
McInnis
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Minge
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ose
Oxley
Packard
Pease
Peterson (MN)
Peterson (PA)
Petri

Pickering
Pickett
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Rivers
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traffant
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

The amendment in the nature of a substitute, as amended, was agreed to. The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. LATOURETTE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 853) to amend the Congressional Budget Act of 1974 to provide for joint resolutions on the budget, reserve funds for emergency spending, strengthened enforcement of budgetary decisions, increased accountability for Federal spending, accrual budgeting for Federal insurance programs, mitigation of the bias in the budget process toward higher spending, modifications in paygo requirements when there is an on-budget surplus, and for other purposes, pursuant to House Resolution 499, he 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 any 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.

The amendment was agreed to.

The SPEAKER pro tempore. 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 the passage of the bill.

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

RECORDED VOTE

Mr. NUSSLE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 166, noes 250, not voting 18, as follows:

[Roll No. 189]

AYES—166

Aderholt	Coburn	Ganske
Archer	Collins	Gekas
Army	Combust	Gibbons
Baker	Condit	Gilchrest
Ballenger	Cooksey	Goode
Barr	Cox	Goodlatte
Bartlett	Crane	Goodling
Barton	Davis (VA)	Goss
Bass	Deal	Graham
Bilbray	DeFazio	Green (WI)
Blunt	DeLay	Greenwood
Bono	DeMint	Gutknecht
Brady (TX)	Diaz-Balart	Hansen
Bryant	Doggett	Hastings (WA)
Burr	Dreier	Hayes
Burton	Dunn	Hayworth
Buyer	Ehrlich	Hefley
Camp	English	Hergert
Canady	Ewing	Hill (MT)
Cannon	Fletcher	Hilleary
Cardin	Foley	Hoekstra
Castle	Fossella	Horn
Chabot	Franks (NJ)	Hostettler
Chambliss	Frelinghuysen	Houghton
Coble	Galleghy	Hulshof

Hutchinson	Norwood	Shimkus	Sabo	Stabenow	Visclosky
Inslee	Nussle	Simpson	Sanchez	Stark	Walsh
Isakson	Oxley	Smith (MI)	Sanders	Strickland	Waters
Jenkins	Pease	Smith (NJ)	Sandlin	Stump	Watkins
Johnson (CT)	Peterson (PA)	Smith (TX)	Sawyer	Tauscher	Watt (NC)
Johnson, Sam	Petri	Smith (WA)	Schakowsky	Taylor (MS)	Waxman
Jones (NC)	Pickering	Souder	Scott	Taylor (NC)	Weiner
Kasich	Pitts	Stearns	Sherman	Thompson (CA)	Weldon (PA)
Kingston	Pombo	Stenholm	Sherwood	Thompson (MS)	Wexler
LaHood	Portman	Sununu	Shows	Thurman	Weygand
Latham	Pryce (OH)	Sweeney	Shuster	Tiahrt	Wicker
Lazio	Radanovich	Talent	Sisisky	Tierney	Wise
Leach	Ramstad	Tancredo	Skeen	Towns	Wolf
Linder	Reynolds	Tanner	Skelton	Trafigant	Woolsey
LoBiondo	Rogan	Tauzin	Slaughter	Turner	Wu
Lucas (KY)	Rohrabacher	Terry	Snyder	Udall (CO)	Wynn
Lucas (OK)	Ros-Lehtinen	Thomas	Spence	Velazquez	Young (AK)
Luther	Roukema	Thornberry	Spratt	Vento	Young (FL)
Manzullo	Royce	Thune			
McCrery	Ryan (WI)	Toomey			
McHugh	Ryun (KS)	Upton	Ackerman	Maloney (NY)	Nadler
McInnis	Salmon	Vitter	Bliley	Martinez	Owens
McKeon	Sanford	Walden	Campbell	McCollum	Rangel
Meehan	Saxton	Wamp	McIntosh	McCollum	Serrano
Metcalf	Scarborough	Watts (OK)	Largent	McNulty	Stupak
Mica	Schaffer	Welder (FL)	Lowey	Meeks (NY)	Udall (NM)
Miller, Gary	Sensenbrenner	Weller			
Minge	Sessions	Whitfield			
Moran (KS)	Shadegg	Wilson			
Myrick	Shaw				
Nethercutt	Shays				

NOES—250

Abercrombie	Doyle	Larson
Allen	Duncan	LaTourette
Andrews	Edwards	Lee
Baca	Ehlers	Levin
Bachus	Emerson	Lewis (CA)
Baird	Eshoo	Lewis (GA)
Baldacci	Etheridge	Lewis (KY)
Baldwin	Evans	Lipinski
Barcia	Everett	Lofgren
Barrett (NE)	Farr	Maloney (CT)
Barrett (WI)	Fattah	Markey
Bateman	Filner	Mascara
Becerra	Forbes	Matsui
Bentsen	Ford	McCarthy (MO)
Bereuter	Fowler	McCarthy (NY)
Berkley	Frank (MA)	McDermott
Berman	Frost	McGovern
Berry	Gejdenson	McIntyre
Biggart	Gephardt	McKinney
Bilirakis	Gillmor	Meek (FL)
Bishop	Gilman	Menendez
Blagojevich	Gonzalez	Millender
Blumenauer	Gordon	McDonald
Boehlert	Granger	Miller (FL)
Boehner	Green (TX)	Miller, George
Bonilla	Gutierrez	Mink
Bonior	Hall (OH)	Moakley
Borski	Hall (TX)	Mollohan
Boswell	Hastings (FL)	Moore
Boucher	Hill (IN)	Moran (VA)
Boyd	Hilliard	Morella
Brady (PA)	Hinchee	Murtha
Brown (FL)	Hinojosa	Napolitano
Brown (OH)	Hobson	Neal
Callahan	Hoeffel	Ney
Calvert	Holden	Northup
Capps	Holt	Oberstar
Capuano	Hooley	Obey
Carson	Hoyer	Olver
Chenoweth-Hage	Hunter	Ortiz
Clay	Hyde	Ose
Clayton	Istook	Packard
Clement	Jackson (IL)	Pallone
Clyburn	Jackson-Lee	Pascarell
Conyers	(TX)	Pastor
Cook	Jefferson	Paul
Costello	John	Payne
Coyne	Johnson, E. B.	Pelosi
Cramer	Jones (OH)	Peterson (MN)
Crowley	Kanjorski	Phelps
Cubin	Kaptur	Pickett
Cummings	Kelly	Pomeroy
Cunningham	Kennedy	Porter
Danner	Kildee	Price (NC)
Davis (FL)	Kilpatrick	Quinn
Davis (IL)	Kind (WI)	Rahall
DeGette	King (NY)	Regula
Delahunt	Klecza	Reyes
DeLauro	Klink	Riley
Deutsch	Knollenberg	Rivers
Dickey	Kolbe	Rodriguez
Dicks	Kucinich	Roemer
Dingell	Kuykendall	Rogers
Dixon	LaFalce	Rothman
Dooley	Lampson	Roybal-Allard
Doolittle	Lantos	Rush

NOT VOTING—18

Bliley	Maloney (NY)	Nadler
Campbell	Martinez	Owens
McIntosh	McCollum	Rangel
McNulty	McCollum	Serrano
Meeks (NY)	McNulty	Stupak
	Meeks (NY)	Udall (NM)

□ 2000

So the bill was not passed. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. NUSSLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 853, the legislation just considered.

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

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 1654, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT FOR FISCAL YEARS 2000, 2001, AND 2002

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees on H.R. 1654, to authorize appropriations for the National Aeronautics and Space Administration for fiscal years 2000, 2001, and 2002:

Messrs. SENSENBRENNER, ROHR-ABACHER, WELDON of Florida, HALL of Texas, and GORDON.

There was no objection.

REPORT ON H.R. 4461, DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS, 2001

Mr. SKEEN, from the Committee on Appropriations, submitted a privileged report (Report No. 106-619) on the bill (H.R. 4461) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for fiscal year 2001, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

APPOINTMENT OF MEMBERS TO
CANADA-UNITED STATES INTER-
PARLIAMENTARY GROUP

The SPEAKER pro tempore. Without objection and pursuant to the provisions of 22 U.S.C. 276d, the Chair announces the Speaker's appointment of the following Members of the House to the Canada-United States Inter-parliamentary Group, in addition to Mr. Houghton of New York, chairman, appointed on February 16, 2000:

Mr. UPTON of Michigan,
Mr. STEARNS of Florida,
Mr. MANZULLO of Illinois,
Mr. PAYNE of New Jersey,
Mr. PETERSON of Minnesota, and
Ms. DANNER of Missouri.
There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

RESPONSE TO ARGUMENTS
AGAINST PNTR FOR CHINA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. STENHOLM) is recognized for 5 minutes.

Mr. STENHOLM. Mr. Speaker, I want to take this 5 minutes to respond to one of the arguments that I have heard against permanent normal trade relations with China.

The argument is that China, its 1.3 billion citizens, and only 7 percent of the world's arable land, does not need United States' agricultural products. USDA's Economic Research Service and private agricultural commodity groups believe China will continue to be a major market for U.S. agricultural products and that China's accession to the WTO will expand that market.

For cotton, China committed to a tariff-rate quota of 743,000 tons for cotton in the Year 2000, increasing to 894,000 tons in 2004. The within-quota duty would be 4 percent and the over-quota duty would decline from 69 percent in 2000 to 40 percent by 2004. Nonstate trade companies get two-thirds of that quota, which means we

help avoid the problem we have sometimes had in the past with quotas going unfiled.

The ERS projects that if China did not join the WTO, it would import cotton worth \$565 million in 2005. If China does join, ERS projects that its cotton imports would increase to \$924 million by 2005.

For corn, China committed to establish a 4.5 million ton tariff rate quota in 2000, rising to 7.2 million by 2004. Here again, ERS projects that China's net imports of corn in 2005 will increase by \$587 million if China joins the WTO.

U.S. corn exports to China have averaged about 47 million over the past 5 years. This will increase.

For wheat, China committed to a tariff rate quota of 7.3 million tons in 2000, rising to 9.64 million in 2004. ERS projects that China's net imports of wheat in 2005 will increase from \$231 million per year to \$773 million if it joins the WTO.

For soybean products, the story goes on. ERS projects that China's net imports of soybean products in 2005 will increase by \$180 million if China joins the WTO.

Now, ERS is not alone in the view that China will have to be buying agricultural commodities. According to Worldwatch's Lester Brown, China's water supplies in its grain-producing areas are falling at a high rate. He sees massive grain imports and growing dependence on U.S. grain.

The Farm Bureau also expects great benefits from China's accession to the WTO. U.S. exports to the Asian region as a whole are expected to increase in the next few years.

I would like to conclude my remarks tonight by putting all of these facts and figures into context. For years, we in agriculture have complained about the use of unilateral sanctions to change the behavior of various governments around the world. Recently, we have made some progress on this front, with some restrictions lifted last year that have resulted in sales of some corn to Iran and wheat to Libya.

If we look at what USDA estimates that we in agriculture lost because of the United States' own decision not to trade with certain countries, the total in 1996 was about \$500 million. The estimates for this year have to be considerably more than \$500 million. That is less than a third of the \$1.7 billion we will lose in 2005 if we do not grant China permanent normal trade relations.

All six of the countries currently under sanctions, Cuba, Iran, Iraq, Libya, Sudan and North Korea, together, import only \$7.7 billion in food and agricultural products each year. That is about half the \$14 billion China imports today annually.

We need to make the right decision on China and stop giving away agricultural markets to our competitors. That is what those of us who support treating China as our competitors do. What sense does it make today for the

United States to unilaterally say to any country that we will not sell them our food and medicine, when our "friends" sell to that country? That is something that I have failed to understand in some of the arguments against PNTR. It is one thing if we multilaterally, if all of our "friends" also agree to use food and medicine as a weapon. That would be a powerful tool. But to do it unilaterally, it seems to me, only punishes our own producers, in this case farmers and ranchers, and it hurts the people of which we are trying to help, and it strengthens the governments of which we are trying to change.

I hope that this and other statements we will hear over the next few days will convince at least 218 of us in this body to do the right thing, to grant permanent normal trade relations with China, to allow them to come into the WTO, and, for the first time in history, have them subjected to the same laws that apply to the rest of the free world. It sure cannot hurt to try it.

FINDING A CURE FOR AUTISM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, every morning Miami-Dade County Commissioner Jimmy Morales helps his 6-year-old daughter get ready for school. Like many 6-year-old kids, Nora sings along to Britney Spears, N-Sync or Cristina Aguilera. Once at school, she introduces her dad to all of her classmates, gives daddy a kiss and a hug, and sends him off to work.

While to most people this may sound like a normal day in the life of a 6-year-old for Nora, many of these achievements have come only as a result of hard work. Unlike most little girls, Nora would not like to wear ribbons or clips in her hair. She could not look her parents in the eye nor tell them about her day with her grandparents. In fact, Nora's parents were not even sure she recognized her own name.

The reason: 4 years ago, Nora was diagnosed with autism; a neurological disorder which impacts a half a million people in America.

The world through the eyes of an autistic child is a complex puzzle with no solution. Autism affects the normal development of the brain and it impacts in the area of social interaction and communication skills. As a result, children living with autism have a difficult time responding appropriately to their environment. This includes playing with friends and forming relationships, even with their own parents.

Autism is four times more prevalent in boys than in girls, but it does not discriminate. It knows no racial, ethnic, or social boundaries. And family income, life-style and educational level do not affect the chances of autism's occurrence. In fact, according to the

Centers for Disease Control and Prevention, no one knows exactly why autism strikes approximately 1 in every 500 individuals.

Autism not only has no known cause, but it has, sadly, no known cure. Sadly enough, the national rates of children being diagnosed with autism are increasing dramatically. For example, in the State of California, the numbers have increased 237 percent in the last 10 years. In my home State, 50 percent of the children diagnosed with autism reside within my community of south Florida.

The pictures that I would like to show to my colleagues and to the viewers tonight that we see here are of Bonnie and Willis Flick, two autistic children residing in my Congressional District who are fortunate enough to receive treatment and intervention therapy to help them cope with every day life.

A good day for Bonnie is similar to the one we just heard about Nora. Bonnie is a high functioning autistic child who attends a very special school, The Learning Experience in Miami. And because autism is a spectrum disease that is manifested in a variety of forms, some children are not as high functioning as Bonnie.

□ 2015

For example, life for Bonnie's autistic brother, Willis, is a bit more difficult. Willis is mostly nonverbal and is not able to tell his mother that he is hungry or sleepy or not feeling well. He is unable to verbally express his joy, anger, or frustration; and that makes life all the more difficult for those around him.

Bonnie and Willis receive professional assistance to help them optimize their potential and learning capabilities. But there are many autistic children who are less fortunate.

As if families of autistic children did not suffer enough distress, one of the biggest challenges facing them is finding health coverage for treatment and therapy of this condition.

Fortunately, Nora's parents, as well as Bonnie and Willis' parents, have been able to work through obstacles to ultimately find the care that their families so desperately need.

Many families, however, are not as fortunate. We must continue to work so that all health insurance and health maintenance organizations include coverage for services to treat autism.

In my Congressional district, the University of Miami operates the Center for Autism and Related Diseases, CARD, which helps hundreds of children and their families whose lives are impacted with autism.

The CARD centers operate throughout the State of Florida and provide free individual and family assistance services as well as training programs for the parent and the professional. These centers focus on finding ways to change the behaviors and perceptions of individuals with autism in a way

that will allow them to successfully learn, work, and communicate.

Mr. Speaker, we need to continue to support centers like CARD whose services benefit families struggling through the ordeal of autism.

Last week, the House passed the Children's Health Act, which contains a provision to establish centers of research and expertise. It is establishments like these that will help families of autistic children.

I hope that, on behalf of the Bonnies and the Willises and the Noras in their districts, my colleagues will continue to pass legislation like the Children's Health Act and provide funding to research the causes for this disorder. With continued research, every day we are one day closer to finding a cure for this debilitating disability.

The SPEAKER pro tempore (Mr. SHERWOOD). Under a previous order of the House, the gentleman from California (Mr. DOOLEY) is recognized for 5 minutes.

(Mr. DOOLEY of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

PERMANENT NORMAL TRADE RELATIONS WITH CHINA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. COMBEST) is recognized for 5 minutes.

Mr. COMBEST. Mr. Speaker, the vote on permanent normal trade relations with China may be one of the most important votes that we will cast in years.

China represents an agricultural market that is vital to the long-term success of American farmers and ranchers. Agriculture trade with China can strengthen development of private enterprise in this country and bring China more fully into the world trade membership. We intend to work for that goal and urge all of U.S. agriculture to join with us.

China's participation in the WTO will result in at least \$2 billion per year in additional U.S. exports within the next 5 years. That is just U.S. agricultural exports.

By 2005, the largest increases in the annual value of China's net agricultural imports are likely to be \$587 million for corn, \$543 million for wheat, and \$359 million for cotton.

According to the Economic Research Service, net farm income would be higher by \$1.7 billion in 2005 and higher by an average of \$1.1 billion over the years 2000 to 2009 for each year.

Listen to what agricultural groups are saying about China PNTR. The U.S. wheat growers say that PNTR represents a potential 10 percent increase in U.S. wheat exports. The U.S. pork producers believe that China PNTR will pave the way for an increased value in hogs by \$5 a head.

Poultry producers say that because China is already the largest export market for poultry, \$350 million in 1999, under PNTR it can become a \$1 billion market in just a few years.

Cattle producers believe that a vote against PNTR is a vote against them. They expect to almost triple beef export to China by the year 2005.

Corn growers believe that they have an opportunity to immediately triple their 5-year average of corn exports to China with acceptance to PNTR.

Some who oppose PNTR for China will weigh that China is an agricultural glut and will never buy U.S. commodities. That is not true according to USDA's Economic Research Service. They say that China's accession to the WTO means that U.S. farmers and ranchers can sell an additional \$1.6 billion worth of agricultural products in 5 years.

On top of that, \$400 million of U.S. fruits, vegetables, and animal products can be sold by 2005 upon China's entry into the WTO. That is \$2 billion more of agricultural exports in 5 years. This view is supported by the widespread support among U.S. agricultural commodity groups for China PNTR.

Still, others argue that China is self-sufficient in agriculture production and that it produces enough to feed its own people and does not need U.S. wheat or corn or any commodity. But listen to what the Worldwatch Institute Chairman Lester Brown said. He said that China's water supplies in its grain-producing areas are falling at a high rate. He sees massive grain imports and growing dependence on U.S. grain.

The reality is that no one can predict the future. China imports large amounts of U.S. agricultural commodities right now, some through Hong Kong, \$2.5 billion in 1999 of agriculture, fish, and forestry products.

Greater access to Chinese markets means greater opportunities for U.S. high-quality agriculture products. As the diets of the Chinese improve, there will be more demand for high-quality agricultural products and value-added food products. This is what U.S. farmers and the food industry can provide to Chinese consumers.

It must be remembered that China has access to the U.S. market right now. China will become a member of WTO; and after its accession to the WTO, it will still have access to the market. The vote for PNTR will decide whether U.S. agriculture will have improved access to Chinese markets or that we will see that market to the competitors of U.S. agriculture.

We have all heard the argument that PNTR is not necessary and that if Congress rejects China PNTR that U.S. exporters still will attain the benefits of China's WTO accession. But the General Accounting Office says that the full benefits of the November 1999 agreement negotiated by the U.S. will not be available unless Congress adopts China PNTR.

Tariff concessions will be available, but there will be no way to enforce these. No enforcement mechanisms will be available, and the U.S. will not be able to use WTO dispute settlement provisions. The WTO dispute settlement is a critical weapon to ensure U.S. trading rights. The ability to enforce the tariff rate quotas will be undermined. The U.S. could not challenge Chinese export or domestic subsidies that hurt U.S. exports in third countries. We could not enforce the benefits of the sanitary and phytosanitary agreement that was negotiated with the Chinese and is so important to U.S. citrus, wheat, and meat products.

Additionally, the special safeguards provision to protect against import surges negotiated by the U.S. would not be available.

Unless Congress grants China PNTR, there will be no way to ensure that tariff and access concessions will be available to U.S. agricultural exporters. WTO dispute settlement provision will not be available to the U.S. Those who are concerned about making sure China keeps its part of the bargain should support PNTR. Without WTO dispute settlement provisions, any ability to ensure Chinese compliance is severely weakened. According to a May 11, 2000 article in the Washington Post many of China's dissidents back China's accession into the WTO. This is what they are saying:

Bao Tong, one of China's most prominent dissidents, says that Congress should pass China PNTR. Mr. Bao believes that China should be included in as many international regimes as possible so that it must adhere to these international standards. Referring to congressional passage of PNTR, Mr. Bao says, "It is obvious this is a good thing for China." He goes on to say . . . "I appreciate the efforts of friends and colleagues to help our human rights situation, but it doesn't make sense to use trade as a lever. It just doesn't work."

Dai Qing, perhaps China's most prominent environmentalist and independent political thinker, says "All of the fights—for a better environment, labor rights and human rights—these fights we will fight in China tomorrow. But first we must break the monopoly of the state. To do that, we need a freer market and the competition mandated by the WTO." According to Ms. Dai, "One of the main economic and political problems in China today is our monopoly system, a monopoly on power and business monopolies. Both elements are mutually reinforcing. The WTO rules would naturally encourage competition and that's bad for both monopolies.

Zhou Litai, one of China's most prominent labor lawyers and represents dozens of maimed workers in Shenzhen, says, "American consumers are a main catalyst for better worker rights in China. They are the ones who pressure Nike and Reebok to improve working conditions at Hong Kong and Taiwan-run factories here. If Nike and Reebok go—and they could very well (if the trade status) is rejected—this pressure evaporates. This is obvious."

Mr. Speaker, there will be irreparable damage done to American agriculture if Congress does not pass PNTR.

THINK ONCE, THINK TWICE ABOUT U.S. TRADE RELATIONS WITH CHINA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, I would say to our colleagues this evening, think once, think twice about U.S. trade with China, particularly in agriculture.

Recently I read a fascinating report prepared by Dr. Charles McMillian, former editor of the Harvard Business Review. He is a man who understands numbers. And he says, think once, think twice. China has produced an annual glut of agricultural commodities for over a generation. In fact, the United States has registered a consistent and growing deficit in agriculture with China in two-thirds of all agricultural groupings.

It is true with pork. We produced a lot of that in my corner of Ohio. It is true with corn. It is true with citrus, with vegetables, with fish. Just go down the categories.

China, in fact, in the last decade, had an average annual surplus, that means they are sending more out than taking goods in, in global agricultural trade of \$4 billion annually. Just last year, in 1999, the rate of that is increasing to where just in 1999 they had a \$4 billion surplus of global agricultural trade over what they imported. So their advantage, essentially, is increasing.

They are rapidly expanding the quantity, the quality, and the composition of products that are being exported to our country, everything from ketchup to rice and, for the first time, in 1999, cotton.

Now, China recorded an overall advantage with the United States in 1985, 1986, 1992, 1993, and 1999 in agriculture. In fact, we have maintained a chronic agricultural trade deficit with them in 17 of 26 agricultural commodity groups, everything from seafood, to tobacco, sugar, cocoa, vegetables, fruits, nut, and various animal parts.

What is even more troubling is that our exports to them have fallen every year since 1995 as China has strengthened our ability to export to them in spite of our bilateral agreements and tariff reductions has decreased.

In fact, our agricultural exports to China in 1999 were a third less than a decade before, while U.S. imports of their agricultural commodities had literally doubled, gone up by nearly 100 percent.

Now, if we think about this, China's agricultural production growth continues to outpace their own growth in domestic demand. Our own embassy in China, our agriculture attache in Beijing, points out that China is struggling to solve its fundamental problems of chronic overproduction.

But it does have an inefficient distribution system. And with capital investment that might occur there as a result of going into WTO, they are

going to be able to move that product more quickly around the world.

Particularly key in all of this are China's partnerships with powerful global firms such as Cargill, Archer Daniels Midland, and ConAgra. And of course, those companies export. In fact, Cargill, for example, has been in China since 1973. Cargill really does not care if it sells and markets Chinese corn or U.S. corn.

So the point is there are some agricultural interests globally that will win, but it will not be U.S. farmers because that Chinese corn and pork and tobacco and seafood, and go down all the categories, are going to depress prices even more here at home.

So I would say to people in rural America, think once, think twice about all of this.

It is not clear that, in this recent agreement that the administration signed with China, that any new grain commitments to purchase were actually made. There were some promises that maybe there would be some tariff reduction. But if we look at the tariff reduction that occurred during the decade of the 1990s, it did not result in any more sales.

It is highly unlikely that China will eliminate its non-tariff barriers to agriculture trade. It would put too great a risk on its own sector advancing. Because China, since 1949, has had an agricultural policy that said, we will be food self-sufficient. Starvation propelled them into the most recent half century, and they fully well understand what it means not to be self-sufficient in food production at home.

I think that, as much as we talk about tariffs here and about non-tariff barriers, it is also important to point out that when China gets in trouble internationally, it does something very simple, it devalues its currency, as it did in 1994.

So think once, think twice. China is going to put more downward pressure on U.S. food prices if permanent normal trade relations are approved with China.

I urge my colleagues to vote "no" on that measure.

PERMANENT NORMAL TRADE RELATIONS WITH CHINA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Idaho (Mr. SIMPSON) is recognized for 5 minutes.

Mr. SIMPSON. Mr. Speaker, I rise today in support of the permanent normal trade relations with China.

Some people view PNTR as a gift that the United States would give to China. PNTR with China is, in fact, in the United States' best economic interest.

China is a huge potential market for the United States, as has been mentioned, 1.2 billion people, or 20 percent of the world's population. Our potential to export to them is enormous.

Idaho's share of those exports is significant to a small State with a million

people in it. In 1998 alone, Idaho exported nearly \$25 million worth of merchandise to China. And in the agricultural sector, we exported \$833 million to China.

Future gains are almost certain under the terms of the bilateral agreement and China's WTO accession. Upon accession to the WTO, China's average tariff rate of 22 percent will drop to 17 percent for most products. In the agricultural sector, the reduction is even more significant. The average 31 percent tariff will be reduced to 14 percent for agricultural products on average.

In fact, Goldman Sachs estimates that passage of PNTR will increase U.S. exports to China by \$12.7 billion to \$13.9 billion by the year 2005.

□ 2030

Although there have been some statements to the contrary that the U.S. can reap all of the benefits of this bilateral agreement when China accedes to the WTO, the fact is that cannot happen unless PNTR is granted to China. That is because one of the cornerstones of the WTO is the concept of unconditional most favored nation or normal trade relations between WTO members.

In the agricultural area, PNTR wheat producers believe that they will see an increase of 10 percent sales to China with PNTR. In fact, the increase of sales of beef will increase even more, I believe, as the current tariff rates are reduced from their current level of 45 percent to 12 percent by the year 2004. China will also eliminate its export subsidies upon WTO accession.

The U.S., and this is important to remember, Mr. Speaker, the U.S. is not required to change any of its market access commitments to achieve all of these benefits. In the high tech sector in Idaho, which is a growing industry in Idaho, the current duties on information technology products such as computers, electronics, fiberoptics, cable and other telecommunication equipment currently average 13 percent but will be eliminated by January 1, 2005. In addition, trading and distribution rights for IT products will be phased in over 3 years. This means that companies in my congressional district, such as Micron and Hewlett-Packard, will be able to build upon their current exports to China which currently average around 6 percent. Mr. Speaker, this is a very important vote for Congress. I understand and agree with the concerns of my colleagues with regards to human rights in China. But I believe that we will change China more by being engaged with China rather than standing back and throwing stones. In fact, it was interesting. Today I had several students from Taiwan in my office. One would think that Taiwan would be opposed to accession of China into the WTO because of the aggressive nature that China has expressed toward Taiwan but these students told me, and I have confirmed with the President elect of Tai-

wan that they support accession of China into the WTO because they believe that active engagement with China will make China more like Taiwan and will free Taiwan and make them more economically free.

Mr. Speaker, this potentially is the most important vote that we will cast in this Congress. I urge my colleagues to support PNTR for China.

TRIBUTE TO THE LATE JOSEPH L. MOORE, DIRECTOR OF CHICAGO VA HEALTH CARE SYSTEM

The SPEAKER pro tempore (Mr. SHERWOOD). 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 to pay tribute to a man who could be called the personification of a smooth, effective and loyal bureaucrat but also a dedicated protector and promoter of health care for veterans. Joseph L. Moore began his career with the Veterans Affairs Department as a clerk typist but ended it as director of the Lakeside and Westside Veterans' Administration Hospitals in Chicago, Illinois.

Born in Ripley, Tennessee and raised in St. Louis, Missouri, Mr. Moore worked with the Department of Veterans Affairs for more than 40 years. He came to Chicago in 1979 to take over as director of the VA Lakeside Medical Center. He became director of the Chicago VA Health Care System in 1996 when Lakeside administration merged with the Westside VA Medical Center. He was instrumental in facilitating the merger. That will stand as one of his final achievements in the Veterans' Administration. This merger is reported to have saved millions of dollars for U.S. taxpayers.

When Mr. Moore came to Lakeside, the hospital was in need of strong leadership, which he provided. He redid Lakeside and turned it around so that the veterans and their families could be well received and well treated. Just before his death, Mr. Moore was scheduled to receive an award from the Chicago Federal executive board for distinguished services. He served two terms as chairman of the Chicago Federal executive board.

Over 40 years, Joseph Moore championed quality health care services for all veterans. His commitment to the veteran community was without reservation. His integrity and intellect gained him the respect of medical professionals throughout the world. In every endeavor, he demonstrated exceptional leadership, professionalism and dedication to the public and to Federal employees.

Mr. Moore received the Distinguished Executive Presidential Rank award, the highest award given to a civilian employee of the Federal Government, from President Ronald Reagan. He was also the first nonphysician to receive the Distinguished Service award from Northwestern University's Department of Medicine.

He dedicated his life to providing good health care for veterans. As director of Lakeside Medical Center, Mr. Moore was a member of the board of directors for Northwestern University's McGaw Medical Center.

He leaves a legacy of dedication and service to veterans. I am pleased to have known and to have worked with him as he went about the business of protecting and promoting the highest level and quality of health care for men and women who had dedicated and given their lives in the service of this country.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. WALDEN) is recognized for 5 minutes.

(Mr. WALDEN of Oregon addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

PNTR FOR CHINA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. ETHERIDGE) is recognized for 5 minutes.

Mr. ETHERIDGE. Mr. Speaker, the vote on permanent trade status for China is vital to our technology and small business interests in North Carolina, but it is particularly important to North Carolina agriculture, so I am glad this evening to come and join a number of other colleagues and talk about this issue. In 1998, North Carolina ranked 11th among the 50 States in the value of agricultural exports totaling \$1.5 billion. These exports supported about 22,800 jobs both on and off the farm in our State.

Our State's largest agricultural export, of course, in North Carolina is tobacco. In 1998, North Carolina exported \$573 million worth of tobacco leaf. It has been estimated that if flue-cured tobacco farmers could capture just 1 percent of the Chinese market, that is 1 percent, and 1 percent of the manufacturing in China was comprised of American flue-cured tobacco, the stocks in Stabilization would cease to exist and quotas would rise for our farmers.

The North Carolina Rural Prosperity Task Force that was chaired by Erskine Bowles estimated that if China would give our farmers fair access to their markets, North Carolina exports of flue-cured tobacco would increase by as much as 10 percent right away. After suffering a 50 percent loss in income due to quota cuts during the past several years, such an increase would be welcome news to many struggling farmers and their families and to tobacco industry workers in our State and other States.

Today China's tariff that is imposed on tobacco is currently 40 percent. Once China joins the WTO, it would drop to only 10 percent by 2004. The tariff on tobacco products will fall

from 65 percent to just 25 percent during that same period.

What must the United States sacrifice to gain these trade benefits? Nothing. All we have to do is make permanent what we have been doing for 20 years. We have been doing it on an annual basis. The U.S. granted China most-favored-nation status, now called normal trading relations status, in 1980. Simply by voting to continue this policy on a permanent basis, the Chinese will be required to reduce their tariffs, revise their trading practices, abide by the rule of law and remove their phony trade barriers on many of our products.

Therefore, the question coming before this House is this: Do we allow the U.S. tobacco growers and other farmers to take advantage of this new access? Or do we shut them out and give our competitors free reign to enjoy the fruits of our hard work and the negotiations that have taken place? To me, the answer is easy, which is why I support PNTR for China.

This does not mean that I am looking at this with my eyes closed. China has problems it needs to address before formally coming into WTO. Of special concern to me is China's use of blue mold as a phony barrier to keep our tobacco farmers from entering into this market. Barring our tobacco from their market based on the contention that blue mold could affect their crop has no basis in science and is a barrier that does not stand the light of day. I have been helping to lead the effort with other Members of this House to make sure that this issue is resolved satisfactorily, and I trust that our USDA and Chinese officials will have an announcement on this in the very near future.

While I have spoken at length about tobacco, China's entry into WTO will also greatly benefit North Carolina's poultry, pork, grain and other industries in our State. The North Carolina Department of Agriculture estimates that poultry, pork and a wide variety of other farmers could also see a steady increase in exports if China is granted PNTR. Last year, North Carolina exported more than \$300 million in chicken and turkey products. China is the second leading market for U.S. poultry exports, with North Carolina producers selling tens of millions of dollars worth of poultry to China every year. Under the WTO agreement, China will cut its tariff in half, from 20 percent to 10 percent by 2004 for frozen poultry cuts. There will be no quantity limits at this tariff level, for China has agreed to accept all poultry meat from the United States that is certified wholesome by the United States Department of Agriculture. The same is true for pork. About 60 percent of all meat consumed in China is pork. This will make a big difference for us. I think China PNTR is a win-win for our farmers.

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from South Dakota (Mr. THUNE) is recognized for 5 minutes.

(Mr. THUNE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

PNTR FOR CHINA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. BERRY) is recognized for 5 minutes.

Mr. BERRY. Mr. Speaker, this evening I want to commend the President, the Speaker of the House, and leaders on both sides of the aisle for their work on China permanent normal trade relations. I commend the gentleman from Texas (Mr. COMBEST) of the Committee on Agriculture and the ranking member the gentleman from Texas (Mr. STENHOLM) for their work on opening markets with China and many other countries. I want to commend Ambassador Barshesky, Secretary of Agriculture Dan Glickman and Secretary of Commerce Bill Daley for their work in opening markets to American agriculture and other commodities.

If Congress does not pass PNTR for China, it will be the worst economic policy decision since the Smoot-Hawley act of 1930 that the Congress has made. Smoot-Hawley was based on the idea that our economy can succeed while all other economies of the world fail. This is simply not the case. Failure to pass PNTR will be a step toward the isolation of Smoot-Hawley and a step away from the global business practices which have fueled our economic growth.

PNTR is a good deal for business, workers, farmers, consumers and all Americans. It is an especially good deal for American agriculture. We produce more food than we can consume. With 1.3 billion people, 20 percent of the world's population, China must import food to feed its people. Based on this fact, the agriculture relationship is a win-win situation for both countries.

For the district that I am fortunate to represent, the First Congressional District of Arkansas, China PNTR represents opening the largest market in the world to rice, soybeans, cotton, wheat, poultry, fish, beef, pork and other products. Agriculture is just one example of the tremendous benefits that China PNTR holds for Arkansas and America. This agreement is also good for financial services, insurance, information and technology, automobiles, chemicals, entertainment, telecommunications and many others. When average tariffs for American products that are going into China are cut from 24 to 9 percent, only good things can result for America's economy.

American farmers and businesses can compete on a level playing field with anyone else in the world. This agreement goes a long way towards creating a level playing field between America

and China. Additionally, we give up nothing by granting China PNTR. This agreement grants us access to their markets but does not give them any more access to our market than they already have.

□ 2045

If China PNTR does not happen, we will lose out, the rest of the world will gain, other countries in regions from Europe to South America will be doing business and laughing all the way to the bank with their profits. If we do not pass PNTR, the principal effect will be to deny the American economy the benefits of trading with the largest country and the largest population in the world.

I also firmly believe that China's human rights record must improve. The best way to be accomplish this is to bring them into the international community. By trading with them rather than refusing to relate to them, we will be able to have a positive influence on human rights in China.

Another common misperception is that China PNTR is bad for industries which have been hurt by trade. This is simply not true. We will have stronger trade laws under this agreement with a product-specific safeguard and permission to unilaterally retaliate should the Chinese engage in unfair trading practices. This agreement contains strong legal protections for American industries. If we fail to pass PNTR, American business will lose these protections.

Mr. Speaker, this decision is the right one. Trade with China is good from an economic standpoint, from a human rights standpoint, and from a national security standpoint. We must not allow China PNTR to be bogged down by politics. We should pass PNTR because it is the right thing to do for America.

THE DOLLAR AND OUR CURRENT ACCOUNT DEFICIT

The SPEAKER pro tempore (Mr. SHERWOOD). Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

Mr. PAUL. Mr. Speaker, fiat money, that is, money created out of thin air, causes numerous problems internationally as well as domestically. It causes domestic price inflation, economic downturns, unemployment, excessive debt, corporate, personal and government, malinvestment and overcapacity, all very serious and poorly understood by many of our officials.

But fluctuating values in various paper currencies cause all kinds of disruptions in international trade and finance as well. Trade surpluses and deficits when sound money conditions exist are of little concern, since they prompt changes in policy or price adjustments in a natural or smooth manner. When currencies are non-convertible into something of real value, they can be arbitrarily increased at will.

Trade deficits, and especially current account deficits, are of much greater significance. When trade imbalances are not corrected, sudden devaluations, higher interest rates and domestic inflation are forced on the country that has most abused its monetary power. This was seen in 1997 in the Asian crisis, and precarious economic conditions continue in that region. Japan has yet to recover from its monetary inflation of the seventies and eighties and has now suffered with a lethargic economy for over a decade. Even after this length of time, there is no serious thought for currency reform in Japan or any other Asian country.

Although international trade imbalances are a predictable result of fiat money, the duration and intensity of the cycles associated with it are not. A reserve currency, such as is the dollar, is treated by the market quite differently than another fiat currency. The issuer of a reserve currency, in this case, the United States, has greater latitude for inflating, and can tolerate a current account deficit for much longer periods of time than other countries not enjoying the same benefit.

But economic law, although at times it may seem lax, is ruthless in always demanding that economic imbalances arising from abuse of economic principles be rectified. In spite of the benefits that reserve currency countries enjoy, financial bubbles still occur, and their prolongation, for whatever reason, only means the inevitable adjustment, when it comes, is much more harsh.

Our current state of imbalance includes a huge U.S. foreign debt of \$1.5 trillion, a record 20 percent of our GDP, and is a consequence of our continuously running a huge monthly current account deficit that shows no signs of soon abating. We are now the world's greatest debtor.

The consequence of this deficit cannot be avoided. Our current account deficit has continued longer than many would have expected, but not knowing how long and to what extent deficits can go is not unusual. The precise event that starts the reversal in the trade balance is also unpredictable. The reversal itself is not.

Japan's lethargy, the Asian crisis, the Mexican financial crisis, Europe's weakness and uncertainty surrounding the Euro, the demise of the Soviet system and the ineptness of the Russian bailout, all contributed to the continued strength in the dollar and prolongation of our current account deficit.

This current account deficit, which prompts foreigners to loan back dollars to us and to invest in our stock and bond markets, has contributed significantly to the financial bubble. The perception that the United States is the economic and military powerhouse of the world helps perpetuate an illusion that the dollar is invincible and has encouraged our inflationary policies. By inflating our currency, we can then

spend our dollars overseas, getting products at good prices which, on the short run, raises our standard of living, but on borrowed money. All currency account deficits must be financed by borrowing from abroad. It all ends when the world wakes up and realizes it has been had by the U.S. printing press. No country can expect to inflate its currency at will forever.

Since cartels never work, OPEC does not deserve credit for getting oil prices above \$30 per barrel. Demand for equivalent purchasing power for the sale of oil can. Recent commodity price and wage price increases signals accelerating price inflation is at hand. We are likely witnessing the early stages in a sea change regarding the dollar, inflation and the stock market, as well as commodity prices. The nervousness in the stock and bond markets, and especially in the NASDAQ, indicates that the Congress may soon be facing an entirely different set of financial numbers regarding spending, revenues, interest costs on our national debt and the value of the U.S. dollar.

Price inflation of the conventional type will surely return, even if the economy slows. Fiscal policy and current monetary policy will not solve the crisis we will soon face. Only sound money, money that cannot be created out of thin air, can solve the many problems appearing on the horizon. The sooner we pay attention to monetary policy as the source of our international financial problems, the sooner we will come up with a sound solution.

HALT DEPARTMENT OF DEFENSE ANTHRAX VACCINATION IMMUNIZATION PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. METCALF) is recognized for 5 minutes.

Mr. METCALF. Mr. Speaker, I am here today to address an issue of critical importance to many Gulf War veterans across our country. Today I sent a letter to Secretary of Defense William Cohen asking for an immediate halt to the Department of Defense anthrax vaccination immunization program. I am grateful 34 of my colleagues have cosigned this letter. They share my deep concerns regarding this flawed defense policy and the urgent need to suspend the program until the Department of Defense obtains approval for use of an improved vaccine.

The following developments in recent months confirm my concerns regarding this program and its impact on the health and morale of our military service members.

The Institute of Medicine Committee on Health Effects Associated With Exposures During the Gulf War, in response to a Department of Defense request, provided a report which stated in summary: "The committee concludes that in the peer-reviewed literature, there is inadequate/insufficient evidence to determine whether an

association does or does not exist between anthrax vaccination and long-term adverse health outcomes."

An internal legal memo written in March by two Air Force Reserve judge advocates addressed the following crucial question: Are orders currently being given to Members of the U.S. Armed Forces to submit to anthrax vaccinations consistent with Federal law? In summary, the response stated: "Orders currently being given to Members of the United States Armed Forces to submit to anthrax vaccinations are illegal because they contradict the express terms of Presidential Executive Order 13139 and 10 U.S.C. Section 1107 of 1999."

On March 22, 2000, the Inspector General, Department of Defense, issued an audit report that documents troubling financial management practices and multiple deficiencies cited by FDA that continue to compromise the program.

The House Subcommittee on National Security, Veterans Affairs and International Relations issued a report on February 17 that was approved and adopted by the full Committee on Government Reform. After a thorough review of the current relevant scientific data and compelling testimony, the subcommittee recommended: "The force-wide mandatory anthrax vaccination immunization program, until the Department of Defense obtains approval for use of an improved vaccine, should be suspended." It went on to conclude that "use of current anthrax vaccines for force protection against biological warfare should be considered experimental and undertaken only pursuant to FDA regulations governing investigational testing."

The American Public Health Association Governing Council adopted a policy statement November 10, 1999, urging DOD "to delay any further immunization against anthrax using the current vaccine, or at least to make immunization voluntary."

The General Accounting Office presented testimony on October 12, 1999, before the House Committee on Government Reform and stated among other concerns that "long-term safety of the licensed vaccine has not been studied."

These adverse symptoms are not new. I held a hearing in my district some time ago and invited Gulf War veterans who were having health problems they believed to be related to the injections they received. I was shocked at the number that came and testified who were truly ill and were not getting recognition of their problems, nor even needed medical help.

It is clear that the Anthrax Vaccination Immunization Program, while well intended, is a flawed policy that should immediately be stopped and reexamined in the light of the growing preponderance of evidence challenging the Department of Defense position. I am calling on Secretary Cohen to take immediate action to suspend the AVIP

until DOD complies with the recommendations of the Subcommittee on National Security, Veterans Affairs and International Relations.

I hope this action will send a clear signal to our men and women in uniform. This seriously flawed program does not meet the high standards they deserve.

INSIGHT INTO CAUSES OF RE-NEWED ISRAEL-PALESTINIAN VIOLENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia, (Mr. RAHALL) is recognized for 5 minutes.

Mr. RAHALL. Mr. Speaker, we have all seen recent news reports of renewed confrontations between Palestinians and the Israelis. This violence is deeply troubling and cannot be condoned. It is all the more worrisome because the deadline for concluding a Final Status Agreement is quickly approaching. I think it is fair to say that we all hoped the days of such confrontation had passed.

Israel's legitimate interests in stopping terrorism and achieving security are well understood and strongly supported in Washington. Sources of Palestinian frustration, however, are less well known.

The Palestinian aggravation that boiled over recently stems from their view that seven years of peace negotiations have produced few tangible improvements in the lives of Palestinians.

For example, Mr. Speaker, Palestinians continue to see their land confiscated by Israel for the building of roads and Israeli settlements. This issue, among all others may be the most frustrating to Palestinians. Gaining control of their land is the Palestinian goal in peace negotiations. Watching land confiscations continue while negotiating deadlines pass undermines confidence among Palestinians that the peace process is worthwhile.

I would like to share with my colleagues an editorial on land confiscations that appeared recently in the Chicago Tribune. It is written by the head of the Palestinian Final Status Negotiating Team, Yasser Abed Rabbo, and it explains clearly the Palestinian viewpoint on this issue.

Mr. Speaker, achieving a peaceful, stable Middle East is in America's best interest. We have therefore spent considerable time and resources supporting that goal. Israelis and Palestinians have all suffered tremendously because of their on-going conflict and the majority of both peoples clearly long for peace. All parties must renew their efforts and truly seek compromise on their remaining differences so that Israeli and Palestinian people alike see real benefits in peace and support negotiated agreements.

I submit the Editorial written by Palestinian chief negotiator, Yasser Rabbo, from the April 27, 2000 edition of the Chicago Tribune, entitled: "Israeli Settlements Undermine Change for Peace in the Middle East," for the RECORD.

[From the Chicago Tribune, Apr. 27, 2000]

ISRAELI SETTLEMENTS UNDERMINE CHANCE FOR PEACE IN MIDDLE EAST

(By Yasser Abed Rabbo)

The Israeli-Palestinian peace process is based on the acceptance of both sides that no action will be taken that will prejudice the final negotiated arrangement.

From the Palestinian perspective, continued Israeli confiscation of land and the construction of new Israeli settlements, whether approved by previous governments or not, prejudices the final outcome more than all other actions combined. A day does not go by that Palestinians are not confronted by the expansion of Israeli control of Palestinian lands. Public support among Palestinians for the peace process is rapidly being eroded in face of this increased activity, causing Palestinian negotiators to take a firmer stance in negotiations over land confiscation and settlement activity. Negotiators are making it clear that if settlement activity does not halt, the peace process very well may.

Some see this as a sign of Palestinian intransigence; others have accused us of trying to cause a crisis in order to force the United States to become directly involved in the talks. Both assertions are wrong. For Palestinians, Israeli settlement activity is a critical issue because it makes attainment of our foremost goal more difficult.

We seek to establish an independent state comprised of the West Bank and Gaza Strip. This goal represents an enormous lowering of aspirations on the part of Palestinians. It places under Palestinian sovereignty less than one-fourth of the pre-1948 Mandate of Palestine—and less than half of the territory the United Nations recommended allocating to the Palestinians in 1947. The expansion of Israeli settlements, and the continuing confiscation of Palestinian land, undermine the very reason Palestinians have chosen to enter the peace process: to regain control of our territory.

The U.S. and the international community have repeatedly condemned Israeli settlements as obstacles to peace. It is important to emphasize, however, that the obstacles posed by settlements are not abstract or rhetorical. With each new Israeli settlement or expansion of an existing settlement, new housing units are built, military installations to guard the settlement are expanded and new "by-pass" roads devour limited land. With the loss of land, Palestinian towns and villages become less economically viable and more isolated from one another. Most important, the ever-expanding patchwork of settlements and roads risks making it impossible for Palestinians to create a secure, contiguous, governable state. Palestinians do not aspire to become a Middle Eastern Bantustan.

Palestinians' commitment to the peace process is resolute, but it is not absolute. We have made every effort to understand and respond to Israel's concerns. We recognize, for instance, that security is of paramount importance to Israel. The Palestinian Authority is doing all in its power to prevent violence against Israelis. In testimony before Congress last year, Martin Indyk, then-U.S. assistant secretary of state, praised the Palestinian Authority for its commitment to counter-terrorism. Palestinian actions, Indyk said, are "beginning to pay real dividends in terms of improving the security of the Israeli people." The Palestinian Authority has taken these steps even at the risk of alienating and angering some segments of our population, because we understand the consequences for peace if we do not. We know we will never achieve lasting peace unless Israelis believe they will be secure.

Israel, however, has not taken comparable steps to address the Palestinians' greatest concern by halting settlement activity. In November, Israeli Prime Minister Ehud Barak ordered the dismantling of a dozen so-called "illegal outposts," (tiny Israeli settlements that were not authorized by the government) in the West Bank. Barak was applauded by peace advocates in Israel and the

West. Palestinians, however, saw no cause for celebration. The fact is, Barak allowed 30 newly built outposts to remain. More disturbing, more than 5,000 new houses for Israeli settlers are being constructed in the West Bank with Israeli government approval and another 3,000 have been authorized. Meanwhile, Israeli authorities have repeatedly authorized confiscation of even more Palestinian land. In Gaza—which many people incorrectly believe is under full Palestinian control—6,200 Israeli settlers remain and Israel has full or partial control of more than 42 percent of the land. The 1,000,000 Palestinians in Gaza are confined to a very small area and are deprived of potable water and employment opportunities.

The Israeli government and people must understand that just as they cannot make peace without security, we cannot make peace in the face of the relentless expansion of Israeli settlements. To talk of peace on the one hand, and to continue destroying Palestinian houses and confiscating Palestinian private property on the other, undermines the process of peace the Palestinians and Israelis both want and need. It is time for Prime Minister Barak to unequivocally declare and strictly enforce a total and permanent freeze on all Israeli settlement activity and cease the confiscation of Palestinian land. To do so would go a long way toward securing the hopes and dreams of both our peoples.

SAY NO TO THE CHINA TRADE DEAL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Michigan (Mr. BONIOR) is recognized for 60 minutes as the designee of the minority leader.

Mr. BONIOR. Mr. Speaker, I am joined this evening by the distinguished gentlewoman from Ohio (Ms. KAPTUR), and I hope to be joined by others, to talk about the China trade deal.

Mr. Speaker, to listen to the lobbyists for permanent MFN, most-favored-nation trade status for China, to listen to them, China today is the last frontier of American business. People have been lusting over the Chinese market since Marco Polo. After all, it is where one-fifth of the population on the face of the Earth lives, it is where the largest market in the universe is. So there has been this constant theme in western civilization of explorer, conqueror, and perhaps "plunder" is too strong of a word, but economically plunder I do not think is.

But the reality of all of this is that the Chinese are a very clever people, they are a very bright people, they are a very industrious people, and despite the history of the attempts to change their market to a western market, they have persisted over centuries in fighting that very thing.

□ 2100

We are told it is a market of more than 1 billion customers waiting to be sold, everything from American made SUVs to cheese-flavored dog food. Take one look behind all of this hype and one will discover a different China.

Now, why the gentlewoman from Ohio (Ms. KAPTUR) and I and others are

here fighting this issue is because we believe, with all of our heart and our soul, that the issues and the effort that went into making America great was not by itself the free market. The free market unfettered, Darwinian in nature, will not by itself open up the opportunities for American workers and Americans in our society. It was only thus because people were willing 100 years ago, a century ago in our country, to fight for the things that they did not have.

What did they not have? They did not have the right to come together to organize, to form collectively organizations and unions to bargain for their sweat, for their labor, for benefits, so they could have decent wages, health care, pensions, worker's comp, unemployment comp, weekends, holidays, name it.

What we enjoy and take for granted today they did not have and it did not exist, and it happened because people were willing to march, protest, even die, go to jail for these fights. So people were willing to do that.

What else were they willing to do? They were willing to expand our democratic process so that people of color, people of other genders, could participate.

My grandmother came to this country, and one of the first things she engaged in was for the right of women to vote. She was a suffragette. It did not happen automatically. It happened because she and others were concerned enough that went to the streets, they demonstrated, they petitioned, they created a movement called the Progressive Movement of the United States of America that not only gave women the right to vote and created the atmosphere for people to come together collectively in unions to fight corporate power and to provide for their families, and, of course, at this very time in our Nation's history during the progressive movement at the turn of the century we had people taking on the big multinationals and the trusts, the banks, the railroads, and a whole body of law came out of that with respect to antitrust and consumer protection and all of these things that we enjoy today.

Now, why do I preface all of my remarks around this? I do this because these things do not automatically happen because of a free market. They happen because people come together and they form coalitions and they fight for these things and they march and they protest and they sometimes are beaten and, as I said, sometimes they die for them.

We did not have universal suffrage in the United States of America until 1965, and we have it today because of a gentleman who serves with us today by the name of JOHN LEWIS and others like him who had the courage and the guts to march in the streets, to protest, to fight for the things that they believe in, to get beaten, thrown in jail, to stand up for the rights of Afri-

can Americans to vote, particularly in the South in this country, where they were denied with such vehemence and such brutality.

These are struggles today that are going on in China, and the question we have to decide for ourselves, as Members of this institution, next week when we vote on this, is that who will we stand with? There is an old labor phrase, which side are you on? And there is a song, which side are you on? Which I cannot sing here because the last guy that came here and sang a song ended up getting beat, and I am not going to replicate that.

It is a very poignant and basic thought. I mean, which side are you on? Are you on the side of Wei Jengsheng, who spent years and years in prison fighting for democracy? Are you on the side of Harry Wu, who fought for the same thing? Or are you on the side of the multinational corporations who see, as their goal, the pot of gold at the end of the rainbow, this market of a 1,200,000,000 people, and all these other values that we care so deeply about they kind of can be pushed to the side? We call them side agreements or side issues or sidelines concerns. That is what this debate is about today: Labor rights, human rights, environmental concerns, religious rights.

If one lives in China today and they try to organize on any one of those four levels, religiously, politically, environmentally or trade union wise, they will end up in jail, in prison. There are tens of thousands of people who are exactly there today because they attempted to do that.

Now, my friends on the other side of this issue, and I have dear friends who I respect and like and admire and it pains me deeply to be opposing them because we share, I think, some of the same values, we would be on the same sides, but they will tell me, they will come to me and they will argue and say, listen, if we only open up the market in China we will have a better chance to educate all of these individuals on these issues of environmental concerns and religious, human rights, labor concerns.

My respective retort to them is this: If that indeed is the formula which they espouse, we have given China over the last part of this decade those very same opportunities through most favored trade status, and it has only gotten worse on all of these scores. On the environment, 5 of the 10 dirtiest cities in the world are in China. Eighty percent of the rivers in China do not have any fish in them because of the toxic pollutants. China produces more fluorocarbons, which eat away at our ozone layer, which causes not only the Chinese but the whole planet incredible environmental degradation and concern.

Two million Chinese die every year of air and water pollution, and I could go on and on and on. So by opening up the market, we have not done a thing

about the environmental issue. By opening up the market, they have not done a thing about the issue of religious freedom, where Catholic bishops languish in jail for 30 years, and it is not just Catholics. It is Muslims. It is Protestant pastors. It is a whole host of people who do not agree and who try to organize. It is the Falun Gong. If one tries to form a political organization to challenge the Communist Party and autocratic rule, they will end up in prison like they did when they challenged at Tiananmen Square. Of course, if one opposes the government on labor grounds, they will certainly end up in prison because they understand the labor issue is really kind of the key to all of this. If people can organize for their economic well-being, they will strike back. So the labor leaders are the first ones to get punished and to be isolated.

The China lobbyists tell us, do not talk to us about these issues because we can expand the economy, we can create jobs. Well, the problem is that we are moving to the lowest common denominator. China is a country where the workers average only \$30 a month.

This is a report that we are going to talk about. The gentleman from Ohio (Mr. KUCINICH) is here. The gentleman from Ohio (Mr. BROWN) is here with me. The gentlewoman from California (Ms. LEE) is here with me, from Oakland and Berkeley. We are going to talk about this issue. It is called Made in China, the issue of labor, and it is a report done by Charlie Kernaghan by the National Labor Committee and it talks about the sweatshops in China.

If one reads this report, it is absolutely and abundantly clear what the problem is. The problem is that the national multinationals go into China with the blessings of the Chinese Government. They set up these multinational, very sophisticated, very efficient, very new facilities and they pay people pennies, three pennies, and I am not going to steal the thunder of the gentleman from Ohio (Mr. KUCINICH) because I know he is going to talk about that, as will my friends, the gentlewoman from Ohio (Ms. KAPTUR) and the gentleman from Ohio (Mr. BROWN) will talk about it; three cents an hour. Some plants pay a little bit more, 22 cents an hour, but the upshot of it is they get slave wages. They are indentured servants to multinational corporations.

Now, let me give an example. It has been estimated that Wal-Mart uses 1,000 contractors in China. They will contract with somebody to set up a factory and they may employ 200, 300, 400, 500, 600, 700 people. Researchers found that Wal-Mart was making Kathie Lee handbags at a factory where a thousand workers were being held under conditions of indentured servitude. Workers were forced to work 12, 14 hours a day, seven days a week, 30 out of 31 days in a month and their pay, as I said, three cents an hour. It is just not Wal-Mart.

Nike has 50 contractors in China, employing more than 110,000 workers. Young women making shoes for Nike in Hung Wah work from 7:30 in the morning until 10:30 at night for an average of 22 cents an hour.

In China, RCA TVs are made by women, some of them 14 years of age, girls, for a base wage of 25 cents an hour. If that is not bad enough, they are fined \$10 pay by the company for mistakes they make on the assembly line.

Keds are being made in China by 16-year-old girls who use their bare hands to apply the toxic glue.

I can go on and on and on, but I think one gets the idea here. These people are paid slave wages. They are indentured servants. They live in dormitories, crowded rooms with barbed wire fences around the workplace. They work 30 out of 31 days, often times 15 hours a day, under the most brutal conditions and then they send these shoes here and they sell them for \$100, \$120. We all know that story.

The gentlewoman from Ohio (Ms. KAPTUR), I do not know if she is going to talk about it tonight, but Huffy Bike is another example of just where you just want to scream at why can they get away with this?

Now, let me just conclude by saying this, and then I will yield to my colleagues to elaborate on this, because I think it is just very critically important.

We have seen this play before. This is nothing new. We have all come to this floor. We had a debate in 1993 on NAFTA, the North American Free Trade Agreement. What is going on here is very quite similar to what happened back then, and what happened back then was this: They passed the North American Free Trade Agreement with the idea that, and they would say this to you, and actually Harley Shaiken has an op-ed piece today in the Los Angeles Times. He is a professor at Berkeley, lays this out very well; they made the same promises then as they are making today. They said labor wages would increase, environmental protection would increase, human rights would increase.

Seven years later, our trade deficit with Mexico has exploded. The 1.2 million workers in the maquiladora, which has doubled since we passed NAFTA, are making on an average 18 percent less in real wages than they made back in 1993; environmental protection, no such thing. Environmental degradation, we passed the NADBAG to take care of that, not provided any funds to speak of. So the toxics and the pollutants in the Rio Grande which seep into our country and cause hepatitis for people on our side of the border who live on the Rio Grande, as well as the Mexican population, has increased.

□ 2115

So none of this was built in. None of it is in force. As a result, we are suffering. Yes, Americans lost jobs. We

lost hundreds of thousands of jobs as a result of NAFTA, good-paying manufacturing jobs. Of course, people got jobs in this country who had lost their jobs to Mexico. On the average, though, they are being paid about half of what they were paid before.

What is happening with this China trade deal is the same thing. Corporations will use that leverage to say to our workers, listen, if you do not take a cut in wages, do not take a cut in benefits, do not freeze this and that, then we are out of here. We are going to China, because we can pay people 3 cents an hour or 22 cents an hour and ship the stuff back here and make a real handsome profit. So our workers are left high and dry. That is what this is about, an export platform for the Chinese.

I just want to say to my friends and colleagues tonight that I have seen this before. We are kind of rushing into this thing again. We are going to have a very tight, close vote on this issue. I am glad that we are having a great debate on this, because it is something the country needs to focus in on.

I was reading this book by Marianne Williamson, the title of which I forget. She talks about the principles in American democracy. The first principles she talks about are the right to freely associate, to freely express yourself, to form organizations; just to have a sense of freedom about who you are and what you say and how you go about your business. Those are kind of the principles that are at stake here.

People say, well, it is for China, it is not for us. But it really is for us, because the longer we deny the Wei Jingshengs, the Harry Wus, the tens of thousands that are in prison today in China, to live the promise of my grandmother and my grandfather, who sat down in those strikes at the auto companies in the 1930s, the longer we deny them the promise to have that opportunity to strike a blow for liberty and justice and freedom of association and decent wages and good environmental protection, and the right to form political parties, the more that is going to play back on us in terms of our own standards, which will continually decrease.

Our wage gaps will widen in this country. We will bifurcate who we are as a society, those who have and those who are struggling to have.

We live, Mr. Speaker, in a globalized world. The rules of the game have changed. The question is, what will they be? I submit respectfully, Mr. Speaker, that those who are advocating for this treaty and that trade deal are advocating a policy that masquerades the past as the future. We cannot use the same formula that was used 100 years ago in a globalized atmosphere.

It is kind of like the Bobby Knight of trade deals: abuse, abuse, abuse; and okay, we will do it one more time, but do not abuse; abuse, abuse, abuse; okay, we will give you another chance,

but do not abuse. It does not work. It sends a terrible message. It sends a terrible signal.

I want to thank my colleagues for joining me tonight.

I yield to the gentlewoman from Toledo, Ohio (Ms. KAPTUR) for any comments she might make.

Ms. KAPTUR. Mr. Speaker, I want to thank our leader here this evening for his superlative commitment to the cause of decency and values that we stand for as a free people.

In joining the gentleman this evening, along with our very respected colleagues, the gentleman from Ohio (Mr. BROWN) and the gentleman from California (Mr. SHERMAN), the gentlewoman from California (Ms. LEE) and the gentleman from Ohio (Mr. KUCINICH), I am really proud to join these men and women, and the gentleman from Michigan (Mr. BONIOR) tonight in expressing in more than a minute why this is really a vote about values, and that if permanent trade status is granted in this vote to China, we essentially are placing a stamp of approval on current conditions and saying that this is the system that we want to enlarge in the future.

How can we want to enlarge a system that is based on utter exploitation of people? One cannot operate a company in China unless they have an agreement with the government, with one of the state-owned companies. There was an article in USA Today this week that said that the first 19,000 cars that were sold in China in a General Motors facility that was built there were sold to the owners of the State companies, they were not sold to the workers.

So if that is the kind of system that we want to build for those that have the most, then, by golly, that is what the current system is producing. If we look at the workers in those plants, they are not earning enough to buy what they make.

That is the reason that, under this system that people want to approve permanently, we are amassing greater and greater trade deficits with China every year, more of our dollars going in their coffers than their currency coming here.

Mr. BONIOR. How much is it? I recall about 10 years ago we had about a \$6 billion trade deficit with the Chinese, 6 or 7.

Ms. KAPTUR. This year it will be somewhere between \$70 and \$100 billion. That is the deficit. That is how many more of our dollars go into their coffers. We are the largest funder of the Chinese increasing defense spending and purchases of weaponry and advancement in their Navy, their Army, their Air Force, all of the technology that they are buying, some of it for making some saber-rattling moves towards Taiwan.

The point is that the system that we are currently supporting, and some of the proponents of this want to lock in permanently, would give the very forces that have created this system

the kind of go-ahead that frankly I as a liberty-loving person cannot support.

We hear the proponents say, well, but if you do this, you will bring freedom. How do we bring freedom when 110,000 Nike workers inside China who work for contract shops, 50 of them, that we could not even get into or drive by because they are hidden in country, those workers earn pennies an hour. If they earn over 35 cents an hour they are doing well. They work 7 days a week. They have mandatory overtime. If they do not do it, in other words, if they do not work from 7:30 in the morning until 11 at night, three shifts, they lose two day's wages. They are penalized if they do not do the mandatory overtime.

Who can survive in that kind of system? To me, it would make sense that if the United States is taking all these goods, we take over one-third of Chinese exports globally.

Mr. BONIOR. Between 33 and 40 percent.

Ms. KAPTUR. Yes. If we want to exact change in China, why not use our marketplace as the lever? Why go through this complicated process of giving them permanent trade status globally, knowing the kind of indentured servitude that is going on in that country? And I might add there also, particularly with women, because 80 percent of the people who are exploited in that country are women. There is forced abortion. Girls in that country do not have rights to education as women in societies that are free have.

In many ways, I also feel like I am speaking out for them, because I know they cannot speak out in their own country. Yet, this is the kind of system that we are going to hold up and say, well, we as Americans, we endorse this system. That is still a Communist system.

I find this place incredible, that we would have Members of Congress saying, believe them. Every trade agreement we have signed with them during the decade of the nineties, when we reduced, when they said that we will reduce tariffs to allow in goods, if that had happened, our trade deficit would be getting better. It is getting worse. They are earning more off of us. We are not able to get in there.

Mr. BONIOR. Can we talk about that for just a second before we go on, because that is a really good point. Every trade agreement, as the gentlewoman has just said, in the nineties that we have agreed to with China has not been enforced. They have no enforcement compliance mechanism.

The typical example, and I think the best example, one of the best examples, is intellectual property: software, tapes, you name it; digital products. Ninety-five percent of that stuff in China is pirated. We have an agreement that it is not supposed to be.

In fact, some of the very ministries that put out the rules and regulations that say, you cannot pirate this stuff and sell it, are using pirated material.

They just do not enforce or comply with any of their agreements. I could go sector by sector by sector. They have no mechanism to do that.

So when our colleagues come to us and say, listen, this is going to open up my markets to my wheat, my grapefruits, my apples, or to this or that, the answer to that is, they will find a way to keep your stuff out.

Ms. KAPTUR. May I just say something to the gentleman, and I will allow my other colleagues to speak here?

I had a young woman before one of our committees this past week. We were discussing this. She is a Chinese American. Her roommate was shot. Her roommate was a demonstrator in Tiananmen Square in 1989. This young woman who is a physicist and now lives in my community in Ohio became politically active when she saw this happen to her friend who was a democracy demonstrator inside China.

I asked her about this attitude of Americans, this kind of belief. She said, I cannot believe how naive the people here really are. Do you think because China promises something, she is going to do it? Do you, who live under a rule-of-law society, believe if someone signs a piece of paper, they are going to do it? Why are you so naive? Do you not understand what goes on there?

I just wanted to add that to the record this evening, and thank the gentleman so very much for taking out this special order. I know my colleagues will also want to comment. We thank the American people for listening.

Maybe it is important to say if people want to see this report on the website, if they have a website, this is Made in China by Charles Karnighan, and it is at www.NLCnet.org.

Mr. BONIOR. I thank my colleague for her comments, her passion and commitment and steadfastness on this issue. She has been, as always, fabulous.

Mr. Speaker, I yield to my friend, the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Speaker, I thank my friend, the gentleman from Michigan, and thank him for his leadership for a decade on trade issues. His comments tonight about NAFTA just make me sad in the sense that not nearly enough people in this institution have learned the lessons of NAFTA, have learned that NAFTA was an investment agreement that paid no attention to worker rights, paid no attention to the environment, did nothing to raise living standards in Mexico.

In fact, Mexican living standards plummeted after NAFTA. As a result, NAFTA caused even more hardship in Mexico, cost more jobs in the United States, and really locked in a system where Mexican workers do not make enough money that they can buy products from the United States.

That is the tragedy of NAFTA, and the same tragedy on the same stage

this Congress is playing out in the legislation to give permanent trade advantages, permanent most-favored-nation status trade advantages to the People's Republic of China.

The gentlewoman from Ohio (Ms. KAPTUR) and the gentleman from Michigan (Mr. BONIOR) both talked about the promises made by supporters of giving trade advantages, permanent trade advantages, to China; that if we only would engage with China, if we would only open our markets, that things would begin to change. They talk in terms of China being 1.2 billion consumers, and we should get to those consumers before France or England or Germany does, because there is so much wealth to be created, so many jobs for Americans in selling to China.

But what they do not say is, we have engaged with China with this failed policy for 10 years. We have engaged with China with something called the annual trade advantages to China. Why should we, when it is not working for 10 years, why should we make it permanent so we can have more of the same?

More of the same means a trade deficit, back in 1988 and 1989 when President Reagan, President Bush, and now President Clinton have continued this policy; a trade deficit of \$100 million in 1989 that has evolved into, as the gentlewoman from Ohio (Ms. KAPTUR) said, \$70 billion plus in the year 1999 and probably \$80 or \$90 or a \$100 billion trade deficit in the year 2000.

We have gone backwards in other ways in these 10 years since we have engaged with China. We have seen more human rights violations. If we pick up something called the country reports, which is what our State Department, the booklet in which our State Department discusses human rights violations, what the Chinese have done in Tibet and other minorities in China, the language used to describe that by our government is similar to the language used, the language that the State Department wrote about Serbia and what it did in Kosovo.

□ 2130

We bombed Kosovo, yet we give trade advantages to the People's Republic of China. It makes no sense. In other issues, forced abortions in China where the government winks and sometimes encourages them. All of that has gotten worse in the last 10 years.

The selling of nuclear technology to rogue States, countries that should not have nuclear technology, that has gotten worse in China. Slave labor has gotten worse in China. Child labor has gotten worse in China. All during this policy of engaging China.

Mr. BONIOR. Religious persecution, Mr. Speaker.

Mr. BROWN of Ohio. Religious persecution aimed at Falun Gong, Christians, Muslims, all kinds of religions.

Mr. BONIOR. Buddhists.

Mr. BROWN of Ohio. Buddhists in China. But they cannot have the supporters of China for permanent trade

advantages for China talk over and over that China has 1.2 billion consumers and we need access to them.

What they do not tell us and what their real interest in China is it is a country of 1.2 billion workers, workers that, as the gentleman from Michigan (Mr. BONIOR) said, workers that will be used as an export platform in China where investors will come into China, pay these workers as this Made in China Study has illustrated, pay these workers as little as 3 cents, 5 cents, 10 cents, 25 cents an hour, make them work 12 hours a day, 6 days, sometimes 7 days a week, live in dormitories, 16 people to a room, charge them from their meager 15 cents, 20 cents, 25 cents an hour wages, charge them for their dormitory space, charge them for their food, charge them for their clothing.

So, in essence, these are slave labor workers. It is against the law in the United States of America for us to accept any products from another country made by slave labor. We have called, a group of us, the gentlewoman from California (Ms. LEE), the gentleman from Ohio (Mr. KUCINICH), the gentleman from Michigan (Mr. BONIOR), the gentlewoman from Ohio (Ms. KAPTUR), the gentleman from Vermont (Mr. SANDERS) have called on the Department of Justice and on the Department of Treasury to enforce that law and to investigate to see if those goods are made by slave labor that we are accepting in this country.

When Kathy Lee handbags made for Wal-Mart are made from workers paid 3 cents an hour, where I come from, we call that slave labor. Those products should not be allowed in our country. We need to know more from our government about what is coming into the country made by slave labor before we vote on this China MFN bill next week.

One other point I wanted to make, Mr. Speaker, is that these companies say they want to democratize, these people lobbying us, the CEOs that walk the halls all over the place in the last couple of weeks, trying to get us to give trade advantage to China, they tell us, if we are in China that things will get more democratic. The fact is, in the last 5 years, in developing countries, investment from the United States, people in the United States investing in developing countries, the amount of money invested in developing countries has moved from democratic developing countries to authoritarian developing countries.

Mr. BONIOR. Mr. Speaker, this is a very good point, and I hope my colleagues pay attention to this, because I think the gentleman from Ohio (Mr. BROWN) has really developed this well. It is an amazing, it is not amazing, but it is disturbing. He has really pinpointed it well, and I look forward to hearing it.

Mr. BROWN of Ohio. Mr. Speaker, in a nutshell, it means that, rather than investing in India, a democracy, American investors, large businesses are moving those investors to countries

like China. Instead of Taiwan, a democracy, they are moving those investments to countries like Indonesia. Why? Because they can pay 3 cents, 5 cents, 10 cents an hour, because they do not have to worry about workers speaking out and talking back, because they do not have to worry about their employees trying to form a union and unite and be able to demand better wages. Because it is not a democracy in China, they do not have to worry about environmental laws. They do not have to worry about worker safety laws.

All the values we hold dear in this country simply are nonexistent in a totalitarian-authoritarian country. That is why investors in the West like to invest in China, want this permanent most-favored-nation status for China knowing there will not be democracy, knowing there will not be unions, knowing they will not have to pay high wages, know they will not have to worry about environmental worker safety laws.

That in itself is why we should not believe the promises of the CEOs walking the halls of this Congress, telling us, well, China will live up to its promise, we will live up to its promises, we will make this a more democratic system. Because history in the last 10 years and especially the last 5 years have shown us this is simply is not true.

Mr. BONIOR. Mr. Speaker, I thank the gentleman from Ohio (Mr. BROWN) for his comments tonight and his insights. I think he is absolutely on track on this.

Mr. Speaker, I yield to the gentleman from Ohio (Mr. KUCINICH) and then the gentlewoman from California (Ms. LEE) and then the gentleman from California (Mr. SHERMAN). But I encourage them to engage while we debate this.

Mr. KUCINICH. Mr. Speaker, I thank the gentleman from Michigan (Mr. BONIOR) for yielding to me. I want to thank him for the leadership that he has shown to this country.

People are really concerned about basic human values, about what is right, about what is wrong. It is a privilege to be here with the gentleman from Ohio (Mr. BROWN) who is my partner from the Cleveland area, the gentlewoman from California (Ms. LEE), the gentleman from California (Mr. SHERMAN) and the other Members, including the gentlewoman from Ohio (Ms. KAPTUR) who participated in this important discussion about the vote which is coming up next week, which would grant China permanent most-favored-nations trading status.

During the presentation of the gentleman from Michigan (Mr. BONIOR), he had talked about a book that Marianne Williamson had written. The title of the book is *Healing the Soul of America*. I know he remembers because she is a constituent of the people of Michigan.

Mr. BONIOR. Right.

Mr. KUCINICH. Mr. Speaker, she lives in Michigan and is a fine writer.

In the preface to that work, she writes, "Would Jesus, if he were a citizen of the richest nation on earth, choose to feed the poor or fatten the rich?" She goes on to write, "All of us are better off when contemplation of holy principles is at the center of our lives. But it is in actually applying those principles that we forge the marriage between heaven and earth, while merely dwelling on principle falls short of the human effort needed to carry out God's will."

This book, the *Healing of the Soul of America* is about reclaiming our voices as spiritual citizens. Here in this August Chamber, above the Speaker, the words "In God We Trust" symbolize that we do believe in spiritual principles as well as trying to navigate this material world.

In a way, our founders understood that, because, while they believed in the separation of church and State, as I do, they did not believe in an America that would be devoid of spiritual principles, the kind of principles that Marianne Williamson talks about in her book.

When we reflect on the current situation in China, we can ask if the reports that we have in our hands, how they reconcile with spiritual principles. Is it spiritually appropriate for workers to be locked up in a work space working from 7 a.m. to 11 p.m., 7 days a week, and in some cases earning 3 cents an hour. Is that spiritually appropriate?

Because if we as Americans cannot see that clearly for what that represents, cannot see that when an American manufacturer moves jobs over to China, closes down factories in this country, and moves the work to China, closes down jobs in this country where workers are paid \$15 an hour, \$18 an hour, \$20 an hour, and moves those factories to China so they can pay the workers 3 cents and hour, we have to ask is that spiritually appropriate.

I think that every fair-minded American would have to agree that it is not spiritually right, it is not morally right. It is devoid of sensible economics. It is devoid of human values. This is the kind of judgment that we have to make.

When we face the issue of whether or not China should be given permanent most-favored-nation status, which means that we would lose our opportunity to review the conduct of the Chinese Government when it comes to the workers.

I think we have to avoid condemning the people of China in this debate, because they are our brothers and sisters. Those are our sisters working for 3 cents an hour to make Kathy Lee handbags for Wal-Mart at the Qin Shi factory where 1,000 workers are held under companies of indentured servitude, working 12 to 14 hours a day, 7 days a week, 1 day off a month, while earning an average wage of three, count them, 1, 2, 3 cents an hour. Can they buy anything that the United States would ship over there, Mr. Speaker?

Mr. BONIOR. Of course not, Mr. Speaker.

Mr. KUCINICH. Mr. Speaker, I mean it is ridiculous. So what is this trade about? It is about creating a platform in China to wipe out American manufacturing jobs, so dump cheap goods on to the market here, while the major corporations literally make a killing at the expense of the human and worker rights of the people of China.

Let me tell my colleagues where this is going. For those who say, well, that is just China. Let China handle its own problems. Let us send the business over there and create business, and let China lift up its values for the people there.

Well, what will happen is this, as we create an environment in China where people are working under slave labor conditions, earning 3 cents an hour and, in some cases, netting less than that, owing their employer money at the end of a month's work, where they work 16 hours a day, 6 and 7 days a week, at the end of all that, what happens in America? Those same corporations go back to the American working men and women, and they tell American working men and women they are going to have to take a wage cut. We do not want them to have a union anymore to speak for them. They better not complain about their working conditions. Do not go with trying to negotiate with us. There is nothing to negotiate. We are moving to China.

We are in a time right now where we as Americans have to once again say whether or not we believe in the basic principles upon which this country was founded: the principles of liberty, the principles of democracy, the principles of equality, the principles of everyone in this country counted. One cannot do that when one is reducing the value of a human being to 3 cents an hour, to 3 cents an hour.

I think there was a time in history where one of the greatest persons ever to walk this earth was sold out for 30 pieces of silver. Are we going to sell out the people of China and the people of this country for three pieces of copper?

Mr. BONIOR. Mr. Speaker, I thank the gentleman from Ohio (Mr. KUCINICH) for his comments. They are very poignant and very on target.

Mr. Speaker, I have about 15 minutes left, and I want to share that with the gentlewoman from California (Ms. LEE) and then also the gentleman from California (Mr. SHERMAN).

Mr. Speaker, I yield to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Mr. Speaker, I wanted to thank the gentleman from Michigan (Mr. BONIOR) for really helping this House to focus on the basic question of what is right and what is wrong. So often we forget about those issues here.

I want to thank him and the gentlewoman from Ohio (Ms. KAPTUR) and the gentleman from Ohio (Mr. KUCINICH), the gentleman from Ohio

(Mr. BROWN), and the gentleman from California (Mr. SHERMAN) for continuing to help educate this body with regard to really what the right thing to do is in this instance.

As we entered the new century and the new millennium, relations among Nations in the Pacific rim and Africa are becoming very significant. Trade with China represents a substantial component of our country's international commerce. So as Congress has debated United States' trading policies toward China and Africa, I have carefully considered many fundamental issues.

Now, I am a firm believer of self-determination for China. China has chosen communism. Whether we agree with it or not, that is their right. However, it is wrong to round up, to intimidate, and to arrest people, to place them in slave labor camps with no due process, regardless of whatever political or economic system one lives under.

So the time is now for us to send a strong and unyielding message that the United States will not condone mass suffering and oppression. Trade must be open. Trade must be fair. Standards for human rights must be included in all trade agreements. Environmental protections must be in place. Women's rights should be advanced. Worker rights abroad everywhere should be protected. Of course religious freedom should be protected. American jobs should be protected and should not become a casualty of our trade policy.

□ 2145

And, of course, as we have heard over and over again, many argue that the best way to ensure China's respect for all of these issues is to admit China into the World Trade Organization and to grant it PNTR. Well, I disagree, as the gentleman disagrees, and believe an annual review actually provides for this.

Mr. BONIOR. I think that is an important point. What we are asking is that we as a body, as elected people, the representatives of this country, have a chance to talk about this and vote on it so people can understand where we are on this important issue of principles that the gentlewoman has just enunciated once a year. That is what we are asking.

We are going to continue to trade with China. They will continue to bring in 30 to 45 percent of their goods into our market. What we want to do, though, is keep the leverage and the pressure on making sure that these principles are eventually adhered to. We are not asking for all of these things at once. We know that takes time. It took us a long time. What we are asking for, as the gentlewoman from California has well stated, is some very basic things; the right to organize, collectively bargain, the right to deal with child labor and slave labor.

Those are the four basic labor principles we are concerned about. We are

not asking that people be paid \$4 an hour or \$5 an hour. We are asking that they have the right to collectively come together so they can bargain for their wages, so they can form political organizations, so they can worship freely. And then, through those mechanisms, they will be able to express themselves and develop the democratization process and democracy that they yearn for.

Ms. LEE. That is right. Annual review at least provides for an effective mechanism for us to review China's compliance with all these standards. Also, it is the most viable assurance for the American worker.

According to the Economic Policy Institute, over 870,000 jobs are projected to be lost within the next decade. What will happen to these workers here in our own country? If this bill passes, of course, the United States trade deficit will continue to escalate, leading to job losses in virtually almost every State.

Mr. BONIOR. In the gentlewoman's State, as I recall, the figure over the next decade is 84,000, or something close to that.

Ms. LEE. Absolutely. In my State of California we estimate 87,294 jobs lost in the next century.

Mr. BONIOR. And these are good jobs.

Ms. LEE. These are good jobs. And this is very scary. What do we do? We have had many go-rounds of base closures and we are just now beginning to recover. California workers do not deserve this, and I hope people throughout the country understand what the magnitude of this job loss is to American workers.

So we support free trade, I know the gentleman supports free trade, but it must be fair. Our policies also should at least put an end to slave labor in China rather than reward it. And, in essence, PNTR rewards slave labor.

Now, we are not talking about cutting off our relationship with China at all. We want to make sure that our trade relations are such that the people of China and the people of the United States benefit from a fair and free trade policy.

Very seldom do we have these defining moments in the Congress. This vote really does define who we are as a people and as a Nation. And as an African American, whose ancestors were brought here in chains and forced to help build this great country as slaves, I must oppose any measure that allows for the exploitation of people anywhere in the world, whether it is here in America, whether it is in Africa, the Caribbean, or in China.

So I appreciate the gentleman's taking the leadership in this effort and really trying to help all of us in this Congress know that we must do the right thing, because this is our moment to be true to who we are as Americans.

Mr. BONIOR. I thank my colleague for her eloquence and her passion on

this issue and for bringing to light some of the real questions that confront us as we approach this vote.

Mr. Speaker, I yield now to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Speaker, I thank the gentleman from Michigan for yielding to me.

I am pro trade, I am pro engagement. I am against isolation. I am against protectionism. And I oppose this trade deal. I would oppose this trade deal if it was only for the bad effects it is going to have on human rights in China. I would oppose this trade deal alone for the reasons that it is going to have a bad impact on the American economy. And it would be sufficient to vote against this deal just because of its bad impact on the strategic and political interests of the United States. Yet all three compel a vote against this deal.

This deal leaves out a discussion of labor and environmental standards, but we are told that it is going to cause China and its system of communism and oppression to unravel. But for 10 years we have been giving China everything it wants in the way of trade and for 10 years they have not unraveled but, instead, have beaten down harder on the voices of dissent. The Soviet Union unraveled with far less trade than what China enjoys with the United States today.

We are told that the dissidents in China want this deal, but are they free to speak their minds, or do they face additional incarceration in the Chinese gulag should they dare to say anything but what they are told?

We do not know what the real dissidents in China think, but we do know what the Central Committee of the Communist Party thinks. Yes, it is divided between the so-called reformers and the so-called hard-liners. They are united on two things: First, they are absolutely dedicated to maintaining the Communist Party's monopoly on power. The reformers are not Democrats, if we are referring to the "reformers" in the Communist Party hierarchy. And they are united in wanting this deal because it empowers them, it solidifies their position, it emboldens them, and it delays for a long time the day in which their system will unravel and freedom will reign in China. China, I hope, will have freedom one day, but this deal will not make it closer.

I think we should reject this deal because of American economic interests. This is not a struggle between the heart and the pocketbook. The pocketbook of America must say no. This is an issue of American human rights, the human right to be able to work in manufacturing and make \$26 an hour instead of being shuffled off to a fast-food restaurant and told you are not an unemployment statistic and paid \$6 an hour.

We have the most lopsided trading arrangement with China in the history of life on this planet; \$83 billion of their exports to us, 13 of our exports to them. Our exports to them are actually

declining, a level of deficit that is six times the size of our exports.

Now, I know we are told our economy is doing well, but the trade deficit is a cancer inside our economy, and the biggest and most important part of that is the growing trade deficit, the enormous trade deficit with China. This deal locks in that deficit.

Their deficit should not exist. China is a developing country. It needs infrastructure. It needs the kind of factories and manufacturing control systems that we produce the best of. It needs machinery. It needs communication systems. Why are we not selling to China? It is not because of anything written in the documents and the laws of China. It is because the Chinese Communist Party has made a political decision; when in doubt, buy from those countries that are not criticizing us on Taiwan and on human rights. And so they run a trade deficit with the rest of the world, financing it with the huge trade surplus they run with us.

We are told that this deal is going to change things because Chinese business people are going to buy from us. Almost anyone in China who would buy big American goods, almost all those enterprises are owned and controlled by the government. So if the government says that their enterprises are free to buy from us without quotas and tariffs, what does that mean if they make a political decision not to buy? The airline in China will buy as many Boeing planes as they politically decide is appropriate regardless of the published rates, tariffs and quotas.

But what if there was a really politically independent businessperson in China who wanted to buy a huge amount of American goods and got a call from a commissar in the Communist Party saying, Mr. or Ms. Chun, or whatever the person's name happens to be, we know that you will think again. Yes, the American goods are great, they are high quality, they are just what you need. We have lowered the tariffs and we have lowered the quotas, and all the laws of China say you are free to buy. But Mr. or Ms. Businessperson, we know that you will decide that because the gentlewoman from California (Ms. PELOSI) and the gentleman from Michigan (Mr. BONIOR) and the gentlewoman from California (Ms. LEE) make speeches that we do not like, that you will choose to buy goods from somewhere else. We know you will make the right decision, businessperson, because we know you are well educated. We hate to think that you need reeducation.

We are not going to sell any more to China than the Communist Party of China wants us to. And a change in the law in a country where the law is not followed, where the government exercises power through terror and through oral conversations cannot be held accountable in WTO court.

Now, we are told a couple of the last-minute sweeteners to this deal are

going to make it better. We are told that someone is going to propose an anti-surge provision. There is no anti-surge provision in the anti-surge provision. What it says in the "anti-surge provision" is, if there is a surge of Chinese exports, we are allowed to spend our money, should there be any left in the appropriations process, to reeducate our workers. This is the first time I have heard that we need permission from Beijing to provide assistance to Americans who are displaced by trade.

Second, we are told there are going to be Helsinki style reports on China every year. Every 6 months. Many people have quoted the reports. We have reports coming out of our ears. We could have more reports. We could commission several additional reports. Paper is not going to bring down this government. But if it was, we are free to do that without granting these agreements.

The status quo is unacceptable. But that is not a reason to embrace this deal, because this deal simply solidifies the status quo in place. What it does is that it causes our companies to invest their capital in China knowing that they can then export back to the United States and there is no risk that those exports will ever be stopped. This deal is not going to cause China to buy goods manufactured here.

Now, we are told, well, it does not matter because they just make tennis shoes and toys in China. We could not make those here in the United States. Well, that is not true. Often we do. But, second, if we had \$100 million in capital, instead of making a low-tech factory in China, that could be used to make a high-tech factory in the United States, where sufficient technology and capital could allow American workers to compete. But even if we believe that it is impossible not to have these goods produced abroad, let us produce them abroad in a country where freedom exists and where the workers and the people in that country are free to buy American goods should they want to do so.

Let me finally shift to the idea of our strategic interests, because here is where this agreement really lets America down. It takes away any sanction we might have should China deal with Taiwan in an inappropriate way or should China provide nuclear weapons to North Korea, or the technology for them, or, likewise, Iran. It takes away all the tools from the United States. We cannot do anything, except to declare war, which seems unlikely; or make speeches, which seems ineffective. We cannot do anything that costs the Chinese a penny, or a million dollars, should they take action adverse to our security interests.

While it takes away our tools, it gives them tools. Because that same hoard of lobbyists that have been in every one of our offices telling us to vote for this deal now, they will be back next year and the year after that, and they will pull us aside and say,

stop talking about human rights in China. It is costing us business. It gives them tools.

I would hope the gentleman from Michigan could be recognized for concluding remarks if he has them. I have concluded my remarks.

Mr. BONIOR. Well, I thank my colleague, and I would just conclude, Mr. Speaker, with this one comment. I want to thank my friend, the gentleman from California (Mr. SHERMAN), the gentlewoman from California (Ms. LEE), the gentleman from Ohio (Mr. KUCINICH), the gentlewoman from Ohio (Ms. KAPTUR), and the gentleman from Ohio (Mr. BROWN) for joining me tonight. I think we have made a compelling case on this issue, and we look forward to engaging the opposition on it as we go forward in the next week before the vote.

I thank my colleagues for their time this evening.

□ 2200

PERMANENT NORMAL TRADE RELATIONS WITH CHINA

The SPEAKER pro tempore (Mr. SIMPSON). Under the Speaker's announced policy of January 6, 1999, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes as the designee of the majority leader.

Mr. MCINNIS. Mr. Speaker, well, it is time for another evening chat. This evening I have three subjects which I think will be of some interest. I hope to be able to have time to address all three of them. But, in order, I am going to speak a little about the trade agreement.

We have had much interesting discussion this evening about trade with China, the different issues, the economic issues, the political issues; and, so, I too will chime in on that, I think from a little bit of a different angle. But, nonetheless, I will spend a little time on that this evening.

I would like to talk to you again about taxes. As you know, I think it is important that we distinguish out there the difference between the parties, the Republicans and the Democrats, when it comes to tax policy in this country.

My discussion and comments this evening will not be talking about a tax cut today. It will be talking about a little historical tax management and which one of those parties really has the experience to manage our taxes.

Then the third thing which I hope we get time for this evening is a fundamental issue to all of us, and that is education.

Let me begin by talking about China. First of all, let us get the economic factors out of the way for the State of Colorado.

My district is the Third District in the State of Colorado. It is representative of all of western Colorado and some of eastern Colorado. To give my colleagues an idea of the geographic

size, it is larger than the State of Florida.

We have lots of industry in Colorado. We have a lot of industry in business, primarily small business, in the Third Congressional District. We do have some of the world class ski resorts in the Third Congressional District. We have a lot of international tourists.

In fact, the State of Colorado made a conscious decision some time ago to really try to make an effort at marketing on an international basis. We determined in Colorado that tourism is a good industry to have, that it is better than the smoke-stack industry that we had experienced in some years previous. So we wanted to get a mix. And now, as you know, Denver, Colorado, is one of the leading cities in the country with regards to high tech. And, of course, the Third Congressional District, the mountains of Colorado, is known throughout the world for the beautiful and majestic mountains and the views that we have and so on, and the ski areas that we do have.

But China is a factor in the Colorado economy. I think to just get it out of the way, the economic numbers, because this evening we have heard economic numbers bantered back and forth, so at the beginning of my remarks here I will tell you that China is a very important trading partner for the State of Colorado. It is fourth, in fact, as far as the largest amount of exports to a foreign country for the State of Colorado.

In Colorado our agricultural base, which is very, very important for Colorado, whether it is the cattlemen, whether it is the wheat growers, whether it is the corn growers, regardless, the agricultural base in the State of Colorado through their associations strongly support trade with China.

These associations realize that 96 percent of the consumers reside outside the boundaries of the United States of America. Only within our boundaries do we have four percent of the consumers.

Now, some people tonight that you heard preceding my comments will claim they run away from the word "isolationist." They talk about pro-trade. They talk about pro-small business. They talk about international relations. And then they urge you to vote no on the China bill. When the real test steps up there, they are not pro-trade, they are isolationists.

Now, in some cases, maybe isolation works. It has not worked for the United States of America. We thought for sure that we could make Cuba collapse to its knees by isolating that country. Several presidents ago or so, it did not work. Some day we are going to get capitalism into that country. But our choice of isolation is not going to work with China.

We are not going to isolate China. How are we going to isolate them? We are not going to isolate them. Let us face the facts. And the facts in Colorado are economically, economically,

it is a very, very important trading partner.

In the areas that I represent, agriculture is very important. In the cities of Colorado, the largest cities, which I do not represent, high tech is very important.

There are a lot of businesses from small to medium to large in Denver, Colorado, in Boulder, Colorado, in Colorado Springs and Ft. Collins throughout the cities on the front range that think that this China trade is very important for the State of Colorado and for the people of the State of Colorado.

So I am not saying tonight in my remarks that will follow that we should disregard the economic factors of the State of Colorado. They are important. We should not ignore them. It should play an important factor for every congressman's decision when they make that final decision on whether or not to support trade with China.

But what I want to focus about this evening in regards to China is more from a philosophy point of view, I guess, and that is to kind of relate to my colleagues here on the floor my personal experience in China.

Many, many years ago I had the privilege of being selected as one of 10 what they called young leaders in America from across the country to go and visit the country of Taiwan and to go and visit and spend time with their government and, after visiting Taiwan, to go ahead and go across the straits there and visit China and spend time with China's young leaders.

This was a bipartisan group of people. There were five Democrats and five Republicans. And so, we went off on a trip to visit with the governments of these two different countries.

In Taiwan it was very interesting to see what capitalism has done for that country. This is a country that has boomed when it allowed its people the opportunity to improve their life situation, to go and pursue their life dream of having their own business, of being able to make a better mouse trap, of having rewards for their hard work because they come up with a better mouse trap or they have a better invention or they figure out a more productive way to produce.

Taiwan loved capitalism. Taiwan put its arms out and said, we want capitalism in our country. And compare to what has happened in Taiwan to any other country of its size, especially any other country of its size that is socialistic or communistic, compare Taiwan and the economy and the type of lifestyle and the freedoms and the freedom of expression and the art and the music and just, basically, the enjoyment of life in Taiwan, compare it to what you have in China. It is hardly a comparison. It is like between night and day.

What is the answer? Is what brought capitalism to Taiwan isolationism by the greatest country in the world, the United States of America? Was it a conscious decision on behalf of the United States of America to ignore

Taiwan and say, look, the best way to break communism and make sure this new regime that went over to Taiwan is not going to practice communism, the best way to do that is isolate them?

We did not isolate them. We embraced them. We said, try capitalism. It works. Throughout the history of the world, every time we have allowed an individual to make life better for themselves through their own labors, it works. Capitalism has proven itself over and over and over again.

In China, they have been very successful at rejecting capitalism. They have been very successful at rejecting individual rights. They have been very successful in restricting the freedom of movement in their country.

In China, the communists have been very successful in making sure that they cannot form political groups, that they cannot have the freedoms as these people hear about just 90 miles away in the country of Taiwan. China has made sure that it has oppressed its citizens, and it has made sure that it has defied the world.

So what do we do about this communistic country, this country that is huge, huge and growing, by what, 20,000 or 30,000 people a day are born in China? We cannot ignore them. Come on, my colleagues that oppose even acknowledging that China is out there. We cannot ignore them. We cannot isolate them. Figure it out.

Now, I went over to China and I had an opportunity to meet some of their young leaders. And I will tell you what really stood out for me when I was in China was how oppressive their government was, but what encouraged me were some of these young leaders seemed to be enchanted by the idea of freedom and enchanted by the idea of capitalism.

I could really see an optimistic viewpoint in their mind that their mighty country, and they were proud of their country, that their country was beginning to, at least, acknowledge that outside of communism there might be an improvement called capitalism.

I saw their signs of encouragement when I was in China. I went to a school. This school was for the very privileged in their society. In China that is the school teachers, the medical doctors, and the government leaders and their top business executives. So it was a private school.

All of the children were beautifully dressed. And, of course, the Chinese children are beautiful children. I guess all children are beautiful. But, really, their dress and their outfits. But do you know what I noticed in their school what made me feel good that capitalism was getting its foot in the door in Communist China was the fact that on the walls of this school they had paintings of Goofy and Mickey Mouse.

Now, some of my colleagues might chuckle at that. Well, what has that got to do with trade? Think about it.

Through entertainment, through music, and through many other means, capitalism is beginning to seep into Communist China. It is beginning to get in there.

Now, what amazed me the most about these young Chinese leaders is that a couple three months later, I then hosted those leaders in the United States for a period of about 3 days in the Colorado mountains. Now, they had already been to Washington, D.C., and they had seen this fine building. They had seen this fine body in action. They saw the majestic White House and our other beautiful monuments around here. They were impressed. They liked America.

When they came to the mountains of Colorado, we did some things, we treated them. We gave them each a pair of Levi jeans. Back then that was a big deal. We took them on a roundup camp and sang cowboy songs around the fire. They loved it. But do you know what they enjoyed and they were most enthralled about during that time that I had them and they inform me it was the most interesting thing of their entire trip to the United States, which included San Francisco, which included Colorado, which included Washington D.C.? Do you know what amazed them the most? The grocery store.

I took them to our grocery store, our local city market. They could not believe it. We spent 4 hours. I had allotted 25 minutes to go through the grocery store. They spent 4 hours in that grocery store in Glenwood Springs, Colorado. They went up and down those aisles. They could not believe it, all of these different choices of cereal.

Where is your milk? This is all milk? Yogurt two percent. One percent sour cream. They could not believe it. And the eggs, dozens and dozens and dozens of eggs. We went to the cheese selection. They could not believe all the selections of cheese. And cereal. I mean, we literally opened a couple of boxes of cereal so they could taste the cereal. They were enthralled by an American grocery store.

Then I had to convince them that that American grocery store was not for the exclusive or the wealthy people in our society. I am not sure they ever believed me that anybody in our community of Glenwood Springs or anybody that stopped in Glenwood Springs could go into that grocery store and that the prices that we were paying for items in proportion to what we made per month were minuscule in their terms. What a deal. How did it happen?

And do you know, the rest of the time with those young leaders, do you know what we talked about? We did not talk about the indoctrination of communism. We did not talk about how you can stymie freedom of speech. We did not talk about how you can prevent the people from having music and art. We talked just the opposite.

We talked about capitalism. We talked about freedom of expression. We talked about music. We talked about

art. We talked about grocery stores. We talked about the fact you could own your own horses and your own cows and if you wanted to, you could sell them for a profit, if you were a good businessperson, you could make a good living at it. We talked and we talked and we talked.

Now, this story goes on. They then went back to China. I could tell that these people, these young leaders, men and women, were inspired. They really felt an urge that their great country of China could move in a direction that would make it an even stronger country, that they could begin to get their senior leaders to open up their eyes just a little, not dramatic change, because dramatic changes takes time in China.

□ 2215

But it is change, nonetheless, towards capitalism, away from communism.

The last time I ever saw most of them was as they got on that plane. They smiled, they did not want to leave America, in one sense; but in the other sense they could not wait to leave America and get to China, because they wanted to talk to their friends and neighbors about what America had, what America had that China did not have and what America had that China should have. That is why they were anxious to get out of this country.

Well, not too many years later, in fact, just a couple short years, Tiananmen Square occurred, where the government forced down, executed, and, to the best of my knowledge, some of those good friends that I had met were executed as a result of Tiananmen Square. I was very, very bitter. To this day I remain bitter about the way these young people were prosecuted, persecuted and executed by the Chinese government.

It is a tough hump to overcome. These kids, and they were young men and women, they had a lot of promise. They had a lot to take to their country. They did not stay in the United States. They did not want to be Americans. They wanted to go home to their homeland of China and improve the conditions and bring things like small business and capitalism and music and art, open up the world. They never got that opportunity, because the government made sure that they were, as I said, prosecuted, persecuted and executed.

Well, I, for a long time, took the position that the best thing we should do is cut all our ties to China, stop dealing with China. Those SOBs, they killed these people, and you cannot deal with China except through a military takeover at some point, or at least build up your military strength so you never ever have to have China push your own citizens around, and I was convinced that the best thing to do was isolate China.

But I guess with time you begin to think about, is that really working? In

the meantime, what we saw was we saw the Iron Curtain collapse. We saw the Reagan Cold War be successful without the firing of one missile. And as I began to study what broke Russia, what brought Russia to its knees, was it the fact that we isolated them? Was it the fact of our military machine?

Well, both of those factors played into it, and there are other factors I will talk about. First of all, was it the fact we isolated them? We did isolate Russia in some areas, and we should isolate China in some areas, and that is transfer of military secrets.

As you know, the Russians had a very successful spy operation, unfortunately, a couple of traitors in America, U.S. citizens that became traitors. But, nonetheless, we restricted them. We did not allow swapping of even semi-sensitive equipment to Russia. And that is appropriate with China. We should be very, very restrictive about military hardware or civilian hardware that can be converted to military use. We should be restrictive and isolationists in regard to that. If we were not, you could see the proliferation of nuclear weapons going on throughout the world. We have to keep that stuff close to our chest. I am not sure anyone in this room disagrees with that. But when you take a look, did we isolate Russia as a whole, the answer is no. Capitalism began to creep into Russia. That is what happened.

Now, what about the military? Was it our military might that brought down the Russian empire? The answer to that is no. What our military might did, and, by the way, I think every American citizen should be thankful for Ronald Reagan. He stood up to a lot of heat when he called Russia the evil empire. He stood up to a lot of heat when he had our military build up in this country. A lot of people said he was a war monger. Some called him Rambo. Now you do not hear much from those people, because, you know what? Ronald Reagan was right. You need to have a strong military. You need to have the first military in line of every military in the world.

But the military itself did not bring down Russia. What brought down Russia is the heart, the people's heart. Those people in Russia said, you know, there is something better, beyond that wall. There is something better on the other side of the ocean. There is something better about America. What is America doing that they have such good lifestyles?

What is America? The teenagers in Russia were saying look at the teenagers in America. They have this great music. They have these radios. Back then they had these Walkmans. What are they doing in America that we should do in Russia to improve our lifestyle?

Our military strength, make no mistake about it, our military strength kept Russia from attacking us. Our military strength was a critical element in bringing Russia down to its

knees. But the overriding factor that brought Russia to its knees or that the Russian people wanted was freedom. They wanted a taste of life that was a lot sweeter. They wanted the freedom of expression. They wanted the freedom of religion. They wanted a lot of freedoms that had been denied to them. And little by little, through Radio Free Europe, remember, that is how we got in there. Today we are going to get in China through the Internet.

Back in the Cold War days we got in through Radio Free Europe. They turned on these radios, and no matter how hard, no matter how decisively the Russian leaders tried to shut down Radio Free Europe or shut down those signals, those Russian people still had radios hidden. They would pull them out at night and listen to the Americans on Radio Free Europe talk about how good things are and how capitalism can work in your country too, that we are not asking you Russians to become Americans; we are asking you Russians to enjoy the freedoms that Russians deserve.

It was through that kind of effort that capitalism began to sneak in. American music and American music plays a very important part. You may say "that is somewhat exaggerated, Scott." It really does play an important part.

As I travel throughout the world, which I have done fairly extensively, almost everywhere I go it is American music being played, and you know the young people that listen to this music, they have good impressions of America. That is where this good music comes from. It worked the same way in Russia. You begin to see American music. You begin to see American products in the wealthier class. The ruling class in Russia had the use of these products, but the common man out there, they noticed them and they wanted them too.

Then pretty soon the operation of the government control began to collapse in Russia, and, what do you know, the Russian empire fell. Whoever thought that the Berlin Wall, that they would live to see the falling of the Berlin Wall? I never imagined it. But that was a remarkable event in our history.

Well, I think we can apply the same type of standards, and I think we ought to look from the same historical point of view as to China.

Now, what about this trade with China? What do we accomplish? Should we do it? As one of the previous speakers, who loves to talk about corporate America and big corporate this and big corporate that, I mean, you know, it sounds like a broken record. Forget talking about big corporate America. Talk about the small businesses.

Talk about, and I wish my colleague were here, talk about the farms and ranches in Colorado. Talk about the corn growers or the wheat growers. Talk about the people that produce chicken eggs. Talk about our dairy farms. There is a lot of people out

there we ought to talk about that are not big corporations in America, that are not oppressive business entities in America, that are not out to squash the freedoms of American citizens.

There are a lot of people that work very hard. In fact, they probably work a lot harder than we, and we work hard on this floor, and they work harder than we do in their small business.

Trade means something to them. With the advent of the Internet, you cannot be an isolationist. Some of your colleagues, when you hear from other colleagues and they say, "Well, look, I am for free trade. I think we should be in on the international business, but, boy, I am sure opposed to NAFTA, and I am sure opposed to China trade. By gosh, I am opposed to any trade like this."

Come on, you cannot have it both ways. And which way works? Sit down with your colleague, my friends, and say hey, show me the historical basis of where isolationism works, number one, and, number two, tell me how you are going to isolate China. How are you going to do it? You cannot. Isolationism does not work, and you are not going to isolate China.

Now, I have some pretty resentful feelings towards China. I expressed those to you tonight. I lost my friends at Tiananmen Square, so I do have a deep resentment towards the way that those leaders, the leaders at that point in time, treated their young people, and I think that China does have very oppressive human rights, and I think China's communism is not long for lasting. I think in the next 20 years it will break, just like Russia's did. I know I am no fan of China. But it is because of that very fact that I am not a fan of China, that I still contain within my heart some bitter resentment towards the Chinese government, it is because of those reasons that I think we should do exactly the opposite of what my colleagues who preceded me talked about.

I do not think we should isolate China at all. I think the worst nightmare of the Chinese leaders, their worst nightmare, is that their people will begin to get a taste of American music, of American art, of American enterprise, of American freedom of speech, of American freedom of religion.

You know what? That is what those Chinese leaders fear the most. They love it when primarily my Democratic friends stand up here and say isolation or no trade with China. They love you to talk like that, because they know they are too big for you to be any kind of threat at all to them through isolationism. They know you are not going to isolate them. They would just as soon you not try to get freedom in to their people.

My Democratic colleagues, they would just as soon you stand up here and act like this, the ones that oppose this trade. "My gosh, we cannot do this and that with China."

You know, you are taking exactly the wrong track, in my opinion. If you want to break China to its knees, and I want to do that, you begin to put free enterprise into that country. And how do you get free enterprise into that country? You get American products over there. You open up trade with this country.

Now, remember, it is in fact true the EU and a number of other trading entities in this world would love for the United States not to trade with China, because 99 percent of the products that we trade with China are nonmilitary products. So let us take the military issue out right away. That 1 percent of military products, let us not trade it. I agree with you, let us isolate ourselves on the trading of any military hardware. I do not object to that at all. I do not think we ought to give China one bullet. If they have to buy it from the Europeans, let them buy it from the Europeans.

But, that said, the other 99 percent of consumer goods, where is your objection? Do you realize that when the Chinese people get to begin to enjoy American products, whether it is a coffee maker, whether it is a disk player, whether it is the clothes, whether it is just a writing pen, I mean, whether it is a pair of skis, I mean, all of these different things, do you realize what happens when a person who has never tasted freedom gets to feel American enterprise? It is like tasting hot apple pie for the first time. You want a second bite. It sticks with you. You like that cinnamon flavor.

That is exactly what is going to happen with China. And then you know what happens? First they begin to get the taste of American products. They want more. And then they begin to want more. More products? Oh, yes, more products.

But what, more importantly, do they want? They begin to say, you know, we want more freedom of movement in this country. In America they can get in their car and they can travel clear across the country. They are not stopped at the borders. They are not searched at the borders. They can go. Why cannot we do that in China?

In America they can voice their opinion. In America they have got this freedom of religion. That is what begins to seep into this country. If you want to bring China around, do not ignore them, do not isolate them. Let us go in there and improve the situation. Let us go in there and look at it from a constructive point of view.

Now, I have heard some of my colleagues talk about, well, we could be at nuclear war with China. China, we will be at war with China within the next 10 to 15 years. Well, I do not downplay your remarks, not at all. I do not downplay your remarks one bit.

□ 2230

In fact, I think the Chinese are a serious enough military threat that we need to get on the ball over here and

we need to do two things. One, we need to not allow our President to go overseas and agree with the Russian Government to cut our nuclear arsenal below the red line, which is the line that our military experts say is the minimum we need to sustain the safety of American citizens in a conflict. We need to have a military that is second to none and is by a factor of many much more efficient and much more devastating than the Chinese military.

We need to be prepared, if China were ever to move, to defend ourselves and to protect American citizens. So I do not downplay the military threat at all. I think the United States must be fully prepared militarily to take on China or anybody else in this world that possess or exercises a threat against American citizens or our allies.

I think while we do that, we must, as we did in Russia, simultaneously get the word of free enterprise and get capitalism into China. Remember with Russia we had the nuclear missiles. We put nuclear missiles on the European continent. We shored up NATO but while we were doing all of this, we still had Radio Free Europe working. We still had Radio Free Europe. We kept plugging away. We kept trying to get American enterprise in, get American products in behind those Russian borders. It began to seep, it began to crack, and finally it did crack.

With China, Mr. Speaker, instead of saying, well, we are going to be at war with them in 10 to 15 years so let us ignore them, I say different. I say we should approach China, to the extent that we can, and get the taste of freedom to those Chinese citizens because that is one thing the Chinese Government leaders cannot take away from their citizens. Once they get the taste of freedom, it will be just like the Russian empire. Once they get that taste of freedom, no matter how harsh a leader you are, no matter what you do, that freedom will spread like a strawberry patch. It will grow and it will survive the winter and it will grow the next summer and it will survive the winter and it will grow the next summer and it will grow and grow and grow, and that is what will bring China down.

I hope my colleagues this evening who for the sake of politics are saying that they oppose trade with China, listen to my remarks. Here is a person who has a very bitter taste about what China did to his own friends. Here is a person who in his initial years of reaction to China took an isolationist policy, but here is a person who after having studied the Cuban and Russian model has decided the best way to do it is continue to build the strongest military known in the world's history but at the same time getting that taste of freedom inside the borders of China.

TAX MANAGEMENT

Mr. MCINNIS. Well, we have discussed China to the extent that I am going to this evening, but let us move on to a new subject. I notice lately we

have obviously in this country, Mr. Speaker, we have a presidential election going this year, very important election. There has been a lot of, I think, play on words or tricks through the use of semantics about, geez, the Republicans want tax cuts; that is all the Republicans want are tax cuts, and we, the Democrats, we want to keep the money, trust us, we want to keep the money and use it to help shore up Social Security. Well, I want to talk a little more about taxes and tax management, because taxes are an important factor.

I am not advocating that today we go out and produce a massive tax cut for the American citizens. There are some specific taxes that I am going to talk about that are punitive, that are punishing, that are unfair, like the death tax, which the Democrats continue to push and push and this administration not only pushes the death tax but this administration attempts to increase the death tax \$9.5 billion in the budget they gave us this year.

There is a marriage penalty which when we brought up in front of the Democrats, although they had 40 years to do something about it, there is that marriage penalty when we finally got it up here for a vote many of them voted for it. Now we see the Democratic administration opposing it.

It may never be signed. It is unfair. This is a country where we ought to encourage people to be married. We want to encourage families. We do not want our young people to be taxed just because of the fact they are married, and taxed at an unproportionate rate.

There are those kind of taxes that I think we have an inherent duty, as Congressmen, we have a fiduciary duty to our constituents, to be fair to them. The death tax is not fair. It should not be there. It is nothing but a transfer of wealth.

We are not a socialistic society. We do not, in our society, say go to the wealthy or now in our country go to even the lower middle class or the middle class, capture their assets and give them to the people. We are not a society that says go to the people that work and take away from them the fruits of their labor and give it to the people who do not work. That is socialism, and that death tax is darn close to a defining foundation of socialism and it ought to be eliminated.

What I think we should talk about is tax management. Now as we all know, Mr. Speaker, those on the Democratic side had control of this House for 40 years. I think it is very interesting, when we have heard the proposals for Social Security, when those who believe that Social Security, the people who are on it deserve more, the people who will be on it some day deserve an opportunity to enjoy the taste of American enterprise by having personal investment accounts, I find it interesting that the people who managed it, the Democrats, for 40 years and got it into the deep hole that it was in now

are saying to the American people, my gosh, the Republicans have come up with a good idea; run from it, people, run from it.

How dare any of us think of something different to do with Social Security. How dare any of us talk about a person actually having some choice in their Social Security dollars. Trust us. For 40 years we ran the Social Security and we ran it into the hole, but do not change. My gosh, our historical basis, 40 years of lousy rotten management and now, by gosh, the Republicans are proposing a tax change or a change in the management of Social Security. Well, it is the same thing with taxes. Take a look at what has happened to tax management since the Republicans took control.

Now, I generally do not like to get too partisan in my remarks on the House Floor but this floor is designed for partisan debate, and there is a clear distinction between the Republican Party and the Democratic Party when it comes to tax management. In my opinion, the Democrats manage taxes in every way possible to get the maximum tax dollar transferred from the local and State government to the central government or to the Federal Government in Washington, D.C.

Now when we took control, when the Republicans took control, take a look within those 6 years what has happened with tax policy. I will give an example. This could have happened in any of the 40 years that the Democrats controlled your taxes. It took the Republicans to make this tax change, to manage these taxes.

What did we do? The Republican Party, through our leadership, realized that the one property that most people in this country dream of, that really is the largest asset in most of the homes of this country, in most of the families of this country, is the family home. Yet we found out that the family home, under the tax management of the Democrats the last 40 years, that the sale of this property, the sale of the family's largest asset was being penalized. It was being heavily taxed. So we proposed a new idea, and, of course, we had the typical the sky is going to fall, just like we hear on Social Security. Do not try anything new on Social Security. Stick with us. We have had 40 years of rotten management. Stick with us, trust us, count on us.

The same thing with this tax, but fortunately we have the majority, and the Republicans looked at what individuals and couples pay for their home. Now let me say what the old law was. The old law said that if someone sold their home for a profit, in other words if they bought a house for \$1 and they sold that house for \$2, they then had to buy a house of equal or greater value to what they sold the last one. So they bought it for \$1. They sold it for \$2. To avoid being taxed on the \$1 of net profit they made, they had to buy a home that had a value of at least \$2. They had to do it within an 18-month period

of time or they paid a very steep tax on the fact that they were able to sell the family's biggest asset at a profit.

Now there was one exception to that. If one was 55 years old, they got a once-in-a-lifetime exemption of, I think, \$125,000 or \$150,000. We changed that. We believe that the family home is an asset that most families try and build up equity. A lot of families build up equity in their home that they intend to use for their retirement. A lot of families build up equity in their home that they hope to be able to pass on to the next generation. Why penalize the families on their home? And therein is where the Republicans differed with the Democrats on tax management.

So what did we do? Here is what we proposed, here is what became law. Again, let us look, before the Republican tax bill, an individual, this individual bought a house for \$100,000, sold the house for \$350,000. The profit was \$250,000. The tax, the income that would be taxed is \$250,000. Now that is an individual.

Let us take a couple, an example of a couple. Let us say a couple bought a home for \$200,000. Let us say that they sold the home for \$700,000. So obviously their profit is \$500,000. They paid taxes on \$500,000. We changed that. Here is what we did, and every one of my colleagues that owns a home ought to pay attention because every homeowner in America gets a tax break if they make a net profit on the sale of their home; every American. For most Americans, Mr. Speaker, it will be the most significant tax break they have gotten in their life. It is significant.

We went and said, all right, up to an amount of \$250,000 we are going to charge zero taxes. That is for an individual. So if an individual buys a home for \$100,000, sells the home for \$350,000, giving us a profit of \$250,000, the taxes are zero. Remember back here under the Democrat leadership for 40 years, \$250,000 profit, \$250,000 that would be taxed. Our \$250,000 now, in law, our bill on the Republican side, the tax is zero. The American people get to, Mr. Speaker, put those dollars in their pocket.

Now, what happens to those dollars? Number one, they do not come to Washington, D.C. for redistribution. They stay in their community. They either go buy another house or they buy some additional property or they buy a new car or they put it in a savings account in a bank that turns around and loans it to somebody who wants to buy a new car. That is money staying in the community. That is money that is staying in the family.

Under the Democrat management of these tax dollars that money went to the bureaucracy in Washington, D.C. for redistribution. Under the Republican policy, that money stays in the taxpayer's pocket.

For a couple, most homes in America are owned by a couple, we gave that a \$500,000 exemption. So here the couple buys a home for \$200,000. They sell the

home for \$700,000. They make \$500,000. Under the Democrats, they pay taxes on \$500,000. Under the Republicans, they pay taxes of zero, zero.

Now, whenever one hears the Republicans talk about tax management, they hear some of the Democratic leadership talk about, oh my gosh, if we cut taxes we are going to cut education. Why education? Because they have been out there with their polls, and the polls say, look, if you want to scare somebody tell them they are not going to get the education for their kids. Who would not get scared? We all want a good education.

We heard the same kind of the sky is falling in when we did this tax management policy. Mr. Speaker, have any of you who have owned a home, who have enjoyed this tax management, have any of you out there seen a school close or one school in your county, in your city, in your State or anywhere in this country, one school get one less dollar because we let the American family put these dollars back into their pockets instead of transferring them to Washington?

□ 2245

No. What we see is a record surplus in Washington, D.C. This is good tax policy. This is the kind of tax policy that differentiates between the Republicans and the Democrats.

Let us talk about some other tax policy. Again, keep in mind, here is another difference. I talked about it earlier, but it is important to re-note. With death taxes, Mr. Speaker, we know there is a difference in the parties in this. The administration, the Democratic Party in general, not everyone, but in general, supports these death taxes.

They think it is appropriate to go out to somebody who has worked all of their life, paid taxes on their property, in some cases paid taxes one or two or three times, and the instant they die, send in the governments, get in there and raid their pockets. It is called the death tax.

There is a significant difference. The Republicans want to get rid of it. We want to eliminate the death tax. It is not fair. It is punitive. It is on property that has already been taxed. It has already been taxed.

Let us talk about the other tax that we managed to get rid of, a little more successful than we have been with eliminating the death tax. Do Members know what happened? Democrats, as soon as we put this in front of them, they voted for it. For 40 years they had an opportunity to get rid of it and they never even brought it to the floor. Once we got it to the floor, this thing went out with unanimous support. Everybody voted for it. Everybody went back to their districts and talked about, hey, look what we are doing for the seniors. Look how good we have been to the seniors.

Let us talk about what that does. What the tax on the seniors did, as

many know, we have one particular paragraph, beneficiaries, we know this, aged 65 to 69, full retirement age, could only earn up to \$17,000. After that, that is all they could make.

We have an employee shortage. We have a lot of senior citizens who may be senior citizens as classified by age, but they are good workers. They want to be in the marketplace. They want to go to work every day. They are productive.

The philosophy, frankly, of the Democratic Party through their tax management policy, and again, we are talking business, here, and I am not trying to be partisan, but let us talk business, because there is a difference in management. The management that they had frankly was that the \$17,000, it should be limited. Once earnings go over that \$17,000, they should lose \$1 of social security benefit for every \$3 they make in the marketplace.

Was that fair? We said no. We did not think so. Do Members know what the Republican policy management was? Do Members know what the Republicans said about this tax? Here is what we do with it, take away the tax that we are putting on senior citizens who want to work.

I appreciate the fact that all my colleagues on the Democratic side voted for it. But I also question the fact, where has it been for 40 years? How in God's Earth could they justify doing that kind of tax? How do they justify a death tax? How could they justify a tax on marriage penalties, penalizing somebody who is married?

Let me mention another tax that helped our economy. In fact, if we talk to a lot of economists, these economists will tell us that one of the most significant factors in the healthy economy we have today is that when we took control, the Republican tax management philosophy was take capital gains, which was then 28 percent, and drop it, drop capital gains, which is exactly what we did. We took it down to 20 percent.

Now, we heard from the other side, of course, the sky is going to fall down, schools are going to close, we are not going to get our highways, and that this is the wrong time to give money back to the American citizens, even though there is a huge surplus.

Do Members know what happened? A funny thing happened. In the last several years, hundreds and hundreds of thousands of American citizens began to buy mutual funds. Hundreds and hundreds of thousands of American citizens began to invest. They begin to recognize that, hey, this is an opportunity. This is a good economy.

Do Members know what? Capital gains all of a sudden, and that is what we call this, capital gains taxation, all of a sudden the meaning of capital gains grabbed a lot of people's attention. When we dropped it from 28 percent to 20 percent, we had an explosive, an explosive economic growth.

That 8 percent may not sound like much, but wait until one is a middle-

income person or lower-income person and sells some stock and realizes 8 percent of it, gets a tax break of 8 percent.

Did they close any schools as a result of dropping capital gains from 28 percent to 20? No. In fact, what happened was the money to the Treasury went up like this. We saw more movement in the capital markets. We saw capital being created. Now we had more dollars than we ever had for schools. Now we had more dollars than we ever had for highways. Now we had more dollars for a lot of different needs that we have in this country.

That is important. That is important tax management. Education, for example, and I cannot find anybody that disagrees with this, is one of the highest priorities our Nation should have. We should fund it. I think funding it is in part a responsibility of good tax management.

Members will see in this upcoming election, on their side they are going to try and say, my gosh, do not let the Republicans cut taxes. To be fair to those voters out there, colleagues, I think we all need to talk about the kind of taxes that we want to cut.

I think to be fair out there, they need to say, you know, the Republican leadership wants to do away with the death tax. What do you think about it, people? Is it fair to tax you all your life for property you have earned and made through the American system, and then on your death, tax you, take it away from you, force your family to sell it and transfer it to somebody else, to the bureaucracy in Washington, DC?

When we talk about tax cuts by the Republicans and our tax management policy, ask them if it is so wrong to eliminate the marriage penalty. In our country where we penalize people for being married, what is so wrong with eliminating that? When they talk about the tax policy that the Republicans have, ask how many homeowners who sold their homes would, rather than have paid taxes on those in some cases tens and tens and tens of thousands of dollars, would rather have paid taxes and had a lot more faith in sending that money to Washington, DC than being allowed to save that money and use it in their own community?

That is the kind of tax policy we are talking about. It is the same thing with social security. As we go, they go out to condemn us on social security because of the fact that for the first time in 40 years we have somebody willing to stand up and take the lead. We have somebody strong enough that says, I will take some bumps and bruises, but we have to change the course. We have to continue to give security to the people on social security, and we have to give promise to the people who some day will be on social security.

What is wrong with that? They ought to talk about that, talk about the 40 years of management that preceded these tax reductions, these tax management policies. They ought to talk

about the 40 years of management with social security.

My point here this evening is this: All of us, Republicans and Democrats, have a fiduciary responsibility to help fund this government in an efficient and productive fashion. That means that we must deploy good management tactics.

There are times where we may have to have some type of tax adjustment. Do not run away from it. There are times when we have to have a change in the management of social security. Do not run away from it. The best way for us to protect social security for the people today, and every Republican plan I have seen out there gives absolute protection to the people on it today, and frankly, protection from my generation, but it gives promise for the generation behind us. Do not run away from it, analyze it, take a look at it.

I wish they would have analyzed the marriage tax penalty years ago, and what they were doing to seniors who wanted to go out into the marketplace and earn a living. They penalized them for it. I wish they would analyze what they are doing to American families, small businesses, farms, ranchers, with the death tax.

I wish they would analyze some of those things. If they do, they are going to say, look, folks, we cannot give all of the money back, but we can manage some of it. When we manage our taxes, everybody wins. That money stays in the community. It still helps the Federal government. When we keep money in the community, if we want to talk about helping education, keep that money in the local community. That is where we help education.

Mr. Speaker, let me move off the taxes and just kind of wrap up my final comments with some points I think that are important on education.

I am very excited about education this year. I have seen in Colorado what we are doing with education for the first time I think in 12 years. The Governor of the State of Colorado, Governor Bill Owens, has fully, and his legislature, have fully funded education in Colorado.

We have a new program, the Governors' educational reform program, that was kind of like Reagan when he caught holy heck for his defense program, and Governor Owens has gotten some grief on his education reform. Five years from now or 10 years from now we are going to look back at Governor Owens' reform package and say, you know, he was right. He did a good job.

I am excited about education at the Federal level. I am beginning to see that the American people are beginning to focus more and more on the student in the classroom and less and less on the bureaucracy that is built above that student.

I think the American people are beginning more and more to realize that we need to bring discipline back to the schoolroom; that discipline is a necessary tool to teach our young people.

I think the American people, and it excites me, are beginning to say about our schools, you know, uniforms may not be a bad idea. Let us bring uniforms to our schools. Philadelphia, I think, is the most recent one to try it. They caught some heat.

Somebody said, well, it takes away our freedom of expression, but it introduces a form of discipline back in the classroom. I am excited about these things. Had we not had the debates we have had on this floor and the debates that have been held in our 50 States, probably in every school district in this country, our product of education would not have improved.

It needs to improve. This country has got to have education that is second to none. But just like the taxes, we need management. That is why the Republican leadership has spoken so strongly about discipline in the classroom, about uniforms in schools, about fully funding schools, like they have done, like the Republicans did in Colorado.

Why do I keep saying Republicans? Obviously, I am a Republican. I am proud of what we are doing. At one time many years ago I was not so confident that the Republicans were giving education the attention it needs. Now I am concerned that the Democrats are hanging onto the old ways, the ways that have been proven inefficient, instead of letting us put reforms in these schools that will bring back the basics, math, English, school discipline, the reading.

But as a team, I think we can improve education. I am willing to work with them as a team. I think it is an exciting year. I think the next 3 or 4 years will be even more exciting for education.

Mr. Speaker, in final conclusion, let me say to my colleagues, they should not disassociate themselves or disqualify themselves from talking about tax management. We need to manage those taxes. We have been very successful. Do not run away from trade with China. That may be the very way we break China and bring them around to the freedom of America.

Finally, stick with us on our education agenda. We have an agenda that will improve that product to the student in the classroom, that student that will be the next leader of America.

ILLEGAL NARCOTICS

The SPEAKER pro tempore (Mr. SIMPSON). Under the Speaker's announced policy of January 6, 1999, the gentleman from Florida (Mr. MICA) is recognized for half of the remaining time before midnight, or approximately 32 minutes.

Mr. MICA. Mr. Speaker, I am pleased to come before the House again on a Tuesday night to talk about a subject that I usually discuss with my colleagues in the House of Representatives, and that is the problem we face in our Nation and across our communities in America of illegal narcotics.

We also have an incredibly serious problem with drug abuse that is affecting almost every family in our Nation. If we look at the root of the real problems in our society, criminal problems, disruption in families, serious crimes committed, we need look no further than the problem of illegal narcotics.

I know much of the attention of Washington and some of the Nation was focused here on the events Sunday, on Mothers Day. I think that every American abhors violence. I think it is rightful that mothers would come to this city and plead for an end to violence.

□ 2300

I think that everyone who is a rational human being would be against gun violence, gun violence against another human being, using a weapon to destroy life, to harm an individual. So I think we all abhor that. But what we fail to address really is the core problem.

This past Monday, I had the opportunity to attend the National Memorial and Recognition Service for police officers who had been slain. Some 139 police officers across our Nation were slain this past year. Talking to police officers who were visiting from my community and from around the Nation and speaking to police officers and law enforcement officials as I go about my responsibilities as a Member of Congress, they all tell me the same thing; and that is, that illegal narcotics are at the core and again the source of so many of our crime problems, so many of our felonies committed. So many of the people behind a weapon whether it is a gun, a knife, some other instrument of death and destruction are motivated by illegal narcotics.

In fact, in hearings that I have conducted as chair of the Subcommittee on Criminal Justice, Drug Policy and Human Resources, hearing after hearing, we have heard individuals testify that illegal narcotics contribute to crime, disruption of our social life. That is 60 to 70 percent of those behind bars, and we now have some 2 million Americans behind bars, are there because of a drug-related offense.

Most of these offenses are not mere possession of small amounts of marijuana. They are not small drug offenses, in some localities misdemeanors. These are multiple felonies. One really has to try hard, according to a New York State judicial survey of those surveying in that State taken last spring. That survey indicated most of the people in New York State prisons are there because of multiple felonies. One really has to try hard to get in prison in some of our jurisdictions, and it takes multiple and very serious offenses to be there.

There are exceptions to that, and we have heard testimony of tough minimum mandatory sentencing. But for the most part, illegal narcotics drives crime in this country. Not only does it

drive murders, but it drives drug-related deaths.

In the last recorded year, 1998, we do not have the 1999 figures yet, 15,973 Americans lost their life as a direct result of illegal narcotics, consuming illegal narcotics. These are not the flashy news reports that one sees that are publicized, say, with the action of a young child shooting a young child with a handgun. These are silent, nonetheless deadly incidents of overdose, of young people in the numbers three and four times those lost in one incident in Columbine, a horrible national tragedy. But that horrible national tragedy is repeated three and four times each day if we count all of the drug overdoses across this country.

Our Drug Czar, General McCaffrey, has estimated that the deaths, if we took into account all of the causes related to use and abuse of illegal narcotics, would exceed some 52,000 a year, an incredible impact. As much of an impact as our last major conflict, international conflict, the Vietnam War. Again, a deadly problem for this country and for our society and sometimes pushed into the background.

The march that was held on Sunday focused on violence and in particular gun violence. The media stories, as I have recounted over the past month or two, have focused on several incidents involving guns. A 6 year old shooting a 6 year old, and again the focus was the gun. But the real problem was the 6 year old came from a crack cocaine family. The 6 year old came from a family whose parent was in prison because of narcotics, serious narcotics offenses, an environment that was harmful, an environment that provided the motivation and the setting for a 6 year old to commit mayhem.

Then of course the media focused on, I believe it was, a 12-year-old who brought a gun to school and had all of his fellow students on the floor and threatened them. When asked why he brought that gun to school, he said it was because he wanted to join his mother, be with his mother. She was in prison because of a drug offense. Another tragedy.

Most recently, we had in Washington, D.C., during the spring and Easter Passover break a horrible incident when African American families in our Nation's capital were celebrating a day in our National Zoo; and what took place there was mayhem among young teenagers, I believe a 16 or 17-year-old teenager who fired the weapons in that case, wounding a number of individuals. The focus was again on the gun.

But here is another young individual in our Nation's capital, the victim, not just of gun violence and participating in gun violence, but coming from a home of drug violence. His father is in prison because he was part of a Washington, D.C. drug gang. That is a sad event for our Nation's capital.

But, unfortunately, that sad event has been repeated for the last decade day and day and day again. I cannot

tell my colleagues how many times I have come to the capital and read on a Monday or Tuesday of the violence over the weekend. Some of that has been curtailed by tougher enforcement, by change of administration, which is long overdue in our Nation's capital. This year, the drug-related deaths are down. But year after year, 300 to 400 young African American males were slaughtered in this city in a pattern of violence, and almost all of those incidents of death brought about by involvement with illegal narcotics.

I would venture today, if we quizzed our Capitol Police and our Washington Metropolitan Police Officers, they would tell us the same statistics prevail. Sixty, 70, 80 percent of those who are murdered in our Nation's capital, 60 to 70 percent of the violence, the felonies committed in this great city with so many great people, are caused because someone is involved with illegal narcotics.

Here of course we have a city in which most firearms, individual possession of an unregistered firearm is not allowed. We have some of the tightest laws relating to weapons. In fact, most of the weapons that are used in these murders are stolen or illegally obtained.

Again, I think it is important that, rather than to focus on guns, that we need to focus as a Congress and as responsible legislators on the root cause. Certainly the root cause, if we ask anyone involved in law enforcement, is illegal narcotics.

□ 2310

I thought I would recite some statistics relating to other types of violence that my colleagues may not have heard about, and how they too are brought about by the use of illegal narcotics. Most of the cases of child abuse that we read about, if we look a little further behind the news, at the child abuse itself, the motivation that someone has become involved in child abuse is because of drug use.

A study that was recently done indicated that 80 to 90 percent of all referrals for child abuse to social services in Butte County, California, cases were, in fact, drug related. Social service workers estimated that 80 percent of the child abuse cases statewide in California, in that same study, are drug related. Social service workers across the United States attribute 62 percent or more of the child abuse cases to an adult substance abuse problem.

Not only is child abuse driven by illegal narcotics and substance abuse, but the same thing applies to spousal abuse. Spousal abuse attributed to drug use was also reviewed by another study, and we found in the study recently that social service workers across the United States attributed a large percentage of spousal abuse cases to drug-related causes. A full 50 percent of all domestic violence cases involved substance abuse in a study conducted in New York State.

Suicide is also another major social problem, and studies have recently been conducted to see the impact of illegal narcotics and drug use as it relates to suicide. The Substance Abuse and Mental Health Services Administration, also known in Washington as SAMSHA, estimated that 90 percent of the suicide victims have had a mental and/or substance abuse disorder. SAMSHA, again our HHS, Health and Human Services agency, followed up studies of adults with substance abuse disorders and it revealed an inordinately high risk of suicide for those who were victimized by illegal drugs and by substance abuse. Youth who abuse substances combined with serious behavioral problems are much more likely to commit suicide than those without substance abuse problems, this study also found.

Of course, I have related in a previous special order, after conducting a hearing on the problems of methamphetamine in California, we conducted two hearings there, our Subcommittee on Criminal Justice, Drug Policy and Human Resources recently, and I did provide a detailed report in a special order on the methamphetamine problem both in the Sacramento, north central area of California, and also in San Diego, where we conducted our second hearing.

Some pretty startling cases of child abuse, actually beyond description, where children were abandoned by their parents in incredible numbers because of their problems of being addicted to methamphetamine. Methamphetamine causes some of the most irrational behavior in human beings I think I have ever seen recorded. The crack epidemic of the 1970s and 1980s is nothing compared to the methamphetamine problems we are experiencing.

This past week, our Subcommittee on Criminal Justice, Drug Policy and Human Resources conducted a hearing on the question of minimum mandatory sentencing, particularly as it relates to drug offenses, and there is some controversy about how those laws have been applied. But I was startled to learn from one of the witnesses in that hearing what has taken place in this country relating to methamphetamine and crack abuse since 1992, since the beginning of this administration.

One of our witnesses was a United States Sentencing Commission commissioner. That commission has had vacancies, but they have recently been filled and we were pleased to have testimony from that commission provided to our subcommittee so that we can find out what is happening as far as sentencing and also the prevalence of drug abuse in this country.

Submitted for the record of that hearing were several charts, and these charts are exactly as submitted to our subcommittee. This chart is entitled *Predominant Drug Type by State*, and it covers the period starting in 1992 and going up to 1995 with this series. I think if we look at the lighter yellow

here we see crack. In 1992, there is almost very little crack in these States, almost no methamphetamine, which is in the other color here.

In 1993, we see the beginning of methamphetamine abuse, some in the Midwest. We see the spreading of the crack problem. That is 1993. In 1994, we could focus here and we see methamphetamine, crack in the yellow, spreading. In 1995, we see what has taken place.

Now, this is under the policy of the Clinton-Gore administration in their change of emphasis to get away from source country programs; stopping illegal narcotics at their source. The source of crack is cocaine. Cocaine comes from only three countries: Peru, Bolivia, and Colombia. Methamphetamine, most of the precursors, the chemicals used in processing methamphetamine, come from Mexico.

This is the record from 1992, untouched, submitted by this administration's sentencing commission. This is the rest of the story, so to speak; 1996, 1997, 1998, 1999. Again, we are talking about crack, methamphetamine. Crack in the yellow, methamphetamine in this other color here. Until we get to 1999, when we see almost the entire Nation covered by methamphetamine and/or crack.

□ 2320

This is one of the most telling sets of graphs showing again the dramatic increase in these two drugs across the Nation since 1992.

Now, I have often heard liberal commentators and liberal legislators talking about the failure of the war on drugs. This is a chart that I have not altered in any way, except we have added the Reagan-Bush era during their presidency and the Clinton presidency with this bar and just labeling here.

The chart itself was produced by the University of Michigan, and it really tracks the long-term trend and lifetime prevalence of drug use. I have used this several times in special orders. But, to me, this is the most telling and graphic representation of what took place in a real war on drugs.

Again, the liberals both in the media and in the House and other body would tell us that this is a record of failure. We have a decline in long-term trend in lifetime prevalence of drug use.

And if we took up other illegal narcotics, we would see, again, we could go back to cocaine or to heroin or some of these other narcotics, methamphetamine, which was not even on the charts, but we would see a decline in those illegal narcotics during the Reagan and Bush era.

Now, they will tell us that this is a failure, both failure in the war on drugs, the war on drugs failed. I submit that if we look at this point where the Clinton administration up to the Republicans took over the House of Representatives, we see a steady incline in the use of illegal narcotics, the prevalence of lifetime use. And again, we can

bring the other charts that were just supplied by the Sentencing Commission or take charts relating to heroin and other narcotics and we show the same pattern.

Again, this is what they are trying to tell us is a record of failure. This is a record of success. I submit there is absolutely no way the war on drugs was a failure when it was adequately conducted. When it was a multifaceted effort, when we had source country programs where we stopped illegal narcotics where they are produced.

Again, crack and cocaine, it does not take a Harvard Ph.D., it does not take a rocket scientist when we know that crack and its derivative, cocaine and coca, are only produced in a small Andean region are really only capable of being produced in that region, Peru, Colombia, and Bolivia.

When the Republicans took over the House of Representatives, one of the things that they did was try to restore some of the international programs that had been sliced and slashed by the Clinton administration.

The Clinton administration, when it took office in 1993 to 1995 controlled in very large majorities both this body, the House of Representatives, and the other body, the United States Senate. One of the first things that they did was to cut money on the international programs. That would be stopping drugs at their source. Federal drug spending on international programs declined 21 percent in just 1 year after the Clinton administration took office.

Federal drug spending on the international programs decreased from \$660 million in 1992 to 1993. And it is interesting, if we look at these years, as they cut international programs, drug use and abuse increased.

The same thing happened with interdiction. Interdiction would be stopping illegal narcotics as they leave the source country before they get to our borders. The prime area of assistance is really in surveillance of illegal narcotics, both at the source so that the host country or the source country can destroy the illegal narcotics at their source or get the illegal narcotics as they are leaving the source from airfields, from waterways, from transit routes.

The United States military has been involved in providing that surveillance information. Unfortunately, one of the first decisions of the Clinton administration, again, back here when we see the beginning of the end of the war on drugs and the failure of, again, fighting illegal narcotics, Federal spending on drug interdiction declined 23 percent in 1 year after the Clinton administration took office, again, with very significant majorities of both Houses here in Congress.

Federal drug spending decreased from \$1.96 billion in 1992 to \$1.5 billion in 1993. Actually, it went down even more if we take into consideration several years that they controlled this body in large numbers.

This is the Federal drug spending chart on international programs. Again, we see dramatic decreases from the Reagan-Bush era on down to about half. So if we want to see how we can get more drugs from the source into this country, we cut these international programs.

When the Republicans took over in 1995, and it does take several years to get into this process, since then we have been able to get back to 1991 and 1992 figures. However, even with these programs, money which we ask to be sent, for example, to Colombia, funds never made it to Colombia, either through ineptness or through just pure ignoring the will of the Congress.

So even though funds have been appropriated to go back to the equal equivalent of 1991-1992 Bush-Reagan era dollars, the actual resources getting into the war on drugs have not been there.

So this is the era in which there was a dramatic decline. This is the era in which we had a dramatic increase in prevalence of drug use among our young people.

I have a second chart which deals with interdiction, and we see the same pattern again of cutting interdiction, use of military, for surveillance information gathering. The military does not arrest anyone, does not become involved in enforcement. It merely provides that information.

Here again, we have the same pattern of behavior. Back in 1996, the Republicans did up this and in 1998 we are bringing it back. Again, we have to use equivalent of 1991-1992 dollars. So in the past 4 or 5 years of our control of the House and the other body, we have managed to get us back to 1991-1992 levels with great difficulty.

Unfortunately, in the international area, as I said, resources have not gotten to the countries which are producing the illegal narcotics. We have had two success stories, both of those developed by the current Speaker of the House when he chaired the responsibility of the subcommittee, which I now chair, for our national drug policy.

The gentleman from Illinois (Mr. HASTERT) chaired, again, this responsibility and got funds and resources into some of these programs. However, many of the funds and resources, again, were diverted time and again by this administration and did not, in fact, get to Colombia, which is now the main source of heroin and cocaine and illegal substances that are coming into this country.

□ 2330

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON). The Chair recognizes the gentleman from Florida (Mr. MICA) for the remainder of his hour, or 28 minutes.

Mr. MICA. Mr. Speaker, I will continue part of what I am discussing tonight, which is the history of how we got ourselves into this fix. It is a very

difficult situation, made even more so by, again, the incredible quantity of illegal narcotics coming into our borders.

I submit, Mr. Speaker, that there is no more important responsibility for us to attend to as Members of Congress than, first, to keep illegal narcotics from coming into our borders. Stopping illegal narcotics in the international arena is not the responsibility of our local police force, it is not the responsibility of our State police, it is not the responsibility of the localities or the school boards. Our number one responsibility is to make certain that those hard narcotics are kept from our shores, from our borders. Once they come into the United States, it is very difficult to go after them, and it does take a great deal of resources.

This, again, is a record, in my estimation, of failure, the war on drugs being very systematically closed down. Statistics show, again, a record of success in the Reagan and Bush era. I have not doctored the figures. This is not meant to be partisan in any way. These are in fact the facts.

If we see success with an increase, as the media, the liberals would have you know success, an increase in drug use, then in fact that is success. We have more heroin addicts, more people on illegal narcotics, more deaths, almost double the deaths. Again, if we flip the other charts of the changes in policy made in interdiction and international programs, we can almost trace again the end of any war on illegal narcotics.

Again, these are the results released last week by the administration themselves. I do not know if we can get both of these up here, but from 1992 to 1993, 1994, 1995, 1996, 1997, 1998, 1999, what an incredibly graphic description of what has taken place. This is only with several of the drugs, the very serious narcotics that are affecting our cities and our communities across the land.

Again, the situation with illegal narcotics is affecting all of us. Recently I participated in an International Association of Chiefs of Police meeting, and I asked if I could get from the Drug Enforcement Administration, our U.S. anti-narcotics agency, information about the purity levels of heroin, because I come from an area that has been the victim of heroin abuse, heroin overdose. Deaths now exceed homicides in central Florida, which is the area I represent.

We know that we are getting more and more illegal narcotics in from the source countries because we do not have intervention in place, because we are just back to the 1992 levels and because the administration has thwarted our efforts to stop illegal narcotics coming from their source.

One of the things that startled me in receiving this information on heroin trends in central Florida is, again, we have an incredible death rate, but that death rate is linked almost directly to the purity level of the heroin coming in. In the eighties and seventies the purity level of heroin was in single digits,

sometimes very, very low purity. In 1995-1996 that began to change. In fact, we have ranged from 71 percent to 60 percent on average since 1995, the purity rate in central Florida with the heroin that is seized there and analyzed.

What that means is that the heroin is so pure that it is deadly, it is killing in unprecedented numbers, it is killing first-time users, and it is killing those who use heroin with other substances. The only reason the deaths have not gotten worse than they are, and they have increased in the last several years, is that in fact our medical personnel are able to resuscitate more of the victims of drug overdose in central Florida and also around the Nation, but we have a startling increase in number of drug overdose admissions and in emergency rooms.

Part of it is dealing with the deadly heroin that is on the streets of central Florida, again between 60 and 72 percent pure. That compares to a national purity level of between 40 and 37 percent, still very deadly. But the people in my district are particularly vulnerable to, again, a very deadly type of heroin that is coming in.

Now, we know exactly where that heroin is coming in. We have the ability through our agencies, and, again in this case, DEA, Drug Enforcement Agency, to analyze the heroin that comes in and other drugs that come into our borders. They can conduct signature analysis, which basically tells us almost to the field where that heroin or the poppies are grown and where that heroin comes from.

Now we have some 60 to 70 percent of the heroin coming into the United States from Colombia. This is an incredible figure, if you consider that in 1992 there is almost zero heroin being produced in Colombia. In six or seven short years of this administration, through, again, neglect of getting equipment, resources to fight illegal narcotics, again in the source country or interdicting it as it came to our shores, before it came to our shores, we have turned Colombia into the largest producer of heroin.

Following Colombia, is, of course, our good trading partner who we have given so many trade benefits to, underwritten their finances when they faltered, opened our borders in unprecedented fashion to trade and commerce and business, and that is Mexico, which has jumped, again, the media will not report it, but a 20 percent increase in the last two recorded years in heroin production, from 14 to 17 percent of the heroin, black tar heroin on our streets, killing our kids and our young adults and others, is coming from the fields of Mexico, our good trading partner.

So between Colombia and Mexico, and Colombia, of course, is way out there with some 65 to 70 percent of the heroin being produced, none of that being produced some 6 or 7 years ago.

In 6 or 7 years, through the policy of this administration, we also find that

Colombia, which was really a single digit producer of cocaine, now produces some 80 percent, according to DEA and other estimates, of the cocaine and crack coming in to the United States of America.

We are fortunate that the plan devised by the gentleman from Illinois (Mr. HASTERT) and the Republicans 3 or 4 years ago to curtail illegal production of cocaine in Peru and Bolivia has stopped production in those countries to the tune of 55 percent reduction in Bolivia, and a 60-plus percent reduction in Peru.

□ 2340

Those two countries were the major producers in the past. The production has shifted and operations have shifted to Colombia which formerly was just a transit country in the last 6 or 7 years. Of course, we all know that Colombia is a disaster. The situation in Colombia gets worse every week. This morning's news, President Pastrana of Colombia suspended a round of Colombia's peace process plan for the end of May, something we have all been trying to work to get accomplished. His action came as a result of Marxist rebels killing a woman in a most horrible fashion. They rigged a bomb around her neck and she was killed when the bomb disposal specialists of Colombia tried to diffuse the dynamite-packed necklace bomb which the Army said had been rigged by the Marxist FARC leftist rebels who demanded ransom from her husband. President Pastrana said to his nation, the men of violence have placed a necklace of dynamite around the hope of all Colombians.

Of course, many people say well, why should we worry about Colombia; why should we be concerned? Of course, we know where the source is, again, of the hard narcotics coming into this country. We know where the death and violence is coming from, and that is Colombia.

Unfortunately, the administration turned its back on this problem since 1993 and has very systematically kept any assistance coming to Colombia and, in fact, even the assistance that has gotten to Colombia has been almost farcical.

Some people may say why is Colombia so important in this, other than the production of illegal narcotics which in itself should justify our involvement? But, in fact, Colombia and the region surrounding Colombia produces some 20 percent of our daily oil supply. Some 35,000 individuals have been killed in Colombia through a war, a civil war, of various factions and that war is being financed by narcoterrorists.

General Barry McCaffrey described Colombia as an emergency situation last year after, again, this region exploded not only with narcotics production but also violence which is now spilling over into the region. In fact, Colombia has become a basket case.

Americans have already died in Colombia. U.S. contract pilots have been

killed in Colombia, who have been on missions to eradicate illegal narcotics. Robert Ernest Martin was killed in 1997. Dane Milgrew was killed in 1998 and Jerry Chestnut, another pilot, in 1999. Also in Colombia we have had the deaths of five individuals on July 23, when a U.S. Army reconnaissance aircraft crashed into Southern Colombia on a surveillance mission. The officers killed there were Captain Jennifer Odom of Maryland; Captain Jose Santiago of Florida, my central Florida area; Chief Warrant Officer Thomas Moore from Arkansas; Private First Class Bruce Cluff of Utah; and Private First Class Ray Kruegar of Texas.

These are some of the deaths that have occurred there, including DEA agents, Special Agent Frank Moreno, who was killed in November of 1998. So indeed we have a great deal at stake in Colombia and, again, if we linked each of the 52,000 deaths last year related in the total picture of illegal narcotics and narcotics abuses and murders and suicides and other things that have brought about death, or the 15,973 deaths in 1998, we could trace a vast percentage of those deaths to Colombian narcotics that are coming across our borders.

So indeed this has been identified by this administration finally as a priority. That is in spite of blocking, at the beginning of the Clinton administration, Clinton-Gore, of course, slashed the drug czar's staff from 112 personnel to 27, and the Democrat-controlled Congress cut the source country and interdiction programs by more than 50 percent. Then appointing just-say-maybe Surgeon General of the United States, Jocelyn Elders, who again I think said just say maybe and the results are very dramatic in the increases of illegal narcotics as they closed down very systematically the war on drugs.

In 1994 and 1995, this administration single-handedly closed down information and intelligence-sharing with Colombia and Peru and slashed U.S. military and Coast Guard involvement in antidrug programs.

If you are going to conduct a war on drugs and if you see why the liberal and Clinton-Gore program to stop illegal narcotics was a failure, if you look at cutting, again, the assistance in these most effective source country programs, the interdiction programs, the Coast Guard programs, taking the military out of the effort, that is why you had no war on drugs. Then to stop information-sharing which is so important to stop the drugs both at the source and as they leave the source and interdict the drugs before they come into our borders year after year, this administration blocked assistance to Colombia again through a bungled decertification of Colombia, a direct action of the President, without providing a waiver to give Colombia the needed assistance.

The latest part of the fiasco, again by the Clinton-Gore administration, is

news that we received this week. It was in the Washington Times and other papers across the Nation, the U.S. Sends Colombia Unsafe Shells from 1952. Now since I came to Congress in 1993 we have done everything we can to get this administration to get resources to Colombia because we knew narcotics were going to be produced there more; we knew they were going to be transited from there. We knew it was the source of death and destruction coming to our shores. The latest part of the fiasco is even after the Congress appropriates money, the administration supplied recently, and this is within the last few weeks we have sent our staff down to check on the ammunition that is being sent there, the manufacturer actually said that these shells and this ammunition which was produced in 1952, which we have given the Colombians with some of the taxpayer money, is, in fact, unsafe. The story, of course, gets even worse because for at least some 4 or 5 years we have been trying to get helicopters, and in this case Black Hawk helicopters, which could be most effective to go into the mountains, eradicate narcotics, go after drug traffickers. It is very difficult in Colombia, with the high Andean regions, to go after traffickers without the right resources.

This is another headline, Delay of Copters Hobbles Colombia in Stopping Drugs. This is 1998, and I could take these headlines back to 1997 and 1996, time and time again.

□ 2245

Time and time again, the administration blocked equipment getting there. Finally when they declared an emergency last August, we were able to get at the end of last year three Black Hawk helicopters to Colombia. They were sent there without proper armoring, so just recently they have gotten them into the position where they are combat ready. Now we find the ammunition was sent down there in fact was outdated and may be in fact dangerous for the Colombians to use.

This story continues to get worse. We asked the President and the administration to send surplus military equipment to Colombia. We had in mind equipment that could be used. We unfortunately learned, and we do have quite a bit of surplus military equipment, that Colombia was provided with dilapidated trucks, military trucks, and the cost of actually rehabilitating them was high. I think some of them were used in an arctic terrain and not suitable for the mission at hand. Unfortunately, Colombia had to turn these down because it would have cost them more to rehabilitate them than to use them.

Finally, again, how important it is to have intelligence and surveillance information available to stop illegal narcotics. Peru has been great about stopping illegal narcotics. President Fujimora, who has eliminated 60 percent of the production in that country,

has used in the past, when we were able to get information, surveillance information to him, a shoot-down policy which in fact has resulted in, again, that lowering of production, the lowering of transiting of, in this case, particularly cocaine coming out of that country.

This is a March 13 headline from the Washington Post. "U.S. Officials See Trend in Colombia: Lack of Air Support Hindering the Drug War." I have said before, there has not been a drug war in this country since 1993. We have tried to restart it in the last 2 or 3 years, but every time we get on course, we find the administration diverts resources.

They diverted resources to Haiti. The Vice President diverted some of the planes for surveillance to check on oil spills in Alaska. The President diverted military resources to Kosovo, to Bosnia, and to any one of the number of other deployments, and took them out of in fact action and the war on drugs.

The inability to provide surveillance is now, for the first time, resulting in an increased production in Peru, according to reports we are getting, in cocaine. Without source country programs, without interdiction, without surveillance and intelligence, the missions fail.

I do not want to just talk about the failure of the Clinton record. I must say that what we have done is the Republican majority in a positive fashion I think has been on target. We have gotten our levels of funding for source country back to 1991-1992 levels. We have not only concentrated on source country, but also on interdiction, trying to get those resources where they were not diverted.

In these cases, we see in March again a third time the administration is making a fatal mistake and again closing down our war on drugs, if there ever was under this administration a war on drugs.

The Republicans have funded a \$1 billion campaign, an education and media campaign. Maybe Members have seen those ads on television. We hope they are effective. We are testing them in various markets. We are going to do everything to see that we reach our young people in education and prevention.

That \$1 billion through our efforts, and the administration, of course, wanted to spend the \$1 billion, but we thought it was important to have also donated an equivalent amount, at least. So with that compromise we will now have \$2 billion in that program, both through direct taxpayer funding and through private sector donations.

We have dramatically increased the amount of money for prevention. In fact, one of the primary goals of this administration was to treat our way out of this problem. We see examples like Baltimore, Maryland, where they have gone from just a handful of heroin addicts to now one in eight in the population of Baltimore is an addict, a

drug addict. They could not treat their way out of the problem. It has grown out of control, while the murder rate has stayed dramatically high in that city.

The liberals would have us believe that the war on drugs is a failure. The liberals would have us believe that if we liberalize the policy, we can just treat people out of this problem. In fact, Baltimore is a great example of that philosophy gone wrong. Thank goodness they have a new mayor, a new philosophy, and are instituting it at this time. I am very pleased with the action they have taken after we conducted a hearing in the city of Baltimore, and now we will have a new police chief, someone more inclined to zero tolerance and tough enforcement, to bring the death and destruction in that great city on our East Coast to a halt.

Those are some of the things that the Republicans have done, again, in spite of opposition.

I wanted to close tonight, I only have a few minutes more, and talk about something else we have asked the administration to do. That is since 1992. If we are going to go after, again, illegal narcotics and those who deal in death and destruction, then we prosecute those people.

We have been after the administration, because in 1992 we were having prosecutions in Federal courts for drug offenses at the rate of nearly 30,000. In 1996, the administration dropped to 26,000. So we have been hammering the administration to go after prosecution of drugs.

This is almost an embarrassment, again, if we are going to have a war or serious efforts against those who are dealing in death and destruction, contributing to the thousands and thousands of deaths and mayhem around, and 70 percent of the crime, this is their record. Now, I will say that in 1997 and 1998 they started up, but they are getting just back to the level of 1992 with our hammering.

This is prosecution. Then we found this last week when we had in the U.S. Sentencing Commission, the Commissioners, we found a report that was provided recently that shows that Federal drug offenders are spending less time in prison, according to a study that was released about the same time as their testimony. So we had prosecutions down, we were trying to get prosecutions up, but then we find that the administration is now reducing sentences and drug offenders, and this case serious drug offenders, are spending less time in prison. It seems like everything is being done to thwart a real effort against illegal narcotics.

RECESS

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 11 o'clock and 58 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 0035

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DREIER) at 12 o'clock and 36 minutes a.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4205, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 106-621) on the resolution (H. Res. 503) providing for consideration of the bill (H.R. 4205) to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2001, 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:

Mr. MEEKS of New York (at the request of Mr. GEPHARDT) for today, on account of state convention.

Mr. LARGENT (at the request of Mr. ARMEY) for today and May 17, on account of attending a funeral.

Mr. LOBIONDO (at the request of Mr. ARMEY) for today until 3 p.m., on account of a death in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BERRY) to revise and extend their remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

Mr. STENHOLM, for 5 minutes, today.

Mr. DOOLEY of California, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. ETHERIDGE, for 5 minutes, today.

Mr. BERRY, for 5 minutes, today.

(The following Members (at the request of Ms. ROS-LEHTINEN) to revise and extend their remarks and include extraneous material:)

Mr. BURTON of Indiana, for 5 minutes, on May 23.

Mr. THUNE, for 5 minutes, today.

Mr. PAUL, for 5 minutes, today.

Mr. METCALF, for 5 minutes, today.

(The following Member (at the request of Mr. ETHERIDGE) to revise and extend their remarks and include extraneous material:)

Mr. RAHALL, for 5 minutes, today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1638. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to extend the retroactive eligibility dates for financial assistance for higher education for spouses and dependent children of Federal, State, and local law enforcement officers who are killed in the line of duty; to the Committee on the Judiciary.

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. 434. An act to authorize a new trade and investment policy for sub-Saharan Africa, expand trade benefits to the countries in the Caribbean Basin, renew the generalized system of preferences, and to reauthorize the trade adjustment assistance programs.

H.R. 1377. An act to designate the facility of the United States Postal Service located at 9308 South Chicago Avenue, Chicago, Illinois, as the "John J. Buchanan Post Office Building."

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2370. An act to designate the Federal building located at 500 Pearl Street in New York City, New York, as the "Daniel Patrick Moynihan United States Courthouse";

BILL PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Appropriation, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 434. To authorize a new trade and investment policy for sub-Saharan Africa, expand trade benefits to the countries in the Caribbean Basin, renew the generalized system of preferences, and reauthorize the trade adjustment assistance programs.

ADJOURNMENT

Mr. SESSIONS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 37 minutes a.m.), under its previous order, the House adjourned until today, Wednesday, May 17, 2000, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

7623. A letter from the Congressional Review Coordinator, Animal and Plant Health

Inspection Service, Department of Agriculture, transmitting the Department's final rule—Ports Designated for Exportation of Horses; Dayton, OH [Docket No. 99-102-2] received April 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7624. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—John's Disease in Domestic Animals; Interstate Movement [Docket No. 98-037-2] received April 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7625. A letter from the Acting Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Foreign Acquisition [DFARS Case 98-D028] received April 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

7626. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations—received April 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7627. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA-7312] received April 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7628. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA-7316] received April 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7629. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Final Flood Elevation Determinations—received April 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7630. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Medical Devices; Reclassification of 28 Preamendments Class III Devices into Class II [Docket No. 99N-0035] received April 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7631. A letter from the Director, Regulations Policy and Management, FDA, Department of Health and Human Services, transmitting the Department's final rule—Clinical Chemistry Devices; Classification of the Biotinidase Test System [Docket No. 00P-0931] received April 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7632. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Medical Devices; Information Processing Procedures; Obtaining, Submitting, Executing, and Filing of Forms; Change of Addresses [Docket No. 00N-0784] received April 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7633. 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; Rock Sole by Catcher Vessels

Using Trawling Gear in the Bering Sea and Aleutian Islands [Docket No. 991228352-0012-02; I.D. 040500A] received April 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7634. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13-322, "Money Transmitters Act of 2000" received May 16, 2000, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

7635. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13-339, "District of Columbia Emancipation Day Temporary Amendment Act of 2000" received May 16, 2000, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

7636. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13-320, "John Wilson Campaign Fund Transfer Amendment Act of 2000" received May 16, 2000, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

7637. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13-338, "Attendance and School Safety Temporary Act of 2000" received May 16, 2000, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

7638. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13-337, "Workforce Investment Implementation Act of 2000" received May 16, 2000, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

7639. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13-336, "School Governance Companion Amendment Act of 2000" received May 16, 2000, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

7640. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13-344, "Omnibus Police Reform Amendment Act of 2000" received May 16, 2000, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

7641. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13-333, "Long-Term Care Insurance Temporary Amendment Act of 2000" received May 16, 2000, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

7642. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13-329, "Choice in Drug Treatment Act of 2000" received May 16, 2000, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

7643. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13-327, "Alcoholic Beverage Control New Grocery Store Development Temporary Amendment Act of 2000" received May 16, 2000, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

7644. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13-335, "Electricity Tax Act of 2000" received May 16, 2000, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

7645. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13-326, "Elimination of Unlicensed Group Residential Facilities Temporary Act of 2000" received May 16, 2000, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

7646. A letter from the Chairman, Council of the District of Columbia, transmitting a

copy of D.C. Act 13-325, "Moratorium on Conversion of Existing Public Schools into Charter Schools Temporary Amendment Act of 2000" received May 16, 2000, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

7647. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13-324, "Approval of the Extension of the Term of District Cablevision Limited Partnership Franchise Act of 2000" received May 16, 2000, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

7648. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13-323, "Closing of Public Alleys in Square 252 S.O. 98-144 Act of 2000" received May 16, 2000, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

7649. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13-321, "Tobacco Settlement Model Act of 2000" received May 16, 2000, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

7650. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Procurement List Additions—received April 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

7651. A letter from the Chairman, Federal Trade Commission, transmitting the Fiscal Year 1999 Performance Report; to the Committee on Government Reform.

7652. A letter from the Secretary of State, transmitting the first Annual Performance Report; to the Committee on Government Reform.

7653. A letter from the Vice President, Communications, Tennessee Valley Authority, transmitting the Statistical Summary for Fiscal Year 1999, pursuant to 16 U.S.C. 831h(a); to the Committee on Transportation and Infrastructure.

7654. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule—Business Loan Program—received April 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

7655. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule—Liquidation of Collateral, Sale of Loans—received April 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

7656. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Installment Sales by Accrual Method Taxpayers [Notice 2000-26] received April 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7657. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Coordinated Issue: Gaming Industry The Applicable Recovery Period Under I.R.C. 168(a) For Slot Machines, Video Lottery Terminals And Gaming Furniture, Fixtures and Equipment—received April 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7658. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property—received April 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7659. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Taxation of Fringe Benefits [Rev. Ruling 2000-13] received April 12, 2000, 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. SKEEN: Committee on Appropriations. H.R. 4461. A bill making appropriations for Agriculture, Rural Development, Food and Drug Administration and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes (Rept. 106-619). Referred to the Committee of the Whole House on the State of the Union.

Mr. GOSS: Permanent Select Committee on Intelligence. H.R. 4392. A bill to authorize appropriations for fiscal year 2001 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; with an amendment (Rept. 106-620). Referred to the Committee of the Whole House on the State of the Union.

[May 17 (Legislative Day of May 16), 2000]

Mrs. MYRICK: Committee on Rues. House Resolution 503. Resolution providing for the consideration of the bill (H.R. 4205) to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2001, and for other purposes (Rept. 106-621). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. HYDE (for himself, Mr. CONYERS, Mr. GEKAS, and Mr. NADLER):

H.R. 4460. A bill to amend the Internet Tax Freedom Act to extend the moratorium applicable to State and local taxes on Internet access and electronic commerce, and for other purposes; to the Committee on the Judiciary.

By Mr. SKEEN:

H.R. 4461. A bill making appropriations for Agriculture, Rural Development, Food and Drug Administration and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes.

By Mr. BACHUS (for himself, Ms. MCCARTHY of Missouri, Mr. ISTOOK, and Mr. DELAHUNT):

H.R. 4462. A bill to provide for the simplification of sales and use taxes on interstate commerce and to ensure that such taxes are equitably applied; to the Committee on the Judiciary, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BONO (for herself, Mr. LOBIONDO, Mr. TALENT, Mr. WATKINS, Mr. FOLEY, Mr. SISISKY, Mr. DUNCAN, and Ms. GRANGER):

H.R. 4463. A bill to amend the Internal Revenue Code of 1986 to allow the empowerment zone employment credit for additional empowerment zones and enterprise communities and to increase funding for such zones

and communities; to the Committee on Ways and Means.

By Mr. DAVIS of Illinois (for himself, Ms. VELAZQUEZ, Ms. MILLENDER-MCDONALD, Ms. BERKLEY, Mrs. NAPOLITANO, Mr. PHELPS, Mr. BRADY of Pennsylvania, Mr. PASCRELL, Mrs. CHRISTENSEN, Mr. GONZALEZ, Mr. MOORE, and Mrs. JONES of Ohio):

H.R. 4464. A bill to amend the Small Business Act to authorize the Administrator of the Small Business Administration to make grants and to enter into cooperative agreements to encourage the expansion of business-to-business relationships and the provision of certain information; to the Committee on Small Business.

By Mr. HAYES:

H.R. 4465. A bill to provide for reciprocal trade in textile and apparel goods between the United States and other countries, and for other purposes; to the Committee on Ways and Means.

By Mr. HAYES:

H.R. 4466. A bill to provide for certain additional benefits for individuals receiving trade adjustment assistance; to the Committee on Ways and Means.

By Mr. HEFLEY:

H.R. 4467. A bill to amend the Federal Deposit Insurance Act to require periodic cost of living adjustments to the maximum amount of deposit insurance available under such act, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. HUTCHINSON (for himself, Mr.

SMITH of Washington, Mr. MCCOLLUM, Mr. MICA, Mr. SNYDER, Mr. ROGAN, Mr. DICKEY, Mr. JENKINS, Mr. BOSWELL, Mr. MORAN of Kansas, Mr. DICKS, Mr. CALVERT, Ms. HOOLEY of Oregon, Mr. PICKERING, Mr. BERRY, Mr. RYAN of Wisconsin, Mr. DOOLEY of California, Mr. SESSIONS, Mr. WAMP, and Mr. BRADY of Texas):

H.R. 4468. A bill to authorize the Drug Enforcement Administration to provide reimbursements for expenses incurred to remediate methamphetamine laboratories, and for other purposes; to the Committee on the Judiciary.

By Mrs. JOHNSON of Connecticut (for herself, Mr. CAMP, and Mr. ENGLISH):

H.R. 4469. A bill to provide more child support money to families leaving welfare, to simplify the rules governing the assignment and distribution of child support collected by States on behalf of children, to improve the collection of child support, to promote marriage, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on the Judiciary, and 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. RANGEL:

H.R. 4470. A bill to amend the Internal Revenue Code of 1986 to provide that the excise tax on air transportation shall not apply to amounts paid for mileage credits for individuals residing outside the United States; to the Committee on Ways and Means.

By Mr. SANFORD (for himself, Mr.

LEACH, Mr. JACKSON of Illinois, Mr. CAMPBELL, Mr. SERRANO, Mr. DOOLEY of California, Mr. PAYNE, Mr. CONDIT, Mr. THOMPSON of California, Mr. MCDERMOTT, Mr. GEORGE MILLER of California, Mr. PAUL, Mr. BERMAN, Mr. FRANK of Massachusetts, Mr. NETHERCUTT, Mr. WEYGAND, Mr. VENTO, Mr. BALDACCIO, Mr. NEY, Mr. RANGEL, Ms. ESHOO, Ms. HOOLEY of Oregon, Mr. HALL of Ohio, Mr. SHAYS, Mr. BOUCHER, Mr. MARTINEZ, Mr. DELAHUNT, Mr. GEJDENSON, Mr. CLAY,

Mr. HILLIARD, Mrs. CLAYTON, Mr. LARSON, Mr. TAYLOR of Mississippi, Mr. SHOWS, Mrs. TAUSCHER, Mr. FARR of California, Mr. OWENS, Mr. MOAKLEY, Mr. HOUGHTON, Mr. CLYBURN, Mr. MARKEY, Mr. MORAN of Virginia, Mr. MEEHAN, Mr. SANDLIN, Ms. PELOSI, Mr. MCGOVERN, Mr. HINCHEY, Mr. CUMMINGS, Mr. OLVER, Mr. STUPAK, Mr. BACA, Mr. CAPUANO, Ms. DANNER, Mr. MATSUI, Ms. LEE, Mr. PORTER, Mr. STRICKLAND, Mr. TIERNEY, Mr. BROWN of Ohio, Ms. MCCARTHY of Missouri, Ms. MCKINNEY, Mr. ABERCROMBIE, Mr. KUCINICH, Mr. CRAMER, and Mr. MORAN of Kansas):

H.R. 4471. A bill to allow travel between the United States and Cuba; to the Committee on International Relations.

By Mr. STEARNS (for himself and Mr. HOSTETTLER):

H.R. 4472. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for amounts paid for health insurance and prescription drug costs of individuals; to the Committee on Ways and Means.

By Mr. WYNN (for himself and Mr. RUSH):

H.R. 4473. A bill to amend the National Telecommunications and Information Administration Organization Act to establish a program to distribute funds to State educational agencies to advance the use of technology to effectively teach our students computer skills and improve the general educational performance of students, and for other purposes; to the Committee on Commerce, and in addition to the Committees on Ways and Means, and 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. KUYKENDALL (for himself, Mr. ABERCROMBIE, Mr. BATEMAN, Mr. HORN, Mr. SCARBOROUGH, and Mr. UNDERWOOD):

H. Con. Res. 327. Concurrent resolution honoring the service and sacrifice during periods of war by members of the United States merchant marine; to the Committee on Armed Services.

By Mr. PORTER (for himself, Mr. LANTOS, Mr. GILMAN, Mr. SMITH of New Jersey, Mr. DELAHUNT, Mr. PITTS, Mr. KUCINICH, Mr. PAYNE, Mr. DIAZ-BALART, Mr. ROHRBACHER, Mr. ABERCROMBIE, Mr. MCGOVERN, Mr. SHAYS, Mr. CASTLE, Mr. BERMAN, Mr. ENGEL, Mr. SANDERS, Mr. HORN, Mr. RAHALL, Mr. BALDACCIO, Mrs. MORELLA, Mr. GUTIERREZ, Mr. OBERSTAR, Mr. CAPUANO, Mr. STARK, Mr. OLVER, Ms. LEE, Mr. WAXMAN, Mr. RUSH, and Mr. UDALL of Colorado):

H. Con. Res. 328. Concurrent resolution expressing the sense of the Congress in recognition of the 10th anniversary of the free and fair elections in Burma and the urgent need to improve the democratic and human rights of the people of Burma; to the Committee on International Relations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. WYNN introduced a bill (H.R. 4474) for the relief of Valentine Nwandu; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 141: Mr. FROST and Mr. BRADY of Pennsylvania.

H.R. 177: Mr. FRANK of Massachusetts.

H.R. 353: Mr. OWENS, Mr. SPRATT, Mr. OXLEY, and Mr. MOLLOHAN.

H.R. 363: Mr. CRAMER.

H.R. 366: Mr. EVANS.

H.R. 531: Mr. BILBRAY, Ms. BROWN of Florida, Mr. JEFFERSON, Mr. GORDON, Mr. REYNOLDS, and Mr. ROUKEMA.

H.R. 534: Mr. SCARBOROUGH.

H.R. 557: Mr. LEACH.

H.R. 583: Ms. ESHOO and Mr. JEFFERSON.

H.R. 632: Mr. REYES.

H.R. 664: Mr. BACA.

H.R. 742: Mr. LIPINSKI.

H.R. 828: Mr. MCHUGH.

H.R. 860: Mr. MATSUI, Mr. KLINK, and Mr. LIPINSKI.

H.R. 1044: Mr. TERRY.

H.R. 1050: Ms. MCKINNEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CAPUANO, and Ms. MILLENDER-MCDONALD.

H.R. 1130: Mr. BONIOR and Mr. LEACH.

H.R. 1217: Mr. BOYD, Ms. MCKINNEY, and Mr. FLETCHER.

H.R. 1278: Mr. ALLEN.

H.R. 1304: Mr. HASTINGS of Florida and Mr. LEWIS of Georgia.

H.R. 1366: Mr. KNOLLENBERG, Mr. HINOJOSA, Mr. DEAL of Georgia, Mr. TERRY, and Mr. COX.

H.R. 1592: Mr. KUYKENDALL.

H.R. 1621: Mr. GORDON.

H.R. 1622: Mr. ACKERMAN and Mr. WHITFIELD.

H.R. 1634: Mr. RYUN of Kansas and Mr. PETRI.

H.R. 1640: Mr. BONIOR, Mr. ROTHMAN, and Mr. RAHALL.

H.R. 1798: Mr. STARK.

H.R. 1839: Mr. BRYANT and Mr. WAMP.

H.R. 1850: Mr. GREEN of Wisconsin.

H.R. 1976: Mr. JEFFERSON and Mr. ENGLISH.

H.R. 2066: Mr. JONES of North Carolina, Mr. WATKINS, Mr. DELAHUNT, Mr. LEACH, and Mr. CALVERT.

H.R. 2141: Mr. PASTOR.

H.R. 2289: Mr. HINOJOSA.

H.R. 2308: Mr. EVANS.

H.R. 2495: Mr. PICKETT, Mr. WEINER, Mrs. BONO, and Mr. FILNER.

H.R. 2512: Mr. JACKSON of Illinois, Mr. INSLEE, Mr. SCOTT, and Mr. SAXTON.

H.R. 2613: Mr. WAMP, Mr. NETHERCUTT, and Mr. WHITFIELD.

H.R. 2738: Mr. DEUTSCH.

H.R. 2774: Mr. INSLEE, Mrs. LOWEY, Mr. STARK, Mr. MCGOVERN, Mr. MATSUI, and Ms. WOOLSEY.

H.R. 2892: Mr. CANADY of Florida and Mr. WHITFIELD.

H.R. 2953: Mr. HOFFFEL, Mr. LATHAM, Mr. FILNER, and Mr. NEAL of Massachusetts.

H.R. 3000: Mrs. JONES of Ohio and Ms. WOOLSEY.

H.R. 3082: Mrs. BIGGERT and Mr. COYNE.

H.R. 3142: Mr. MURTHA.

H.R. 3168: Mrs. THURMAN, Mr. BAKER, and Mr. BARTLETT of Maryland.

H.R. 3193: Ms. RIVERS, Mr. BRYANT, and Mr. HALL of Texas.

H.R. 3219: Mr. WICKER.

H.R. 3299: Mr. COLLINS.

H.R. 3324: Mr. EVANS.

H.R. 3433: Mr. GREEN of Wisconsin, Mrs. KELLY, Ms. WOOLSEY, Mr. MATSUI, Ms. BROWN of Florida, and Ms. BERKLEY.

H.R. 3514: Mr. SHAW and Ms. DELAURO.

H.R. 3544: Mr. SHAW, Mr. FOSSELLA, Ms. DELAURO, and Mr. BOEHRER.

H.R. 3573: Mr. FRANK of Massachusetts and Ms. SLAUGHTER.

H.R. 3580: Mr. JEFFERSON, Mr. MOORE, Mr. STEARNS, Ms. RIVERS, Ms. DEGETTE, Mr. KUYKENDALL, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. KIND.

H.R. 3624: Mr. BORSKI.

H.R. 3625: Mr. LATHAM, Mr. CANADY of Florida, Mr. THORNBERRY, Mr. SPENCE, Mr. BARRETT of Nebraska, Mr. GARY MILLER of California, Ms. ROS-LEHTINEN, Mr. BEREUTER, Mrs. BIGGERT, Mr. RAHALL, and Mr. WALDEN of Oregon.

H.R. 3628: Mr. HORN, Mr. COOK, and Mr. FALEOMAVAEGA.

H.R. 3633: Mr. SKEEN, Mr. WAXMAN, Mr. SHAYS, Mr. JOHN, Mr. VENTO, Mr. INSLEE, Mr. CASTLE, Mr. BENTSEN, Mr. COOK, and Mr. KENNEDY of Rhode Island.

H.R. 3661: Mr. STUMP.

H.R. 3669: Mr. BASS, Mr. GRAHAM, Mr. PETERSON of Minnesota, and Ms. DUNN.

H.R. 3694: Mr. FOSSELLA.

H.R. 3766: Mr. FORBES, Mrs. MCCARTHY of New York, and Mr. MCDERMOTT.

H.R. 3826: Mr. LAMPSON, Ms. WATERS, and Mr. ABERCROMBIE.

H.R. 3842: Mr. TOOMEY, Mr. KASICH, Mr. HINCHEY, Mr. HALL of Ohio, Mr. VENTO, Mr. LATOURETTE, Mr. FLETCHER, Mr. NEY, Mr. COOKSEY, Mr. CONDIT, Mr. HILLIARD, and Mr. MARKEY.

H.R. 3909: Mr. PORTER, Mr. CRANE, and Mr. MANZULLO.

H.R. 3916: Mrs. KELLY, Mr. WHITFIELD, Mr. SUNUNU, Mr. PRICE of North Carolina, Mr. RADANOVICH, Mr. WELDON of Pennsylvania, Mr. SPENCE, Mr. SESSIONS, Mrs. MCCARTHY of New York, Mr. DOOLITTLE, and Mr. HOEKSTRA.

H.R. 3985: Mr. WEXLER, Ms. ROS-LEHTINEN, Mr. YOUNG of Florida, Mr. SHAW, Mr. FOLEY, Mr. MILLER of Florida, Mr. GOSS, Mr. MICA, Mr. DAVIS of Florida, Mrs. MEEK of Florida, Mr. BOYD, Mr. CANADY of Florida, Mr. DIAZ-BALART, Mrs. THURMAN, Mr. STEARNS, Mrs. FOWLER, Mr. CLAY, and Ms. BROWN of Florida.

H.R. 4033: Mr. SCOTT and Mr. HASTINGS of Washington.

H.R. 4046: Mrs. CAPPS, Mr. UDALL of Colorado, and Ms. ESHOO.

H.R. 4048: Mr. GREENWOOD, Mr. LOBIONDO, Mr. UNDERWOOD, and Mr. ENGLISH.

H.R. 4069: Mrs. JONES of Ohio, Mr. GORDON, Mr. KIND, Mr. BACA, Ms. BERKLEY, and Mr. CHAMBLISS.

H.R. 4082: Mr. DICKEY, Mr. BERRY, Mr. STRICKLAND, Mr. TURNER, Ms. PRYCE of Ohio, Mr. BISHOP, Mr. COOKSEY, Mr. MORAN of Kansas, Mr. MASCARA, Mr. BARRETT of Nebraska, Mr. KINGSTON, and Mr. BONILLA.

H.R. 4168: Mr. OBEY and Mr. VISLOSKEY.

H.R. 4170: Mr. STUMP and Mr. POMBO.

H.R. 4178: Mr. SMITH of Texas.

H.R. 4191: Ms. SLAUGHTER, Mrs. THURMAN, and Mr. KUCINICH.

H.R. 4200: Mr. EVANS and Ms. CARSON.

H.R. 4201: Mr. HALL of Texas and Mrs. EMERSON.

H.R. 4207: Mr. PETRI, Mr. LIPINSKI, Ms. KAPTUR, Mr. EVANS, Mr. LUTHER, Mr. LANTOS, and Mr. HINCHEY.

H.R. 4213: Mr. MCHUGH, Mr. HOEKSTRA, Mr. ISAKSON, and Mrs. KELLY.

H.R. 4260: Mr. TERRY and Mrs. EMERSON.

H.R. 4271: Mr. EWING, Mr. WOLF, and Mr. DEAL of Georgia.

H.R. 4272: Mr. EWING, Mr. WOLF, and Mr. DEAL of Georgia.

H.R. 4273: Mr. EWING, Mr. WOLF, and Mr. DEAL of Georgia.

H.R. 4274: Ms. DUNN, Mr. GOODLATTE, Mr. UPTON, Mr. MCINNIS, Mr. WHITFIELD, Mr. NEY, and Mr. FLETCHER.

H.R. 4288: Mr. GILLMOR.

H.R. 4329: Mr. COOK and Mr. METCALF.

H.R. 4375: Mr. EVANS, Mrs. MINK of Hawaii, and Mr. DEUTSCH.

H.R. 4395: Mrs. CHRISTENSEN.

H.R. 4399: Mr. HASTINGS of Florida and Mrs. MEEK of Florida.

H.R. 4424: Mr. RODRIGUEZ.

H.R. 4441: Mr. BLUNT.

H.J. Res. 9: Mr. VITTER.

H.J. Res. 98: Ms. SANCHEZ, Mr. HOYER, Mr. CONYERS, Ms. BERKLEY, Mr. THOMPSON of Mississippi, Ms. ESHOO, and Mr. SCOTT.

H. Con. Res. 177: Mr. DIXON.

H. Con. Res. 268: Mr. PETRI.

H. Con. Res. 297: Mr. SMITH of New Jersey.

H. Con. Res. 308: Mr. WAXMAN and Mr. STARK.

H. Con. Res. 318: Mr. OBEY and Mr. LAFALCE.

H. Res. 237: Mr. LEVIN.

H. Res. 347: Mr. HINCHEY, Mr. ROHRBACHER, Mr. GEJDENSON, and Mr. LANTOS.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4205

OFFERED BY: MR. HILL

AMENDMENT NO. 1: At the end of title XXVIII (page □□, after line □□), insert the following new section:

SEC. □□. ECONOMIC DEVELOPMENT CONVEYANCES OF BASE CLOSURE PROPERTY AVAILABLE OUTSIDE OF BASE CLOSURE PROCESS.

(a) AUTHORITY TO MAKE CONVEYANCES.—Section 2391 of title 10, United States Code, is amended—

(1) by redesignating subsections (c), (d), and (e) as subsections (d), (e), and (f), respectively; and

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

“(c) ECONOMIC DEVELOPMENT CONVEYANCES.—(1) In the case of a military installation to be closed or realigned pursuant to a law or authority other than a base closure law, the Secretary of Defense may transfer real property and personal property located at the military installation to the recognized redevelopment or reuse authority for the installation for purposes of job generation on the installation.

“(2) The transfer of property of a military installation under paragraph (1) shall be without consideration if the redevelopment or reuse authority with respect to the installation—

“(A) agrees that the proceeds from any sale or lease of the property (or any portion thereof) received by the redevelopment or reuse authority during at least the first seven years after the date of the transfer under paragraph (1) shall be used to support the economic redevelopment of, or related to, the installation; and

“(B) executes the agreement for transfer of the property and accepts control of the property within a reasonable time after the date of the property disposal record of decision or finding of no significant impact under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(3) For purposes of paragraph (2), the use of proceeds from a sale or lease described in such paragraph to pay for, or offset the costs of, public investment on or related to the installation for any of the following purposes shall be considered a use to support the economic redevelopment of, or related to, the installation:

“(A) Road construction.

“(B) Transportation management facilities.

“(C) Storm and sanitary sewer construction.

“(D) Police and fire protection facilities and other public facilities.

“(E) Utility construction.

“(F) Building rehabilitation.

“(G) Historic property preservation.

“(H) Pollution prevention equipment or facilities.

“(I) Demolition.

“(J) Disposal of hazardous materials generated by demolition.

“(K) Landscaping, grading, and other site or public improvements.

“(L) Planning for or the marketing of the development and reuse of the installation.

“(4) The Secretary may recoup from a redevelopment or reuse authority such portion of the proceeds from a sale or lease described in paragraph (2) as the Secretary determines appropriate if the redevelopment authority does not use the proceeds to support economic redevelopment of, or related to, the installation for the period specified in paragraph (2).”.

(b) BASE CLOSURE LAWS.—Subsection (e) of section 2391 of title 10, United States Code, as redesignated by subsection (a)(1), is amended by adding at the end the following new paragraph:

“(4) The term ‘base closure law’ means—

“(A) title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526; 10 U.S.C. 2687 note); or

“(B) the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note).”.

(c) RETROACTIVE APPLICATION.—Notwithstanding section 2843 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261; 112 Stat. 2216), the authority provided in section 2391(c) of title 10, United States Code, as added by subsection (a)(2), shall apply with respect to the conveyance of the Indiana Army Ammunition Plant in Charlestown, Indiana, authorized by such section 2843.

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OFFERED BY: MR. ROEMER

AMENDMENT NO. 1: At the end of title III add the following new section (and conform the table of contents accordingly):

SEC. 306. ANNUAL STATEMENT OF THE TOTAL AMOUNT OF INTELLIGENCE EXPENDITURES FOR THE PRECEDING FISCAL YEAR.

Section 114 of the National Security Act of 1947 (50 U.S.C. 404i) is amended—

(1) by redesignating subsection (c) as subsection (d); and

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

“(c) ANNUAL STATEMENT OF THE TOTAL AMOUNT OF INTELLIGENCE EXPENDITURES FOR THE PRECEDING FISCAL YEAR.—Not later than February 1 of each year, the Director of Central Intelligence shall submit to Congress a report containing an unclassified statement of the aggregate appropriations for the fiscal year immediately preceding the current year for National Foreign Intelligence Program (NFIP), Tactical and Intelligence and Related Activities (TIARA), and Joint Military Intelligence Program (JMIP) activities, including activities carried out under the budget of the Department of Defense to collect, analyze, produce, disseminate, or support the collection of intelligence.”.

H.R. 4392

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 2: At the end of title I, insert the following new section (and conform the table of contents accordingly):

SEC. 106. PROHIBITION ON USE OF FUNDS TO ENTER INTO CONTRACTS WITH PERSONS IN VIOLATION OF THE BUY AMERICA ACT.

No amounts authorized to be appropriated under this Act may be used to enter into,

renew, or carry out a contract with any private person who has been found, under section 3(b) of the Act of March 3, 1933 (41 U.S.C. 10b(b) popularly known as the "Buy America Act"), by the head of an agency or Department of the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)) to have failed to comply with the provisions of the Act of March 3, 1933 (41 U.S.C. 10a et seq.).

H.R. 4392

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 3: At the end of title III, insert the following new section (and conform the table of contents accordingly):

SEC. 306. UPDATE OF REPORT ON EFFECTS OF FOREIGN ESPIONAGE ON UNITED STATES TRADE SECRETS.

By not later than 270 days after the date of the enactment of this Act, the Director of Central Intelligence shall submit to Con-

gress a report that updates, and revises as necessary, the report prepared by the Director pursuant to section 310 of the Intelligence Authorization Act for Fiscal Year 2000 (Public Law 106-120, 113 Stat. 1613) (relating to a description of the effects of espionage against the United States, conducted by or on behalf of other nations, on United States trade secrets, patents, and technology development).