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PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, SECOND SESSION

Vol. 146 WASHINGTON, WEDNESDAY, MAY 24, 2000 No. 66

House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 24, 2000.

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

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

PRAYER

The Reverend Monsignor William P. Fay, National Conference of Catholic Bishops, offered the following prayer:

God of all creation, and source of unending peace, be with this House and bless it. Let good work be done within its walls. May only truth be spoken here.

Give to those standing in this chamber the wisdom to know their weakness, the humility to acknowledge Your strength, and the courage to let justice be the sole motivator of their work.

By the manner of their lives, let them proclaim the rightness of walking freely in Your sight.

By their love for our country and for their fellow citizens, may they serve well those who sent them to this place; may they lead by following You, the author of all truth, and show the way, by cherishing Your presence in their hearts.

Amen.

THE JOURNAL

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

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

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

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

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

Mr. HEFLEY. 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 345, nays 54, answered ''present'' 1, not voting 34, as follows:

[Roll No. 224]

YEAS—345

Abercrombie
Ackerman
Allen
Andrews
Archer
Armey
Baca
Bachus
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clayton
Clement
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Cox
Coyne
Cramer
Crowley
Cubin
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fletcher
Foley
Forbes
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mink
Moakley
Moran (KS)
Moran (VA)
Murtha
Myrick
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pastor
Paul
Payne
Pelosi
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schakowsky
Scott

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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Sensenbrenner	Spratt	Velazquez
Serrano	Stabenow	Vento
Sessions	Stearns	Vitter
Shadegg	Stenholm	Walden
Shaw	Stump	Walsh
Shays	Sununu	Wamp
Sherman	Talent	Watkins
Sherwood	Tanner	Watt (NC)
Shimkus	Tauscher	Watts (OK)
Shows	Taylor (NC)	Waxman
Shuster	Terry	Weldon (FL)
Simpson	Thomas	Weldon (PA)
Sisisky	Thornberry	Wexler
Skeen	Thune	Weygand
Skelton	Thurman	Whitfield
Smith (MI)	Tiahrt	Wicker
Smith (NJ)	Tierney	Wilson
Smith (TX)	Toomey	Wise
Smith (WA)	Towns	Wolf
Snyder	Traficant	Woolsey
Souder	Turner	Wynn
Spence	Upton	Young (FL)

NAYS—54

Aderholt	Hefley	Pickett
Baird	Hill (MT)	Pomeroy
Bilbray	Hilleary	Ramstad
Bonior	Hilliard	Rogan
Borski	Holden	Sabo
Brady (PA)	Jones (OH)	Schaffer
Clay	Klink	Slaughter
Clyburn	Kucinich	Stark
Costello	Lewis (GA)	Strickland
Crane	Lipinski	Sweeney
DeFazio	LoBiondo	Taylor (MS)
Dickey	McDermott	Thompson (CA)
English	Miller, George	Thompson (MS)
Filner	Moore	Udall (NM)
Ford	Oberstar	Visclosky
Gutierrez	Olver	Waters
Gutknecht	Peterson (MN)	Weller
Hastings (FL)	Phelps	Wu

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—34

Blunt	Hulshof	Pascrell
Burton	Jones (NC)	Pease
Chenoweth-Hage	Kasich	Rodriguez
Cummings	Larson	Rush
Delahunt	Lazio	Scarborough
Ehrlich	Maloney (NY)	Stupak
Engel	Martinez	Tauzin
Fattah	McKinney	Udall (CO)
Fossella	Minge	Weiner
Ganske	Mollohan	Young (AK)
Gibbons	Morella	
Gilchrest	Nadler	

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

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

So the Journal was approved.

The result of the vote was announced as above recorded.

PLEDGE OF ALLEGIANCE

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

Mr. KILDEE led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

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

S. Con. Res. 116. Concurrent resolution commending Israel's redeployment from southern Lebanon.

The message also announced that in accordance with sections 1928–1928d of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the following Senators as members of the Senate Delegation to the North Atlantic Treaty Organization Parliamentary Assembly during the Second Session of the One Hundred Sixth Congress, to be held in Budapest, Hungary, May 26–30, 2000—

the Senator from Iowa (Mr. GRASSLEY), Acting Chairman;

the Senator from Pennsylvania (Mr. SPECTER);

the Senator from Wyoming (Mr. ENZI); and

the Senator from Ohio (Mr. VOINOVICH).

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will recognize the gentleman from Michigan (Mr. KILDEE) for a 1-minute speech. All other 1-minutes will be postponed until the end of the legislative day.

WELCOME TO REVEREND MONSIGNOR WILLIAM P. FAY

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

Mr. KILDEE. Mr. Speaker, I rise today to welcome our guest chaplain, Monsignor William P. Fay. Monsignor Fay was recently elected to serve as the General Secretary of the National Conference of Catholic Bishops, U.S. Catholic Conference. His 5-year term begins next February.

He has served as Associate General Secretary of the conference since 1995. In this capacity, Monsignor Fay has overseen the public policy work of the U.S. Catholic Conference. Monsignor Fay helped to coordinate the most recent visit of Pope John Paul II to the United States when the Holy Father traveled to St. Louis in January 1999.

Monsignor Fay was ordained to the priesthood for the Archdiocese of Boston in 1974. After his ordination, Monsignor Fay was an associate pastor in several parishes in Massachusetts. Immediately before coming to the Catholic conference, he was a professor of philosophy at St. John's Seminary in Brighton, Massachusetts. He also served as the Dean of the College of Liberal Arts there and chairman of the department of philosophy.

Please join me in welcoming Monsignor William P. Fay.

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 4444, AUTHORIZING EXTENSION OF NONDISCRIMINATORY TREATMENT (NORMAL TRADE RELATIONS TREATMENT) TO PEOPLE'S REPUBLIC OF CHINA

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 510 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 510

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4444) to authorize extension of nondiscriminatory treatment (normal trade relations treatment) to the People's Republic of China. The bill shall be considered as read for amendment. In lieu of the amendment recommended by the Committee on Ways and Means now printed in the bill, the amendment in the nature of a substitute printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) three hours of debate on the bill, as amended, equally divided among and controlled by the chairman and ranking minority member of the Committee on Ways and Means, Representative Stark of California or his designee, and Representative Rohrabacher of California or his designee; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from California (Mr. DREIER) is recognized for 1 hour.

Mr. DREIER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my very dear friend from South Boston, Massachusetts (Mr. MOAKLEY) with whom I spend many long evenings upstairs in the Committee on Rules, including last night, to get this measure down here, 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. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, as is customary for consideration of trade legislation, H.Res. 510 is a closed rule providing for consideration of H.R. 4444, a bill to authorize extension of normal trade relations to the People's Republic of China. The rule provides 3 hours of debate in the House equally divided among the chairman and ranking minority member of the Committee on Ways and Means, the gentleman from California (Mr. STARK) and the gentleman from California (Mr. ROHRABACHER) or their designees.

The rule provides that in lieu of the committee amendment in the nature of a substitute recommended by the Committee on Ways and Means, the amendment in the nature of a substitute printed in the Committee on Rules report accompanying the rule shall be considered as adopted. Finally, the rule provides one motion to recommit, with or without instructions.

Mr. Speaker, today's vote on trade with China is probably the most important vote that we will face in this session of Congress. Make no mistake about it. This vote is a win-win-win for America's workers, America's first-class businesses, and the very important goal of promoting American values. This will be a win for American workers because China will finally be required to play by the rules when they trade with America. They are opening their markets to American exporters which means good jobs across the United States. This is also a major win for world-class American businesses. We are home to the world's best high-tech companies, entertainers, farmers, and financial institutions.

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These industries are at the heart of my home State of California's vibrant growing economy. They dominate global markets, and they will do the same in China if we let them.

However, as good a trade deal as this is, it does not get any more one sided in our favor than this. We do not face a choice between American pocketbooks and American values.

The fact is, trade with China is good for the Chinese people. It is good for human rights. It is good for democratic reform. It is good for national security, and it is good for American values. Yes, high-tech industries strongly support this bill. Yes, farmers across America strongly support this bill.

Yes, this bill is key to spreading the Internet across China. That is all great. But the real story is that leading human rights activists, democratic reformers and religious leaders in China support permanent normal trade relations and China entering the World Trade Organization.

Mr. Speaker, China is in the midst of great and dynamic change; and free market reform is the primary engine pushing that change. In fact, market reform is the single most powerful force for positive change in the 5,000-year history of Chinese civilization.

Mr. Speaker, if we care about the Chinese people, we cannot ignore reality that free market reforms have lifted hundreds of millions of Chinese people out of the depths of poverty. They have led to greater personal freedom for nearly everyone in China.

Mr. Speaker, supporters of trade with China, those of us who are supporters are not fools. We know that there are huge problems in China, and we do not ignore those problems. China is a country of 1.3 billion people with, as I said, 5,000 years of history dominated by both poverty and repression. Freedom and prosperity will not come to China overnight, or in a year or two. But if we stand for trade, if we stand for trade, we stand with Martin Lee, the leading democracy activist in Hong Kong, with Chen Shui-bian, the newly-elected president of Taiwan, who, the morning after he was elected, said one of the top priorities is China's accession to the World Trade Organization.

Billy Graham, who has not injected himself into this debate, other than to say that he believes that communication with China and openness is very important for us. Colin Powell, who just yesterday talked about the importance of this with Governor George W. Bush; Alan Greenspan, the chairman of the Federal Reserve Board; and, of course, former Presidents George Bush, Jimmy Carter, and Gerald Ford; as well as Ren Wanding, who is leader of China's 1978 Democracy Wall Movement in China; and a host of other Chinese human rights activists. People like Wei Jinhsheng, who for 7 years was imprisoned following the Tiananmen Square protests, people like this have come forward and said this is a very important thing to do.

So when we vote yes on permanent normal trade relations today, Mr. Speaker, we will be standing with winners. We stand with the people that will win in today's debate. We stand with the people that will win with this very important, but most important, Mr. Speaker, we stand with the winning tide of history that is slowly lifting the people of China from the depth of poverty and repression into the community of nations based on freedom and human dignity.

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

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

Mr. Speaker, I want to thank my colleague, my dear friend, the gentleman from California (Mr. DREIER), the chairman of the Committee on Rules for yielding me the customary half hour.

Mr. Speaker, every year Congress votes to extend normal trade relations with China. Today, the House will vote on whether to make that status permanent. Today, the House will decide whether we should treat the Chinese Government exactly the same way we treat nearly every other government.

Mr. Speaker, I do not believe that the Chinese Government has yet earned that privilege. Now, I am not saying we should not trade with China. It is the most populous country in the world; and, as such, it is a potential gold mine for American business. That is why I vote for annual normal trade relations for China.

But, Mr. Speaker, if we do not reconsider that status every year, we are going to lose what little chance we have of effecting any change in China. Mr. Speaker, China needs to change.

According to Mary Robinson, the chief of human rights of United Nations, in the last 2 years, human rights in China have gotten worse.

My friend, the gentleman from California (Mr. DREIER), the chairman, just said that we are going to stand with these people if we vote for China. Here is some of the other people we are going to stand with. This is the government that killed its own people with demonstrating in Tiananmen Square.

This is the government that jails hundreds of people who believe in the Falun Gong spiritual movements.

It is the same government that sells missiles and nuclear technology to North Korea and Iraq.

This is the same government that is home to at least 1100 slaved labor camps; and this is the same government that devastates its environment by building the Three Gorges Dam, ignores workers' rights and trades in endangered species.

Mr. Speaker, if we grant the Chinese Government permanent normal trade relations, we will be giving away what little chance we have to exert some influence on some of these horrible practices, particularly, the abuse of religious freedoms.

The United States Commission on Internal Religious Freedom reported that in China that Roman Catholic and Protestant underground house churches suffered increased repression, the crackdown included the arrests of bishops, priests, and pastors, one of whom was found dead on the street moments after he was arrested.

Mr. Speaker, since the United States consumes one-third of China's exports, we have a great opportunity to change the current practices in China, and we should not squander that opportunity for the sake of the almighty dollar.

I am not naive enough to think that the United States should pass up all trade with China, but I do think that we should at least reconsider that decision each and every year. Each year that Congress reconsiders the most favored nation trading status for China, the debate resurfaces here in the halls of the Congress, in the newspapers, on television screens. Each year we have the debate, attention again is focused again on China; and heat is kept on. And if we are to make that status permanent, the debate would end and human and workers' rights would be completely off the radar screen.

If we do not reconsider China's trade status every year, we lock ourselves into an inescapable trade agreement that hurts workers, hurts the environment and does nothing to stop religious persecution, slave labor, or the proliferation of nuclear weapons.

Mr. Speaker, I urge my colleagues to oppose this bill.

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

Mr. DREIER. Mr. Speaker, I yield 3 minutes to the gentleman from Nebraska (Mr. BEREUTER), the lead author of the very important legislation which is incorporated in this bill, which I believe will play a key role in bringing about its victory today.

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

Mr. BEREUTER. Mr. Speaker, I rise in strong support of this rule. I want to commend, the gentleman from California (Chairman DREIER) and the Committee on Rules for this excellent rule.

While providing China with permanent normal trade relations, PNTR, it

is very clearly and overwhelmingly in America's short-term and long-term national interests; and a convincing case can be made for passing PNTR on its merits alone. Legitimate specific concerns in Congress about China and Sino-American relations continue. That is why the distinguished gentleman from Michigan (Mr. LEVIN) and this Member have offered a PNTR compatible parallel proposal in order to address those concerns which, I emphasize, this rule self-executes into H.R. 4444.

During the markup in the Committee on Ways and Means of that legislation, the important special 12-year import anti-surge protections for the U.S. as originally proposed in the Levin–Bereuter package were incorporated into the PNTR bill. This is an effective deterrent and defense against any huge import surges from China that could cause specific American business or agricultural sectors some damage. It is a special 12-year anti-surge provision that goes above and beyond that which we have with any other of the 135 members of the WTO.

With this rule, the PNTR legislation is expanded to incorporate the remainder of the Levin-Bereuter proposal which includes, first, the congressional executive commission on the People's Republic of China. This commission is based upon the OSCE or Helsinki Commission model and would be comprised of Members of this body, the other body, and of the executive branch.

The commission would produce an annual report to the President and Congress evaluating human rights in China with, should it deem appropriate, recommendations. Within 30 days of the receipt of that report, the House Committee on International Relations would be required to hold at least one public hearing on the report, and on the basis of that recommendation or recommendations in the report, decide, in a specified time frame a short period what legislation to report to the House floor.

Secondly, we enhance the monitoring enforcement of China's WTO commitments, and that is very important. The U.S. Trade Representative is directed to seek the annual review by the WTO of China's compliance with its commitments to the WTO and is required to report annually to the Congress on China's compliance record.

Additional staff and resources are authorized for the Departments of Commerce, State, and Agriculture and the USTR to monitor and support enforcement of China's trade commitments. A trade law technical assistance center would be established to assist businesses and workers in evaluating the potential remedies to any trade violations by China.

Third, a task force is created in the executive branch on prison labor exports. This would improve the enforcement of our laws preventing the importation of prison labor products. It would be authorized and the administration will be directed to enter into agreements.

Then, of course, we express the sense of the Congress that Taiwan should enter the same General Council meeting of the WTO when China is provided WTO membership as provided in an earlier Dunn-Bereuter bill.

Mr. Speaker, I urge my colleagues to support the rule and the underlying bill, H.R. 4444.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. HALL).

Mr. HALL of Ohio. Mr. Speaker, I want to thank the gentleman from Massachusetts (Mr. MOAKLEY) for yielding me the time.

Mr. Speaker, I rise in opposition to establishing permanent normal trade relations with the People's Republic of China. China's record on human rights, religious persecution, forced abortions, political freedom, and workers safety is bad. It is getting worse.

A recent study by the Congressional Research Service concluded that the annual congressional debate on China trade has, in fact, played a prominent role in winning the release of some Chinese political prisoners. And by granting China permanent normal trade relations, we will lose that opportunity to review China's human rights record.

There are some benefits to the United States in this trade agreement. Some companies in our country, of course, will make a few bucks, but if we look at the agreements that we have had with the Chinese Government, they have not fully kept the promises that they have made to us so many times before.

There is no reason to believe that it will honor the terms of this agreement. I have always been a student of Asia, at least I have tried to be. I lived in Asia for a few years, and the one thing that I know about Asians is that they respect courage. They respect patience. They respect politeness, but they really respect toughness. I think China looks at us on issues like this and laughs, and says Americans are weak. They give in too quickly on their principles.

This legislation is a dog, and it smells. It deserves to go down. Vote ''no'' on the rule. Vote ''no'' on the bill.

Mr. DREIER. Mr. Speaker, I yield 3 minutes to the gentleman from Fairfax, Virginia (Mr. DAVIS), my good friend, one of the great champions of globalization and trade.

(Mr. DAVIS of Virginia asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Virginia. Mr. Speaker, I rise in strong support of this and for the resolution. For America, this agreement is a one-way street, our markets are already open to the Chinese; if there is going to be job loss, we have seen it.

In terms of some of these low-wage markets that have already been moved in the Pacific Rim into China and to these other areas, what this does for the first time, and by adopting PNTR, China's markets are now going to be more accessible to American companies, American products. 1.2 billion Chinese, America only has 5 percent of the world's consumers. China is the largest, second largest economy in the world, 100 million Chinese today making $40,000 a year U.S. annually. A middle class that is burgeoning and growing, and this is going to increase the pressures for democratization inside of China.

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China already joins the WTO regardless of what we do here today. That already happens. The question is: Are American products, are American corporations, are American workers, going to get the WTO preference by our granting PNTR and does America get the benefits of the World Trade Organization tribunals for resolving trade issues that we do not get if we just go on to an annual basis?

Under PNTR, the answer is yes, we get those benefits. With only annual trade relations agreements the answer is no.

Look, we all agree that China's human rights record is abysmal; it is terrible. But does withholding PNTR bring about any of those changes? No. That is why Martin Lee, the great democracy leader in Hong Kong, the Dalai Lama and others endorse PNTR.

The best way to change China and to change their pitiful human rights record and their abuses is through trade, by opening up their borders, by exporting our values and our goods to China; to the opening of the Internet, the opening of their media, opening up to free commerce.

History teaches that revolutions occur when things are getting better, not when things are getting worse. It is a historical law of relative deprivation. Things are improving in China; and if the rising expectation of those people come forward, we will see this historical law move to a huge change in China in their human rights and democratic abuses that they have today.

Economic forces that will be unleashed by free trade and commerce are going to overwhelm the current forces fighting to maintain socialism, to main totalitarianism and repression in China. Political freedom will follow the economic freedom in the opening up of the markets in this case. Let us be visionary and understand that the information revolution that is taking this planet, the globalization of the economy, these are very strong forces which will be enhanced by adopting this agreement today, and this will change China forever in a way that withholding our support can never get to.

It changed Taiwan, which just a few years ago was a dictatorship. It changed Korea, which was a dictatorship. These forces are overwhelming and we are unleashing these forces by adopting this resolution today.

I urge my colleagues to vote yes on the rule and to vote yes on this resolution.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. LEWIS), the chief deputy whip of the Democratic Party.

Mr. LEWIS of Georgia. Mr. Speaker, I rise today in opposition to the rule and permanent normal trade relations for China. We must stand up for human rights and democracy throughout the world. Where is the freedom of speech? Where is the freedom of assembly? Where is the freedom to organize? Where is the freedom to protest? Where is the freedom to pray? It is not in China. The people of China want to practice their own religion. They want to speak their mind. They want to live in a free, open, and democratic society. If we stand for civil rights and human rights in America and other places around the world, we must stand up for human rights in China and speak for those who are not able to speak for themselves.

Today with our vote we have an opportunity to speak for the dignity of man and the destiny of democracy. I urge all of my colleagues to oppose the rule and PNTR for China. It is not the right thing to do. It is not the right way to go. We are sending the wrong message. Let us stand up for human rights today.

Mr. DREIER. Mr. Speaker, I am happy to yield 3 minutes to my very good friend, the gentleman from Atlanta, Georgia (Mr. LINDER), the distinguished chairman of the Subcommittee on Rules and Organization of the House.

Mr. LINDER. Mr. Speaker, I thank the gentleman from California (Mr. DREIER) for yielding me this time.

Mr. Speaker, I am the first one to stipulate that China has problems with its people and its government on human rights on labor and the environment. But after approving normal trade relations for 20 years, have we changed that? Is this about that? This is not a gift to the Chinese Government. It may be a gift to America's workers. We already have the lowest tariffs in the world, and all this will do will take down the tariffs in China and open a market of 1.3 billion people to our workers to sell goods and services.

It may be a gift to the Chinese people because they will have a much broader range of consumer products at a much lower price for them to buy, to enhance their standard of living.

Why permanent? The American businessman and woman needs some degree of predictability to make commitments over the long haul, and going back to the well once a year to ever-increasing votes, but once a year to hammer China on human rights to wonder if they are going to have open markets again does not give them the ability to make long-range plans.

Let me just close by saying something that Chris Patten wrote. He was the last governor of Hong Kong, the British Empire. He wrote in the Economist, and he said if a spaceship had come to the planet from Mars in the 16th century and landed in the teepee settlements of North America to the typhoid-ridden flats of London, to the warring clans in Europe, and settled in the 16th century Mandarin Dynasty, he would have concluded without a second's thought that China would rule the world for centuries. They had invented gun powder, the printing press, the compass. They had an armada at sea. They had an efficient government, an improved cultural base, the envy of the world.

Then they withdrew behind the wall and history told a different tale. We are breaking down the great wall of China with our travel and our access to it. The last wall is tariffs to our products, the products that our workers make. We must help them bring that wall down. This bill will do it today, and I urge a yes vote.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. TAUSCHER).

Mrs. TAUSCHER. Mr. Speaker, I rise as the first of many on this side of the aisle that urge support of this rule to govern debate on extending permanent normal trade relations to China. We live in a rapidly changing and ever-shrinking world. Globalization has taken hold, whether we like it or not. Our challenge is to recognize the changes and to do our best to remain competitive and successful while we still retain our values, and today we can do both.

This week China moved closer to finalizing entry into the World Trade Organization, a rules-based organization that gives the international community tremendous leverage to ensure that China complies with its trade agreements and moves to a more open and free society. China's recent trade pact with the European community raises the stakes for PNTR here in the United States. Our working families and companies deserve a level playing field in competing for business in China.

Mr. Speaker, permanent normal trade relations with China is good for our businesses and even better for our working families. Moreover, many Chinese dissidents, including the Dalai Lama, have continually said that exposing the Chinese people to our way of life is the best way to encourage change in that country. I urge my colleagues to strongly support this rule and to even more strongly support permanent trade relations with China this afternoon.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

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

Mr. KUCINICH. Mr. Speaker, for the record, the Dalai Lama has not come out for this legislation.

This rule makes in order a commission to review human rights violations in China. Why do we need a commission when we have a Congress? We cannot expect corporations to stand up for human rights. Congress must stand up for human rights. This Congress has the power in an annual review to uphold human rights and worker rights.

The commission could be called a fig leaf to try to cover up human rights and worker rights violations. Will we choose a fig leaf or will we use the power of our voting cards annually? Why have a commission when we have a Congress? It is upside down to insist that no U.S. trade review of human rights violations in China is better than an annual review. This Congress must insist that we stand up for America's dearest and most cherished values, for freedom, for justice. That is the American way; and if we are going to make this world a better place, we have to stand for it.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. SMITH).

Mr. SMITH of Washington. Mr. Speaker, I rise today in strong support of PNTR for China and for this rule. Without question, China has a horrible record on a whole series of issues: human rights, labor standards, religious freedom. That is not the question before the House today. The question before the House today is what path is most likely to make it better? And what we have seen, from Presidents Nixon to Reagan to Bush to Clinton, is an embracement of the policy of engagement, of bringing them into our world with our values to help improve the system. Giving China a stake in a different world order than the one they subscribe to now will have the best likelihood of moving them forward.

I want to make one critical point. However we vote on this, I do not think we should kid ourselves that this is going to solve the problem with China one way or the other. The problem of improving China's human rights record, their labor standards, their religious freedom, is going to take a whole lot of work for decades to come. This one vote is not going to cut it down or set it up. We have to keep working on the problem.

As human rights leaders in China, as Taiwan and a lot of people recognize, we are not going to make any progress whatsoever if we isolated China and cut them off from the rest of the world. Then they have nothing to lose by behaving in a way that the rest of the world does not like.

On the annual vote that we are giving up, we hear how great this annual vote is. It is kind of interesting in listening to the debate I have heard people say the annual vote has made no difference whatsoever but we cannot afford to lose it. That is sort of a contradictory argument. The bottom line is, whatever we do here in the U.S. has a minimum amount of impact on moving China forward. But the question is, what is going to move it forward or backwards? We are not going to stop

talking about China's human rights record just because we do not have an annual vote. I mean, who is kidding who on that? We are going to continue to talk about it, on a whole series of issues. But by not taking this vote, we lose the opportunity to pull China into the WTO, to pull them closer to the rest of the world, so that we have some hope of moving them forward.

This is not a guarantee. Anyone who stands up and says voting for this is somehow going to make democracy and freedom appear in China is kidding us, but it is going to move it in the right direction, and we should take this vote.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. BACA).

Mr. BACA. Mr. Speaker, I rise in opposition to this rule and against the PNTR China agreement. I feel that this is injustice and inequality to the environment and human rights and most importantly to the workers' rights. The issue is about principle, right and wrong, the future of this country. It is about the future of this country and protecting American jobs in the global economy. I do not oppose China's current trade status. I believe in annual review of China's smart policy.

Bishop Barnes from the San Bernardino diocese came to me to express his concern over religious freedom and humanitarian rights to the people, not only in this country but throughout the world as well. Close to 4 million veterans and 52 percent of Americans believe that this agreement would hurt American workers and that it is dangerous to American society. Yet some feel that this is best for the American people. This country's judicial system is based on what is called reasonable doubt. No man is convicted if there is reasonable doubt.

In this agreement, there is more than reasonable doubt; and yet some want to convict this country and its workers and say yes to a country that has violated every rule.

I say ''si se puede.'' Say no to this rule. Say no to the PNTR China agreement

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. MOAKLEY) for yielding me this time.

Mr. Speaker, I rise in support of the rule and in support of PNTR, a vote that is good for New York and the United States and an important step in integrating China with the West. China will enter the WTO regardless. This vote opens China to U.S. exports. Our market is already open. This is about fairness. I believe that a vote for PNTR is also a vote to improve labor rights, human rights, and respect for the environment in China. Many opponents of PNTR have taken this floor to discuss indefensible violations of basic human rights that are now occurring in China. Opponents of PNTR argue that we should not give up the leverage of a yearly NTR vote; but for 20 years we have approved NTR, and these violations of human rights are still occurring.

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By granting PNTR, we allow for greatly increased interaction between China and the West. As one example, the ability to access the Internet over U.S. manufactured equipment could have a tremendous impact on the free flow of ideas in China.

The fact is that China is unique. No other country has gone to such lengths to isolate itself for so many hundreds of years.

PNTR presents a unique opportunity for us to get behind China's great wall and engage the Chinese people. Over time, PNTR will raise the standard of living of the people in China and its trading partners.

From a national security point of view, a stable China and a forward-looking U.S.-China relationship is in the interest of the United States. Our allies in the region, including Korea, Japan, and Taiwan, favor China's entry into the WTO. The Dalai Lama himself, who knows quite a bit about Chinese oppression, favors China's entrance into the WTO and its integration into the world community.

Change in China will take many years. I will vote for PNTR because it puts us on the right course morally and economically.

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

Mr. Speaker, last Sunday in Copenhagen, Denmark, the Dalai Lama said he supported China's entry into the World Trade Organization.

Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. SESSIONS), a very hard-working Member from the Committee on Rules, my friend from the ''Big D.''

Mr. SESSIONS. Mr. Speaker, I thank the gentleman from California for giving me 1 minute to express my sincere appreciation, not only to him for the hard work he has done in this endeavor, but also for the good work that this is going to mean.

Twenty years we have been working with China, American businesses in China. Now is the time to make it permanent. Now is the time to say to American companies, please do, go invest in China. I believe that we are going to find that American and Chinese workers working together, that we are going to find products that flow between America and China will be to the advantage of free people.

That is what this is all about. This is about the ability of people in China to, not only have what they want, which is freedom, but also American products to enjoy. This will be a great day, not only in Beijing, but a great day in Washington.

I support the rule. I intend to vote for PNTR. I encourage my colleagues to do so also.

Mr. MOAKLEY. Mr. Speaker, will the Chair please inform the gentleman from California (Chairman DREIER), my dear friend, and myself how much time is remaining.

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman from California (Mr. DREIER) and the gentleman from Massachusetts (Mr. MOAKLEY) each have 15½ minutes remaining.

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

Mr. Speaker, I would like to take this opportunity to tell my chairman that the Dalai Lama did not come out in favor of PNTR. He came out in favor of the World Trade Organization.

Mr. DREIER. Mr. Speaker, will the gentleman yield on that point?

Mr. MOAKLEY. Yes, I yield to the gentleman from California.

Mr. DREIER. Mr. Speaker, I just say, what I said, as I stood up, is that, in Copenhagen, Denmark last Sunday morning, the Dalai Lama said that he supported China's entry into the World Trade Organization.

Mr. MOAKLEY. That is right, Mr. Speaker.

Mr. DREIER. That is what I said.

Mr. MOAKLEY. But it did not say anything about the PNTR, Mr. Speaker.

Mr. DREIER. Mr. Speaker, I understand that. But I think that the global community recognizes that the U.S. presence in the World Trade Organization enabling access to China is very important.

Mr. MOAKLEY. Mr. Speaker, the Dalai Lama did not come out in favor of PNTR.

Mr. DREIER. Mr. Speaker, I never said he did.

Mr. MOAKLEY. Mr. Speaker, this letter is from the International Committee on Tibet.

Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. KLINK).

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

Mr. KLINK. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. MOAKLEY), the ranking member of the Committee on Rules, for yielding me this time.

It is a bit of deja vu as I walk into this well and remember 1993 when the subject was NAFTA, and the sides were divided somewhat similarly. We kept hearing all of the former Presidents are in favor of this agreement, all of these industries are in favor of such agreement, this is going to do such wonderful things for us.

The reality is that we went from a $3 billion trade surplus with Mexico after the passage of NAFTA to a $17 billion trade deficit. Open warfare developed in Chiapas right after NAFTA passed. There was an increase in political assassinations in Mexico.

We find out in my home State of Pennsylvania last month we lost 22,000 jobs to Mexico after the passage of NAFTA. I would ask those that are in

support of PNTR, what are they willing to sacrifice on the altar of free trade. 22,000 Pennsylvania workers sacrificed their jobs. They laid their sacrifice on the altar of free trade. How much worse will it be when one was asked to make the same kind of sacrifice with a country that is so much larger than Mexico, and that is with China?

The reality is the Mexican workers make 60 cents an hour. Many of the Chinese workers make less than a quarter an hour. In fact, many of them work in state-owned industries that were really little more than slaves.

What happened to the fact that our forefathers said all men and women are created equal? What happened to the fact that the United States Congress is supposed to, not only control commerce, but is supposed to stand up for human rights and workers' rights and environmental conditions across this whole world? We have forgotten that now. We yield to corporate profits. We yield to what the next month's profits are going to be for these corporations.

The reality here is that, if somebody is making 25 cents an hour in a factory in Chongqing, what are they going to buy that we make in this country? Are they going to buy our Boeing airplanes? No. Are they going to buy our automobiles our appliances? They are not even going to buy our beepers or our phones.

The reality is that Members should vote against this rule and vote against PNTR. It is the right thing to do. It is the moral thing to do.

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

Mr. Speaker, we have created 20 million jobs and have an unemployment rate of less than 4 percent.

Mr. Speaker, I yield 1 minute to the distinguished gentleman from Ohio (Mr. OXLEY), chairman of the Subcommittee on Finance and Hazardous Material of the Committee on Commerce, a hard-working member of our whip team on this issue.

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

Mr. OXLEY. Mr. Speaker, I rise in support of the rule and this legislation.

Let me relate a story, since I only have a minute. I attended a trip to China a few years ago. It was headed up by our former colleague, Jack Fields. One of the opportunities that we had was to have a luncheon with an American company, in this case AT&T, that was trying to penetrate the Chinese market in telephones.

I was seated beside a young lady, Chinese, in her late 20's who was the number one assistant to the executive vice president of AT&T. I asked her what her job was, and she related a little bit about her job. I said, What is your background? She said, Congressman, I am enjoying my lifelong dream. I said, What is that? She said, I was educated at Brown University in your country, I returned to China to build a new China, and I am working for an American company.

That really tells us what we need to know about this change that is taking place in China. We have to have the courage and we have to have the vision, and most of all, we have to have the patience that these young people can rise to leadership in China. We can do it by passing PNTR.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Speaker, yesterday, the Committee on Rules rejected the Berman-Weldon amendment. That amendment would simply have provided that China loses its normal trade relations if it invades or blockades Taiwan.

Now, China will look at this rule and look at the RECORD of this House and see a green light to blockade Taiwan. It would keep its trade with the United States at the same time.

Taiwan can be blockaded easily. They merely need to hit one ship with a missile and announce that the next freighter will face a similar fate.

If my colleagues vote for this rule, they are endorsing a record that tells China blockade Taiwan and your friends in America will keep trading with you.

We have to defeat this rule regardless of what happens to the bill. Defeat the rule, demand the Berman-Weldon amendment, demand a chance to vote to say that we will send a clear message to China that, if it blockades or invades Taiwan, it loses its trade privileges.

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

Mr. Speaker, it is important to note that Chen Shui-bian the new President of Taiwan strongly supports the entry into the World Trade Organization without any conditions whatsoever because they know it will benefit both Taiwan, China, and the United States.

Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN), a hard-working member of our whip team.

Mr. FRELINGHUYSEN. Mr. Speaker, I rise in strong support of the rule and extending permanent normal trade relations with China.

First, extending permanent normal trade relations with China is a win for fairness, Mr. Speaker. This agreement forces China to adhere to our rules-based trading system. Without an agreement, there are no rules, and we have no say whatsoever in how China conducts its business with the rest of the world.

Secondly, it is a win for U.S. workers and businesses. China is an incredibly important emerging market with more than a billion consumers. America's world-class businesses, large and small, know that being shut out of China, especially as China opens its doors to the rest of the world, is a very big mistake.

Thirdly, trade with China is a win for American values inside China. Through free and fair trade, America will not only export many products and services, but will deliver a good old-fashioned dose of our democratic values and free market values. These ideals are already percolating in China. Interestingly enough, today there are more Chinese shareholders in private companies in China than there are members of the communist party.

Fourthly, international trade, whether with China or any other nation, means jobs to people in my State and our continued prosperity. Out of New Jersey's 4.1 million member workforce, almost 600,000 people Statewide, from Main Street to Fortune 500 companies, are employed because of exports-imports or foreign direct investment.

Fifth, and finally, in the interest of world peace, it is absolutely a mistake to isolate China with the world's largest standing Army. America's democratic allies in Asia support China's entry into the World Trade Organization because they know that a constructive relationship with China means a stable Asia that offers the best chance for reducing the regional tensions along the Taiwan Strait and for avoiding a new arms race elsewhere in Asia.

Mr. Speaker, PNTR in China is a win for American workers, farmers, and businesses of all sizes. It is a win for spreading American values.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Speaker, I thank the gentleman from Massachusetts for yielding me this time.

Mr. Speaker, China's deplorable record on human rights should not be rewarded with permanent normal trade status. Normal trade relations would indicate that China is living by certain standards or norms, a respect for human dignity. However, the record on human rights and religious freedom in China is contrary to even the minimal norms of human decency.

In China, many religious believers are detained and imprisoned. Until there is general progress on religious freedom and until there is at least a measure of respect for human dignity, I cannot in good conscience support permanent normal trade relations with China.

If China wants normal trade relations, let them treat their people normally.

Mr. DREIER. Mr. Speaker, I am happy to yield 1 minute to the gentleman from Newport Beach, California (Mr. COX), my very good friend, chairman of the Republican Policy Committee, who has worked long and hard on this issue and is a strong supporter of both the rule and PNTR.

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

Mr. Speaker, I rise in strong support of this rule for consideration of our debate on permanent normal trade relations with the People's Republic of China, because it makes in order legislation to correct a serious flaw in the

bill sent up here by the Clinton-Gore administration to establish PNTR.

That bill did two things. It provided for permanent normal trade relations, but it also would have repealed our annual debate on human rights here in the Congress.

I am happy to say that our annual role for Congress will now be preserved. In addition to consideration of human rights in the commission that will be set up to evaluate China's human rights performance each year, there will now be a mandatory procedure in the Congress for consideration of these as well on an annual basis.

The human rights on which we will focus will be expanded from the original Jackson-Vanik focused solely on immigration to include religious freedom, the plight of political prisoners, protections against arbitrary arrest, and that heinous form of punishment exile that has been reserved for such democracy activists as Wei Jinhsheng.

We must not and we will not, as a result of this rule, throw out the human rights baby with the trade sanctions bath water.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Washington (Mr. INSLEE).

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

Mr. INSLEE. Mr. Speaker, none of us have rose-colored glasses when it comes to China, but we have to ask this question: What is the more powerful force for breaking the strangle cord of the Chinese Government. Twenty million Chinese armed with cell phones and Internet access and independent businesses or 435 members of the House giving sometimes eloquent speeches about China. Chinese freedom will advance when the Chinese have an independent basis to break the strangle cord of the Chinese Government, and this agreement will advance that cause.

Three days ago, aerospace machinists, Local 751, representing 44,000 aerospace workers in the Puget Sound area endorse this treaty. They did this for this reason, they recognize the real contest here is this, who will have the trade benefits of this agreements, the workers in Toulouse, France or the workers in Seattle, Washington.

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I am voting for the workers in Seattle, Washington, to make sure those workers have the benefit of this agreement; those workers get those trade benefits. I am supporting those workers in this rule.

Mr. DREIER. Mr. Speaker, I yield 1 minute to the gentleman from Palm Beach, Florida (Mr. FOLEY), a member of the Committee on Ways and Means.

Mr. FOLEY. Mr. Speaker, I thank the chairman for his eloquence in the debate.

I am quite shocked at the Democrats not supporting their President today or their Vice President in his trade policy. In the twilight of his administration, I would think the party would rally behind the President and support him.

As chairman of the House Entertainment Industry Caucus, this is a good bill for videos, for movies, and for music sales. As co-chair of the Travel and Tourism Caucus, we can expect more travel in both directions because of this bill.

And as a representative of Florida's vital citrus industry, we finally have our enjoyable and nutritious product making its way to China, and more will be on its way thanks to this bill.

Relative to the comments of the gentleman from Pennsylvania about Taiwan, if, in fact, China attacks Taiwan, the President can put in a trade sanction against the Chinese. There is protection in law to prevent those types of occurrences.

But, please, I admonish the people on the other side of the aisle to support their President in the final months of his administration; support the Vice President, as he tries to succeed President Clinton, and do what is right for international policy, human rights for the Chinese, more business for all in China, and more business for United States companies.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Vermont (Mr. SANDERS).

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

Let us be clear what this debate is about. There is a reason why the largest multinational corporations in this country are spending tens of millions of dollars to see this legislation passed, and that reason is they like doing business in China where they can pay people 10 cents an hour, 15 cents an hour, rather than paying the workers in this country a living wage.

And there is another reason why the environmental community is opposed to this agreement, why the veterans community is opposed to this agreement, why religious organizations like the National Conference of Catholic Bishops are opposed to this agreement, and that is this agreement is bad for workers, it is bad for human rights, it is bad for the environment, and it is bad for national security.

I would hope that the Members of this Congress have the courage to stand up to the big money interests who are flooding Congress with contributions, with lobbying efforts, and with advertising, and do the right thing for the vast majority of the American people. Vote against this rule; vote against this agreement.

Mr. MOAKLEY. Mr. Speaker, I would inquire as to the time remaining on both sides.

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman from Massachusetts (Mr. MOAKLEY) has 8½ minutes remaining, and the gentleman from California (Mr. DREIER) has 10½ minutes remaining.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. EWING), another of our hard-working advocacy workers here in the House.

Mr. EWING. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise today in strong support of this rule and the underlying legislation.

This monumental piece of trade legislation will provide tremendous benefits for Americans. By prying open the closed door of Communist China, Western ideals, freedoms, as well as trade, will be let in.

Now, corn and soybeans are the heart of the district I represent in Illinois, and this legislation is very important to our Nation's struggling agricultural economy. Opponents of PNTR say that China gets everything it wants, unconditional, unlimited, permanent access for Chinese-made goods into the U.S. market. The reality is that China has access to U.S. markets right now and will continue to have that access regardless of the outcome of this vote. China will be admitted to the World Trade Organization with or without our approval. This vote comes down to whether the U.S. will have improved access to the Chinese market or will we cede that to our European and Asian competitors.

Opponents of this bill talk about human rights. While it is true the Chinese record on human rights is not good, closing the door between the U.S. and China will not advance the cause of human rights.

There are currently 9 million Internet users in China, and that figure doubles every 6 months. The Chinese have tried to censor their Internet. We would not like that, but they have failed in that attempt. The number one item that people in China log on the Internet for is news.

A vote for PNTR is a vote for development of the Internet. This is right for America. It is right to do now. Vote ''yes.''

Mr. MOAKLEY. Mr. Speaker, I yield 1½ minutes to the gentleman from North Carolina (Mr. ETHERIDGE).

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

Mr. ETHERIDGE. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise today to support granting China permanent normal trade relations.

The growing relationship between the United States and China has helped support my home State of North Carolina's economy and its leadership in world trade. Even without PNTR, in 1998 alone, my State exported over $215 million worth of goods, everything from stone and glass to electronics, to this market. This measure will reduce barriers to our exports and create more opportunities to support our goals.

The rapidly growing Triangle area saw their exports jump 86 percent in just 5 years. Granting China PNTR will

also open up their market to our high-quality North Carolina agricultural products, from tobacco, to pork, to poultry. Our Nation's economic future depends upon our access to new and growing markets and investing in our people and our technology to compete and winning in these global markets. This is an essential component of that policy.

While I support the opening of the relationship with China, I, like many others today, am concerned about the human rights record. But I side with Reverend Billy Graham, who said, ''I believe it is far better for us to thoughtfully strengthen positive aspects of our relationship with China than to threaten it as an adversary. It is my experience nations can respond with friendship just as much as people do,'' and I happen to agree with Reverend Graham.

By exporting our American goods and services and citizenship to the Chinese market, we will also export American values, information, freedom, democracy and human rights.

Mr. Speaker, at the dawn of this next century, America is enjoying unprecedented opportunity and we should move forward.

But, Mr. Speaker, if our nation is to continue to prosper, we must not slam the door on one fourth of the world's population. From the factory to the farm, PNTR is a good deal for American businesses and farmers and a good deal for the Chinese people. I urge Members to vote in favor of H.R. 4444.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio (Ms. PRYCE), a hard-working member of the Committee on Rules and Secretary of the Republican Conference.

Ms. PRYCE of Ohio. Mr. Speaker, I rise in support of granting permanent normal trade relation status to China, and I want to congratulate the Chairman of the Committee on Rules (Mr. DREIER), and so many others, on their very hard work on this issue.

We come here together on the eve of a very historical vote that will define our vision as a Congress and secure America's place in the world community. The evidence of the importance of granting PNTR is clear.

Just look at my home State of Ohio. Ohio is the Nation's fifth largest soybean producer and sixth largest corn producer. Under these terms, Chinese tariffs on soybeans will be set at a new low of 3 percent and 1 percent for grains. This means increased exports for Ohio. Increased exports means new business, new jobs, and greater prosperity in Ohio.

If my colleagues question the importance of these economic benefits, then they should keep this fact firmly in mind: China will join the WTO with our without our support. Therefore, the question that really faces us is whether we want to be a part of the process and reap the significant economic benefits or whether we want to find ourselves on the outside looking in.

If anyone should remain unpersuaded by irrefutable economic benefits for America, then remember that our vote also represents new hope for the people of China. I firmly believe the best way to foster change and social improvement for China is for the United States to remain engaged. Let us shine the light of liberty across the ocean, over the Great Wall, and into the heart of China by expanding our trade relationship.

Greater economic freedom is a precursor to political freedom. We must decide whether we will extend our hands to assist the pro-reform elements in Chinese society or turn our backs and allow the misguided militant socialist forces to strengthen their hold. We must take the battle of freedom versus tyranny to the Chinese people.

Change in China will not occur overnight, but change will not occur at all if we shut out China from the world market and shut ourselves off from the world as well. We cannot turn our backs on the Chinese people, and we cannot turn our backs on this opportunity for America. We must support PNTR.

Mr. MOAKLEY. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. GREEN).

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

Mr. GREEN of Texas. Mr. Speaker, I find it interesting that my colleagues on the Republican side are extolling us Democrats to support our President, yet for 7½ years I would have thought, to hear them, that he is the devil himself. For the last few months, however, they are saying they agree with him.

I rise in opposition to permanent normal trade relations with the People's Republic of China. Over the last few months, I have felt that the progress of China on both the social and economic front have evaporated compared to when I was there and what I saw 2 years ago. I see a Chinese retrenchment, I see a clamping down more on social and religious freedom, continuing threats on Taiwan, and again not opening their markets as easily as they should have, until now that we have this big treaty. I think we need to look at their record on religious and social freedoms and their record on Taiwan.

Each year I have supported granting normal trade relations with China, and even last year, even though Beijing condoned the stoning of the U.S. embassy. I think we should be concerned when a superpower is willing to reach that level to advance their foreign policy initiatives.

China is a great country. Cultural wonders and discoveries by this great nation have benefited mankind for many years, and the people of China should continue to express their individual initiative. But we cannot overlook the tool of moderation that Congress has been able to use by looking at this every year.

I want our business communities to have every opportunity possible to sell their products, but not our industries, to China. However, this desire is not strong enough to overlook the continuing problems China is experiencing as it tries to transition to a free market economy.

How will China employ the millions of displaced workers moving from their cities in search of jobs? Will they move the production from our country to theirs? William Jennings Bryan said that ''American principles are above price; American values are not bought and sold.'' And what he was really saying is that Americans should value our basic freedoms of individual liberty, religious freedom, and freedom of speech.

Mr. Speaker, I urge a vote against this resolution.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. TRAFICANT).

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

Mr. TRAFICANT. Mr. Speaker, Ronald Reagan opposed Communism with a passion. Reagan once even said about the old Soviet Union that they were an evil empire, and the Communist world was stunned. They were angered over Reagan's statement.

But Ronald Reagan never flinched, and Ronald Reagan taught us all a lesson we should not forget today. Look at the history. After Reagan's pressure, the Soviet Union disintegrated and the Berlin Wall collapsed. Communism became an endangered species. The world was safer until today.

Today, the Congress of the United States breathes a second life into Communism. I say if Congress joins the White House in granting this Communist nation, that has missiles pointed at us, a sweetheart trade deal worth $80 billion a year, then Congress, in my opinion, will do several things: they will now stabilize Communism around the world. We will now finance the resurgence of Communism. We, in fact, reinvent Communism today. And, finally, I think we endanger America.

How soon we forget, my colleagues, Soviet Union, the Berlin Wall, Vietnam, North Korea, Ronald Reagan's struggle keeping the pressure on, making sure those Communists did not destroy free enterprise, did not destroy America.

I say a Congress that today will prop up Communism is a Congress that today endangers every worker, every one of our kids, and every one of our grandkids by giving a country $80 billion a year whose missiles are pointed at every major American city, and Taiwan, who we have turned our backs on.

1130

I yield back Pearl Harbor. I yield back Ronald Reagan. And I yield back the second breath of life that Congress is granting to the Communist bloc nations.

Mr. DREIER. Mr. Speaker, I yield 3 minutes to the gentleman from Sanibel, Florida (Mr. GOSS), the very

distinguished vice chairman of the Committee on Rules, chairman of the Subcommittee on Legislative and Budget Process, and, most important in this instance, the chairman of the Permanent Select Committee on Intelligence.

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

Mr. GOSS. Mr. Speaker, I thank my distinguished colleague, the gentleman from California (Mr. DREIER), the chairman of the Committee on Rules, for the opportunity to speak and also for his very extraordinary leadership in bringing this matter finally to culmination.

Mr. Speaker, I think that, as we go through the debate today, we are going to find out that there are many ways to look at this debate, many ways to look at the issue. We certainly have already heard some during the subject of this very fair rule, very appropriate rule for this particular legislation.

My perspective today is the consequences of this debate on our national security. There will be consequences. There is no question about that. The status quo can no longer remain once this debate has been engaged. And it has been engaged.

So what we have to look at, from my perspective, is what is best for the security of the United States of America, Americans at home and abroad, in whatever their pursuit may be.

I cannot predict with any certainty, and neither can anybody else, whether China will be our allies or our opponents or our friends or our enemies as we go into the future. But I can say with very sincere conviction, from my perspective as the chairman of the House Permanent Select Committee on Intelligence that supporting this legislation is in the best national security interest. I firmly believe that.

I make this assertion after reviewing the materials, after discussing with knowledgeable people, and after weighing the pros and cons literally on a yellow pad of a China opened up for U.S. trade and influence versus a China isolated as a denied area to the powers of the free market and the beneficial influences of the United States.

I also believe that the true reformers in China, and there are some, will have their best opportunity for success in a society that is more open to new ideas and new products. I know there are some who will be disagreeing with that. I know there are some who have said that CIA has taken a policy position one way or another on this matter. That is simply not true. CIA does not take policy positions. It is not a policy agency. It is a capability agency, and it also does provide assessments about threats to national security.

As I said, the status quo is over. We are now into the next century and a new type of relationship with China. I think that we need to understand there are short-term consequences of getting things wrong because things are so tense in the Taiwan Straits and a miscalculation could hurt.

One of the best ways to avoid miscalculation is to have open dialogue and open understanding. I think that is yet another reason to move forward with this legislation.

For any Members who feel that my position would like further explanation more than time allows now, I would be happy to consult with them if they will come and contact me on the floor of the House during this debate. I will be happy to share my yellow pad on how I got to this conclusion.

I thank the gentleman from California (Mr. DREIER) for the opportunity to state my position.

Mr. MOAKLEY. Mr. Speaker, I yield the remaining 3½ minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, I believe in the New Economy, but I believe in a New Economy with Old Values. I believe in full commerce with China, but I believe in commerce with a conscience.

I rise in opposition to permanent normal trade relations with China. We should vote ''yes'' on full trade with China. But Congress should keep its ability to check on our relations with a police state. And as long as China remains a police state, we must never have relations with China which are permanent, which are normal, or which are insulated from moral concerns.

Until China has proven itself a full member of the moral citizenship of the world, we should play the moral role of keeping a check upon them while having full trade relations.

Under the 1979 bilateral agreement with China, which they cannot get out of, we get most of the benefits of WTO, almost all of them. That is really not in dispute. But if we break the link with human rights, with forced labor, with religious repression, with nuclear proliferation, we will break faith with 200 years of American leadership in the world; we will dim the beacon of freedom and diminish America in the eyes of those who yearn for the simple right to live without fear of a police raid in the night.

This vote may be about stock values; yes, but it is also about human values. That is the role of the United States in this debate.

We believe in the Internet. I have worked on the Subcommittee on Telecommunications, Trade and Consumer Protection for 24 years. I believe in its power. But in the United States, we hold sacrosanct the ability of an American to put full encryption, full privacy protection, on their information as they are talking to other citizens in our country. The police must get a court order to gain access to that information.

In China, they are prohibiting encryption; they are prohibiting privacy. The Internet is the best of wires and it is the worst of wires simultaneously. Yes, it will give people the power to communicate; but it is also going to give the PLA, the police in China, the ability to gain access to any information they want about any individual in their country.

We should condition any deal with China on their keeping out their one million semiautomatic assault weapons that they were selling in the United States for under a hundred bucks apiece until 1994. This agreement makes those weapons legal again.

We should condition this agreement on the prohibition of them reselling nuclear materials into Pakistan or any other country in the world. They have been historically the K–Mart of international nuclear commerce.

We should condition this deal yearly—full trade relations with us and access to our American market—upon their maintenance of human rights, religious dignity, the abolishment of slave labor in their country.

Vote for Commerce with a conscience. Vote ''no'' on this rule. Vote ''no'' on PNTR.

Mr. DREIER. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, I had the privilege of being elected to the Congress in November of 1980, the same day that Ronald Reagan was elected President of the United States; and Ronald Reagan said, ''Give people a taste of freedom, and they will thirst for more.'' That is exactly what is happening today in the People's Republic of China.

My friend, the gentleman from Massachusetts (Mr. MARKEY), just said that, basically, the genie is out of the bottle and the Internet is expanding. There are 9 million Internet users in China today, 70 million cellular telephones. So the fact is the genie is out of the bottle. And guess what? They are getting that taste of freedom, and they are thirsting for more.

Now, we have people who are here making all kinds of arguments with a load of acronyms: PNTR, PLA, MFN, MTR, WTO. All of these acronyms are being thrown out there. Somebody supports PNTR. Somebody does not support PNTR.

The fact of the matter is the Dalai Lama stands for human rights. The Dalai Lama's statement in Copenhagen, Denmark, last Sunday was very clear. The Dalai Lama, the great spiritual leader of Tibet, said that openness and creating greater economic freedom will, in fact, lead to democracy, and he never supported anything that would isolate China.

A ''no'' vote on this rule and on this vote that we are going to have later this afternoon would, in fact, isolate China. It would really isolate the United States of America, the great global leader, the beacon of hope and opportunity for the rest of the world. It would isolate us from China, and it would jeopardize our ability to get our American values into China.

Look at other leaders. I am so proud of what my friend, the gentleman from

Florida (Mr. GOSS), just said here. He spent time working on this issue. There is no one who is more committed to the security of the United States of America than the gentleman from Florida (Mr. GOSS). I believe that any Member who has any question on the issue of national security should, in fact, talk with him.

My friend, the gentleman from Colorado (Mr. MCINNIS), sitting in the second row here, has anguished over this issue. He has opposed it in the past but has come to the conclusion that expanding freedom this way is the way to go. And the gentleman from Nebraska (Mr. BEREUTER) sitting two rows behind him who has worked long and hard in support of this and is vigorously pursuing human rights with the Bereuter-Levin proposal.

And when we look at others who want to encourage openness, the Reverend Billy Graham is not involving himself in this debate, but he is a strong supporter of openness. And openness with China is, obviously, going to be promoted through granting permanent normal trade relations.

The former Presidents who stood with President Clinton down at the White House just a couple of weeks ago in strong support of this, talking about the national security aspect.

I know this issue of Taiwan is going to be an important part of the debate over the next several hours. The morning after the election, Chen Shui-bian, the least desirable candidate in the eyes of Beijing, who was elected president on Taiwan, that great island with 24 million people, said that he believed that China's entry into the World Trade Organization was very important because he knows, and it is included in the Bereuter-Levin resolution, we call for simultaneity. But, frankly, Taiwan will enter the World Trade Organization shortly after China does.

This is the right thing to do, Mr. Speaker. I believe that we need to stand with the likes of Colin Powell and those former Presidents and all who are pursuing freedom.

So I urge an ''aye'' vote on the rule and an ''aye'' vote on permanent normal trade relations so that we can, in fact, continue to be the world's paramount leader.

Mr. STARK, Mr. Speaker, I rise today in opposition of the rule on H.R. 4444. I cosponsored two amendments to this bill to clarify some of the many concerns I have with granting China permanent normal trade relations status. Unfortunately the rule blocked these amendments in the continued interest of those Members under the influence of big business campaign cash, big business, and the administration that have been pushing for passage of this legislation.

The first amendment addressed Taiwan's accession to the World Trade Organization. The amendment would have guaranteed Taiwan's accession by conditioning permanent normal trade relations [PNTR] status to China on Taiwan's entrance to the WTO. Once China enters the WTO it will actively spearhead efforts to block Taiwan's entry into the WTO. Proponents of permanent NTR claim that this is nothing more than a scare tactic on the part of PNTR opponents. However this claim is well founded in the truth and the Pelosi-Stark amendment is quite necessary.

The administration assured me that China has already verbally agreed to allow Taiwan to enter the WTO without resistance from China after China accedes to the Organization. If China has made a verbal agreement, then there should be no problem with legislating such a proposal. However, on May 16, 2000, the very same day I offered a similar amendment to the Ways and Means Committee markup bill, China proved that it will, in fact, try to block Taiwan's entry into the WTO. The PRC led the charge against Taiwan's fourth bid for observer status in the World Health Organization [WHO]. If China is willing to go to great lengths to block Taiwan from the World Health Organization, it is certain to lead a full campaign against Taiwan's application for WTO membership.

China has demonstrated time and again that it is not to be trusted. China has broken every bilateral agreement it has with the United States. If we can't trust China with a signed agreement then this Congress is completely foolish to trust them with a verbal agreement. China has no intention of allowing Taiwan to enter the WTO without a fight. The Pelosi-Stark amendment to condition PNTR on Taiwan's WTO accession ensures a smooth accession for that democratic nation.

I also cosponsored an amendment with Representatives PELOSI and MARKEY that conditions extension of permanent NTR on an additional agreement between the United States and China on President Clinton's 1994 embargo on arms and ammunition imports.

In 1994, as a condition of granting China annual MFN status, President Clinton issued an order than bans the imports of assault weapons from China. Under World Trade Organization [WTO] rules, the United States is required to treat foreign and domestic goods identically. Although the United States bans these imports from China, it continues to manufacture and sell assault weapons. Clearly, by banning China from selling to the United States market, but allowing domestic manufacturers to continue with business as usual, the United States does not treat foreign and domestic goods identically.

This means that once China accedes to the WTO, they will have every right as a member to dispute the United States ban. And since the order does violate WTO rules, the WTO will most likely find the United States in violation treating China's assault weapons differently from those in the United States. This would mean that the United States would have to lift the import ban on China, or ban the sale and manufacture of its own assault weapons as well as the imports from other countries.

China accounted for 42 percent of all rifles imported into the United States civilian market between 1987 and 1994, the year in which President Clinton finally blocked the flood of assault weapons from the China. The PRC's weapons dumping was so great that it increased the overall import of guns into the United States. Chinese rifles and handguns accounted for 15 percent of all firearms imported for the civilian market in six of the eight years between 1987 and 1994. The import of Chinese guns was effectively stopped in 1994 when President Clinton imposed a ban as a condition of renewing China's most favored nation status.

Proponents of PNTR will claim that the United States ban will be upheld if challenged by China under the WTO dispute settlement process. The claim is that the United States can hide behind the clause that allows for protection of security interests. However, this clause is narrowly defined providing an exception only as a means for self-defense. No WTO dispute settlement body is going to believe that the United States needs to keep Chinese assault weapons off its streets for national security reasons.

If we grant China permanent most favored nation trade status, China, not the Members of the 106th Congress, will dictate United States gun import policy.

The issues I have presented today are just two, of a much greater list, of the problems I have with granting China permanent NTR status. But they clearly highlight two problems with the current negotiated bilateral trade agreement between the United States and China. In addition, these amendments would serve to demonstrate that granting China PNTR is not a win-win situation for the United States. Many people will suffer if we grant permanent normal trade relations to China without receiving some significant concessions from China first. These amendments are two concessions China must make before Congress votes to relinquish the only leverage it has with China.

I urge Members to vote against this rule and send a message to the Rules Committee that these concerns must be addressed by the House before we sell our country to China lock, stock, and barrel.

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

The previous question was ordered.

The SPEAKER pro tempore (Mr. LATOURETTE). The question is on the resolution.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 294, nays 136, not voting 5, as follows:

[Roll No. 225]

YEAS—294

Ackerman	Bentsen	Brady (TX)
Aderholt	Bereuter	Bryant
Allen	Berry	Burr
Archer	Biggert	Burton
Armey	Bilbray	Buyer
Bachus	Bilirakis	Callahan
Baird	Bishop	Calvert
Baker	Bliley	Camp
Ballenger	Blumenauer	Campbell
Barr	Blunt	Canady
Barrett (NE)	Boehlert	Cannon
Bartlett	Boehner	Capps
Barton	Bonilla	Carson
Bass	Bono	Castle
Bateman	Boswell	Chabot
Becerra	Boyd	Chambliss

Chenoweth-Hage
Clayton
Clement
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
Davis (FL)
Davis (VA)
Deal
DeGette
DeLay
DeMint
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Eshoo
Etheridge
Everett
Ewing
Fletcher
Foley
Ford
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinojosa
Hobson
Hoekstra
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Kasich
Kelly
Kind (WI)
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Largent
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Maloney (CT)
Maloney (NY)
Manzullo
Martinez
Matsui
McCollum
McCrery
McDermott
McHugh
McInnis
McIntosh
McKeon
Meehan
Meeks (NY)
Metcalf
Mica
Miller (FL)
Miller, Gary
Minge
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Ose
Oxley
Packard
Pastor
Paul
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sanford
Sawyer
Saxton
Schaffer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Toomey
Turner
Udall (CO)
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—136

Abercrombie
Andrews
Baca
Baldacci
Baldwin
Barcia
Barrett (WI)
Berkley
Berman
Blagojevich
Bonior
Borski
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Capuano
Cardin
Clay
Clyburn
Condit
Conyers
Costello
Coyne
Crowley
Cummings
Danner
Davis (IL)
DeFazio
Delahunt
DeLauro
Deutsch
Dingell
Doyle
Engel
Evans
Farr
Fattah
Filner
Forbes
Frank (MA)
Gejdenson
Gephardt
Goode
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hilliard
Hinchey
Hoeffel
Holden
Holt
Jackson (IL)
Jackson-Lee (TX)
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kleczka
Klink
Kucinich
Lampson
Lantos
Larson
Lee
Lewis (GA)
Lipinski
Luther
Markey
Mascara
McCarthy (MO)
McCarthy (NY)
McGovern
McIntyre
McKinney
McNulty
Meek (FL)
Menendez
Millender-McDonald
Miller, George
Mink
Moakley
Mollohan
Murtha
Nadler
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Payne
Pelosi
Peterson (MN)
Phelps
Rahall
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Schakowsky
Sherman
Shows
Sisisky
Slaughter
Smith (NJ)
Spratt
Stabenow
Stark
Strickland
Taylor (MS)
Thompson (MS)
Tierney
Towns
Traficant
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOT VOTING—5

Lazio
Pease
Scarborough
Stupak
Weiner

1205

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

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

APPOINTMENT AS MEMBERS TO BOARD OF DIRECTORS OF OFFICE OF COMPLIANCE

The SPEAKER pro tempore (Mr. LATOURETTE). Without objection, and pursuant to Section 301 of Public Law 104–1, the Chair announces on behalf of the Speaker and minority leader of the House of Representatives and the majority and minority leaders of the United States Senate their joint appointment of the following individuals to a 5-year term to the Board of Directors of the Office of Compliance to fill the existing vacancies thereon:

Ms. Barbara L. Camens, Washington, D.C.

Ms. Roberta L. Holzwarth, Rockford, Illinois.

There was no objection.

AUTHORIZING EXTENSION OF NONDISCRIMINATORY TREATMENT (NORMAL TRADE RELATIONS TREATMENT) TO PEOPLE'S REPUBLIC OF CHINA

Mr. ARCHER. Mr. Speaker, pursuant to House Resolution 510, I call up the bill (H.R. 4444) to authorize extension of nondiscriminatory treatment (normal trade relations treatment) to the People's Republic of China, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to House Resolution 510, the bill is considered read for amendment.

The text of H.R. 4444 is as follows:

H.R. 4444

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

SECTION 1. TERMINATION OF APPLICATION OF TITLE IV OF THE TRADE ACT OF 1974 TO THE PEOPLE'S REPUBLIC OF CHINA.

(a) PRESIDENTIAL DETERMINATIONS AND EXTENSION OF NONDISCRIMINATORY TREATMENT.—Notwithstanding any provision of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.), the President may—

(1) determine that such title should no longer apply to the People's Republic of China; and

(2) after making a determination under paragraph (1) with respect to the People's Republic of China, proclaim the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of that country.

(b) ACCESSION OF THE PEOPLE'S REPUBLIC OF CHINA TO THE WORLD TRADE ORGANIZATION.—Prior to making the determination provided for in subsection (a)(1) and pursuant to the provisions of section 122 of the Uruguay Round Agreements Act (19 U.S.C. 3532), the President shall transmit a report to Congress certifying that the terms and conditions for the accession of the People's Republic of China to the World Trade Organization are at least equivalent to those agreed between the United States and the People's Republic of China on November 15, 1999.

SEC. 2. EFFECTIVE DATE.

(a) EFFECTIVE DATE OF NONDISCRIMINATORY TREATMENT.—The extension of nondiscriminatory treatment pursuant to section 1(a)(1) shall be effective no earlier than the effective date of the accession of the People's Republic of China to the World Trade Organization.

(b) TERMINATION OF APPLICABILITY OF TITLE IV.—On and after the effective date under subsection (a) of the extension of nondiscriminatory treatment to the products of the People's Republic of China, title IV of the Trade Act of 1974 shall cease to apply to that country.

The SPEAKER pro tempore. The amendment printed in House Report 106–636 is adopted in lieu of the amendment printed in the bill.

The text of the amendment in the nature of a substitute printed in House Report 106–626 is as follows:

Strike all after the enacting clause and insert the following:

DIVISION A—NORMAL TRADE RELATIONS FOR THE PEOPLE'S REPUBLIC OF CHINA

TITLE I—NORMAL TRADE RELATIONS

SEC. 101. TERMINATION OF APPLICATION OF CHAPTER 1 OF TITLE IV OF THE TRADE ACT OF 1974 TO THE PEOPLE'S REPUBLIC OF CHINA.

(a) PRESIDENTIAL DETERMINATIONS AND EXTENSION OF NONDISCRIMINATORY TREATMENT.—Notwithstanding any provision of chapter 1 of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.), as designated by section 103(a)(2) of this Act, the President may—

(1) determine that such chapter should no longer apply to the People's Republic of China; and

(2) after making a determination under paragraph (1) with respect to the People's Republic of China, proclaim the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of that country.

(b) ACCESSION OF THE PEOPLE'S REPUBLIC OF CHINA TO THE WORLD TRADE ORGANIZATION.—

Prior to making the determination provided for in subsection (a)(1) and pursuant to the provisions of section 122 of the Uruguay Round Agreements Act (19 U.S.C. 3532), the President shall transmit a report to Congress certifying that the terms and conditions for the accession of the People's Republic of China to the World Trade Organization are at least equivalent to those agreed between the United States and the People's Republic of China on November 15, 1999.

SEC. 102. EFFECTIVE DATE.

(a) EFFECTIVE DATE OF NONDISCRIMINATORY TREATMENT.—The extension of nondiscriminatory treatment pursuant to section 101(a) shall be effective no earlier than the effective date of the accession of the People's Republic of China to the World Trade Organization.

(b) TERMINATION OF APPLICABILITY OF TITLE IV.—On and after the effective date under subsection (a) of the extension of nondiscriminatory treatment to the products of the People's Republic of China, chapter 1 of title IV of the Trade Act of 1974 (as designated by section 103(a)(2) of this Act) shall cease to apply to that country.

SEC. 103. RELIEF FROM MARKET DISRUPTION.

(a) IN GENERAL.—Title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.) is amended—

(1) in the title heading, by striking ''**CURRENTLY**'';

(2) by inserting before section 401 the following:

"CHAPTER 1—TRADE RELATIONS WITH CERTAIN COUNTRIES"; and

(3) by adding at the end the following new chapter:

"CHAPTER 2—RELIEF FROM MARKET DISRUPTION TO INDUSTRIES AND DIVERSION OF TRADE TO THE UNITED STATES MARKET

"SEC. 421. ACTION TO ADDRESS MARKET DISRUPTION.

''(a) PRESIDENTIAL ACTION.—If a product of the People's Republic of China is being imported into the United States in such increased quantities or under such conditions as to cause or threaten to cause market disruption to the domestic producers of a like or directly competitive product, the President shall, in accordance with the provisions of this section, proclaim increased duties or other import restrictions with respect to such product, to the extent and for such period as the President considers necessary to prevent or remedy the market disruption.

''(b) INITIATION OF AN INVESTIGATION.—(1) Upon the filing of a petition by an entity described in section 202(a) of the Trade Act of 1974 (19 U.S.C. 2252(a)), upon the request of the President or the United States Trade Representative (in this subtitle referred to as the 'Trade Representative'), upon resolution of either the Committee on Ways and Means of the House of Representatives, or the Committee on Finance of the Senate (in this subtitle referred to as the 'Committees') or on its own motion, the United States International Trade Commission (in this subtitle referred to as the 'Commission') shall promptly make an investigation to determine whether products of the People's Republic of China are being imported into the United States in such increased quantities or under such conditions as to cause or threaten to cause market disruption to the domestic producers of like or directly competitive products.

''(2) The limitations on investigations set forth in section 202(h)(1) of the Trade Act of 1974 (19 U.S.C. 2252(h)(1)) shall apply to investigations conducted under this section.

''(3) The provisions of subsections (a)(8) and (i) of section 202 of the Trade Act of 1974 (19 U.S.C. 2252(a)(8) and (i)), relating to treatment of confidential business information, shall apply to investigations conducted under this section.

''(4) Whenever a petition is filed, or a request or resolution is received, under this subsection, the Commission shall transmit a copy thereof to the President, the Trade Representative, the Committee on Ways and Means of the House of Representatives, and the Committee of Finance of the Senate, except that in the case of confidential business information, the copy may include only nonconfidential summaries of such information.

''(5) The Commission shall publish notice of the commencement of any proceeding under this subsection in the Federal Register and shall, within a reasonable time thereafter, hold public hearings at which the Commission shall afford interested parties an opportunity to be present, to present evidence, to respond to the presentations of other parties, and otherwise to be heard.

''(c) MARKET DISRUPTION.—(1) For purposes of this section, market disruption exists whenever imports of an article like or directly competitive with an article produced by a domestic industry are increasing rapidly, either absolutely or relatively, so as to be a significant cause of material injury, or threat of material injury, to the domestic industry.

''(2) For purposes of paragraph (1), the term 'significant cause' refers to a cause which contributes significantly to the material injury of the domestic industry, but need not be equal to or greater than any other cause.

''(d) FACTORS IN DETERMINATION.—In determining whether market disruption exists, the Commission shall consider objective factors, including—

''(1) the volume of imports of the product which is the subject of the investigation;

''(2) the effect of imports of such product on prices in the United States for like or directly competitive articles; and

''(3) the effect of imports of such product on the domestic industry producing like or directly competitive articles.

The presence or absence of any factor under paragraph (1), (2), or (3) is not necessarily dispositive of whether market disruption exists.

''(e) TIME FOR COMMISSION DETERMINATIONS.—The Commission shall make and transmit to the President and the Trade Representative its determination under subsection (b)(1) at the earliest practicable time, but in no case later than 60 days (or 90 days in the case of a petition requesting relief under subsection (i)) after the date on which the petition is filed, the request or resolution is received, or the motion is adopted, under subsection (b). If the Commissioners voting are equally divided with respect to its determination, then the determination agreed upon by either group of Commissioners may be considered by the President and the Trade Representative as the determination of the Commission.

''(f) RECOMMENDATIONS OF COMMISSION ON PROPOSED REMEDIES.—If the Commission makes an affirmative determination under subsection (b), or a determination which the President or the Trade Representative may consider as affirmative under subsection (e), the Commission shall propose the amount of increase in, or imposition of, any duty or other import restrictions necessary to prevent or remedy the market disruption. Only those members of the Commission who agreed to the affirmative determination under subsection (b) are eligible to vote on the proposed action to prevent or remedy market disruption. Members of the Commission who did not agree to the affirmative determination may submit, in the report required under subsection (g), separate views regarding what action, if any, should be taken to prevent or remedy market disruption.

''(g) REPORT BY COMMISSION.—(1) Not later than 20 days after a determination under subsection (b) is made, the Commission shall submit a report to the President and the Trade Representative.

''(2) The Commission shall include in the report required under paragraph (1) the following:

''(A) The determination made under subsection (b) and an explanation of the basis for the determination.

''(B) If the determination under subsection (b) is affirmative, or may be considered by the President or the Trade Representative as affirmative under subsection (e), the recommendations of the Commission on proposed remedies under subsection (f) and an explanation of the basis for each recommendation.

''(C) Any dissenting or separate views by members of the Commission regarding the determination and any recommendation referred to in subparagraphs (A) and (B).

''(D) A description of—

''(i) the short- and long-term effects that implementation of the action recommended under subsection (f) is likely to have on the petitioning domestic industry, on other domestic industries, and on consumers; and

''(ii) the short- and long-term effects of not taking the recommended action on the petitioning domestic industry, its workers, and the communities where production facilities of such industry are located, and on other domestic industries.

''(3) The Commission, after submitting a report to the President under paragraph (1), shall promptly make it available to the public (but shall not include confidential business information) and cause a summary thereof to be published in the Federal Register.

''(h) OPPORTUNITY TO PRESENT VIEWS AND EVIDENCE ON PROPOSED MEASURE AND RECOMMENDATION TO THE PRESIDENT.—(1) Within 20 days after receipt of the Commission's report under subsection (g) (or 15 days in the case of an affirmative preliminary determination under subsection (i)(1)(B)), the Trade Representative shall publish in the Federal Register notice of any measure proposed by the Trade Representative to be taken pursuant to subsection (a) and of the opportunity, including a public hearing, if requested, for importers, exporters, and other interested parties to submit their views and evidence on the appropriateness of the proposed measure and whether it would be in the public interest.

''(2) Within 55 days after receipt of the report under subsection (g) (or 35 days in the case of an affirmative preliminary determination under subsection (i)(1)(B)), the Trade Representative, taking into account the views and evidence received under paragraph (1) on the measure proposed by the Trade Representative, shall make a recommendation to the President concerning what action, if any, to take to prevent or remedy the market disruption.

''(i) CRITICAL CIRCUMSTANCES.—(1) When a petition filed under subsection (b) alleges that critical circumstances exist and requests that provisional relief be provided under this subsection with respect to the product identified in the petition, the Commission shall, not later than 45 days after the petition containing the request is filed—

''(A) determine whether delay in taking action under this section would cause damage to the relevant domestic industry which would be difficult to repair; and

''(B) if the determination under subparagraph (A) is affirmative, make a preliminary

determination of whether imports of the product which is the subject of the investigation have caused or threatened to cause market disruption.

If the Commissioners voting are equally divided with respect to either of its determinations, then the determination agreed upon by either group of Commissioners may be considered by the President and the Trade Representative as the determination of the Commission.

''(2) On the date on which the Commission completes its determinations under paragraph (1), the Commission shall transmit a report on the determinations to the President and the Trade Representative, including the reasons for its determinations. If the determinations under paragraph (1) are affirmative, or may be considered by the President or the Trade Representative as affirmative under paragraph (1), the Commission shall include in its report its recommendations on proposed provisional measures to be taken to prevent or remedy the market disruption. Only those members of the Commission who agreed to the affirmative determinations under paragraph (1) are eligible to vote on the proposed provisional measures to prevent or remedy market disruption. Members of the Commission who did not agree to the affirmative determinations may submit, in the report, dissenting or separate views regarding the determination and any recommendation of provisional measures referred to in this paragraph.

''(3) If the determinations under paragraph (1) are affirmative, or may be considered by the President or the Trade Representative as affirmative under paragraph (1), the Trade Representative shall, within 10 days after receipt of the Commission's report, determine the amount or extent of provisional relief that is necessary to prevent or remedy the market disruption and shall provide a recommendation to the President on what provisional measures, if any, to take.

''(4)(A) The President shall determine whether to provide provisional relief and proclaim such relief, if any, within 10 days after receipt of the recommendation from the Trade Representative.

''(B) Such relief may take the form of—

''(i) the imposition of or increase in any duty;

''(ii) any modification, or imposition of any quantitative restriction on the importation of an article into the United States; or

''(iii) any combination of actions under clauses (i) and (ii).

''(C) Any provisional action proclaimed by the President pursuant to a determination of critical circumstances shall remain in effect not more than 200 days.

''(D) Provisional relief shall cease to apply upon the effective date of relief proclaimed under subsection (a), upon a decision by the President not to provide such relief, or upon a negative determination by the Commission under subsection (b).

''(j) AGREEMENTS WITH THE PEOPLE'S REPUBLIC OF CHINA.—(1) The Trade Representative is authorized to enter into agreements for the People's Republic of China to take such action as necessary to prevent or remedy market disruption, and should seek to conclude such agreements before the expiration of the 60-day consultation period provided for under the product-specific safeguard provision of the Protocol of Accession of the People's Republic of China to the WTO, which shall commence not later than 5 days after the Trade Representative receives an affirmative determination provided for in subsection (e) or a determination which the Trade Representative considers to be an affirmative determination pursuant to subsection (e).

''(2) If no agreement is reached with the People's Republic of China pursuant to consultations under paragraph (1), or if the President determines than an agreement reached pursuant to such consultations is not preventing or remedying the market disruption at issue, the President shall provide import relief in accordance with subsection (a).

''(k) STANDARD FOR PRESIDENTIAL ACTION.—(1) Within 15 days after receipt of a recommendation from the Trade Representative under subsection (h) on the appropriate action, if any, to take to prevent or remedy the market disruption, the President shall provide import relief for such industry pursuant to subsection (a), unless the President determines that provision of such relief is not in the national economic interest of the United States or, in extraordinary cases, that the taking of action pursuant to subsection (a) would cause serious harm to the national security of the United States.

''(2) The President may determine under paragraph (1) that providing import relief is not in the national economic interest of the United States only if the President finds that the taking of such action would have an adverse impact on the United States economy clearly greater than the benefits of such action.

''(l) PUBLICATION OF DECISION AND REPORTS.—(1) The President's decision, including the reasons therefor and the scope and duration of any action taken, shall be published in the Federal Register.

''(2) The Commission shall promptly make public any report transmitted under this section, but shall not make public any information which the Commission determines to be confidential, and shall publish notice of such report in the Federal Register.

''(m) EFFECTIVE DATE OF RELIEF.—Import relief under this section shall take effect not later than 15 days after the President's determination to provide such relief.

''(n) MODIFICATIONS OF RELIEF.—(1) At any time after the end of the 6-month period beginning on the date on which relief under subsection (m) first takes effect, the President may request that the Commission provide a report on the probable effect of the modification, reduction, or termination of the relief provided on the relevant industry. The Commission shall transmit such report to the President within 60 days of the request.

''(2) The President may, after receiving a report from the Commission under paragraph (1), take such action to modify, reduce, or terminate relief that the President determines is necessary to continue to prevent or remedy the market disruption at issue.

''(3) Upon the granting of relief under subsection (k), the Commission shall collect such data as is necessary to allow it to respond rapidly to a request by the President under paragraph (1).

''(o) EXTENSION OF ACTION.—(1) Upon request of the President, or upon petition on behalf of the industry concerned filed with the Commission not earlier than the date which is 9 months, and not later than the date which is 6 months, before the date any relief provided under subsection (k) is to terminate, the Commission shall investigate to determine whether action under this section continues to be necessary to prevent or remedy market disruption.

''(2) The Commission shall publish notice of the commencement of any proceeding under this subsection in the Federal Register and shall, within a reasonable time thereafter, hold a public hearing at which the Commission shall afford interested parties and consumers an opportunity to be present, to present evidence, and to respond to the presentations of other parties and consumers, and otherwise to be heard.

''(3) The Commission shall transmit to the President a report on its investigation and determination under this subsection not later than 60 days before the action under subsection (m) is to terminate.

''(4) The President, after receiving an affirmative determination from the Commission under paragraph (3), may extend the effective period of any action under this section if the President determines that the action continues to be necessary to prevent or remedy the market disruption.

''SEC. 422. ACTION IN RESPONSE TO TRADE DIVERSION.

''(a) MONITORING BY CUSTOMS SERVICE.—In any case in which a WTO member other than the United States requests consultations with the People's Republic of China under the product-specific safeguard provision of the Protocol of Accession of the People's Republic of China to the World Trade Organization, the Trade Representative shall inform the United States Customs Service, which shall monitor imports into the United States of those products of Chinese origin that are the subject of the consultation request. Data from such monitoring shall promptly be made available to the Commission upon request by the Commission.

''(b) INITIATION OF INVESTIGATION.—(1) Upon the filing of a petition by an entity described in section 202(a) of the Trade Act of 1974, upon the request of the President or the Trade Representative, upon resolution of either of the Committees, or on its own motion, the Commission shall promptly make an investigation to determine whether an action described in subsection (c) has caused, or threatens to cause, a significant diversion of trade into the domestic market of the United States.

''(2) The Commission shall publish notice of the commencement of any proceeding under this subsection in the Federal Register and shall, within a reasonable time thereafter, hold public hearings at which the Commission shall afford interested parties an opportunity to be present, to present evidence, to respond to the presentations of other parties, and otherwise to be heard.

''(3) The provisions of subsections (a)(8) and (i) of section 202 of the Trade Act of 1974 (19 U.S.C. 2252(a)(8) and (i)), relating to treatment of confidential business information, shall apply to investigations conducted under this section.

''(c) ACTIONS DESCRIBED.—An action is described in this subsection if it is an action—

''(1) by the People's Republic of China to prevent or remedy market disruption in a WTO member other than the United States;

''(2) by a WTO member other than the United States to withdraw concessions under the WTO Agreement or otherwise to limit imports to prevent or remedy market disruption;

''(3) by a WTO member other than the United States to apply a provisional safeguard within the meaning of the product-specific safeguard provision of the Protocol of Accession of the People's Republic of China to the WTO; or

''(4) any combination of actions described in paragraphs (1) through (3).

''(d) BASIS FOR DETERMINATION OF SIGNIFICANT DIVERSION.—(1) In determining whether significant diversion or the threat thereof exists for purposes of this section, the Commission shall take into account, to the extent such evidence is reasonably available—

''(A) the monitoring conducted under subsection (a);

''(B) the actual or imminent increase in United States market share held by such imports from the People's Republic of China;

''(C) the actual or imminent increase in volume of such imports into the United States;

''(D) the nature and extent of the action taken or proposed by the WTO member concerned;

''(E) the extent of exports from the People's Republic of China to that WTO member and to the United States;

''(F) the actual or imminent changes in exports to that WTO member due to the action taken or proposed;

''(G) the actual or imminent diversion of exports from the People's Republic of China to countries other than the United States;

''(H) cyclical or seasonal trends in import volumes into the United States of the products at issue; and

''(I) conditions of demand and supply in the United States market for the products at issue.

The presence or absence of any factor under any of subparagraphs (A) through (I) is not necessarily dispositive of whether a significant diversion of trade or the threat thereof exists.

''(2) For purposes of making its determination, the Commission shall examine changes in imports into the United States from the People's Republic of China since the time that the WTO member commenced the investigation that led to a request for consultations described in subsection (a).

''(3) If more than 1 action by a WTO member or WTO members against a particular product is identified in the petition, request, or resolution under subsection (b) or during the investigation, the Commission may cumulatively assess the actual or likely effects of such actions jointly in determining whether a significant diversion of trade or threat thereof exists.

''(e) COMMISSION DETERMINATION; AGREEMENT AUTHORITY.—(1) The Commission shall make and transmit to the President and the Trade Representative its determination under subsection (b) at the earliest practicable time, but in no case later than 45 days after the date on which the petition is filed, the request or resolution is received, or the motion is adopted, under subsection (b). If the Commissioners voting are equally divided with respect to its determination, then the determination agreed upon by either group of Commissioners may be considered by the President and the Trade Representative as the determination of the Commission.

''(2) The Trade Representative is authorized to enter into agreements with the People's Republic of China or the other WTO members concerned to take such action as necessary to prevent or remedy significant trade diversion or threat thereof into the domestic market of the United States, and should seek to conclude such agreements before the expiration of the 60-day consultation period provided for under the product-specific safeguard provision of the Protocol of Accession of the People's Republic of China to the WTO, which shall commence not later than 5 days after the Trade Representative receives an affirmative determination provided for in paragraph (1) or a determination which the Trade Representative considers to be an affirmative determination pursuant to paragraph (1).

''(3) REPORT BY COMMISSION.—

''(A) Not later than 10 days after a determination under subsection (b), is made, the Commission shall transmit a report to the President and the Trade Representative.

''(B) The Commission shall include in the report required under subparagraph (A) the following:

''(i) The determination made under subsection (b) and an explanation of the basis for the determination.

''(ii) If the determination under subsection (b) is affirmative, or may be considered by the President or the Trade Representative as affirmative under subsection (e)(1), the recommendations of the Commission on increased tariffs or other import restrictions to be imposed to prevent or remedy the trade diversion or threat thereof, and explanations of the bases for such recommendations. Only those members of the Commission who agreed to the affirmative determination under subsection (b) are eligible to vote on the proposed action to prevent or remedy the trade diversion or threat thereof.

''(iii) Any dissenting or separate views by members of the Commission regarding the determination and any recommendation referred to in clauses (i) and (ii).

''(iv) A description of—

''(I) the short- and long-term effects that implementation of the action recommended under clause (ii) is likely to have on the petitioning domestic industry, on other domestic industries, and on consumers; and

''(II) the short- and long-term effects of not taking the recommended action on the petitioning domestic industry, its workers and the communities where production facilities of such industry are located, and on other domestic industries.

''(C) The Commission, after submitting a report to the President under subparagraph (A), shall promptly make it available to the public (with the exception of confidential business information) and cause a summary thereof to be published in the Federal Register.

''(f) PUBLIC COMMENT.—If consultations fail to lead to an agreement with the People's Republic of China or the WTO member concerned within 60 days, the Trade Representative shall promptly publish notice in the Federal Register of any proposed action to prevent or remedy the trade diversion, and provide an opportunity for interested persons to present views and evidence on whether the proposed action is in the public interest.

''(g) RECOMMENDATION TO THE PRESIDENT.—Within 20 days after the end of consultations pursuant to subsection (e), the Trade Representative shall make a recommendation to the President on what action, if any, should be taken to prevent or remedy the trade diversion or threat thereof.

''(h) PRESIDENTIAL ACTION.—Within 20 days after receipt of the recommendation from the Trade Representative, the President shall determine what action to take to prevent or remedy the trade diversion or threat thereof.

''(i) DURATION OF ACTION.—Action taken under subsection (h) shall be terminated not later than 30 days after expiration of the action taken by the WTO member or members involved against imports from the People's Republic of China.

''(j) REVIEW OF CIRCUMSTANCES.—(1) The Commission shall review the continued need for action taken under subsection (h) if the WTO member or members involved notify the Committee on Safeguards of the WTO of any modification in the action taken by them against the People's Republic of China pursuant to consultation referred to in subsection (a). The Commission shall, not later than 60 days after such notification, determine whether a significant diversion of trade continues to exist and report its determination to the President. The President shall determine, within 15 days after receiving the Commission's report, whether to modify, withdraw, or keep in place the action taken under subsection (h).

''SEC. 423. REGULATIONS; TERMINATION OF PROVISION.

''(a) TO CARRY OUT RESTRICTIONS AND MONITORING.—The President shall by regulation provide for the efficient and fair administration of any restriction proclaimed pursuant to the subtitle and to provide for effective monitoring of imports under section 422(a).

''(b) TO CARRY OUT AGREEMENTS.—To carry out an agreement concluded pursuant to consultations under section 421(j) or 422(e)(2), the President is authorized to prescribe regulations governing the entry or withdrawal from warehouse of articles covered by such agreement.

''(c) TERMINATION DATE.—This subtitle and any regulations issued under this subtitle shall cease to be effective 12 years after the date of entry into force of the Protocol of Accession of the People's Republic of China to the WTO.''.

(b) CONFORMING AMENDMENT.—The table on contents of the Trade Act of 1974 is amended—

(1) in the item relating to title IV, by striking ''CURRENTLY'';

(2) by inserting before the item relating to section 401 the following:

''CHAPTER 1—TRADE RELATIONS WITH CERTAIN COUNTRIES''; and

(3) by adding after the item relating to section 409 the following:

''CHAPTER 2—RELIEF FROM MARKET DISRUPTION TO INDUSTRIES AND DIVERSION OF TRADE TO THE UNITED STATES MARKET

''Sec. 421. Action to address market disruption.

''Sec. 422. Action in response to trade diversion.

''Sec. 423. Regulations; termination of provision.''.

SEC. 104. AMENDMENT TO SECTION 123 OF THE TRADE ACT OF 1974—COMPENSATION AUTHORITY.

Section 123(a)(1) of the Trade Act of 1974 (19 U.S.C. 2133(a)(1)) is amended by inserting after ''title III'' the following; '', or under chapter 2 of title IV of the Trade Act of 1974''.

DIVISION B—UNITED STATES–CHINA RELATIONS

TITLE II—GENERAL PROVISIONS

SEC. 201. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''U.S.-China Relations Act of 2000''.

(b) TABLE OF CONTENTS.—The table of contents of this division is as follows:

TITLE II—GENERAL PROVISIONS

Sec. 201. Short title; table of contents.
Sec. 202. Findings.
Sec. 203. Policy.
Sec. 204. Definitions.

TITLE III—CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

Sec. 301. Establishment of Congressional-Executive Commission on the People's Republic of China.
Sec. 302. Functions of the Commission.
Sec. 303. Membership of the Commission.
Sec. 304. Votes of the Commission.
Sec. 305. Expenditure of appropriations.
Sec. 306. Testimony of witnesses, production of evidence; issuance of subpoenas; administration of oaths.
Sec. 307. Appropriations for the Commission.
Sec. 308. Staff of the Commission.
Sec. 309. Printing and binding costs.

TITLE IV—MONITORING AND ENFORCEMENT OF THE PEOPLE'S REPUBLIC OF CHINA'S WTO COMMITMENTS

Subtitle A—Review of Membership of the People's Republic of China in the WTO

Sec. 401. Review within the WTO.

Subtitle B—Authorization To Promote Compliance With Trade Agreements

Sec. 411. Findings.
Sec. 412. Purpose.
Sec. 413. Authorization of appropriations.

Subtitle C—Report on Compliance by the People's Republic of China With WTO Obligations

Sec. 421. Report on compliance.

TITLE V—TRADE AND RULE OF LAW ISSUES IN THE PEOPLE'S REPUBLIC OF CHINA

Subtitle A—Task Force on Prohibition of Importation of Products of Forced or Prison Labor From the People's Republic of China

Sec. 501. Establishment of Task Force.
Sec. 502. Functions of Task Force.
Sec. 503. Composition of Task Force.
Sec. 504. Authorization of appropriations.
Sec. 505. Reports to Congress.

Subtitle B—Assistance To Develop Commercial and Labor Rule of Law

Sec. 511. Establishment of technical assistance and rule of law programs.
Sec. 512. Administrative authorities.
Sec. 513. Prohibition relating to human rights abuses.
Sec. 514. Authorization of appropriations.

TITLE VI—ACCESSION OF TAIWAN TO THE WTO

Sec. 601. Accession of Taiwan to the WTO.

TITLE VII—RELATED ISSUES

Sec. 701. Authorizations of appropriations for broadcasting capital improvements and international broadcasting operations.

SEC. 202. FINDINGS.

The Congress finds the following:

(1) In 1980, the United States opened trade relations with the People's Republic of China by entering into a bilateral trade agreement, which was approved by joint resolution enacted pursuant to section 405(c) of the Trade Act of 1974.

(2) Since 1980, the President has consistently extended nondiscriminatory treatment to products of the People's Republic of China, pursuant to his authority under section 404 of the Trade Act of 1974.

(3) Since 1980, the United States has entered into several additional trade-related agreements with the People's Republic of China, including a memorandum of understanding on market access in 1992, 2 agreements on intellectual property rights protection in 1992 and 1995, and an agreement on agricultural cooperation in 1999.

(4) Trade in goods between the People's Republic of China and the United States totaled almost $95,000,000,000 in 1999, compared with approximately $18,000,000,000 in 1989, representing growth of approximately 428 percent over 10 years.

(5) The United States merchandise trade deficit with the People's Republic of China has grown from approximately $6,000,000,000 in 1989 to over $68,000,000,000 in 1999, a growth of over 1,000 percent.

(6) The People's Republic of China currently restricts imports through relatively high tariffs and nontariff barriers, including import licensing, technology transfer, and local content requirements.

(7) United States businesses attempting to sell goods to markets in the People's Republic of China have complained of uneven application of tariffs, customs procedures, and other laws, rules, and administrative measures affecting their ability to sell their products in the Chinese market.

(8) On November 15, 1999, the United States and the People's Republic of China concluded a bilateral agreement concerning terms of the People's Republic of China's eventual accession to the World Trade Organization.

(9) The commitments that the People's Republic of China made in its November 15, 1999, agreement with the United States promise to eliminate or greatly reduce the principal barriers to trade with and investment in the People's Republic of China, if those commitments are effectively complied with and enforced.

(10) The record of the People's Republic of China in implementing trade-related commitments has been mixed. While the People's Republic of China has generally met the requirements of the 1992 market access memorandum of understanding and the 1992 and 1995 agreements on intellectual property rights protection, other measures remain in place or have been put into place which tend to diminish the benefit to United States businesses, farmers, and workers from the People's Republic of China's implementation of those earlier commitments. Notably, administration of tariff-rate quotas and other trade-related laws remains opaque, new local content requirements have proliferated, restrictions on importation of animal and plant products are not always supported by sound science, and licensing requirements for importation and distribution of goods remain common. Finally, the Government of the People's Republic of China has failed to cooperate with the United States Customs Service in implementing a 1992 memorandum of understanding prohibiting trade in products made by prison labor.

(11) The human rights record of the People's Republic of China is a matter of very serious concern to the Congress. The Congress notes that the Department of State's 1999 Country Reports on Human Rights Practices for the People's Republic of China finds that "[t]he Government's poor human rights record deteriorated markedly throughout the year, as the Government intensified efforts to suppress dissent, particularly organized dissent.".

(12) The Congress deplores violations by the Government of the People's Republic of China of human rights, religious freedoms, and worker rights that are referred to in the Department of State's 1999 Country Reports on Human Rights Practices for the People's Republic of China, including the banning of the Falun Gong spiritual movement, denial in many cases, particularly politically sensitive ones, of effective representation by counsel and public trials, extrajudicial killings and torture, forced abortion and sterilization, restriction of access to Tibet and Xinjiang, perpetuation of "reeducation through labor", denial of the right of workers to organize labor unions or bargain collectively with their employers, and failure to implement a 1992 memorandum of understanding prohibiting trade in products made by prison labor.

SEC. 203. POLICY.

It is the policy of the United States—

(1) to develop trade relations that broaden the benefits of trade, and lead to a leveling up, rather than a leveling down, of labor, environmental, commercial rule of law, market access, anticorruption, and other standards across national borders;

(2) to pursue effective enforcement of trade-related and other international commitments by foreign governments through enforcement mechanisms of international organizations and through the application of United States law as appropriate;

(3) to encourage foreign governments to conduct both commercial and noncommercial affairs according to the rule of law developed through democratic processes;

(4) to encourage the Government of the People's Republic of China to afford its workers internationally recognized worker rights;

(5) to encourage the Government of the People's Republic of China to protect the human rights of people within the territory of the People's Republic of China, and to take steps toward protecting such rights, including, but not limited to—

(A) ratifying the International Covenant on Civil and Political Rights;

(B) protecting the right to liberty of movement and freedom to choose a residence within the People's Republic of China and the right to leave from and return to the People's Republic of China; and

(C) affording a criminal defendant—

(i) the right to be tried in his or her presence, and to defend himself or herself in person or through legal assistance of his or her own choosing;

(ii) the right to be informed, if he or she does not have legal assistance, of the right set forth in clause (i);

(iii) the right to have legal assistance assigned to him or her in any case in which the interests of justice so require and without payment by him or her in any such case if he or she does not have sufficient means to pay for it;

(iv) the right to a fair and public hearing by a competent, independent, and impartial tribunal established by the law;

(v) the right to be presumed innocent until proved guilty according to law; and

(vi) the right to be tried without undue delay; and

(6) to highlight in the United Nations Human Rights Commission and in other appropriate fora violations of human rights by foreign governments and to seek the support of other governments in urging improvements in human rights practices.

SEC. 204. DEFINITIONS.

In this division:

(1) DISPUTE SETTLEMENT UNDERSTANDING.—The term "Dispute Settlement Understanding" means the Understanding on Rules and Procedures Governing the Settlement of Disputes referred to in section 101(d)(16) of the Uruguay Round Agreements Act (19 U.S.C. 3511(16)).

(2) GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.—The term "Government of the People's Republic of China" means the central Government of the People's Republic of China and any other governmental entity, including any provincial, prefectural, or local entity and any enterprise that is controlled by the central Government or any such governmental entity or as to which the central Government or any such governmental entity is entitled to receive a majority of the profits.

(3) INTERNATIONALLY RECOGNIZED WORKER RIGHTS.—The term "internationally recognized worker rights" has the meaning given that term in section 507(4) of the Trade Act of 1974 (19 U.S.C. 2467(4)) and includes the right to the elimination of the "worst forms of child labor", as defined in section 507(6) of the Trade Act of 1974 (19 U.S.C. 2467(6)).

(4) TRADE REPRESENTATIVE.—The term "Trade Representative" means the United States Trade Representative.

(5) WTO; WORLD TRADE ORGANIZATION.—The terms "WTO" and "World Trade Organization" mean the organization established pursuant to the WTO Agreement.

(6) WTO AGREEMENT.—The term "WTO Agreement" means the Agreement Establishing the World Trade Organization entered into on April 15, 1994.

(7) WTO MEMBER.—The term "WTO member" has the meaning given that term in section 2(10) of the Uruguay Round Agreements Act (19 U.S.C. 3501(10)).

TITLE III—CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

SEC. 301. ESTABLISHMENT OF CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA.

There is established a Congressional-Executive Commission on the People's Republic of China (in this title referred to as the "Commission").

SEC. 302. FUNCTIONS OF THE COMMISSION.

(a) MONITORING COMPLIANCE WITH HUMAN RIGHTS.—The Commission shall monitor the acts of the People's Republic of China which reflect compliance with or violation of human rights, in particular, those contained in the International Covenant on Civil and Political Rights and in the Universal Declaration of Human Rights, including, but not limited to, effectively affording—

(1) the right to engage in free expression without fear of any prior restraints;

(2) the right to peaceful assembly without restrictions, in accordance with international law;

(3) religious freedom, including the right to worship free of involvement of and interference by the government;

(4) the right to liberty of movement and freedom to choose a residence within the People's Republic of China and the right to leave from and return to the People's Republic of China;

(5) the right of a criminal defendant—

(A) to be tried in his or her presence, and to defend himself or herself in person or through legal assistance of his or her own choosing;

(B) to be informed, if he or she does not have legal assistance, of the right set forth in subparagraph (A);

(C) to have legal assistance assigned to him or her in any case in which the interests of justice so require and without payment by him or her in any such case if he or she does not have sufficient means to pay for it;

(D) to a fair and public hearing by a competent, independent, and impartial tribunal established by the law;

(E) to be presumed innocent until proved guilty according to law; and

(F) to be tried without undue delay;

(6) the right to be free from torture and other forms of cruel or unusual punishment;

(7) protection of internationally recognized worker rights;

(8) freedom from incarceration as punishment for political opposition to the government;

(9) freedom from incarceration as punishment for exercising or advocating human rights (including those described in this section);

(10) freedom from arbitrary arrest, detention, or exile;

(11) the right to fair and public hearings by an independent tribunal for the determination of a citizen's rights and obligations; and

(12) free choice of employment.

(b) VICTIMS LISTS.—The Commission shall compile and maintain lists of persons believed to be imprisoned, detained, or placed under house arrest, tortured, or otherwise persecuted by the Government of the People's Republic of China due to their pursuit of the rights described in subsection (a). In compiling such lists, the Commission shall exercise appropriate discretion, including concerns regarding the safety and security of, and benefit to, the persons who may be included on the lists and their families.

(c) MONITORING DEVELOPMENT OF RULE OF LAW.—The Commission shall monitor the development of the rule of law in the People's Republic of China, including, but not limited to—

(1) progress toward the development of institutions of democratic governance;

(2) processes by which statutes, regulations, rules, and other legal acts of the Government of the People's Republic of China are developed and become binding within the People's Republic of China;

(3) the extent to which statutes, regulations, rules, administrative and judicial decisions, and other legal acts of the Government of the People's Republic of China are published and are made accessible to the public;

(4) the extent to which administrative and judicial decisions are supported by statements of reasons that are based upon written statutes, regulations, rules and other legal acts of the Government of the People's Republic of China;

(5) the extent to which individuals are treated equally under the laws of the of the People's Republic of China without regard to citizenship;

(6) the extent to which administrative and judicial decisions are independent of political pressure or governmental interference and are reviewed by entities of appellate jurisdiction; and

(7) the extent to which laws in the People's Republic of China are written and administered in ways that are consistent with international human rights standards, including the requirements of the International Covenant on Civil and Political Rights.

(d) BILATERAL COOPERATION.—The Commission shall monitor and encourage the development of programs and activities of the United States Government and private organizations with a view toward increasing the interchange of people and ideas between the United States and the People's Republic of China and expanding cooperation in areas that include, but are not limited to—

(1) increasing enforcement of human rights described in subsection (a); and

(2) developing the rule of law in the People's Republic of China.

(e) CONTACTS WITH NONGOVERNMENTAL ORGANIZATIONS.—In performing the functions described in subsections (a) through (d), the Commission shall, as appropriate, seek out and maintain contacts with nongovernmental organizations, including receiving reports and updates from such organizations and evaluating such reports.

(f) COOPERATION WITH SPECIAL COORDINATOR.—In performing the functions described in subsections (a) through (d), the Commission shall cooperate with the Special Coordinator for Tibetan Issues in the Department of State.

(g) ANNUAL REPORTS.—The Commission shall issue a report to the President and the Congress not later than 12 months after the date of the enactment of this Act, and not later than the end of each 12-month period thereafter, setting forth the findings of the Commission during the preceding 12-month period, in carrying out subsections (a) through (c). The Commission's report may contain recommendations for legislative or executive action.

(h) SPECIFIC INFORMATION IN ANNUAL REPORTS.—The Commission's report under subsection (g) shall include specific information as to the nature and implementation of laws or policies concerning the rights set forth in paragraphs (1) through (12) of subsection (a), and as to restrictions applied to or discrimination against persons exercising any of the rights set forth in such paragraphs.

(i) CONGRESSIONAL HEARINGS ON ANNUAL REPORTS.—(1) The Committee on International Relations of the House of Representatives shall, not later than 30 days after the receipt by the Congress of the report referred to in subsection (g), hold hearings on the contents of the report, including any recommendations contained therein, for the purpose of receiving testimony from Members of Congress, and such appropriate representatives of Federal departments and agencies, and interested persons and groups, as the committee deems advisable, with a view to reporting to the House of Representatives any appropriate legislation in furtherance of such recommendations. If any such legislation is considered by the Committee on International Relations within 45 days after receipt by the Congress of the report referred to in subsection (g), it shall be reported by the committee not later than 60 days after receipt by the Congress of such report.

(2) The provisions of paragraph (1) are enacted by the Congress—

(A) as an exercise of the rulemaking power of the House of Representatives, and as such are deemed a part of the rules of the House, and they supersede other rules only to the extent that they are inconsistent therewith; and

(B) with full recognition of the constitutional right of the House to change the rules (so far as relating to the procedure of the House) at any time, in the same manner and to the same extent as in the case of any other rule of the House.

(j) SUPPLEMENTAL REPORTS.—The Commission may submit to the President and the Congress reports that supplement the reports described in subsection (g), as appropriate, in carrying out subsections (a) through (c).

SEC. 303. MEMBERSHIP OF THE COMMISSION.

(a) SELECTION AND APPOINTMENT OF MEMBERS.—The Commission shall be composed of 23 members as follows:

(1) Nine Members of the House of Representatives appointed by the Speaker of the House of Representatives. Five members shall be selected from the majority party and four members shall be selected, after consultation with the minority leader of the House, from the minority party.

(2) Nine Members of the Senate appointed by the President of the Senate. Five members shall be selected, after consultation with the majority leader of the Senate, from the majority party, and four members shall be selected, after consultation with the minority leader of the Senate, from the minority party.

(3) One representative of the Department of State, appointed by the President of the United States from among officers and employees of that Department.

(4) One representative of the Department of Commerce, appointed by the President of the United States from among officers and employees of that Department.

(5) One representative of the Department of Labor, appointed by the President of the United States from among officers and employees of that Department.

(6) Two at-large representatives, appointed by the President of the United States, from among the officers and employees of the executive branch.

(b) CHAIRMAN AND COCHAIRMAN.—

(1) DESIGNATION OF CHAIRMAN.—At the beginning of each odd-numbered Congress, the President of the Senate, on the recommendation of the majority leader, shall designate one of the members of the Commission from the Senate as Chairman of the Commission. At the beginning of each even-numbered Congress, the Speaker of the House of Representatives shall designate one of the members of the Commission from the House as Chairman of the Commission.

(2) DESIGNATION OF COCHAIRMAN.—At the beginning of each odd-numbered Congress, the Speaker of the House of Representatives shall designate one of the members of the Commission from the House as Cochairman of the Commission. At the beginning of each even-numbered Congress, the President of the Senate, on the recommendation of the majority leader, shall designate one of the members of the Commission from the Senate as Cochairman of the Commission.

SEC. 304. VOTES OF THE COMMISSION.

Decisions of the Commission, including adoption of reports and recommendations to the executive branch or to the Congress,

shall be made by a majority vote of the members of the Commission present and voting. Two-thirds of the Members of the Commission shall constitute a quorum for purposes of conducting business.

SEC. 305. EXPENDITURE OF APPROPRIATIONS.

For each fiscal year for which an appropriation is made to the Commission, the Commission shall issue a report to the Congress on its expenditures under that appropriation.

SEC. 306. TESTIMONY OF WITNESSES, PRODUCTION OF EVIDENCE; ISSUANCE OF SUBPOENAS; ADMINISTRATION OF OATHS.

In carrying out this title, the Commission may require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, documents, and electronically recorded data as it considers necessary. Subpoenas may be issued only pursuant to a two-thirds vote of members of the Commission present and voting. Subpoenas may be issued over the signature of the Chairman of the Commission or any member designated by the Chairman, and may be served by any person designated by the Chairman or such member. The Chairman of the Commission, or any member designated by the Chairman, may administer oaths to any witness.

SEC. 307. APPROPRIATIONS FOR THE COMMISSION.

(a) AUTHORIZATION; DISBURSEMENTS.—

(1) AUTHORIZATION.—There are authorized to be appropriated to the Commission for fiscal year 2001, and each fiscal year thereafter, such sums as may be necessary to enable it to carry out its functions. Appropriations to the Commission are authorized to remain available until expended.

(2) DISBURSEMENTS.—Appropriations to the Commission shall be disbursed on vouchers approved—

(A) jointly by the Chairman and the Cochairman; or

(B) by a majority of the members of the personnel and administration committee established pursuant to section 308.

(b) FOREIGN TRAVEL FOR OFFICIAL PURPOSES.—Foreign travel for official purposes by members and staff of the Commission may be authorized by either the Chairman or the Cochairman.

SEC. 308. STAFF OF THE COMMISSION.

(a) PERSONNEL AND ADMINISTRATION COMMITTEE.—The Commission shall have a personnel and administration committee composed of the Chairman, the Cochairman, the senior member of the Commission from the minority party of the House of Representatives, and the senior member of the Commission from the minority party of the Senate.

(b) COMMITTEE FUNCTIONS.—All decisions pertaining to the hiring, firing, and fixing of pay of personnel of the Commission shall be by a majority vote of the personnel and administration committee, except that—

(1) the Chairman shall be entitled to appoint and fix the pay of the staff director, and the Cochairman shall be entitled to appoint and fix the pay of the Cochairman's senior staff member; and

(2) the Chairman and Cochairman shall each have the authority to appoint, with the approval of the personnel and administration committee, at least 4 professional staff members who shall be responsible to the Chairman or the Cochairman (as the case may be) who appointed them.

Subject to subsection (d), the personnel and administration committee may appoint and fix the pay of such other personnel as it considers desirable.

(c) STAFF APPOINTMENTS.—All staff appointments shall be made without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and general schedule pay rates.

(d) QUALIFICATIONS OF PROFESSIONAL STAFF.—The personnel and administration committee shall ensure that the professional staff of the Commission consists of persons with expertise in areas including human rights, internationally recognized worker rights, international economics, law (including international law), rule of law and other foreign assistance programming, Chinese politics, economy and culture, and the Chinese language.

(e) COMMISSION EMPLOYEES AS CONGRESSIONAL EMPLOYEES.—

(1) IN GENERAL.—For purposes of pay and other employment benefits, rights, and privileges, and for all other purposes, any employee of the Commission shall be considered to be a congressional employee as defined in section 2107 of title 5, United States Code.

(2) COMPETITIVE STATUS.—For purposes of section 3304(c)(1) of title 5, United States Code, employees of the Commission shall be considered as if they are in positions in which they are paid by the Secretary of the Senate or the Clerk of the House of Representatives.

SEC. 309. PRINTING AND BINDING COSTS.

For purposes of costs relating to printing and binding, including the costs of personnel detailed from the Government Printing Office, the Commission shall be deemed to be a committee of the Congress.

TITLE IV—MONITORING AND ENFORCEMENT OF THE PEOPLE'S REPUBLIC OF CHINA'S WTO COMMITMENTS

Subtitle A—Review of Membership of the People's Republic of China in the WTO

SEC. 401. REVIEW WITHIN THE WTO.

It shall be the objective of the United States to obtain as part of the Protocol of Accession of the People's Republic of China to the WTO, an annual review within the WTO of the compliance by the People's Republic of China with its terms of accession to the WTO.

Subtitle B—Authorization To Promote Compliance With Trade Agreements

SEC. 411. FINDINGS.

The Congress finds as follows:

(1) The opening of world markets through the elimination of tariff and nontariff barriers has contributed to a 56-percent increase in exports of United States goods and services since 1992.

(2) Such export expansion, along with an increase in trade generally, has helped fuel the longest economic expansion in United States history.

(3) The United States Government must continue to be vigilant in monitoring and enforcing the compliance by our trading partners with trade agreements in order for United States businesses, workers, and farmers to continue to benefit from the opportunities created by market-opening trade agreements.

(4) The People's Republic of China, as part of its accession to the World Trade Organization, has committed to eliminating significant trade barriers in the agricultural, services, and manufacturing sectors that, if realized, would provide considerable opportunities for United States farmers, businesses, and workers.

(5) For these opportunities to be fully realized, the United States Government must effectively monitor and enforce its rights under the agreements on the accession of the People's Republic of China to the WTO.

SEC. 412. PURPOSE.

The purpose of this subtitle is to authorize additional resources for the agencies and departments engaged in monitoring and enforcement of United States trade agreements and trade laws with respect to the People's Republic of China.

SEC. 413. AUTHORIZATION OF APPROPRIATIONS.

(a) DEPARTMENT OF COMMERCE.—There is authorized to be appropriated to the Department of Commerce, in addition to amounts otherwise available for such purposes, such sums as may be necessary for fiscal year 2001, and each fiscal year thereafter, for additional staff for—

(1) monitoring compliance by the People's Republic of China with its commitments under the WTO, assisting United States negotiators with ongoing negotiations in the WTO, and defending United States antidumping and countervailing duty measures with respect to products of the People's Republic of China;

(2) enforcement of United States trade laws with respect to products of the People's Republic of China; and

(3) a Trade Law Technical Assistance Center to assist small- and medium-sized businesses, workers, and unions in evaluating potential remedies available under the trade laws of the United States with respect to trade involving the People's Republic of China.

(b) OVERSEAS COMPLIANCE PROGRAM.—

(1) AUTHORIZATION OF APPROPRIATION.—There are authorized to be appropriated to the Department of Commerce and the Department of State, in addition to amounts otherwise available, such sums as may be necessary for fiscal year 2001, and each fiscal year thereafter, to provide staff for monitoring in the People's Republic of China that country's compliance with its international trade obligations and to support the enforcement of the trade laws of the United States, as part of an Overseas Compliance Program which monitors abroad compliance with international trade obligations and supports the enforcement of United States trade laws.

(2) REPORTING.—The annual report on compliance by the People's Republic of China submitted to the Congress under section 421 of this Act shall include the findings of the Overseas Compliance Program with respect to the People's Republic of China.

(c) USTR.—There are authorized to be appropriated to the Office of the United States Trade Representative, in addition to amounts otherwise available for such purposes, such sums as may be necessary for fiscal year 2001, and each fiscal year thereafter, for additional staff in—

(1) the Office of the General Counsel, the Monitoring and Enforcement Unit, and the Office of the Deputy United States Trade Representative in Geneva, Switzerland, to investigate, prosecute, and defend cases before the WTO, and to administer United States trade laws, including title III of the Trade Act of 1974 (19 U.S.C. 2411, et seq.) and other trade laws relating to intellectual property, government procurement, and telecommunications, with respect to the People's Republic of China;

(2) the Office of Economic Affairs, to analyze the impact on the economy of the United States, including United States exports, of acts of the Government of the People's Republic of China affecting access to markets in the People's Republic of China and to support the Office of the General Counsel in presenting cases to the WTO involving the People's Republic of China;

(3) the geographic office for the People's Republic of China; and

(4) offices relating to the WTO and to different sectors of the economy, including agriculture, industry, services, and intellectual

property rights protection, to monitor and enforce the trade agreement obligations of the People's Republic of China in those sectors.

(d) DEPARTMENT OF AGRICULTURE.—There are authorized to be appropriated to the Department of Agriculture, in addition to amounts otherwise available for such purposes, such sums as may be necessary for fiscal year 2001, and each fiscal year thereafter, for additional staff to increase legal and technical expertise in areas covered by trade agreements and United States trade law, including food safety and biotechnology, for purposes of monitoring compliance by the People's Republic of China with its trade agreement obligations.

Subtitle C—Report on Compliance by the People's Republic of China With WTO Obligations

SEC. 421. REPORT ON COMPLIANCE.

(a) IN GENERAL.—Not later than 1 year after the entry into force of the Protocol of Accession of the People's Republic of China to the WTO, and annually thereafter, the Trade Representative shall submit a report to Congress on compliance by the People's Republic of China with commitments made in connection with its accession to the World Trade Organization, including both multilateral commitments and any bilateral commitments made to the United States.

(b) PUBLIC PARTICIPATION.—In preparing the report described in subsection (a), the Trade Representative shall seek public participation by publishing a notice in the Federal Register and holding a public hearing.

TITLE V—TRADE AND RULE OF LAW ISSUES IN THE PEOPLE'S REPUBLIC OF CHINA

Subtitle A—Task Force on Prohibition of Importation of Products of Forced or Prison Labor From the People's Republic of China

SEC. 501. ESTABLISHMENT OF TASK FORCE.

There is hereby established a task force on prohibition of importation of products of forced or prison labor from the People's Republic of China (hereafter in this subtitle referred to as the ''Task Force'').

SEC. 502. FUNCTIONS OF TASK FORCE.

The Task Force shall monitor and promote effective enforcement of and compliance with section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) by performing the following functions:

(1) Coordinate closely with the United States Customs Service to promote maximum effectiveness in the enforcement by the Customs Service of section 307 of the Tariff Act of 1930 with respect to the products of the People's Republic of China. In order to assure such coordination, the Customs Service shall keep the Task Force informed, on a regular basis, of the progress of its investigations of allegations that goods are being entered into the United States, or that such entry is being attempted, in violation of the prohibition in section 307 of the Tariff Act of 1930 on entry into the United States of goods mined, produced, or manufactured wholly or in part in the People's Republic of China by convict labor, forced labor, or indentured labor under penal sanctions. Such investigations may include visits to foreign sites where goods allegedly are being mined, produced, or manufactured in a manner that would lead to prohibition of their importation into the United States under section 307 of the Tariff Act of 1930.

(2) Make recommendations to the Customs Service on seeking new agreements with the People's Republic of China to allow Customs Service officials to visit sites where goods may be mined, produced, or manufactured by convict labor, forced labor, or indentured labor under penal sanctions.

(3) Work with the Customs Service to assist the People's Republic of China and other foreign governments in monitoring the sale of goods mined, produced, or manufactured by convict labor, forced labor, or indentured labor under penal sanctions to ensure that such goods are not exported to the United States.

(4) Coordinate closely with the Customs Service to promote maximum effectiveness in the enforcement by the Customs Service of section 307 of the Tariff Act of 1930 with respect to the products of the People's Republic of China. In order to assure such coordination, the Customs Service shall keep the Task Force informed, on a regular basis, of the progress of its monitoring of ports of the United States to ensure that goods mined, produced, or manufactured wholly or in part in the People's Republic of China by convict labor, forced labor, or indentured labor under penal sanctions are not imported into the United States.

(5) Advise the Customs Service in performing such other functions, consistent with existing authority, to ensure the effective enforcement of section 307 of the Tariff Act of 1930.

(6) Provide to the Customs Service all information obtained by the departments represented on the Task Force relating to the use of convict labor, forced labor, or/and indentured labor under penal sanctions in the mining, production, or manufacture of goods which may be imported into the United States.

SEC. 503. COMPOSITION OF TASK FORCE.

The Secretary of the Treasury, the Secretary of Commerce, the Secretary of Labor, the Secretary of State, the Commissioner of Customs, and the heads of other executive branch agencies, as appropriate, acting through their respective designees at or above the level of Deputy Assistant Secretary, or in the case of the Customs Service, at or above the level of Assistant Commissioner, shall compose the Task Force. The designee of the Secretary of the Treasury shall chair the Task Force.

SEC. 504. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for fiscal year 2001, and each fiscal year thereafter, such sums as may be necessary for the Task Force to carry out the functions described in section 502.

SEC. 505. REPORTS TO CONGRESS.

(a) FREQUENCY OF REPORTS.—Not later than the date that is one year after the date of the enactment of this Act, and not later than the end of each 1-year period thereafter, the Task Force shall submit to the Congress a report on the work of the Task Force during the preceding 1-year period.

(b) CONTENTS OF REPORTS.—Each report under subsection (a) shall set forth, at a minimum—

(1) the number of allegations of violations of section 307 of the Tariff Act of 1930 with respect to products of the Peoples' Republic of China that were investigated during the preceding 1-year period;

(2) the number of actual violations of section 307 of the Tariff Act of 1930 with respect to the products of the People's Republic of China that were discovered during the preceding 1-year period;

(3) in the case of each attempted entry of products of the People's Republic of China in violation of such section 307 discovered during the preceding 1-year period—

(A) the identity of the exporter of the goods;

(B) the identity of the person or persons who attempted to sell the goods for export; and

(C) the identity of all parties involved in transshipment of the goods; and

(4) such other information as the Task Force considers useful in monitoring and enforcing compliance with section 307 of the Tariff Act of 1930.

Subtitle B—Assistance To Develop Commercial and Labor Rule of Law

SEC. 511. ESTABLISHMENT OF TECHNICAL ASSISTANCE AND RULE OF LAW PROGRAMS.

(a) COMMERCE RULE OF LAW PROGRAM.—The Secretary of Commerce, in consultation with the Secretary of State, is authorized to establish a program to conduct rule of law training and technical assistance related to commercial activities in the People's Republic of China.

(b) LABOR RULE OF LAW PROGRAM.—

(1) IN GENERAL.—The Secretary of Labor, in consultation with the Secretary of State, is authorized to establish a program to conduct rule of law training and technical assistance related to the protection of internationally recognized worker rights in the People's Republic of China.

(2) USE OF AMOUNTS.—In carrying out paragraph (1), the Secretary of Labor shall focus on activities including, but not limited to—

(A) developing, laws, regulations, and other measures to implement internationally recognized worker rights;

(B) establishing national mechanisms for the enforcement of national labor laws and regulations;

(C) training government officials concerned with implementation and enforcement of national labor laws and regulations; and

(D) developing an educational infrastructure to educate workers about their legal rights and protections under national labor laws and regulations.

(3) LIMITATION.—The Secretary of Labor may not provide assistance under the program established under this subsection to the All-China Federation of Trade Unions.

(c) LEGAL SYSTEM AND CIVIL SOCIETY RULE OF LAW PROGRAM.—The Secretary of State is authorized to establish a program to conduct rule of law training and technical assistance related to development of the legal system and civil society generally in the People's Republic of China.

(d) CONDUCT OF PROGRAMS.—The programs authorized by this section may be used to conduct activities such as seminars and workshops, drafting of commercial and labor codes, legal training, publications, financing the operating costs for nongovernmental organizations working in this area, and funding the travel of individuals to the United States and to the People's Republic of China to provide and receive training.

SEC. 512. ADMINISTRATIVE AUTHORITIES.

In carrying out the programs authorized by section 511, the Secretary of Commerce and the Secretary of Labor (in consultation with the Secretary of State) may utilize any of the authorities contained in the Foreign Assistance Act of 1961 and the Foreign Service Act of 1980.

SEC. 513. PROHIBITION RELATING TO HUMAN RIGHTS ABUSES.

Amounts made available to carry out this subtitle may not be provided to a component of a ministry or other administrative unit of the national, provincial, or other local governments of the People's Republic of China, to a nongovernmental organization, or to an official of such governments or organizations, if the President has credible evidence that such component, administrative unit, organization or official has been materially responsible for the commission of human rights violations.

SEC. 514. AUTHORIZATION OF APPROPRIATIONS.

(a) COMMERCIAL LAW PROGRAM.—There are authorized to be appropriated to the Secretary of Commerce to carry out the program described in section 511(a) such sums as may be necessary for fiscal year 2001, and each fiscal year thereafter.

(b) LABOR LAW PROGRAM.—There are authorized to be appropriated to the Secretary of Labor to carry out the program described in section 511(b) such sums as may be necessary for fiscal year 2001, and each fiscal year thereafter.

(c) LEGAL SYSTEM AND CIVIL SOCIETY RULE OF LAW PROGRAM.—There are authorized to be appropriated to the Secretary of State to carry out the program described in section 511(c) such sums as may be necessary for fiscal year 2001, and each fiscal year thereafter.

(d) CONSTRUCTION WITH OTHER LAWS.—Except as provided in this division, funds may be made available to carry out the purposes of this subtitle notwithstanding any other provision of law.

TITLE VI—ACCESSION OF TAIWAN TO THE WTO

SEC. 601. ACCESSION OF TAIWAN TO THE WTO.

It is the sense of Congress that—

(1) immediately upon approval by the General Council of the WTO of the terms and conditions of the accession of the People's Republic of China to the WTO, the United States representative to the WTO should request that the General Council of the WTO consider Taiwan's accession to the WTO as the next order of business of the Council during the same session; and

(2) the United States should be prepared to aggressively counter any effort by any WTO member, upon the approval of the General Council of the WTO of the terms and conditions of the accession of the People's Republic of China to the WTO, to block the accession of Taiwan to the WTO.

TITLE VII—RELATED ISSUES

SEC. 701. AUTHORIZATIONS OF APPROPRIATIONS FOR BROADCASTING CAPITAL IMPROVEMENTS AND INTERNATIONAL BROADCASTING OPERATIONS.

(a) BROADCASTING CAPITAL IMPROVEMENTS.—In addition to such sums as may otherwise be authorized to be appropriated, there are authorized to be appropriated for ''Department of State and Related Agency, Related Agency, Broadcasting Board of Governors, Broadcasting Capital Improvements'' $65,000,000 for the fiscal year 2001.

(b) INTERNATIONAL BROADCASTING OPERATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to such sums as are otherwise authorized to be appropriated, there are authorized to be appropriated $34,000,000 for each of the fiscal years 2001 and 2002 for ''Department of State and Related Agency, Related Agency, Broadcasting Board of Governors, International Broadcasting Operations'' for the purposes under paragraph (2).

(2) USES OF FUNDS.—In addition to other authorized purposes, funds appropriated pursuant to paragraph (1) shall be used for the following:

(A) To increase personnel for the program development office to enhance marketing programming in the People's Republic of China and neighboring countries.

(B) To enable Radio Free Asia's expansion of news research, production, call-in show capability, and web site/Internet enhancement for the People's Republic of China and neighboring countries.

(C) VOA enhancements, including the opening of new news bureaus in Taipei and Shanghai, enhancement of TV Mandarin, and an increase of stringer presence abroad.

Amend the title so as to read: ''A bill to authorize extension of nondiscriminatory treatment (normal trade relations treatment) to the People's Republic of China, and to establish a framework for relations between the United States and the People's Republic of China.''.

The SPEAKER pro tempore. The gentleman from Texas (Mr. ARCHER), the gentleman from New York (Mr. RANGEL), the gentleman from California (Mr. STARK), and the gentleman from California (Mr. ROHRABACHER) each will control 45 minutes.

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

GENERAL LEAVE

Mr. ARCHER. 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. 4444.

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

There was no objection.

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

Mr. Speaker, at this historic moment in this debate today, all Members should keep an open mind to objectively make the right decision, without pressure from outside groups, as to what is in the best interests of the United States, its people and its values. This vote will be the most important vote that we cast in our congressional careers. Why? Because it will affect America for generations to come.

International trade has meant a greater standard of living for our families here at home. Yes, nearly $3,000 more in purchasing power a year, employment for over 12 million American workers, and wages that are up to 20 percent higher than those for the domestic market, that is what trade has meant to Americans.

But passage of this historic legislation will mean more than just American jobs created here at home. It will mean the expansion of American ideals, principles, and values throughout the world, as well as the Orient.

We have already started to see that sort of change occur, as China has opened up since Nixon's memorable visit. Today, most Americans do not know that over 90 percent of China's 930,000 villages now hold democratic elections for their local leaders, and that means nearly 1 billion rural Chinese have started to experience the freedom that democratic elections produce.

The bill's opponents raise concerns about China's human rights standards and environmental and labor conditions; and, yes, they need to be greatly improved. But how would severing our relations with China help to achieve this change which opponents say they want? It does not.

How will failure to pass this accomplish anything the opponents say they want? It will not. How does cutting off U.S. workers, farmers and businesses to a market of 1.3 billion customers, a market the Europeans and Japanese will have ready access to, help our cause? It will not.

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Voting against this bill will help the Japanese, it will help the Europeans, but it will hurt America, and it will hurt the very people who want human rights and religious freedom in China to have a better chance to ultimately reach that goal.

How will denying American culture and American products and services to the Chinese help? How will it help to close off more of America within China? It will not. How does strengthening the hand of hard-liners in Beijing improve our national security? It will not. That is why we cannot afford to fail here today.

One of the best ways to open the minds of the Chinese is through open markets, and engagement with China does not mean endorsement of their human rights record. Congress, in the past has, and will continue, to monitor China's human rights record, and thanks to the gentleman from Michigan (Mr. LEVIN) and the gentleman from Nebraska (Mr. BEREUTER), this bill provides a way to do that. But we deny the unchangeable tides of history if we think we can force China to alter its behavior by simply turning our backs on them.

Mr. Speaker, if my colleagues hear from no one else today before they vote on this historic issue, they should listen to the American people. The American people want America to get the benefit of the Chinese concessions which opens their markets to our product. They have said this overwhelmingly in all of the polling data in the last week. The American people, not Wall Street, not Main Street, not special interests, but American family interests. The overwhelming majority of Americans say that expanded trade with China will not only boost U.S. jobs, but it will improve China's human rights, improve the environment, and bring about the type of change and freedoms with which we stand here today and so jealously cherish. History has shown us that no government can withstand the power of individuals who are driven by the taste of freedom and the rewards of opportunity.

So I say to my colleagues, let us make history today and pass this legislation for American values that we all hold so dear.

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

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

Let me take this opportunity to thank the leadership on both sides of the aisle for the level of the debate which we will have. Truly, this is a very contentious issue. Members have deep-seated feelings. I do not remember anything being lobbied so hard by the administration, by the private sector, the Chamber of Commerce and unions, and certainly our constituents. But we have to appreciate the fact that no

matter how Members vote, even though I rise in strong support of PNTR, that we have to respect the Members for believing what they are doing is in the best interests of their districts, as well as the country, and remember that we do our best work when we work in a bipartisan way. So at the end of the day, I do hope that we are able to say that regardless of the outcome of the vote, it was one of the finest hours of this honorable body.

Mr. Speaker, I yield 3½ minutes to the gentleman from California (Mr. MATSUI), a senior member of the Committee on Ways and Means.

Mr. MATSUI. Mr. Speaker, I thank the gentleman from New York (Mr. RANGEL), the dean of our Committee on Ways and Means.

Mr. Speaker, I have to say that this is probably going to be the most important national security foreign policy vote that we will be taking in a number of years. I have to say that there are two most important relationships from a foreign policy point of view that the United States will have in the next 20 years. One is obviously the U.S.-Russian relationship, and the other is the U.S.-China relationship.

China is 22 percent of the world population. One out of every five people on this Earth is Chinese. China will soon have a capacity in terms of its growth that will be second only to the United States. China will never be our friend, but this vote will determine whether or not we will be able to coexist with China, or whether China will become an enemy of the United States, so that we can have for the next 40 or 50 years another Cold War.

What surprises me are the two issues that have been raised by the opponents. One is the economic issue, and the other is the human rights issue. I would like to address those.

In terms of the economic issues, we are by far the most powerful economy in this world. We are second to none. We have the best educated workforce, we have the most talented workforce, we have the best R&D, we have the best higher education system, second to none. We should not fear anybody. We have an unemployment rate of under 4 percent, the lowest in decades, and as my colleagues know, we have a growth rate for the last 10 years, over 120 months that would be the envy of all other trading partners of the United States.

Yet, many people are opposed to this. At the same time, believe it or not, the United States, under this agreement, under this bill, gives up nothing. Our tariffs do not go down to the Chinese products; we do not give them larger distribution markets. So why are they opposed to this, particularly when China's tariffs will go from 25 percent down to 9 percent for all U.S. goods; automobiles, 100 percent today, if we export into China will go down to 20 percent, but the UAW is opposed. The Teamsters Union would have hundreds and thousands of more jobs because more packages will go to China from U.S. products, but they are opposed as well.

Mr. Speaker, this is an agreement in the interest of the American worker, and this is an agreement that will create more jobs, more growth, and more prosperity for America.

Now, let me also talk about the issue of human rights. China's human rights record is terrible. We understand that. We, obviously, should put the focus on them, and we believe that the Levin-Bereuter bill, will, in fact, do that. But what is really interesting is that many of the Chinese dissidents that have the luxury of living in the United States are opposed to this. But those that live in China, the Chinese Democracy Movement, they want us to pass this, because they want to engage the United States. They think if they gain economic power, they will be able to opposes the central government of China. So we need to vote yes on this legislation for the future of our country and certainly, for prosperity and peace throughout the world.

Mr. Speaker, I urge a yes vote on this bill.

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

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

Mr. Speaker, I rise today in vehement opposition to granting the People's Republic of China (PRC) permanent and unconditional trade relations status. Although proponents of this measure call it permanent normal trade relations, or PNTR, there is nothing normal about this relationship. The PRC makes promises to the U.S., the U.S. engages Beijing and Beijing breaks those promises. But China has absolutely no reason to keep their promises. The U.S. grants China most favored nation (MFN) trading status year after year while ignoring China's myriad of trade, labor, human rights, and nonproliferation violations. Now, the Administration wants Congress to hand over our only form of leverage to Beijing. I oppose extending permanent normal trade relations (PNTR) to China because the agreement signed last November is bad for U.S. as well as Chinese workers, and because the legislation before us cannot deliver what its backers promise.

I. THE AGREEMENT

We don't really know what the agreement between the U.S. and China will bear because China breaks its current agreements on nonproliferation, intellectual property rights, human rights and forced labor. Chinese officials have been telling the U.S. that they're opening their markets and telling their own business leaders that once they've entered the WTO, they'll protect certain markets—such as telecom, electronics and autos. Unfair competition is an integral part of Beijing's economic system. China restricts imports of U.S. goods through various formal and informal trade barriers. The 1992 memorandum of understanding agreement China signed on market access and intellectual property has been and continues to be violated. China cannot be trusted.

Factory workers in China earn as little as thirteen cents per hour. The average individual income in China is $108. This hardly sounds like a burgeoning middle class. But the Administration keeps telling us—as they did with NAFTA and Mexico—that if we don't capitalize on this market, Europe will. All I know is that a Chinese factory worker, or a rural peasant, making $108 per year isn't able to afford goods made in the U.S. when they can't even afford goods made in their own country. I do know that this agreement encourages U.S. businesses to set-up shop in China and ensures them access to exploit China's cheap labor. This is a bad deal for the U.S. workers and a bad deal for the Chinese worker.

II. THE LEGISLATION BEFORE US

Many Members feel that they are able to vote for today's bill because it offers assurances that workers and human rights will be protected while promoting the rule of law in China. This is a tall order when we have yet to get China to keep any of its commitments made to the U.S.

The bill before us sets up another commission to monitor human rights. On May 18, 1998, 375 Members of the 105th Congress voted to establish the United States Commission on International Religious Freedom. When the Commission brought its findings on China's egregious religious violations, the 106th Congress looked the other way. The Commission recommended that we not give PNTR to China at this time. If this body is going to ignore the recommendations of the Commission that we established, why would we want to set-up another one? No Commission will be effective if Congress is going to ignore the fact that China abuses its people for practicing Falun Gong or any other religion not endorsed by the barbaric regime. The human rights provision in this legislation is hollow. The provisions set forth by the Levin-Bereuter proposal do not guarantee enforcement of China's harsh practices.

III. CONCLUSION

I'm not suggesting we end trade with China. I'm not even asking that we reform our trading practices with China. I merely want China to abide by the promises it has already made.

I urge my colleagues to look closely at China's record. I urge my colleagues to scrutinize China's current practices and ask yourselves if you believe China will keep its word. I don't! Oppose Congress giving up its only tool to enforce China's promises. Oppose PNTR for China.

Mr. STARK. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri (Mr. GEPHARDT), the distinguished minority leader, a gentleman who recognizes that the trade deal with China gives away our leverage to protect the lives of environmental, human, and religious activists in China; who recognizes that the Religious Freedom Commission set up by Congress in 1998 recommended Congress not give PNTR to China; who recognizes that the Levin-Bereuter provisions are hollow and do not provide for human rights violation enforcement; and recognizes that this agreement does not provide enforcement of China's promises.

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

Mr. GEPHARDT. Mr. Speaker, this is a great day for a wonderful institution.

This is the room where all of the feelings and emotions of the American people on this very important issue get channeled and espoused and spoken as we make a collective decision on what is a very, very important issue for our country, for China, and for the world.

I believe and fully expect this debate to be in the tradition of John Quincy Adams and James Madison and Daniel Webster and Henry Clay, and other great voices that have been heard in this building through the years.

As I begin the debate, I would like to commend the leaders on both sides of the aisle who have worked to carry on this debate in the highest tradition of the House. I commend the gentleman from Michigan (Mr. BONIOR) who has led the opposition on our side. There is not a greater proponent of human rights that I know.

I want to commend the gentleman from California (Mr. MATSUI) and the gentleman from New York (Mr. RANGEL) who have worked so hard to espouse their viewpoint. I commend the gentleman from Michigan (Mr. LEVIN) who is one of the finest people I have ever known in the Congress, who does everything from his heart to do what is right. I honor the gentlewoman from California (Ms. PELOSI). There is not a greater fighter for human rights in our Congress than she is and a more staunch advocate for her views.

Mr. Speaker, I am proud to speak on this issue. This debate is testament to what makes the United States the greatest country that has ever existed in the history of the world, based on the ideals of freedom; freedom of expression and freedom and liberty of religion and political speech.

These ideals are what cause me to finally be against this bill. This debate would not happen in China. This freedom of expression that we are exercising on this floor and outside this building and in rooms all over this country in the last days would not happen in a country like China. In fact, if one insisted on speaking against the policy of the government in China, one would be arrested.

America began with a simple revolutionary statement: We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among them are life, liberty, and the pursuit of happiness. And remember that when these rights were proclaimed 100 years later, Abraham Lincoln made it clear that the rights that were set out in the declaration were not just for the American people, but applied to everyone. Abraham Lincoln said this, the Declaration of Independence gave liberty not alone to the people of this country, but hope to all the world for future time.

These ideals guided us through all kinds of conflicts and difficulties, World War II, the Cold War, bringing down the Berlin Wall, Soviet communism, the civil rights movement in our own country, apartheid in South Africa. I remember standing on this floor with many of my colleagues against the wind of public opinion, here and in the world, saying that the only way we will bring change in South Africa is by standing for these ideals, even though the rest of the world would not.

Some would argue that this is just about trade. I would remind them that our greatest export is not our products and our services, our greatest exports are our ideals and our values. Getting acceptance of these ideals is also vital for trade. A country that fails to respect basic rights of people will not respect the rule of law, and without the rule of law in China, the rights of our businesses will not be accepted.

China has not obeyed the agreements that they have made with us on trade. We have been promised access; we have not gotten it. We have been promised protection of intellectual property; we have not gotten it. Our trade deficit is now $85 billion with China, the highest as a percent of total trade of any country in the world. We export more now to Singapore, a nation of 3.5 million people, than we export to China, a country of 1.3 billion people. The track record is poor on compliance with treaties. Let us not reward them before we get them to comply. China's leaders show contempt for the rule of law.

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People are persecuted for their religious beliefs. People are in prison and tortured for speaking out politically. They are cooperating in the proliferation of weapons of mass destruction. They threaten Taiwan even up to and including the latest election in Taiwan.

The issue today is not trade. The issue today is whether or not to take away the annual leverage that comes with our voted-on review of progress on human rights in China. China will be in the WTO. We trade with China now. As I said, we have a deficit of $85 billion a year. The issue is, will we take away the review, the leverage? Advocates of doing this say the annual review is meaningless. If it is so meaningless, why does the Chinese Government insist, as a price of giving us access to their market, that we take it away?

I will say why they ask for it so vociferously because they do not want the pressure. They do not want the annual debate on this floor. They do not want the light of the world to come in and see how they are performing, and this real pressure, I submit, will bring change. If we do not lead, who will? I ask, if we give this up, is anyone else in the world going to ask for this kind of review? I think not.

When we debated apartheid in South Africa, everybody in the world said lay off of South Africa. Trade will change them. Do we really believe that we would have an end to apartheid in South Africa if we had not stood alone, leading the world, to say this must not stand?

Supporters say that trade alone will solve the problem. There is some truth in that argument. I give them credit because I agree in part with that agreement. I want more trade with China. I want the Internet in China. I want the people to use computers in China. I think it will have an impact, but the evidence that we have to deal with is that as trade has expanded, repression of rights has also expanded.

Our own U.S. State Department has said in its last three reviews of human rights that there has been bad deterioration each and every year. Last week, I met with Wei Jingsheng, a hero of mine. He lives here, in forced exile without his family and friends who are still in China. He was jailed for 17 years for writing on the Democracy Wall thoughts about political freedom and liberty in China.

He told me in my office that when we press for human rights, things get better in China, and when we lay off on human rights things get worse. He said this, in 1979 President Carter normalized relations in China. He was in prison soon thereafter. He said in 1989 President Bush guaranteed MFN, even though there were problems in China, and soon thereafter the guns blazed in Tiananmen Square. He said in 1994, President Clinton delinked MFN and trade with other kinds of questions in China on human rights. He said he was immediately arrested. In 1997, after intense pressure from President Clinton and many in this room, he was finally released, under duress, to come to the United States. When we stand up, things get better in China for human rights. When we stand down, things get worse; and that is what this debate and that is what this question is all about.

These have been good days in America. This debate has been healthy for America. I am pleased that so many people have participated in this debate. I am pleased there has been so much conversation and communication between our citizens and our representatives. I am pleased and proud to stand with labor activists and environmentalists and human rights activists and religious leaders. I am also proud that our business leaders have come here and argued from their heart about what they believe is right.

The lobbying and the conversation is about to end. We are about to have to vote. All I ask is that as we vote, we keep in our heart and our mind two quotes: ''We hold these truths to be self-evident, that all men are created equal; that they are endowed by their creator with certain inalienable rights, that among them are life, liberty and the pursuit of happiness'', and that this Declaration of Independence ''gave liberty not alone to the people of this country but hope to all the world for future time.''

This country is an ideal and now in 2000, on this question, I hope we will stand for those ideals.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD). The Chair will remind all persons in the gallery that they are

here as guests of the House and that any manifestation of approval or disapproval of proceedings or other audible conversations are in violation of the rules of the House.

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

Mr. Speaker, today both sides agree on the importance of today's vote. This is not a vote about severing ties with China or isolating China, which is absurd. This is not even about trade with China, frankly, just free trade anyway. It is about a specific trade policy and policies of the United States Government in dealing with one of the world's most powerful dictatorships.

The debate today, and in this debate, we will hear about jobs and the selling of American products; and when we hear people talk about that, I hope that the people who are listening will remind themselves that these people are not talking about the sale of U.S. consumer items. What they are talking about, when they talk about this commercial tie with China, is not the sale of commercial items but the transfer of factories and technology, this transfer to Communist China of American factories. Almost none of this trade deals with consumer items.

Yesterday, of course, we heard from the gentleman from Colorado (Mr. TANCREDO) that once there, our business leaders who set up these factories in China end up in partnership, if not controlled by, the People's Liberation Army. We are setting the People's Liberation Army up in business with normal trade relations, and this makes it permanent normal trade relations.

The driving force behind this debate, which the other side dutifully refuses to acknowledge, is that with PNTR, as they have set it up, the American corporate interests will continue to be eligible for American-taxpayer subsidized loans and taxpayer-guaranteed loans through the Export-Import Bank and other financial institutions. Without NTR, those corporate interests building factories in China will not get the loan subsidies and the guarantees supported by the American taxpayer. So much for free trade.

That is the primary issue here and yet the other side continually refuses to address that issue of subsidized transfer of technology and manufacturing to Communist China.

This vote is about confirming government policies that have created a perverse incentive for American businessmen to close manufacturing facilities in the United States, where they have no loan guarantees, and set them up in Communist China. Over the last 10 years, American investment backed by the U.S. taxpayer has built the manufacturing and technological infrastructure of the world's worst human rights abuser, Communist China, a major competitor of the United States and a country that is America's number one potential enemy in the years ahead.

Nixon, on his death bed, told writer William Safire that his China strategy may have created a Frankenstein.

Our policy of most favored nation status, or normal trade relations, has created a monster that uses slave labor to compete with the American worker and is in the process of building a high-tech military force capable of defeating our military if there is a confrontation and incinerating millions of Americans, if necessary.

The over-$500 billion in trade surplus that we have had under this normal trade relations that people want to now make permanent, what have they done with this $500 billion in trade surplus over these last 10 years? Well, that is about the same amount of money they pumped into modernizing their military, building their missiles and rockets, building their airplanes and ships; and often, of course, these things are being built in factories supplied to them by American investors.

Today we are voting whether or not to freeze NTR in place and to make it permanent. We are voting today to take away Congress' annual review of the heinous human rights abuses that have gotten worse under NTR, and we are voting to muzzle those in Congress who fear the technological transfer and the building of manufacturing plants in Communist China.

The last thing we should do is make this system permanent and to limit congressional oversight and debate and to turn all enforcement mechanisms for disputes over to Third World-dominated World Trade Organization panels and commissions.

Let us champion liberty and justice. Let us not finance our competitors and our potential enemies. Let us defeat making permanent normal trading status that has worked against our country's security and against the economic interests of the American people. If we do not champion liberty and justice, who will? If we do not champion liberty and justice, we will not only be betraying our Founding Fathers but we will be demoralizing those people all over the world who look to America for hope. We will be betraying the vision of America as a shining city on a hill.

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

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

Mr. Speaker, we have heard some very intense rhetoric thus far in this discussion of granting permanent normal trade relations for China, and I think it is important for folks to recognize that the permanent normal trade relations with China opens China's market to the United States, which has not been opened heretofore. If we were to continue the annual renewal of normal trade relations with China, 134 countries on the face of this earth will have access to that huge market, the biggest market on the face of this earth. They will have accessed that market, and we will be the only country that has not accessed that market.

We have let them, since 1980, access our market and that has produced indeed a rather sizable trade deficit; and it has produced a sizable trade deficit because we have not enjoyed reciprocity. What we are accomplishing here with China's accession into the World Trade Organization is reciprocity.

I would like to include one more comment here and it is by Clyde Prestowitz, and it was in the Wall Street Journal and he points out, ''There is a final, most important reason to grant China PNTR.'' And keep in mind he was a trade negotiator for the Reagan administration, and he is currently president of the Economic Strategy Institute, a Washington-based think tank. He says, ''For 30 years the U.S. has worked to bring China more fully into the community of nations, and to promote both economic development and a more liberal society. The policy has been working. Anyone who saw China in the early 1980s and compares it with today must be amazed. Bicycles and drab Mao suits have morphed into traffic jams and bright fashions; the freedom and the range of individual choices available to the average person has expanded exponentially. After years of estrangement, China is asking to join the international community. To turn it down at the very moment it is moving in the direction we have desired would be a tragic and historic mistake.''

Mr. Speaker, I yield 4 minutes to the gentlewoman from Washington (Ms. DUNN), our distinguished colleague on the Committee on Ways and Means.

Ms. DUNN. Mr. Speaker, I want to talk about another facet of this great debate about opening up trade with China. For decades our foreign policy needed to rely on strong international leadership that was backed by scientific ingenuity embodied in the tip of ballistic missiles. It was our unwavering commitment to freedom and confidence in our ideals that helped to seal the victory over Communism. Although our ideals and our commitment are the same today, clearly the tools of freedom and democracy are changing.

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In the next century, it will be the diplomacy of trade, and the growth of the Internet that ensure continued United States leadership throughout the globe.

The power of the Internet will define the way we communicate in our personal relationships, our business dealings, and in our political advocacy throughout this new century. And once again, the United States is leading the revolution. In fact, some of the most powerful and innovative high-tech companies in the world are based in the United States.

These companies employ the most highly-paid, highly-skilled workforce in the world and are helping to raise the standard of living for millions of Americans. So what does it mean that

the new bilateral trade agreement signed between the United States and China commits China to living under the information technology agreement?

Mr. Speaker, it means that tariffs on United States computer equipment will phase down to zero in China and the growing middle class in China will begin to have access to low-cost tools with which to link themselves to the world.

Despite attempts by the Beijing government to control content on the Web, the unleashing of the Internet by foreign-owned companies can only mean less control from Beijing and greater independence and control for the Chinese people to experience economic freedom. The Internet is a liberating force for Chinese citizenry who are anxious to engage in the world.

If we do not normalize trade relations with China, however, we will cede our international leadership to our trading partners, such as the European Union, which just finalized a trade agreement with China last week.

Equally as important, if we do not clear the way for China's accession to the World Trade Organization, the strong democratic government which continues to flourish on the island of Taiwan will never be admitted to this international body of trading nations. That is why Chen Shui-bian, the newly-elected President of Taiwan, supports normalizing the trade between China and the United States.

Clearly, the United States and every other WTO member country will benefit by having Taiwan as an official member of the WTO. Yet it is the policy of the WTO that Taiwan will not accede to the body and enjoy the benefits of its membership until China itself accedes.

Earlier this year, I introduced a resolution to express a sense of Congress that Taiwan should accede to the WTO as the next order of business at the same general council meeting at which China accedes.

I am very pleased that my colleagues, the gentleman from Nebraska (Mr. BEREUTER) and the gentleman from Michigan (Mr. LEVIN) have agreed to include this language in their proposal.

Mr. Speaker, the United States has proven to be on the right side of history time and time again, because we do not deny the fundamental need of the human spirit, individual liberty.

As the promise of free and fair trade spreads this message, we should neither fear this opportunity nor apologize for the advancement of American ideals. Engaging China as a willing trade partner and taking our message to her people will prove time and time again to be the right course.

Mr. Speaker, I urge all of my colleagues to support this effort.

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

Mr. NEAL of Massachusetts. Mr. Speaker, up until the vote in the Committee on Ways and Means last week, I had truly been undecided by this issue. I believe in the benefits of free trade, but that does not mean that one signs up for a bad deal; that is why I voted against NAFTA. But as a supporter of annual renewal of normal trade relations with China, I found it hard to be adamantly opposed to doing in one vote what I was prepared to do on a year-by-year basis, especially considering the benefits of the agreement to the United States.

I take human rights, labor rights, religious freedom and environmental protection seriously, and no Member of this House has had a stronger labor voting record over the last 12 years. But I find it hard to accept the notion that the failure to move China sufficiently on these issues meant that we had to continue the same old strategy.

I took seriously the argument that China has never lived up to its trade agreements in the past, and it certainly bothers me, and I think it will be a long-term struggle to get China to fully implement this agreement, a job with a greater chance of success if we work within the world community, rather going our own way.

I believe the Levin-Bereuter proposal to be crucial to this vote and want to commend both gentlemen for their outstanding efforts. While opponents of China PNTR must oppose and downplay the proposal at this time, I think a commission which functions daily to promote the cause of human rights and labor rights in China is far more valuable than an annual debate that threatens nobody.

And I found great comfort in my talk with former President Jimmy Carter about advancing human and labor rights in China. Who, in the annals of American political life, has more impeccable credentials about human rights than Jimmy Carter?

Finally, I do worry about the national security implications of rejection of China by the United States. I fail to see how this helps Taiwan or how it helps make China a more responsible actor in the Asia-Pacific region. It would not be fair to say that China would be isolated if we deny them PNTR, because they will still be part of the WTO, no matter what we do. It would be fair to say, however, they would be more isolated from us.

It is a tough call, Mr. Speaker, but in the last analysis, granting China PNTR is far better for the United States than denying it.

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

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

Mr. CONDIT. Mr. Speaker, I rise in opposition to the bill. I rise in opposition to granting Permanent Normal Trade Relations with China. Let me be very clear, I am not opposed to an open trade policy and I am not an isolationist. But, I also do not believe in trade at any price. Our experiences in this body and on this floor with so-called ''free trade'' agreements show they have all come with fairly high price tags. They end up being neither free nor fair.

Since 1992, we have entered into four bilateral trade agreements with China. In these agreements, China agreed to open their markets, end exporting products made in forced labor camps, limit quotas on Chinese textiles exports and pledged to protect US patents, trademarks and copyrights for intellectual piracy.

Yet, according to annual reports of the United States Trade Representative and the U.S. State Department, China has violated each of these agreements. Is it any wonder our trade deficit with China has grown from $6 billion in 1989 to $70 billion in 1999?

In terms of trade alone, there is more than enough reason to merit a ''no'' vote. Yet there are many other reasons which stack together in building a no vote.

I am particularly disturbed when I hear how this bill is somehow American agriculture's new best friend. Under last year's agreement for China's accession to the World Trade Organization, China agreed to import ''all types of U.S. wheat from all regions of the U.S. to all ports in China.'' Yet, it is very interesting to note China's chief WTO negotiator said earlier this year that his government agreed only theoretically.

''. . . It is a complete misunderstanding to expect this grain to enter the country . . . Beijing only conceded a theoretical opportunity for the export of grain,'' he was quoted as saying in the South China Morning Post.

As far as beef is concerned, the Administration said it expects China to lift the ban on all U.S. meat and poultry exports, yet this same Chinese official said: ''In terms of meat imports, we have not actually made any material concessions.''

Mr. Speaker, I ask my colleagues why are we so willing to jump on the agriculture bandwagon? Growers in my district are already placed on an uneven slope because of the phase out of Methyl Bromide. With entry into the WTO—which incidentally recognizes China as a 'developing' nation the same as Mexico and Chile—Chinese farmers will be allowed to use Methyl Bromide until 2015 while our producers adhere to the Montreal Protocol and phase out the fumigant.

Though we have extended our unilateral phase out until 2005, where is there a guarantee the WTO will not continue to define China as a developing country allowing even further unfavorable treatment?

In regards to our relationship with Taiwan—who happens to be one of our largest trading partners—I am very disappointed that we didn't allow the amendment of my good friend, the gentleman from California, to ensure that should we adopt this agreement if China should attack or blockade Taiwan, PNTR would be revoked. I think that is a very reasonable and balanced approach.

It also leads to a bigger problem—that of U.S. national security interests. China is one of the world's largest exporters of missile technology and weapons of mass destruction. Their clientele reads like America's Most Wanted list: Libya, Iran, North Korea. China has repeatedly sold components and missiles

capable of carrying nuclear, biological and chemical weapons to rogue nations. Should we dismiss the Cox Report and its findings that China has stolen information on our latest nuclear weapons placing us at jeopardy?

In it's findings, the Cox Report wrote, ". . . a PRC (People's Republic of China) deployment of mobile thermonuclear weapons, or neutron bombs, based on stolen U.S. design information, could have significant effect on the regional balance of power, particularly with respect to Taiwan. PRC deployments of advanced nuclear weapons based on stolen U.S. design information would pose greater risks to U.S. troops and interests in Asia and the Pacific."

In terms of human rights and religious persecution, the Chinese record is simply abysmal. I have never been one to insist our trading partners or even our allies to be just like us in the way they conduct their lives. I fully support self determination but the Chinese record in this area is horrible. I reject the notion that somehow China will mystically transform itself into a Western-style democracy in the areas of free speech, worker's rights, political dissent, religious persecution and protecting the environment with this agreement.

What this comes down to is big business is looking to become even bigger. Sometimes, however, the price of doing business is just too steep to pay.

Mr. STARK. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. BROWN) who realizes that, like NAFTA, PNTR will promote global business and undermine environmental protections, undermine labor standards and undermine human rights.

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

Mr. Speaker, here in Congress we pride ourselves in our commitment toward the spread of democratic ideals and the improvement of human rights around the globe, but something in our China policy is amiss.

During the weeks approaching this vote, America's most prominent CEOs walked the halls of Congress and told us they want access to the 1.2 billion Chinese customers, what they do not say is that their real interest is in access to 1.2 billion Chinese workers, workers whom they pay 20 cents, 30 cents, 40 cents an hour.

These CEOs will tell us that increasing trade with China will allow human rights to improve. They will tell us that democracy will flourish with increased trade. But as these CEOs speak democratic ideals, their companies systematically violate the most fundamental of human and worker rights. Engagement with China, 10 years of engagement has not worked because investors in China have not wanted change.

In the last 5 years, Western investment in developing countries has shifted from countries like India, a democracy, to countries like China, where workers are paid only a few cents an hour, from countries like Taiwan, a democracy, to countries like Indonesia with authoritarian regimes.

The share of developing country exports to the U.S. for democratic nations fell from 53 percent to 34 percent. In manufacturing goods, developing democracies saw their share of developing country exports fall 21 points from 56 percent to 35 percent. The money went from developing democracies to developing authoritarian countries.

Western corporations want to invest in countries that have below-poverty wages, poor environmental standards, no worker benefits, no opportunity to bargain collectively. As developing countries make progress towards democracies, as they increase worker rights and create laws to protect the environment, the American business community punishes them by pulling its trade and investment in favor of a totalitarian government.

Decisions, Mr. Speaker, about the Chinese economy are made by three groups, the Chinese Communist party, the People's Liberation Army, and Western investors. Which one of these three want Chinese society to change? Does the Chinese Communist party want the Chinese people to enjoy increased human rights? I do not think so. Does the People's Liberation Army want to close the labor camps in China? I do not think so. Do Western investors want Chinese workers to bargain collectively and pay higher wages? I do not think so.

Mr. Speaker, passing PNTR will lock in the status quo: More slave labor, more child labor, more human rights violations, more threats against Taiwan, more crackdowns on religious freedoms.

Mr. Speaker, I ask my colleagues vote ''no'' on PNTR.

Mr. ROHRABACHER. Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Illinois (Mr. CRANE) has 33 minutes remaining. The gentleman from New York (Mr. RANGEL) has 38½ minutes remaining. The gentleman from California (Mr. STARK) has 37 minutes remaining. The gentleman from California (Mr. ROHRABACHER) has 39½ minutes remaining.

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

Mr. Speaker, let me say that we have heard today that there is reciprocity in PNTR. Anyone who talks about reciprocity in PNTR probably has not read this. Let me just say that, at the end of 5 years, there are still going to be 25 percent tariffs; on cars, 45 percent; on motorcycles, 30 percent; these are all tariffs on American goods while our tariff has virtually been eliminated.

There is no reciprocity with PNTR. They may bring down their outrageously immoral and anti-American tariffs, this unfair situation we have now, but they then still keep the tariffs way above anything in the United States. We eliminate ours. They freeze their high tariffs against their products in permanently. That is not reciprocity.

Plus there are still requirements that American companies going there will have to partner in many cases, for example, 51 percent of all telecommunications investment has to be owned and controlled by Chinese. We are providing them technology, manufacturing, investment. What are they providing us? They are flooding our markets with cheap goods and putting our people out of work.

Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. STEARNS).

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

Mr. STEARNS. Mr. Speaker, as my colleagues come to the floor and vote, there are three questions that we must consider. First, will China comply with the agreements under PNTR better than they have done in the past? Two, will China continue to use its trade surplus with the U.S. to expand its military complex? Three, will democracy increase in China because of this agreement?

Let us look at this first chart. I would like to point out that China has lowered its tariffs as part of its prior agreement. In fact, in 1995, they lowered it from 42 percent to 17 percent. But as my colleagues can see, the deficit increased dramatically. In fact, last year, it was $70 billion. So based on history, I questioned the real benefits of China's lowering its tariffs.

I would also like to point out that while some agricultural products received very favorable treatment, others did not. So I submit that not everyone will benefit from this agreement.

Remember, there are 700 million farmers in China, and we have about 2 million. In this chart, my colleagues will see that China consistently overproduces its agriculture commodities and actually exports some citrus products up to 300 times what it imports.

Finally, can China be trusted? China, as we know, has violated both the letter and the spirit of past agreements, ranging from intellectual property rights to weapon proliferation.

Furthermore, China's defense spending has grown roughly at the same rate as its economy. We can expect the trend to continue as China takes in more U.S. dollars.

On a final note, our last chart, in 1989, students erected this statue in Tiananmen Square, the Goddess of Democracy, a model of the Statue of Liberty because the symbol of democracy was a movement in China at that time, that point.

I ask my colleagues, in conclusion, is China closer to freedom than it was in 1989? Are they continuing to get more belligerent? The real question is, would it not be wiser to grant incremental agreements with China and then trust but verify periodically? Those are the questions you must answer honestly before you vote ''yes'' for PNTR.

Mr. CRANE. Mr. Speaker, I yield 30 seconds to the gentleman from Nebraska (Mr. BEREUTER).

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

Mr. BEREUTER. Mr. Speaker, I want to respond to some of the points brought up by the gentleman from Florida (Mr. STEARNS).

First of all, some of the agricultural and other export subsidies are eliminated by the agreement or substantially reduced and that will affect the trade statistics be offered now and in the future. Additionally, of course, in the PNTR agreement that the gentleman from Michigan (Mr. LEVIN) and I offered, we have strong compliance and enforcement resources made available to our executive branch to better assure that China does keep its promise and promote the rule of law.

China does have a mixed trade record on compliance. But I would remind the gentleman, that just very recently, kept their promise to buy citrus products from the gentleman's State. However, I say most importantly, China's entry into the WTO subjects them to the WTO dispute settlement mechanism. That is the big advancement to require compliance with the trade promises in its accession agreements.

Mr. Speaker, extending my remarks this member reminds his colleague that today this body will cast one of its most significant votes affecting American national security and economic prosperity when it determines the fate of permanent Normal Trade Relations (PNTR) status for China. Despite the supercharged and misleading claims by opponents that this is a vote about rewarding China, it is not that at all, but instead a vote for our own national interests. And, PNTR is, indeed, in America's short- and long-term national interest for three crucial reasons.

First, PNTR benefits American economic prosperity. Regardless of how this body votes on PNTR, China will join the WTO and be required to take major actions to open up its vast market of 1.2 billion consumers. As part of China's WTO accession process, the U.S. negotiated an outstanding market access agreement which significantly lowers China's high import tariffs and allows for direct marketing and distributing in China. For example, the tariff on beef will fall from 45 percent to just 12 percent. Quantitative restrictions on oilseeds and soybean imports are abolished. Indeed, it is projected that by 2003, China could account for 37 percent of future growth in U.S. agricultural exports. Given that America's markets are already open at WTO standards to Chinese exports, the U.S. has effectively given up nothing; all the concessions have been made by China. Prior to the agreement, China frequently required manufacturing offsets—most products sold in China had to be made in China. This export-oriented agreement abolishes that unfair offset and eliminates currently required industrial technology transfers allowing products made in America to be sold in China. Approval of PNTR makes it less likely that American companies need to open foreign factories and thereby export jobs.

To access all of these benefits, WTO rules require the U.S. to provide China with permanent Normal Trade Relations status, something that is granted to all the other 135 members of the WTO and have provided to China on an annual basis for over 20 years. The failure to provide PNTR to China will remove the legal obligation for China to provide any of these hard-sought benefits to the United States even as China is required to open up its market to our foreign competitors and all other WTO members. Without PNTR, America is unilaterally giving away the Chinese marketplace to our Japanese, European and other international competitors at the disastrous expense of U.S. exports and the jobs they create at home.

Second, PNTR supports the U.S. national security objective of maintaining peace and stability in East Asia. Sino-American relations are increasingly problematic and uncertain. In the wake of our accidental bombing of China's embassy in Belgrade and China's confusion about U.S. continuing support for Taiwan, rejection of PNTR could result in a resurgence of resentful nationalism as hard-liners in Beijing characterize a negative PNTR vote as an American attempt to weaken and contain China. Resources China currently devotes to economic reform could easily be reallocated to military expansion with adverse consequences for Taiwan and our allies in Korea and Japan, and a destabilized region. Confronting China in this scenario will require much more than the 100,000 strong force we presently have in the Pacific. China is not a strategic partner; it is increasingly as economic competitor that is growing as a regional power. However, it is not an adversary. If the United States is astute and firm—if America increases our engagement with China and helps integrate it into the international community—it is certainly still possible to encourage China along the path to a complementary relationship with America instead of an incredible level of conflict.

Third, China is emerging from years of isolation and the future direction of China remains in flux—more than any major country. WTO accession and PNTR are critical for the success of China's economic reform process and Chinese leaders, like Premier Zhu Ronghi, who support it. These reforms, being pursued over the formidable opposition of old-style Communist hardliners, will eventually provide the foundation for a more open economy there, a process that, in the long term, should facilitate political liberalization and improved human rights. In the near term, China will be required more and more to govern civil society on the basis of the rule of law, clearly a positive development we should be encouraging.

China's accession to the WTO with PNTR status does not guarantee that China will always take a responsible, constructive course. That is why the distinguished gentleman from Michigan (Mr. LEVIN) and this Member proposed an initiative that incorporates special import anti-surge protections for the U.S. and other trade enforcement resources for our government to ensure China's compliance with WTO rules. This initiative also proposes a new Congressional-Executive Commission on Chinese Human Rights that will report to the Congress annually on human rights concerns, including recommendations for timely legislative action.

When it is time to cast the vote, Congress must ask, ''is PNTR in America's long and short term national interest?'' On all accounts, the answer is clearly, ''yes.''

THE LEVIN-BEREUTER PROPOSAL

Mr. Speaker, following the signing of the ''Agreement on market Access Between the People's Republic China and the United States of America'' on November 15, 1999, it became apparent to this Member that the House would finally consider providing China with Permanent Normal Trade Relations (PNTR) in the context of China's accession to the World Trade Organization (WTO) sometime during this Congress. However, the concerns in Congress about Sino-American relations continue to multiply in scope and seriousness. These concerns are strong enough with enough of our colleagues so as to make the passage of a simple, clean PNTR bill uncertain. Something else would be needed to help address these concerns in a meaningful way and replace what has become an annual debate on China resulting from the annual NTR renewal process. This Member concluded that there would be a need for PNTR-compatible parallel legislation. The distinguished gentleman from Michigan (Mr. LEVIN) was of the same mind-frame and working on his won parallel proposal. About a month ago we combined our efforts and have worked closely together in a very cooperative and bipartisan manner to produce the China-specific Levin-Bereuter proposal.

Mr. Speaker, the special 12-year important anti-surge protections in our original package were incorporated into H.R. 4444 by the Ways and Means Committee during its mark-up of the bill. The remainder of the Levin-Bereuter proposal was incorporated into H.R. 4444 by the Rules Committee.

This includes:

1. The Congressional-Executive Commission on the people's Republic of China. This Commission is based on the OSCE Commission model and would be comprised of nine Members of the House, nine Senators and five appointees from the Executive Branch. The Commission would produce an annual report to the President and Congress evaluating human rights in China with, should it deem appropriate, recommendations. Within 30 days of the receipt of this report, the House International Relations Committee would be required to hold at least one public hearing on the report, and on the basis of recommendations in the report, decide, in a timely manner, what legislation to report for House action.

2. Monitoring and Enforcement of China's WTO Commitments. Included in this section of the legislative proposal is a direction to the U.S. Trade Representative to seek an annual review by the WTO of China's compliance and commitments to the WTO. We authorize additional staff and resources to the Department of Commerce, State, and Agriculture and to the USTR to monitor and support the enforcement of China's trade commitments. The establishment of a Trade Law Technical Assistance Center to assist businesses and workers in evaluating the potential remedies to any trade violations by China is also authorized. We also require an annual report by the USTR to the Congress evaluating China's compliance with its WTO commitments.

3. Task Force on Prison Labor Exports. The Levin-Bereuter proposal establishes a new inter-agency task forced to improve the enforcement of our own laws preventing the importation of prison labor products. It also directs the U.S. to enter into new agreements with China to improve the ability to investigate prison-labor export concerns.

4. Trade and Rule of Law Programs. The proposal authorizes new commercial, labor, legal and civil society rule of law programs for China.

5. Taiwan and the WTO. Incorporating the language of H. Con. Res. 262, the Dunn-Bereuter resolution, we call for the accession of Taiwan to the WTO as the next order of business at the same general counsel meeting after China's accession—in other words, the near simultaneity of accession by Taiwan.

Mr. Speaker, this Member believes that these additional provisions, particularly the Commission on Chinese Human Rights with the guaranteed review of its findings and recommendations by the appropriate standing committee in the House, do, indeed, address the multi-faceted concerns of our colleagues. The Levin-Bereuter initiative assures that China's compliance with their commitments and their human rights record will certainly not be ignored by the Congress or the Executive Branch after China receives PNTR. The Commission will be a far more effective way to address human rights issues than the noisy but ineffective annual debate on extending NTR.

Now, to respond to some of the points that have been raised in this debate, this Member will offer the following rebuttals:

ON GRANTING PNTR VERSUS GRANTING NTR

China has been provided with Normal Trade Relations (previously known as Most Favored Nation) status since 1979—for over 20 years. During the first 10 of those years, no one objected even though the economic and human rights situation in China was worse than today. Since the U.S. gives up nothing and China makes all the concessions with the new bilateral WTO accession agreement, what is the real difference between providing NTR and PNTR for China? The removal of what has become a noisy but ineffective debate on China. Indeed, with PNTR, we will replace this one-day debate with a Congressional-Executive Commission on Chinese Human Rights that will concentrate on China every day—365 days a year, will report annually to Congress and whose report and recommendations are guaranteed to be considered in the Congress annually.

ON THE TRANSFER OF U.S. JOBS TO CHINA

Since, in the U.S.-China bilateral trade agreement the U.S. gives up nothing, who benefits most from PNTR? U.S. exporters.

Since the bilateral agreement requires China to halt its current practice of requiring technology transfer and manufacturing offsets, who benefits most from PNTR? American workers. This provision makes it much less likely that U.S. companies build factories in China. With PNTR, American products can be exported, distributed and marketed directly in China. That means jobs STAY in America.

Opponents reference to an International Trade Commission (ITC) study purportedly stating PNTR will result in job losses is wrong. Here in writing is a letter from the ITC itself verifying that it did not generate any forecasts regarding jobs. The ITC itself says that its study has been misrepresented and its methodology misunderstood by the special-interest supported Economic Policy Institute reported opponents are quoting.

ON THE CONCERN THAT PNTR ONLY BENEFITS COMMUNISTS

The claim is made that PNTR only rewards the Communists in China. That is inaccurate. Up 40% of the Chinese economy, according to the State Department, is now privatized and corporatized and this sector of the Chinese economy is growing every day. These are private enterprises, non-communist entrepreneurs and American investors. This is the economic sector that will IMPORT American products, services and ideas. In contrast, the Communist hardliners are opposed to PNTR and China's WTO accession because they accurately see PNTR and WTO accession as foundations for building a strong private sector—the nemesis of Communist control!

ON THE CONCERN THAT CHINA HAS NEVER COMPLIED WITH TRADE AGREEMENTS

China's record is admittedly mixed. Failure to provide PNTR guarantees that America's Japanese, European and other foreign competitors have access to China's market at the disastrous expense of U.S. exports. Even a deal honored in a patchy manner would help American business more than no deal at all. Allowing Airbus rather than Boeing to export to China hurts American workers. That's why Boeing's 40,000-strong machinists union endorses PNTR.

The Levin-Bereuter addition to PNTR has important China trade compliance monitoring and enforcement resources.

Access to the WTO dispute settlement process, availably only with PNTR, gives us a significant multi-lateral trade agreement enforcement mechanism.

China HAS complied with trade agreements—note the recent Bilateral Agricultural agreement. China has already purchased wheat from the Northwest, Citrus from Florida, California and Arizona and hogs from Nebraska.

ON THE U.S.-CHINA TRADE DEFICIT

Opponents are taking the ITC study way out of context. The ITC does not take U.S. services or distribution into account. Services now represent ⅔ of the U.S. economy. The ITC only examines ⅓ of the U.S. economy.

While the ITC report stated that the U.S. bilateral trade deficit with China would likely increase at first with China's accession to the WTO, it also continued stating that ''at the same time the U.S. global trade deficit would decrease as a result of larger exports to other East Asian countries.'' Overall, we benefit and our deficit decreases.

China will join the WTO regardless of our vote today. Failure to provide PNTR unilaterally gives away the Chinese market to our Japanese, European and other foreign competitors at the expense of American exports—our outstanding and hard-sought agreement with China is export-oriented allowing products made in America to be sold and distributed in china. Restricting U.S. exports, which denial of PNTR would do, would increase our deficit with China. Giving American exports a fair chance to compete in china will help lower the deficit.

ON CONCERNS WITH REGARD TO RELIGIOUS FREEDOM

Religious freedom is repressed in China. Promoting economic reform and rule of law in China, which PNTR and engagement does, is superior to isolating China and turning our back on religious followers. voting NO on PNTR only bolsters the position of the hardliners in Beijing—the very element repressing religion. That is why religious leaders, including the Dalai Lama, and especially those in the underground in China support China's accession to the WTO and reliable U.S. engagement.

The Helsinki-type Human Rights Commission in the PNTR legislation is required to monitor and report on ''religious freedom, including the right to worship free of involvement of and interference by the government''. Voting no on PNTR is a rejection of this Commission.

When asked whether the new Commission on Chinese Human Rights truly addresses the concerns raised by the current Religious Freedom Commission, Commissioner Elliot Abrams responded, ''I think it does address the kind of concerns that we've raised. We're looking for some kind of mechanism for constant monitoring, and it does address that.'' (Ways and Means Committee testimony, 5/3/00)

ON TAIWAN AND WTO

President Chen of Taiwan has endorsed PNTR for China (LA Times Interview, 3/22/00). It appears a little self-presumptuous for us to claim to know and care more about Taiwan's position than Taiwan's own democratically-elected President.

The Levin-Bereuter addition to the PNTR legislation calls for the near simultaneity of WTO accession by Taiwan-as the next order of business at the same general council meeting after China's accession.

Given Taiwan's significant investment in China, it is in China's own self-interest to allow Taiwan's accession.

If China threatens or attacks Taiwan, the President of the United States already has the authority under the International Emergency Economic Powers Act (IEEPA) to suspend PNTR benefits. He can even go much further and restrict imports from or even embargo China! IEEPA is fully consistent with Article 21 of the WTO. Remember, Iran, Iraq and Libya all have PNTR and Cuba is a member of the WTO, yet we have WTO-consistent embargoes against all of them!

Mr. Speaker, this Member strongly urges adoption passage of H.R. 4444.

Mr. CRANE. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California (Mr. THOMAS) from Committee on Ways and Means.

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

Mr. THOMAS. Mr. Speaker, I do want to compliment everyone involved in this process. When the democratically-elected representative legislative system functions, it is a wonder to behold, and we are in the process of doing that today.

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I do hear these concerns. I am not going to talk about trade, although I am on the Subcommittee on Trade. Just go back and read the history on Smoot-Hawley. No one should argue that this is not going to benefit all concerned, especially the United States.

I do want to address my colleagues who are concerned about the progress that has been made in China with this Communist regime that has been in for about 50 years. We inherited a lot of concepts of Western Civilization. Probably the most important, coming from the Greeks, is the inherent worth of the individual, the concept that one is worth something simply because one is alive. We have institutions structured

on that basis. The institutions are here to further the individual, not the other way around.

But if we go back to 1776 when we declared our independence and we said all men are created equal, it was 12 years later, in 1788, that we wrote the Constitution. There was not religious freedom as we know it in the first amendment in 1788. It was not until 1791, when the Bill of Rights was ratified. And as a matter of fact, the Bill of Rights was not ratified in Massachusetts, Georgia, or Connecticut until 1939.

Eighty-nine years after the Declaration of Independence, the 13th Amendment ended slavery; 144 years after the Declaration of Independence, women were given the right to vote; 178 years after the Declaration of Independence, we said separate but equal is inherently unequal; and it was 186 years after the Declaration of Independence that we said one person, one vote. The purest statement of all men are created equal.

So when people are upset over a 10- or a 20- or a 30-year period of the failure of China to take a foreign concept, the inherent worth of the individual, and fundamentally restructure their society, I would say, take a look at our history.

And lastly, let me say this, for those of my colleagues who are going to vote ''no.'' We do know what that ''no'' vote means. It does not mean that we will keep China out of the WTO. It does mean that the hard-liners, the people who are looking for excuses inside China to continue to foment real concern about our national security, will have a card that they can play at any time. And probably, most importantly, one of the reasons I am so pleased we have come together today is that it will be reported that my colleagues voting ''no'' are on the wrong side of history.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT), a member of our committee.

Mr. DOGGETT. Mr. Speaker, my first concern in evaluating this agreement has been deciding what course would be most supportive of the interests of central Texas families. I believe that more trade will mean more good, high-wage, technology jobs not only for central Texas but for all of America.

A vote against normal trade with China will only deny American firms the access to Chinese markets that will now be open to all of our competitors around the world. This would likely disrupt commerce without resolving any of our human rights, worker rights or environmental concerns.

I applaud the successful effort of the gentleman from Michigan (Mr. LEVIN) and the gentleman from Nebraska (Mr. BEREUTER) to amend this bill to create a commission to monitor human rights and trade policy in China. To be sure, this is an imperfect answer, but so is the way we have conducted our annual review process for the last 20 years. That unusual existing process does not appear to have been particularly effective over in the last two decades in securing improvement in these areas either. I believe that this Commission represents a better alternative. We will not gain leverage over the Chinese by voting against continuing our commercial relationship. Rather, engagement and continual annual reminders through this commission of the need to have a more open Chinese society are more likely to produce that result.

I also appreciate the willingness of the administration to provide both more meaningful environmental review of our trade agreements and the first genuine participation by the environmental and public health communities in shaping trade policy. Our trade policy must be significantly improved to take into consideration the environmental and public health consequences of our decisions. Recognizing its many shortcomings, and recognizing the need for significant reforms to open it up to meaningful public participation, the World Trade Organization will at least be one more form of international rule with which the Chinese must comply.

Both sides of this debate have advanced some meritorious arguments, and some overstatements. I believe a vote to continue normal trade relations with China, a country containing one-fifth of the people of the world, will neither guarantee a new China nor the catastrophical end of old jobs in America. On balance, an affirmative vote is the best overall choice for the security of American families.

Mr. STARK. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. CLEMENT), who recognizes that a trade deal with China gives away our leverage to protect the lives and human beings and slaves in China.

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

Mr. CLEMENT. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise today as a strong supporter of fair trade and free trade, but as one who is convinced that relinquishing the leveraging tool the annual vote on normal trade relations provides is a grave mistake.

Let me be clear. I am not here to call for an end to our trade relationship with China. I know the importance of trade to our current economic prosperity, and I support economic engagement. I supported NAFTA, GATT, Fast Track, and the African trade bill we just recently passed. But what I cannot support is relinquishing our annual review of China's progress towards free market reform and a democratic society. I cannot, in good conscience, award China PNTR when there are serious national security concerns; when China's records of compliance with past agreements leaves much to be desired; and when China's progress on economic power and technological development has overlooked progress on human rights and religious freedom.

I was one of the authors of the International Religious Freedom Act, which established an independent commission led by Ambassador-at-Large Bob Seiple. This commission released earlier this month a report which notes a marked deterioration in China's religious freedom during the last year. This is unconscionable.

If America stands for anything, it stands for personal freedom and inalienable rights for all people. Granting PNTR today sends China the message that we approve of their political system as it stands today, and that is clearly not the case.

While I was home last weekend, I talked to a number of farmers and small businessmen who expressed their concern that they felt like they were not getting a fair shake, and I could not agree more. Our farmers and small business people are facing tremendous challenges these days. But I am convinced that replacing annual normal trade relations with permanent normal trade relations is not the answer.

I am not sure this switch will solve our problem. Vote ''no.''

Mr. ARCHER. Mr. Speaker, I yield 30 seconds to the gentleman from Nebraska (Mr. BEREUTER).

Mr. BEREUTER. Mr. Speaker, I did want to say, with respect to the gentleman from Tennessee, that first of all the commission established by the initiative of the gentleman from Michigan (Mr. LEVIN) and this member gives Congress this annual report and recommendations not just annually but on any occasion during the year. And the House International Relations Committee would be required upon receipt of an annual report of findings and recommendations to hold at least one public hearing, within 30 days, to make a decision within 45 days whether to advance legislation to the floor and to have such resolution available for House action within 60 days from the receipt of the annual report.

This OSCE-type commission is a far more effective mechanism than the annual ineffective harangue during the NTR extension vote that goes on here once a year.

Mr. Speaker, this Member would also say that action on the recommendation of the OSCE-type Commission, the China Human Rights Commission, takes only the action of this Congress, unlike the Helsinki Commission, which effectively requires the action of over 50 nation members.

Mr. ROHRABACHER. Mr. Speaker, I yield 1 minute to the gentleman from Washington (Mr. METCALF) and would just note that I disagree totally with what was just said.

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

Mr. METCALF. Mr. Speaker, in February this year, China's army threatened long-distance missile strikes against the U.S. Later that month, its defense minister threatened to attack U.S. aircraft carriers if they came near

the Taiwan Strait. In April, the Chinese military review threatened neutron bomb attacks against both U.S. carriers and against the U.S. mainland. America was threatened with heavy casualties.

The leading reformer that we are asked to support, the Chinese premier, has pledged to end the democratic independence of Taiwan, a critical U.S. ally. The outrageous threats of Chinese militarists during the lead-up to this PNTR vote have been beyond the pale.

Let us engage China, yes. Let us trade with China. But at this time let us continue to review the relationship on an annual basis. Reject permanent PNTR.

Mr. ARCHER. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. ENGLISH), a respected member of the Committee on Ways and Means.

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

Mr. ENGLISH. Mr. Speaker, I will enter quotations from Chinese human rights' activists at the appropriate place in the CONGRESSIONAL RECORD who all agree that the best way to open minds is through open markets.

Mr. Speaker, my colleagues and I in Congress remain deeply concerned about human rights' violations in China, but one of the best ways to instill American ideals of individual freedom and liberty is through opening China's borders to American goods and services. That is what this agreement does, and that is why I support this agreement. China's old hard-line regime would like nothing more than for these American values and ideas to be denied access to their country. China's membership in the WTO will force China to play by the rules, protecting human rights.

May I suggest that engaging China is the best possible way that Americans can influence Chinese behavior, enhance human rights, strengthen labor standards, and improve the environment. And as we can see, a number of human rights' activists in China agree that opening the markets would open the door for improving human rights.

Mr. Speaker, China's involvement in the international trading community has already improved human rights. We know that the most repressive periods of China's history occurred at times of international isolation. Exposure to the outside world has increased openness, social mobility, and personal liberties for the Chinese people. I think people need to recognize that engagement does not mean endorsement. Congress will continue to monitor China's human rights' record. Nothing prevents Congress from legally sanctioning China and invoking its penalties should Congress feel China has violated the spirit and the rule of law with respect to human rights, even if we pass this agreement.

Annual human rights reviews will continue. Future administrations will continue to conduct annual reviews of China's human rights' record. Nothing in this legislation changes that. Rather, we have enhanced it under this legislation thanks to the gentleman from Nebraska (Mr. BEREUTER) and the gentleman from Michigan (Mr. LEVIN).

I would ask everyone to keep in mind that this legislation is not only about exporting American goods to China; it is also about exporting American values.

Mr. Speaker, I include for the RECORD the quotes I referred to earlier:

Human Rights Activists Agree that open markets mean open minds.

The participation of China in the WTO would not only have economic and political benefits, but would serve to bolster those in China who understand that the country must embrace the rule of law, which of course is a key principle underlying active membership in global trade organizations . . . For those of us who have long pressed for vigorous adherence to the rule of law in China, it is encouraging that so many Chinese officials support the nation's entry into groups such as the WTO.''—Martin Lee, Chairman of the Democratic Party of Hong Kong.

''An isolated China will resist change at home and be likely to behave more aggressively towards its regional neighbors. None of that serves American interests. Admitting China into the WTO may not cause it to shed dictatorship for democracy. But it's the right step toward realizing that goal.''—Randy Tate, Co-Chair of Working Families for Free Trade, and Former Executive Director of the Christian Coalition.

''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.''—Dai Qing, prominent Chinese environmentalist.

''It is obvious this is a good thing for China . . . 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.''—Bao Tong, prominent Chinese dissident.

''For so many years of China's reform and opening, these areas couldn't be opened up and remained state monopolies. But if economic monopolies can be broken, controls in other areas can have breakthroughs as well. These breakthroughs won't necessarily happen soon. But in the final analysis, in the minds of ordinary people, it will show that breakthroughs that were impossible in the past are indeed possible.''—Li Ke, Former Chinese Editor of the Democratic Journal Fangfa.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. TANNER), a distinguished member of the Committee on Ways and Means.

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

Mr. TANNER. Mr. Speaker, I think anyone listening to this debate would agree that we are all interested in changing the behavior of the Chinese Government towards its people and human rights and all the rest. We differ merely on how best to do it.

I am not going to talk about trade either, much, except to say that this should not be called the China PNTR bill; it ought to be the America PNTR bill. We give up no leverage. We can change tomorrow what we have done today. There is nothing permanent around here.

But let me just say why I think it is America's trade bill. The problem is we do not have any closed markets to China. They have got their stuff here. If my colleagues do not believe me, go to Wal-Mart. The problem is, we cannot get our stuff there. And that is why this is a good deal for America's workers.

One cannot, by voting no, isolate China. One, by voting no, can isolate us. Do my colleagues not understand that the EU, the South Americans, Japan, and the rest of Asia are going to move into that market while we sit here and watch job loss occur in our country because we are the ones isolated?

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Now, let me say something about that. If one reads history, every great civilization that has fallen has in one way or another practiced some form of isolationism. They have tried to erect barriers against the outside world. China is now and has been paying a terrible price. China used to be traders years ago, centuries ago. They went into an isolation mode, and now we see the remnants of what was once a great free civilization in the throes of this communist dictatorship.

This is about America in the next century. As I believe the last century was about the United States and the Soviet Union and the military powers that existed then, the Cold War, this new century is about trade and about our relationship with China, leading the world toward human rights through openness and engagement.

Mr. STARK. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. LIPINSKI), someone who realizes that slave labor is not the American way to get cheap T-shirts at Wal-Mart.

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

Mr. LIPINSKI. Mr. Speaker, I thank the gentleman from California (Mr. STARK) for yielding me the time.

Mr. Speaker, we should not reward a totalitarian regime that is run by a Communist party, a dictatorship, with little regard for human dignity and common decency. We should not reward a nation that has, through its actions and deeds, done so much evil.

Mr. Speaker, we are free Americans, nurtured on the Declaration of Independence. We are the land of Lincoln, Washington, and Jefferson, Americans who believe in justice and the dignity of man.

So let us not abandon our patriotic morals in favor of corporate profits. Let me run that by my colleagues once again. Let us not abandon our patriotic morals in favor of corporate profits. Let us not forget the democratic ideals that formed the foundation of this Nation.

I urge my colleagues to remember the lessons from our idealistic youth of right and wrong and do what is right and vote ''no'' on PNTR from China.

Mr. Speaker, on the other side of the world lies an ancient nation with over 1.2 billion people living on a land mass covering 3.7 million miles. It is a 3,500-year-old civilization that has been at times a friend, at times an enemy, and at times a stranger. It is a nation of contradictions: clinging to its 3,500-year-old traditions yet reaching to embrace the 21st century; governing by a communist ideology yet striving for capitalist riches. With more than a hint of elitism and without the self-effacing humility Confucius taught, the Chinese referred to their nation as the Middle Kingdom for hundreds of years until the mid-19th century when Britain and Western powers fought, won and carved up China like freshly killed fame.

For the Chinese, one of the worst things to suffer from is the loss of respect or ''to lose face'', and in the years following the first Opium Wars, that is exactly what happened to China. It was not just one Chinese person who ''lost face'', it was an entire nation. Therein lies the psyche of the Chinese civilization and of many of the Chinese people. Wounds still fresh from its harried humiliation by the Western powers—150 years is merely a catnap for a nation so old—China yearns to be a global superpower. For much of the 20th century, China has been playing catch up with the West. An inordinate amount of time and energy went toward improving China's economy, military and diplomacy to achieve the most elusive yet important goal for the Chinese people as a collective whole—to regain what had been lost—respect. It is the motivational undercurrent in China's actions. That is the important lesson to be learned for the international community, and the United States in particular. The lesson is that China is willing to do whatever it takes, regardless of ruling ideology, to become a global superpower.

The dangers of such a motivating factor are readily apparent. China, despite its official pronouncements, has acted in some instances no different than a rogue nation, such as Libya, North Korea, or Iraq. Military spending has shot up over 40 percent in the 1990's, and research and development of high-tech weapons of warfare and mass destruction have been prioritized. China has illegally sold nuclear technology to Pakistan, smuggled AK–47s into San Francisco, and collaborates with terrorist nations such as Iran to improve their missile and weapons technology. The leaders in Beijing also shot missiles at Taiwan when that democratic island of 22 million people held its first democratic elections. This year, the Chinese leaders in Beijing boldly trumpeted the threat of force to retake Taiwan if reunification talks do not begin.

In addition, China's utter contempt for human rights is well documented. In fact, this year the Clinton administration's own State Department came out with a report detailing China's deteriorating human rights record. On November 29, 1999, Chinese police summarily arrested and beat Fu Sheng, a member of the illegal China Democracy Party. Since last July, more than 35,000 people associated with the Falun Gong spiritual movement have been detained. No one is safe. Even Christians are imprisoned and thrown in forced labor camps strictly on the basis of their religious beliefs. As recently as February of this year, the 80-year-old head of China's underground Roman Catholic Church who was previously imprisoned for nearly for 30 years for refusing to denounce the Pope.

China, despite its communist roots and totalitarian regime, realizes that in the modern world it not only takes military strength to become a superpower, it also takes economic strength. By borrowing pages from the success stories of Japan, Singapore, Taiwan and Hong Kong, China turned toward and embraced a managed market economy driven by export growth as one of the primary engines for economic growth.

As part of the plan to raise China's stature in the international community, China has been involved in long and protracted negotiations to join GATT, and now, WTO. The 13-year long effort finally came to a head on November 15, 1999 when the administration signed an agreement with China to provide for her accession to the WTO.

China is widely viewed as having made a number of major concessions in the agreement, but can we really trust China? Chinese leaders say one thing and do another. China has historically agreed to many things and has implemented relatively few of them. For example, after threatened with major trade sanctions by the United States, China agreed to a sweeping 1992 market access agreement to remove major market barriers to United States products. The agreement was supposed to have been fully implemented by the end of 1997. We're still waiting.

Mr. Speaker, growing up in post-World War II Chicago was a learning experience for me. In school, in church, and in the ballfields, we learned the difference between right and wrong, good and bad, friends and enemies.

When we played 16-inch softball, we knew the rules, and we played by them. We played with honor. It was wrong to cheat, and cheaters were punished. In school, we learned about our Nation's history and how to be good citizens and proud patriots. In the schoolyards, we learned who were our friends and who weren't. In church, we learned about morality, God's teachings on good and evil, and right and wrong. Those lessons remain with me to this day.

These things don't change and, unfortunately, neither has the People's Republic of China. Despite all their words, despite all their promises, their actions speak louder. They continue to imprison and torture Chinese dissidents, set up slave labor camps, practice forced abortions, shoot missiles at democratic Taiwan, sell weapons technology to Libya, and break trade agreements. They pretend to be our friends, yet through their actions, reveal themselves as anything but.

We should not reward a totalitarian regime that is run by a Communist party—a dictatorship with little regard for human dignity and common decency. We should not reward a nation that has, through its actions and deeds, done so much that is wrong.

Mr. Speaker, we are free Americans nurtured on the Declaration of Independence. We are the land of Lincoln, Washington, and Jefferson—Americans who believe in justice and the dignity of man.

So, let us not abandon our patriotic morals in favor of corporate profits. Let us not forget the democratic ideals that form the foundation of this nation.

I urge my colleagues to remember the lessons from their youth—of right and wrong—and do what is right.

Vote "no" to PNTR for China.

Mr. ROHRABACHER. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. SANFORD).

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

Mr. Speaker, I was rated in the top five free traders in the 105th Congress; and yet, I reluctantly oppose PNTR for China, for a couple of different reasons.

First of all, we have a mechanical problem. And that is, if my colleagues look at WTO, it is a rule-based system. And yet, look at the dispute over hormone beef. Look at the dispute over bananas with EU. And what we see is another culture that has democratic governance, that has intellectual property rights, that has a rule of law, that has property rights, has basically said, we are just going to ignore the rules of WTO, we are going to ignore our agreement with America because we want to.

And if we have that kind of disagreement within a culture that is very similar to our own, can my colleagues imagine the disagreement that we will find in a culture that is very different.

In fact, history suggests that that inclination is right, because the 1998 USTR's Foreign Trade Barriers Report said that fully 400 of 1,200, one-third, of all products that were in the 1992 agreement between China and America were still subject to nontariff barriers.

So what we are doing here is we are dropping a 400-pound gorilla in the swimming pool, and it will have implications for WTO itself.

Also, we have a problem in that any time with the Cox report that we have a country engaged in espionage to steal our nuclear secrets, I do not know that that deserves award. That does not make common sense to me.

And three, and most disturbing to me, is that, if we look in the South China Sea, I think we see a trend toward if not expansionism, certainly bullying. If we look at Mischief Reef, if we look at Spratly Islands, if we look at how in 1997 China moved an oil drilling rig into what was clearly territorial water of Vietnam, if my colleagues look at their behavior toward Taiwan, if we look at their taking of the Paracel Islands in the 1970s from Vietnam, we see a trend that is disturbing.

So I will admit that is a very blunt instrument, but is the only instrument that I have to use as a legislator in signaling displeasure toward China's behavior.

We also need to look at OPEC and other arrangements that help companies to go to China and displace them.

Mr. ARCHER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Illinois (Mrs. BIGGERT).

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

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

Mr. Speaker, I rise today to urge my colleagues who are wavering on China PNTR to cast a ''yes'' vote for U.S. world leadership, U.S. jobs, and the continued prosperity of the U.S. economy.

The ''yes'' vote that we cast today is not a vote for China. It is a vote for the United States. It is not a vote to allow China into our market. China is already in our market. Rather, it is a vote to allow our workers, our farmers, our investors, ideals and ingenuity to compete successfully in the world market.

This is not a vote to maintain the status quo. Rejecting this resolution today will not force the world economy into a fixed and stationary condition, with the U.S. as leader in its own smug, self-satisfied isolation.

Denying China PNTR will not deny the Chinese access to the WTO, nor will it deny them access to European service providers, Asian technology, or Latin American grains. Denying China PNTR denies only the United States.

If there is one thing we have learned in these early moments of the 21st century, it is this: The new economy allows nothing to remain static, no one to remain unaffected, and no single player to hold all the cards.

So before my colleagues waver toward a ''no'' vote today, imagine for a moment the world we create by denying PNTR for China. Do not just imagine the morning after the vote when financial markets register the most immediate and negative response to our action. Imagine further into the future as European and Asian competitors lock out our workers, investors, and farmers from the largest market in the world. Imagine 5 years into the future, then 10, then 20 when the full and awful truth of our action is evident in the remains of a once great world economic power. Make no mistake, denying China PNTR denies our own future.

I urge a ''yes'' vote.

Mr. RANGEL. Mr. Speaker, I yield 1½ minutes to the gentleman from Indiana (Mr. ROEMER).

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

Mr. ROEMER. Mr. Speaker, Franklin Roosevelt once said, ''The only thing we have to fear is fear itself.''

While some of our trade policy today causes very genuine and legitimate concern and hesitation on the part of our working people, we must be guided by hope and opportunity, not fear and trepidation.

Right now our policy with China does not work, the status quo is not good. We have too many big trade deficits, too many human rights violations. So we have negotiated a new one for our new economy with our old enduring values.

What does China get from this agreement? They have to cut tariffs, open up their markets. Our goods penetrate their markets across the board, telecommunications, agriculture, you name it.

What do we give? Nothing. We just accept this agreement. This benefits America.

Secondly, on human rights, I want to applaud the gentleman from Nebraska (Mr. BEREUTER) and the gentleman from Michigan (Mr. LEVIN). We talk about MFN being annual review of human rights. With this new human rights institution, a committee, we will monitor human rights daily by the hour, with staff, with Members, not yearly with MFN.

Finally, on human rights, a human rights leader in China, Ran Wan Ding said this: Before the sky was black. Now there is light. This can be a new beginning. With our new economy, let's open up one of the oldest cultures in world history to American optimism, to American products, and to American values.

Mr. STARK. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LEE) who realizes that to honor China and punish Cuba is the height of hypocrisy.

Ms. LEE. Mr. Speaker, I thank the gentleman from California (Mr. STARK) for yielding me the time.

Mr. Speaker, I am a firm believer in self-determination for China. Now China is a Communist country whether we agree with it or not. However, countries, regardless of their political or economic system, should not be rewarded when they are allowed to round up and intimidate and arrest people, put people in slave labor camps with no due process.

Why would the United States enact a trade policy that rewards this behavior, as well as environmental degradation and religious persecution and violation of women's rights? This is wrong.

Annual review, at the very least, provides a tool to help ensure China's respect for human rights and nuclear nonproliferation.

With regard to our own country, the Economic Policy Institute estimates over 870,000 United States jobs will be lost over the next decade, with the loss of over 84,000 jobs in my own State of California. This is really scary.

We do not want to cut off our relationship with China. I support fair and free trade. We simply believe that human rights and fairness for American and Chinese workers should be the bottom line.

This vote defines who we are as a people and as a Nation. I urge my colleagues to oppose PNTR for China.

Mr. ROHRABACHER. Mr. Speaker, I yield 2 minutes to the gentleman from Long Beach, California (Mr. HORN).

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

Mr. HORN. Mr. Speaker, since becoming a Member of Congress in 1993, I have opposed normal trade relations with China as a matter of conscience. I see no change in the human rights situation in China.

The level of trade between our two countries began to grow two decades ago, but the daily lot of the average Chinese worker is dismal. There is no excuse for American companies in China to pay workers as little as 22 cents an hour for 12- and 15-hour shifts.

Trade has increased wealth in China, and some people enjoy limited freedom in their personal lives. Mostly, they are in the Party. But the Chinese Communist Party still oversees a system that jails, tortures, and kills those it deems to be a threat to the Party's arbitrary rule. China's own constitution states that Chinese citizens are entitled to the rights of freedom of speech, press, assembly, and religious belief.

Really?

Ask tens of thousands of Tibetans, Christians, Falun Gong practitioners, or human rights and labor activists. It is hard to hear their voices. They are imprisoned, and worse, for exercising those basic rights.

Today we can send a strong message: human rights cannot be separated from our other policy interests in China. This debate is as much about how we define ourselves and what this Nation stands for. It is not just about China's conduct.

Some Members of Congress hope we can address this fundamental issue by creating a commission to monitor human rights failures in China. Unfortunately, this commission would be powerless to sanction Chinese misbehavior. The real questions in the debate are very clear: Why would we think that a country that does not respect the most basic rights of its own people will now respect the rights of its foreign trade partners? How do we expect to enforce fair trade rules when they have been unable to enforce them in the past? Having witnessed China's threats against Taiwan and the United States, what will it take to condemn China's actions in the future?

In 1981, 15 university presidents met with students in 25 universities, technical institutes, and specialized colleges. When we talked to students—out of the eyes and ears of Chinese intelligence agents—those students wanted ''freedom.''

To open up our markets involves mutual trust and respect.

This Congress should not send a signal that we honor a country that has little regard for America or the values in which Americans believe most strongly—dignity, fairness, and individual freedom.

This Congress should vote ''no.''

Mr. ARCHER. Mr. Speaker, I yield 2 minutes to the gentleman from Montana (Mr. HILL).

(Mr. HILL of Montana asked and was given permission to revise and extend his remarks.)

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

Mr. Speaker, listening to this debate, one would, I think, come to the conclusion that this is a complex issue. But it

really is not. There are three basic questions I think we have to answer.

One, is it going to help or hurt our economy if China gets PNTR and joins the World Trade Organization? Second, can we best advance the cause of human rights and religious freedom in China by isolating them or engaging them in further trade. And third, are our security interests in that region going to be hurt or helped by China's membership into the WTO?

Now, how we answer that question is really how we look at the world and, to a greater extent, how we look at the United States.

Pessimists would look at this issue and they would see only the risks. I choose to look at this issue and see opportunities. I believe that more trade is more good than bad. I believe that more markets for agricultural products and for manufactured goods is more good than bad. And I believe that our economy, our workers, our farmers, our entrepreneurs can compete with the people in China. So I choose to be an optimist.

This is really a one-sided agreement. China gives up everything. They give up access to their markets. They tear down the barriers and tariffs. And we get more access and opportunity in the process.

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But this is also going to unleash another form of competition and that is the competition of values. Do Members believe that their values or our values are going to prevail in that competition? Because after this occurs, China will no longer be able to lock our values out of their society. There are more people in China who speak English than there are in the United States. There is a hunger for our values and our system there. I believe our values will prevail.

How about our security interest? All the past Secretaries of Defense and current ones support this agreement, but let us look at what our allies say. Japan, South Korea, Taiwan, all say that China's membership in WTO and permanent normal trade relations will make our security interest more secure in that region.

So I choose to be an optimist. I choose to believe in America, in our values. I urge my colleagues to support PNTR, to support China's membership in the WTO, and to vote for this bill.

Mr. RANGEL. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Mr. Speaker, we should vote for PNTR today. At the beginning of the millennium, we should not regress and isolate China. We should help engage China in the world community. In truth, we had a Cold War. Communism lost, capitalism won. Now our economic and political system will help deliver freedom, peace and prosperity throughout the world because free markets cannot prosper in authoritarian regimes. In a global economy, authoritarian regimes cannot long survive the impact of freedom and free markets. Engaging China and exposing China to the sunlight of free market economies and democratic values is the best way to bring about evolution towards freedom in China. We here in Congress all agree upon our goals: a strong, free, prosperous America in a world that is free, peaceful, and prosperous. But like a family, we in Congress and people in our great country can disagree on the best way to achieve that goal. It is my strong belief that helping to engage China in the world community will advance the cause of freedom.

Mr. STARK. Mr. Speaker, I yield 30 seconds to the gentleman from Massachusetts (Mr. CAPUANO) who recognizes to open our border to cheap Chinese assault weapons will cause the deaths of thousands of American children.

Mr. CAPUANO. Mr. Speaker, I look at this bill and I ask myself, why did I come here? I came here to defend the rights of Americans and the rights of people all around the world.

I look at China, I see no freedom of speech, no freedom of religion, no freedom of association, no freedom to do anything unless the government says so. That alone is enough to vote against this bill.

Mr. ROHRABACHER. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. JONES) and recognize that he represents many people in the Armed Forces who will suffer by the things that are produced in those factories that we are building for the Communist Chinese.

Mr. JONES of North Carolina. Mr. Speaker, I rise in strong opposition to extending PNTR for China. I want to start by quoting Bill Safire who wrote in his column on May 18 in The New York Times:

> I confess to writing speeches for Richard Nixon assuring conservatives that trade with China would lead to the evolution of democratic principles in Beijing.

I further quote Mr. Safire:

> But we've been trading for 30 years now, financing its military-industrial base, enabling it to buy M–11 missiles from the Russians and advanced computer technology from us.

Mr. Speaker, the United States has tried for more than three decades to build a relationship with China and to foster democratic values in the communist nation. In 1995, we extended most favored nation status to China if China would agree to stop its abusive human rights practices and stop exporting nuclear technology. The very next year, the CIA reported that China was the greatest supplier of weapons-of-mass-destruction-related goods and technology to foreign countries. Despite repeated promises that trade would make China more free, it has failed to end its long and established history of human rights abuses like forced abortion and sterilization.

Years of maintaining the lax policy of constructive engagement with China have proven dangerous. As the Rumsfield Commission found in 1998, China's proliferation of ballistic missiles and other weapons of mass destruction threatens the security of the United States. When China steals technology and sells it to our enemies, steals our nuclear secrets and tries to influence our election process, how can we grant PNTR for China? Extending normal trade relations status to China impacts more than the economy, Mr. Speaker. It takes away our economic leverage with a Communist country, and it stands to affect the security of each and every American citizen.

I close by repeating William Safire:

> We've been trading for 30 years now, financing its military-industrial base, enabling it to buy M–11 missiles from the Russians and advanced computer technology from us.

Mr. Speaker, until China can prove to the people of America that it can be trusted, we should not pass PNTR for China.

Mr. RANGEL. Mr. Speaker, I yield 1½ minutes to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Speaker, I rise in support of permanent normal trade relations with China. The economic benefits are undeniable for our country and are particularly favorable for my region and my State. North Carolina has much to gain from opening and expanding markets in China, currently our 13th largest export market and the consumer of over $300 million in North Carolina goods and services annually. The commodities of goods involved range from pork and poultry and soybeans to furniture, communications equipment, software and computers—very broad economic benefits indeed.

But this debate, Mr. Speaker, is not just about trade. I have not heard any proponent suggest that we should turn a blind eye to human rights and political problems in China in the name of commerce. Nor is this legislation a blessing of China's past and current behavior, no matter how often the opponents of the bill might repeat it.

On the contrary, the point is to bring China within a framework that will provide powerful incentives and constraints to play by the rules, both in the realm of trade and beyond. As China moves further into the world economy, we need to be clear-eyed about our future with China. We must continue to press on human rights and religious freedom and the self-determination of Taiwan, the freedom of Tibet, nuclear proliferation, and espionage. Isolating China economically will do more harm than good in all of these areas.

Martin Lee, the chairman of the Democratic Party of Hong Kong and a human rights leader has said: ''The participation of China in the WTO would not only have economic and political benefits but would serve to bolster those in China who understand that the country must embrace the rule of law.''

Trade is no panacea. But to refuse trade, to isolate China economically, would risk empowering the most rigid, hard-line anti-democratic elements of China, those who want to pull their country away from the democratic world. This is not a prospect America or the Chinese people can afford.

I urge my colleagues to vote yes.

Mr. Speaker, I rise in support of opening opportunities for American workers, farmers, and businesses, and I stand with those committed to improving our national security, economic freedom in China, and the quality of life for the Chinese people. I rise in support of Permanent Normal Trade Relations with China.

As my colleagues know, in November the United States and China signed a bilateral agreement to bring China into the World Trade Organization (WTO). The agreement would open Chinese markets to our goods and services and reduce Chinese tariffs and quotas on our products. What does the United States give up? Nothing. All we have to do is grant PNTR to benefit from this decidedly one-way deal.

The economic benefits are undeniable for our country and are particularly favorable for my region and state. It is clear that North Carolina has much to gain from opening and expanding markets in China, currently our 13th largest export market and consumer of over $300 million in North Carolina goods and services.

The Chinese will be compelled to open their markets to services like telecommunications, banking, software, computer, and environmental services. Tariffs will be eliminated on computers, telecommunications equipment, semiconductors, and furniture. North Carolina companies will benefit from major tariff reductions on optical fibers, chemicals, pulp and paper, wood products, agriculture equipment, medical equipment, and environmental technology equipment. In agriculture, our farmers will no longer have to compete with export subsidies on China's agriculture products and will benefit from tariff cuts on poultry, pork, tobacco, soybeans, and other commodities. For the first time, our companies will be able to sell and distribute products in China made by workers here in America, without being forced to relocate manufacturing to China, sell through the Chinese government or transfer valuable technology.

Now that the European Union has signed an agreement with China, clearing the last remaining hurdle to China's accession to the WTO, a vote against PNTR could cost America jobs, as our competitors in Europe, Asia and elsewhere capture Chinese markets that we otherwise would have served. To benefit from the agreement that opens Chinese markets to American products and investment, this Congress must first grant permanent normal trading status—the same arrangement we have given all other countries in the WTO.

Much has been said about what we lose if we give up an annual review of our trade status with China. I would just suggest that our annual vote has not been particularly effective. Even after Tiananmen Square, this body did not revoke ''most favored nation'' status. I do not suggest turning a blind eye to the human rights and political situation in China in the name of commerce, nor do I view this agreement as a blessing of China's past and current behavior. On the contrary, the point is to bring China within a framework that will provide powerful incentives and constraints to play by the rules, both in the realm of trade and beyond.

As China moves further into the world economy, we need to be clear-eyed abut the future of our relationship and must continue to press on issues such as human rights, religious freedom, the self-determination of Taiwan, the freedom of Tibet, nuclear proliferation, and espionage. I believe isolating China economically would do more harm than good in these areas.

Martin Lee, chairman of the Democratic Party of Hong Kong and a leader of the human rights movement, wrote: ''The participation of China in the WTO would not only have economic and political benefits, but would serve to bolster those in China who understand that the country must embrace the rule of law.'' To him, the agreement ''represents the best long-term hope for China to become a member of good standing in the international community. We fear that should ratification fail, any hope for political and legal reform process would also recede.''

A recent New York Times article (''Chinese See U.S. Bill as Vital to Future Reforms,'' May 21) noted that a ''broad array of educated Chinese—top government officials, publishers, bankers, artists, lawyers and pro-democracy advocates—have come together in extraordinary agreement on the issue, investing their hope for progress in China'' in this vote. ''Chinese government leaders and economists hope the normalization of trade with America will help close inefficient state enterprises. Authors and artists here are convinced it will reduce censorship. Lawyers suggest it will force China's mercurial judges to follow the law.''

Zhou Daichun, a commercial lawyer in Beijing said, ''What's important is not how this vote will affect this or that industry. What's important is that this is an opportunity to push for reform and reorganization in China and without that impetus, many reforms are impossible.''

Taiwan supports China's entry into the WTO. And the Dalai Lama, the spiritual leader of Tibet, has said, ''Joining the WTO, I think, is one way (for China) to change in the right direction . . . I have always stressed that China should not be isolated. China must be brought into the mainstream of the world community . . . Forces of democracy in China get more encouragement through that way.''

As we all know, Chinese actions demand our attention. Mr. LEVIN and Mr. BEREUTER have crafted provisions included in this legislation that help us maintain our sharp focus on the issues of human rights, religious freedom, and economic fair play. Under the Levin-Bereuter provisions, the U.S. will create a Congressional-Executive Commission on China, modeled after the Helsinki Commission, to evaluate human rights in China. The Commission will submit an annual report of its findings to the President and Congress, including WTO-consistent recommendations for action. This bill puts into law China-specific anti-surge safeguards to guard American businesses and workers from inport surges from China. We strengthen monitoring and enforcement of China's commitment to WTO obligations with an annual review of China within the WTO.

Mr. Speaker, only through a comprehensive system of relationships can the United States hope to influence the internal policies of the Chinese government. This vote is a significant opportunity for us to encourage positive change in China. We must pull China in the right direction, not turn our backs. Trade is no panacea. But to refuse trade, to isolate China economically, would risk empowering the most rigid, hard-line, anti-democratic elements of China, those who want to pull their country away from the democratic world. This is not a prospect America or the Chinese people can afford.

In light of this strategy of engagement and our nation's interest, not only in selling to China, but also in bringing China into conformity with accepted rules of international conduct, I urge my colleagues to support PNTR.

Mr. STARK. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. WU) who understands that the slogan ''We Bring Good Things to Life'' will not help murdered female children in China.

Mr. WU. Mr. Speaker, that I can address you from this well today is a tribute to the courage, the perseverance and the sacrifice of my parents. My father left for America when I was 4 months old, and I did not see him again until I was 7. I could only recognize him from photographs. My parents endured 7 years of separation so that they could bring our family to this place of freedom and of opportunity. People have said to me, ''You're a trade lawyer. You've got to like this agreement. You represent a trade-dependent district. You have to support this agreement. If you have to vote your conscience, just vote and walk away.''

I refuse to do that because I will refuse to turn my back on the sacrifice of my parents and countless other Americans who have stood and fought in the cause of freedom. This is a bad trade agreement. This is bad policy, and this is counter to fundamental American values.

It is a bad agreement because the basic concept is wrong. Let us take the WTO proponents' arguments at their face value. America is a market economy. China is not. America has an exchangeable currency. China does not. If we both dropped our tariffs to absolute zero, we would lose control over our imports and China would not. Through their command and control economy they can still determine how much to buy and exactly from whom to buy.

This is a flawed agreement. This is bad policy because the day after we vote to give China permanent most favored nation trading status, hard-liners in Beijing will say, We thumbed our noses at the Americans with respect to nuclear weapons, we thumbed our noses at the Americans with respect to missile proliferation, we thumbed our noses at the Americans with respect to human rights, we thumbed our noses at the Americans with respect to saber rattling in the Taiwan Strait, we thumbed our noses at the Americans with respect to all these things and yet they still gave us the central goal of our foreign policy for the last 12 years. Why should we ever listen to what the Americans have to say?

But the most important reason for voting no is to keep our commitment to American values and the sacrifices of countless families like mine and every other American family today.

Mr. ROHRABACHER. Mr. Speaker, I yield 1 minute to the gentleman from South Carolina (Mr. GRAHAM).

Mr. GRAHAM. I thank the gentleman for yielding me this time.

Mr. Speaker, when the students in Tiananmen Square looked to America, they saw the Statue of Liberty. When we look to China, we see dollar signs. I think their vision is better than ours. I have heard some statements by proponents that I disagree with.

China gives up everything in this deal? Not true. They become enriched. This regime becomes more powerful, flush with cash.

If you have capitalism and Communists existing in China, it is the political death warrant of the Chinese Communist regime? I disagree. When people take to the streets, they will bring out tanks bought with this money.

The ultimate question was, is this about being friend or foe with China? One of the first speakers said this will determine whether or not we are friends or foes. The Communist Chinese will never be our friends. How can somebody be your friend when the government punishes somebody for having one child too many they say is enough, three times your annual salary if you have more than one child? You can never be America's friends when you murder people under government authority. You can never be America's friends when you cheat on agreements signed. For the last 20 years, they have cheated on every textile agreement signed with the United States.

These people are not our friends. They are the enemy of every freedom-loving person in the world.

Mr. ARCHER. Mr. Speaker, I yield 1½ minutes to the gentleman from Michigan (Mr. CAMP), a respected member of the Committee on Ways and Means.

Mr. CAMP. Mr. Speaker, I rise today in support of granting normal trade relations to China. First and close to my heart, Michigan farm families, employers and working men and women win with this. Passage of today's legislation will mean that Michigan farmers will no longer have to compete with high tariff barriers on U.S. agricultural products. Restrictions on the importation of meat and poultry will be eliminated and products like fruit and vegetables will see tariffs cut in the range of 65 to 75 percent. Tariffs on auto parts will be reduced by 57 percent. And motor vehicles, cut by 70 percent. I do not need to tell Members that these things mean a lot to the people of Michigan and America.

There are some people who claim that we cannot grant normal trade relations with China because of their human rights record. We can all agree that China's people are mistreated, but I will not agree that isolating China is an improvement.

I would like to illustrate some of the changes that our trade with China has resulted in. In 1990, 400,000 Bibles were sent to China. This year, we will deliver 4 million Bibles to China. Human rights activists who have been involved in China for years have voiced their support for this agreement, including the Reverend Billy Graham and Leonard Woodcock, the former President of the United Autoworkers and former Ambassador to China.

I would like to address one other issue that is very important to me. I have worked hard to advance the issue of international adoption. China's cruel policy of limited family size has left thousands of orphans living in deplorable conditions. However, since opening relations with China, adoption agencies have been able to go into China and develop a network to allow these children to come to the United States. In 1989, 200 Chinese children were adopted. In 1998 over 4,000 Chinese orphans were adopted by loving American families.

I urge a yes vote on normal trade status for China.

Mr. RANGEL. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. TURNER).

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Mr. TURNER. Mr. Speaker, if we deny PNTR to China, businesses, workers, farmers and ranchers in my district in East Texas and across the Nation will lose the benefits of a trade agreement that, on its face, is very favorable to the United States. Unlike the NAFTA agreement in which the United States had to eliminate its own trade barriers, China will reduce its tariffs on American goods, while we make no similar concessions. Rejecting PNTR means the benefits of trade and job growth will go to other nations who open the door to trade, while we slam it shut.

As a Member of the Committee on Armed Services, I believe granting PNTR to China is in America's national security interests. While dealing with China as a rising economic and military power will not be easy, we should not make the road more difficult than it has to be. If we reject PNTR, we will be sending a powerful signal to China and the entire world that we are walking away from a constructive relationship with China.

On the other hand, engagement will further our nuclear nonproliferation efforts, encourage the Chinese to embrace democracy and the rule of law, and further the expansion of human rights and freedom for the Chinese people. Progress in these areas will not be uninterrupted, but history and common sense and human relationships teach us that engagement is the best hope for world peace for our children and grandchildren.

Mr. STARK. Mr. Speaker, it gives me great pleasure to yield 45 seconds to the gentleman from Maine (Mr. BALDACCI), who understands that the 600,000 jobs lost because of the $70 billion trade deficit to China has affected many of the footwear manufacturers in the northeastern part of this country.

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

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

Mr. Speaker, I cannot give up my vote and I cannot give up the voice of the people I represent on an annual basis, to hand that over to the World Trade Organization in the hope that the farmers and the fishermen and the people who are working in forestry and small business and family business are going to have their interests looked out for. I cannot turn that over on a permanent basis to the World Trade Organization.

I tried to work with the gentleman from California (Mr. COX) to fashion serious and substantive parallel legislation that would allow this Congress and each one of us to have a vote and a voice, a guarantee that we would have a vote and voice, and that it would be tied to bilateral trade and economic sanctions which would be in compliance, which we could do and still retain our authority. This legislation does not do it, the leadership did not allow it, and as a result of those concerns, I am going to be voting against this legislation.

Mr. ROHRABACHER. Mr. Speaker, noting that the other side still ignores the charges that PNTR freezes in the taxpayer subsidies for businesses closing here and setting up shop in China, I would yield 2 minutes to the gentleman from Indiana (Mr. BURTON).

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

Mr. Speaker, we have not talked much about our national security. The Chinese have a $68 billion trade surplus; and after this agreement is signed, if it passes today and passes the Senate and is signed by the President, they are going to have more of a surplus, and that is more money with which to buy rope to hang us with.

Let us look at what the Chinese have done and what they are doing. They stole our nuclear secrets. They are now capable, with our secrets they stole from the Los Alamos and Livermore Laboratories, they are able to build a mobile launch missile carrier, a rocket that can fire halfway around the world and can split into 10 parts with our W–88 warhead and hit 10 cities and kill over 50 million people, and we have no defense for it. We have been cutting our defense budget.

They now have access to both ends of the Panama Canal, one of the things that is most important to our commerce. They are going to control the Panama Canal. Just yesterday we found out they are going to control part of the Suez Canal and probably all of it. They signed a 30-year agreement

with Egypt to have Port Said controlled by them, in effect, because they are going to control the shipping port there.

They are building the largest army in the world. They have the largest standing army in the world, and it is going to get bigger, and we are going to pay for it. We are going to pay for it, and all the while our defenses are being lowered and lowered.

They threatened Los Angeles when we talked about coming to the aid of our ally, Taiwan. So they have threatened the United States in the not too distant pass. Yet we continue to say, Don't worry about that.

They are stealing from us. They are stealing our secrets. They are an enemy of the free world. They threatened Taiwan, as well as the rest of that part of the world, and I think they are a threat to the entire world.

Mr. Speaker, what are we doing about it? Instead of facing up to it and building our defenses to be prepared, we are doing exactly what happened prior to World War II. We unilaterally disarmed prior to World War II, and Winston Churchill warned about the future and the Nazis, and nobody paid any attention. What did they do? They gave more commerce to Germany, while Hitler built up his military. What are we doing? We are doing the same thing with China; and we ought to think about that. Long-term, what does it mean for America and our security?

Mr. ARCHER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Mrs. JOHNSON), a respected Member of the Committee on Ways and Means.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I thank the Chairman for yielding me time.

Mr. Speaker, I rise in support of PNTR for China for three reasons.

First, it does not just enable America's goods and services to flow into the fastest-growing market in the world by cutting China's tariffs. It also eliminates state-mandated middlemen and China's prohibition on our distributing and servicing our own products. It eliminates quotas and special licensing requirements, and prohibits conditioning investment on local content requirements, offsets, research in China or technology transfer.

Secondly, it will help us enforce our trade agreements with China because we will not be solo at the enforcement table. All 136 nation members of the WTO will be on the enforcement team. Further, this is a unique, remarkably enforceable agreement because the obligations it imposes are concrete and specific, with clear time tables for implementation and firm end dates for full compliance. In addition, for the first time the agreement involves surge protections, unique provisions that will enable us to moderate any surge of imports to protect American producers and give them the time they need to become competitive.

Finally, this agreement is the best way to change China's policy toward human rights. As a Chinese evangelist Christian clergyman testified, ''The WTO agreement obligates China to play by the rules. In the process, China will need to strengthen its legal institutions, train more legal professionals, learn to follow international legal procedures, and educate its people about the concept of rights, law, and international norms. This process alone is a breakthrough with important philosophical implications for China as a nation. When a Chinese realizes that he has rights as an investor that government should not violate, then more likely he will also realize that he has other rights as a human being.''

Support PNTR for China. It is good for the United States, it is good for reform in China, and it will move us toward a more prosperous and peaceful world.

This week, the U.S. House of Representatives will vote on a bill that would do more to strengthen our economy and provide job security for American workers than any vote this year. The bill would simply open China's market to American-made products. Home to more than one billion potential consumers, China presently blocks American goods with high tariffs, arbitrary requirements, and wholesale prohibitions on direct business dealings with the Chinese people, while exporting freely to U.S. shores.

All this will change if Congress passes legislation granting china Permanent Normal Trade Relations (PNTR), the same status China has enjoyed for 20 years and the same status as our other trading partners. President Clinton and former Presidents Carter and Ford support this measure, as do Senators DODD and LIEBERMAN.

The reason is simple: under the new trade agreement the United States recently negotiated, China will tear down the walls that keep our goods and services out of their markets and nearly every American industry will benefit. The agreement reduces or eliminates manufacturing and farming tariffs. It eliminates state-mandated middlemen so we can sell directly to Chinese consumers. It permits American-owned distribution and customer support operations so we can service the products we sell. It protects intellectual property rights for software, movies, music and high-tech designs. And it prohibits conditioning investment on offsets, local content, or technology transfer requirements.

This is good for working families in Connecticut because it means we'll sell more Connecticut made jet engines, elevators, construction equipment, medical equipment, pharmaceuticals, environmental technology, and insurance products in China. This will benefit hundreds of small shops supplying exporters and create more high wage jobs as on average export related jobs pay up to 20 percent more than non-export related jobs.

By granting PNTR, we will be the beneficiaries of these across-the-board concessions that will bring down the curtain on Chinese protectionism. And what is the price for all these benefits? They are free—ours for the taking. The United States doesn't have high tariffs nor barriers to trade from China, so we are not forced to give up anything in exchange for Chinese concessions. All Congress must do is approve PNTR—make permanent the trading status that we have approved every year for 20 years and for essentially every other country in the world. It is the bargain of the century.

China has every reason to make such concessions: they are trying to reform their economy. After decades of economic dead ends, Chinese leaders have concluded that the most efficient way to grow their economy is by entering the international market and accepting its international rules. While this will cause some problems, China has changed enough in the last decade to understand that entering the international market and abiding by international rules is their only hope of prosperity.

This dramatic decision by China has three consequences for us: first, if we don't pass PNTR, we won't receive any of the benefits of the agreement we negotiated with China, while Europe, Japan, and other trading nations will. With their products 10 percent to 50 percent cheaper, we will lose significant export trade so critical to our economic health.

Second, instead of working alone to enforce trade agreements with China as we have in the past, we will have the help of all 136 members of the World Trade Organization. If China fails to deliver, the WTO lays out clear and decisive steps to hold China accountable. Furthermore, this agreement is unique. It has very precise timetables for very specific actions, making enforcement far easier. In addition, it includes new protections no trade agreement has ever provided. Its ''surge'' protections allow a timely response to slow down any big increase in imports. From my work on voluntary restraint agreements in the past, I know this approach works and enables U.S. competitors to succeed.

Third, it is the best way to reduce abuses of human rights in China. As a Chinese Christian clergyman testified ''The WTO agreement obligates China to play by the rules. In the process, China will need to strengthen its legal institutions, train more legal professionals, learn to follow international legal procedures and educate its people about the concept of rights, law and international norms. This process alone is a breakthrough with important philosophical implications for China as a nation. When a Chinese realizes that he has rights as an investor that government should not violate, then more likely he will also realize that he has other rights as a human being.''

Free trade is a potent catalyst for change because it works from the inside out. under PNTR, we get to post the best advertisement in the world for democracy in the heart of China itself. Signing a free trade agreement with China, opening its markets to our goods and values, bringing china into the rule based international trading community, is not only good for Connecticut jobs, but it is good for reform in China and will move us toward a more prosperous world community. Congress should pass PNTR.

Mr. RANGEL. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. GONZALEZ).

Mr. GONZALEZ. Mr. Speaker, this vote is about choosing an alternative to a policy of annual review which has failed to open China's markets and its people to the United States. To be sure, this is a vote about trade and export of American goods and services, but it is

also about trade and export of American ideals and principles.

We can make a difference in China when it comes to human rights, when it comes to religious freedom and workers' rights. Today's vote will determine whether we will make a difference in China. I urge everyone to vote yes for permanent normal trade relations with China.

Mr. STARK. Mr. Speaker, I am pleased to yield 30 seconds to the gentlewoman from California (Ms. WATERS), who recognizes that forced child labor is not stylish, even at the Gap.

Ms. WATERS. Mr. Speaker, there are many reasons to oppose PNTR for China, such as gross violations of human rights and the lack of fair labor standards in China. These reasons have all been expressed eloquently by other speakers.

What concerns me most is our Nation's selective trade policies and the policies of the WTO itself. Why China and not Cuba? Cuba is only 90 miles from our shores. I am especially concerned about our Nation's policy toward Cuba. The people of Cuba would like to buy food and medicine and agricultural products from the United States, yet the United States continues to maintain an embargo against Cuba.

It makes no sense to expand trade benefits for China while prohibiting all trade with Cuba. What is good for the goose is good for the gander.

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

Mr. Speaker, we hear time and again that greater trade will somehow make China freer. I suggest that greater trade as it is structured through PNTR will enhance the dictatorship in China.

People in China themselves do not need to be convinced that they want the tyrant's boot off of their face. This idea that if we trade more we are going to reach more people with the Internet, telephones, et cetera, it is ridiculous. Those people know they do not want to live in tyranny.

But what we are doing by giving this PNTR, we are giving the Communist Chinese regime their number one primary objective. We will embolden them. They think we are suckers, they think we are saps, they think we are cowards, unable to watch out for our own interests or to champion the cause of liberty and justice.

Why should we be setting up factories? Again, the opposition refuses to address that the fact that taxpayers under this proposal will pay subsidies to businessmen who set up factories over there and close them in the United States. That is a central point here.

Mr. Speaker, I am sorry, I will have to leave this debate at this point. I am chairing a hearing today.

Mr. Speaker, I yield the balance of my time to the gentleman from Georgia (Mr. NORWOOD) and ask unanimous consent that he be allowed to control it.

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

There was no objection.

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

Mr. Speaker, I have wondered long and hard what one might say in the very few minutes that I have to convince my colleagues that this is not the thing to do. It is hard to determine what few important words might get us to realize that giving China permanent trade relations with America is wrong today. I feel very, very passionately about that. But I also want to say that there are good friends and others in this room who feel passionately that we should, and that is the beauty and the wonder of this debate. It has brought together such a mismatched group of people in Congress to come together and oppose and be for this particular amendment. That is the beauty of this body.

Mr. Speaker, I want to make it clear, we are not debating an end to normal trade relations with China. We are not isolating China. Now, I support normal trade with China, with congressional review. I simply oppose making this permanent, in light of China's present conduct.

China has normal trade relations with us today, right now; and they are going to continue to have normal trade relations under the same terms, whether the President's bill passes or does not. Both China and the United States will be able to trade with each other under the WTO rules, whether this bill passes or not. This is the one issue in my few minutes I hope Members will listen to.

The United States will not lose any advantage to international competition or competitors by not approving this bill. This has been a real, honest to goodness fear for many of our Members, so please listen to this very carefully. I quote, ''The United States and China agree to accord firms, companies, corporations and trading organizations of the other party treatment no less favorable than is afforded to any third country or region.'' Where did that come from? That is Article 3(A) of the 1979 Bilateral Trade Agreement, our current agreement.

If China joins the WTO, they have to give the United States the same trade privileges they grant any WTO member nation, regardless of whether we approve or disapprove permanent relations.

So why are so many people adamant about passing PNTR? What does the bill really do? The answer is that it restricts the practical ability of this Congress to monitor China's progress in fair trade, in human rights and in military threats.

So for my colleagues who were thinking of voting yes in order to not shut down trade with China, please reevaluate that. Under our current agreement, China trade will continue, and likely expand, whether this measure passes or not.

Mr. ARCHER. Mr. Speaker, I yield myself such time as I may consume simply to respond very quickly to my friend from Georgia.

Mr. Speaker, my friend from Georgia has not read the entire agreement or read the 1979 agreement between the Chinese and the U.S., obviously, because what he said is not valid. There are many things in this agreement which are not included in the 1979 agreement, and we will lose the benefit of those if we do not approve this bill today.

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That happens to be a fact and a reality. Unfortunately, the 1979 agreement the Chinese made with us is not as broad, not as comprehensive, will not include all of the concessions that will be available to us if we approve this.

Mr. Speaker, I yield 1 minute to the gentleman from New Hampshire (Mr. BASS).

Mr. BASS. Mr. Speaker, I thank the distinguished chairman for yielding me this time, to rise in support of permanent normal trade relations with China.

Passage of this agreement helps us, not them. They have agreed to lower tariffs on agricultural produce by over 50 percent, industrial tariffs from 24.6 percent a couple of years ago down to 9.4 percent, and most importantly, provide access to telecommunications, insurance, banking, and information technology markets. Although I do recognize the benefits of U.S. engagement with China, I also understand our concerns about labor conditions, human rights and national security. After all, I serve on the Committee on Intelligence.

But if the goal is to promote constructive change in China, we had best be at the table. Because if we do not pass normal trade relations with China and they do join the WTO, these decisions about making long-term changes internally in China will go to the Pacific Rim countries like Japan and Korea and to the Europeans.

Mr. Speaker, this is a good, sound policy, not only for the issues of democracy, human rights, but it is also good for trade and for the economy of our Nation.

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

Mr. FORD. Mr. Speaker, I come from a city that in many ways exemplifies this transition to a global economy, for Memphis is the distribution capital of the United States. Every conceivable product from soybeans to microprocessors lands in our airports, docks at our harbors, or travels our highways. Markets and trade directly affect how people in my district live.

This agreement, as it has been said over and over again, only opens their markets to ensure that cotton and wheat and soybeans, jet engines, insurance, automobiles, and even Internet

services can be sold to our new friends in China. At a time when family farmers are struggling, it seems to me to be only right that we open up a market where 1.2 billion people live.

But our vote today should not be interpreted as a blank check for the deplorable abuses taking place in China. As a matter of fact, trade should not be interpreted as acceptance, but as really a challenge. For trade builds wealth, wealth spreads freedom, and freedom defeats tyranny. In cities across the world our values are followed, our products are imitated, and our culture is envied. Give those in China the opportunity to envy us here in America.

Mr. Speaker, I ask my colleagues to support normalizing permanent trade relations with China.

Mr. Speaker, today America has a straightforward choice to make: whether we want to benefit from a historic opportunity to open China's market to American goods, agricultural products, and services—or whether we want to isolate the 1.2 billion people of China, and in turn, punish America and the American worker.

I have scrutinized this legislation to see if it will truly promote American interests and values. Like some who may oppose this legislation, I have long been concerned with human rights in China. I want freedom and democracy to flourish just as much as anyone else. And I have scrutinized this bill's impact on workers here at home. I have listened to those arguments. And I have concluded that normalizing trade relations with China is right for America. It is right for ensuring American engagement as a world leader and safeguarding our national security interests; it is right for promoting American competitiveness abroad; and it is right for the ideals of human rights and democracy.

Guaranteeing America's National Security Interests. America has fought three wars in Asia in the last 50 years. I don't want to see us fight another. Cordell Hull, a great Tennessean—who hailed from Carthage and who held the seat that Vice President GORE held and that his father held before him—had a favorite saying: ''When goods don't cross borders, armies do.'' Integrating China into the global trading system will do more for the cause of national security than a fleet of warships could ever do. One must only look at what happen in the recent elections in Taiwan. The power of inclusion in the WTO counseled against any belligerence that the Chinese may have contemplated in the aftermath of the Taiwanese election. China held back, and the cause of peaceful reconciliation was advanced—in no small measure, because China knew that its trading partners were watching. America has genuine strategic interests in Asia, and as Secretary Cohen, Secretary Albright, the Joint Chiefs, Gen. Colin Powell and many others have said, normalizing trade relations with China will greatly advance the cause of peace and security.

Ensuring American Competitiveness. China will come into the World Trade Organization and the international economic system whether we like it or not. We cannot stop this process, even if we wanted to. The only question before us is: should we lead and promote our values of competition and fairness or should we sit on the sidelines while other countries profit from selling to the Chinese? Ask the small business owner or farmer in my state, and the answer will be clear: of course, we want to benefit from this deal. For the first time, China is slashing tariffs and barriers to America's superior goods, services, and farm products. Our trade negotiators made absolutely no concessions to China; it is, as the President has said, ''one-way'' deal. We will be able to sell them everything from wheat to jet engines to insurance to Internet services. If we turn our back on that opportunity, we will only be punishing ourselves. And I simply cannot go home to the hardworking people of my state and say that I kicked away a once-in-a-lifetime chance to help them lead, compete, and win.

Promoting Human Rights and Democracy. The Chinese people, like all of God's children, deserve the basic dignities and rights that accompany freedom. By making China play by the rules, and by exposing the Chinese people to American values and American know-how, I submit that freedom will inevitably follow. This won't be easy, and it won't happen overnight, and I am a clear-eyed realist. But I also know that no political change can happen overnight. We have to have a toe-hold there, and we have to expand it and build bridges between our two countries. We don't have to approve of everything they do, and we won't. But if we isolate China, we will embolden the hard-liners and the rejectionists. When American companies go to China, they'll pay a better wage, and they'll give workers more freedom. And when the Chinese people click onto the Internet, there will be no stopping the flow of ideas, and we all know that great political transformations have their seeds in the spread of powerful ideas. If we are truly concerned about the cause of human rights and democracy, we must engage China, not isolate it.

Mr. Speaker, today in the People's House we have an opportunity to grant PNTR not for China, but for America. This legislation helps American businesses, American farmers, and American workers, and it will help spread the irresistible American forces of freedom, democracy, peace and stability. To those who would rather hold on to a symbolic annual vote, my response is simple: I cannot in good conscience sacrifice American leadership and American businesses, farmers, and workers on the alter of symbolism. We have the power to make the future more profitable and more secure for all of God's children—and history will not forgive us if we fail to do what's right.

Mr. STARK. Mr. Speaker, I yield 30 seconds to the gentleman from Illinois (Mr. EVANS), who recognizes that China sells weapons to terrorists which may very well be turned on American civilians.

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

Mr. Speaker, many of our colleagues have received a copy of the report, Made in China. This report outlines why corporations like Wal-Mart and Nike have become identified with child labor, forced labor, and hazardous working conditions. These are not the values we want to bring to other countries.

By granting PNTR, we give up any hope of influencing China's policy on workers and human rights. We are inviting U.S. companies to leave the U.S. to produce goods in a country which does not support the minimum wage, basic safety regulations, or the right of association.

Mr. Speaker, let us export our values, not our jobs. I urge my colleagues to vote against this legislation.

Mr. NORWOOD. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Speaker, we have been told wonderful things will flow from expanded trade with China. Workers' rights will be respected, religious freedom will be enhanced, and probably Jeffersonian study groups will be popping up all over China before long.

Well, let us look at the historical facts which, in reality, is all we have in order to determine future actions on the part of the Communist Chinese.

In fact, from the last 10 years since Tiananmen Square, China has been engaged. For the past 10 years, investments in China have grown exponentially, factories have been built employing Chinese workers, creating enormous expansion of Chinese GNP. These things are indisputable facts.

Mr. Speaker, here are some more facts. Over the last 10 years, according to the State Department and the newly created United States Commission on International Religious Freedom, there has been a steady deterioration, I say deterioration, of human rights, workers' rights, religious liberty.

I just came from the Committee on International Relations where this report was given to us by the Commission. Here it is. The Report of the United States Commission on International Religious Freedom. The Commission members are from all sides of the political spectrum. Rabbi David Saperstein, the Chair, told us that every single part of the spectrum was represented on this commission, and here is what they reported. Quote: ''A grant of PNTR at this juncture could be seen by the Chinese people struggling for religious freedom as an abandonment of their cause at a moment of great difficulty. The Commission, therefore, believes that Congress should not approve PNTR for China until China makes substantial improvements in respect for religious freedom as measured by the following standards,'' and then it lists them out.

This is the Commission report. We are waiting for the Bereuter Commission; we have a Commission report right before us today. It was established by this Congress. The report was issued on May 1. It is in front of us. Read it. Anybody who is going to be influenced by the Bereuter Commission in the future, Members have it before them.

Mr. Speaker, I ask for a ''no'' vote.

Mr. CRANE. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. HERGER), our distinguished colleague.

Mr. HERGER. Mr. Speaker, I rise today in support of giving American

farmers, producers, and exporters a level playing field in China bypassing permanent normal trade relations.

While there have been compelling arguments made on both sides of this difficult issue, I believe that approving PNTR is clearly in America's best interests. This opportunity is especially important to our Nation's farmers. The U.S. Department of Agriculture estimates that farm exports to China could grow by $2 billion annually as a result of PNTR. But normalizing trade with China would do far more than just increase American exports. It will also expand democratic influence in China as American businesses bring our democratic ideals directly to the Chinese people.

Mr. Speaker, I urge my colleagues to support PNTR.

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

Mr. STARK. Mr. Speaker I yield 30 seconds to the gentleman from Pennsylvania (Mr. COYNE), who recognizes that the 500,000 Bibles printed in Chinese in China is not even enough to provide one to each political or religious prisoner, much less leave any in the motel rooms.

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

Mr. COYNE. Mr. Speaker, I rise today in opposition to PNTR for China.

Granting permanent normal trade relations to China would send the wrong message to the Chinese government and to the American people. China's workers earn pitifully low wages and work without even minimal safety standards in their factories. The factories in China are not subject to environmental standards common in other countries around the world. Some claim that by trading with China, workers' rights and environmental standards will improve. In China, however, labor leaders are routinely arrested and detained for long periods under harsh conditions.

The Chinese government has shown over and over again that it will not tolerate the formation of labor unions. It is unlikely that foreign or Chinese factory owners will push to change this policy. Manufacturing firms in China are also not likely to demand environmental standards.

Ending the United States' right to review the terms of trade with China yearly will only slow the pace of reform and remove a powerful deterrent to the most flagrant, visible abuses of human rights in China. I encourage my colleagues to vote against PNTR until the Chinese government makes visible progress on these issues.

Mr. NORWOOD. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. WOLF), the leader in human rights in this Congress.

Mr. WOLF. Mr. Speaker, a man does not live by bread alone, and if one listens to the debate, one would begin to wonder.

It was 55 years ago last month that Dietrich Bonhoffer was marched from his prison cell in Flossenburg Prison in Nazi Germany and hung because he stood on behalf of human rights and speaking out. There are modern Dietrich Bonhoffers in prison today in China, and this Congress and this administration ignores it.

We talk about the Berlin Wall falling; to my side, the Berlin Wall did not fall. Ronald Reagan pushed it down. He pushed it down with the help of the Pope and the AFL–CIO who helped Lech Walesa and Natan Sharansky and Andrei Sakharov and others.

We say that we are changing the tactics that work to defeat communism. Can anyone imagine a Member getting up in this body in the 1980s saying, let us help give more money to Russia, that way we will defeat them.

We say we are a pro-family Congress and a pro-family party. Mr. Speaker, 500 women a day in China commit suicide and endure forced abortion and forced sterilization.

We say we are for a strong defense, and if Members got the CIA briefing and unfortunately, not many did, they see the threat to this country, and they see that every major veterans' group supports defeat of this.

In closing, Ronald Reagan said on December 4, 1992, ''Do not forget those who suffer under tyranny and violence. Do not abandon them to the evils of totalitarian rule or democratic neglect. For the freedom we celebrate is not the freedom to starve, the freedom to languish in a long, starless night of the soul. This, at least, is something that should be beyond debate.''

Mr. Speaker, I urge and pray that the Members who are undecided, particularly on our side, which has been a party that has been against communism, for human rights, for religious freedom and for defense, will vote this down.

Mr. CRANE. Mr. Speaker, I yield 1 minute to the gentlewoman from New Jersey (Mrs. ROUKEMA).

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

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

Mr. Speaker, I have to say that we have heard a lot said, I am not going to go over the statistics here, I am just going to say that not only for New Jersey, but for the Nation, the bottom line here is that this is a jobs bill. It is a jobs bill for all of us throughout the country.

I must say to my colleagues that all reliable and objective economists and business analysts agree and assert these truths. We would not have all of the governors and all of the business groups and all of the groups across the country with a strong endorsement here, including defense groups supporting this, if these truths were not self-evident.

Mr. Speaker, I must also tell my colleagues that it is an American jobs bill because it is estimated that a quarter of a trillion dollars in infrastructure over the next 10 years will have to be spent in China, and that means American energy, gas, construction, telecom, and engineering companies will compete for the vast majority of these dollars. By the way, it should be stressed, there is no doubt but that the European Union and Japan is waiting to take over these markets if we fail in this opportunity.

Mr. Speaker, I am in strong support of granting Permanent Normal Trade Relations with China. This will be one of the most significant votes in years. The stakes are high. This is a defining moment for American workers and American businesses. When the House votes on Permanent Normal Trade Relations (PNTR) for China we will be deciding whether the United States will continue to lead in the global economy.

AN AMERICAN JOBS BILL

Mr. Speaker, this legislation can not just be considered a trade bill. Today we will vote on an American jobs bill. The benefits of trade with China effect every state in the nation. Direct exports from my state of New Jersey to China totaled over $373 million in 1998. Approximately 25% of all goods produced in New Jersey are exported. New Jersey ports and their workers handled $9.4 billion in imports from China in that same year. It is also estimated that 1 out of every 8 New Jersey jobs are connected to producing goods for export. The bottom line is that trade with China creates millions of good jobs at good wages in New Jersey and all across the nation.

This is an American jobs bill because it is estimated that China will need to spend almost a quarter of a trillion dollars on infrastructure alone over the next ten years. American energy, gas, construction, telecom, and engineering companies will compete for a majority of these dollars. A recent study by Goldman Sachs estimates that increased access to China's markets from PNTR would be worth an additional $13 billion annually to U.S. workers, farmers and companies by 2005.

In the expanding global economy, we cannot ignore that China represents a dynamic, expanding market for our exports. Once Congress votes for PNTR and China enters the World Trade Organization (WTO), American businesses, manufacturers, and farmers will have unprecedented direct access to China's 1.3 billion people. This will open the door for them to do what they do best—compete and win by offering the best product or service.

It is the American economy that stands to win from approval of PNTR. Denial of PNTR status to China will damage our own economy and only serve the interests of our international trade competitors. The Europeans have already negotiated a trade deal with China and are just waiting for us to turn our back on potential Chinese customers so they can step into the breach. Japan is also waiting for these trade advantages.

CONCERNS ABOUT CHINA

I understand the concerns raised by those who oppose PNTR for China. I, too, continue to be deeply concerned about some of the actions of China's government. Clearly, there exists much room for improvement. But with this vote, the question is not whether we approve or disapprove of China's record on human rights or their international posturing. The question is what is the best way to approach China to influence their future behavior?

I believe the answer is for Congress to grant PNTR. In fact former Presidents Bush, Carter and Ford, Governor Bush and Vice President Gore, Federal Reserve Chairman Alan Greenspan, the Reverend Billy Graham, nine former Secretaries of the Treasury, six former Secretaries of State, eight former Secretaries of Agriculture, 40 Governors, and leading Chinese activists all believe the answer is for Congress to grant PNTR for China.

If Congress votes in favor of PNTR, China will not change overnight. It will take time for the old monolith to fall away in favor of a dynamic new society. But just look at the difference American business is making in China. The best and brightest of Chinese workers are flocking away from the old state owned enterprises in favor of working for foreign owned businesses. American businesses offer the Chinese not only better pay and benefits but also allows them the opportunity to excel and move up the economic and social ladder. I submit that the momentum behind these changes once unleashed will be impossible to slow.

Clearly, trade relations will strengthen the rule of law. And an historical truth is that economic ties open borders and expand human rights, bringing them closer to the world community.

CONCLUSION

Yes, it will take time for China to change. But their participation in the WTO will pull them closer into the family of nations and enforce the rule of law. Our engagement with China will create jobs here at home and will breathe the entrepreneurial spirit and freedom throughout their land.

In summary: (1) this landmark agreement will mean more American jobs at good wages here at home.

(2) This will strengthen rule of law and expand human rights by bringing them into the world community.

(3) And significantly, if we reject PNTR it will further open the European countries and Japan to take over these profitable markets. I urge support for PNTR.

I urge my colleagues to support PNTR for China.

SUPPORT FOR PERMANENT NORMAL TRADE RELATIONS WITH CHINA

American Leaders and Veterans: Presidents Bush and Ford, both World War II veterans; General Colin Powell; Joint Chiefs of Staff; Secretary of Defense William Cohen; Former Secretary of Defense Dick Cheney; Six former Secretaries of State; Forty seven Governors including George W. Bush; and Senator John McCain.

Business Groups: New Jersey Chamber of Commerce; New Jersey Business and Industry Association; U.S. Chamber of Commerce; and National Association of Manufacturers.

Agriculture: New Jersey Farm Bureau; and Northeast Farmer Cooperative (representing New Jersey Dairy Farmers).

Religious Leaders: The Reverend Billy Graham, and Pat Robertson.

All believe the answer is for Congress to grant PNTR for China.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. CARDIN), one of the outstanding members of the Committee on Ways and Means.

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

Mr. CARDIN. Mr. Speaker, let me thank the gentleman from New York for yielding me this time.

During the last several months, it has become clear to me that the action we are taking today is not just the annual review of whether China should be given normal trade relations, but a major policy initiative by the Clinton administration.

I am concerned that the rejection of this agreement could have serious national security ramifications. However, that does not mean that this body should just automatically approve permanent normal trade relations with China.

It was important to me, and I think to many Members of this body, that in order for us to support this change, there needed to be an adequate package of related issues incorporated in the vote. That has happened.

First, we have incorporated the provisions concerning human rights. I do not think any of us believe that we would now reject the annual review of normal trade relations with China. That has been an ineffective way to review human rights progress within China. The new mechanism which institutionalizes that review will be a more effective way to review human rights.

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Second, the provisions provide for enforcement of our trade laws against China.

Third, we have codified the new surge provisions which provide a more liberal standard to be able to take action against China for illegally imported products.

Fourth, the President has made it clear that environment and labor will be our priorities in the new rounds of WTO discussions.

Lastly, let me say that I applaud the administration in its commitment to use all the resources of its office to enforce our existing trade laws. It is important that we not only protect U.S. industries against illegally imported products from China, but from all of our trading partners.

I believe that if we look at the total package, plus the statements that have been made by the administration, we now have a package that is worth supporting.

Mr. Speaker, if the sole issue before us today is whether Congress will approve the administration's initiative to normalize trade with China, subject China to the standards of the rule of law within WTO, based upon the package that is being presented and the commitments of the administration, I believe it is in our national interests to approve this legislation.

Mr. Speaker, I rise today in support of H.R. 4444, and urge the House to adopt this important measure.

I am pleased that the Rules Committee has incorporated the bipartisan Levin-Bereuter provisions into the underlying bill which authorizes the accession of China into the WTO. My support for this legislation was and is contingent on the Levin-Bereuter provisions on human rights, workers' rights, and anti-surge safeguards. In addition, I am pleased that the legislation provides for strict monitoring and enforcement of China's compliance with its WTO obligations by the United States.

During the past several months, I have received a great deal of information from the opponents and proponents of PNTR. The information that I have received has been very helpful in my consideration of this difficult issue.

It has been increasingly clear that this vote on PNTR is not just another trade vote, but a major foreign policy initiative by our government. Traditionally Congress has delegated this responsibility to the President. Regardless of how one feels about trade with China, I am convinced that the rejection of this agreement by Congress will have serious ramifications for the natural security interests of the United States and our friends in Asia. The failure of this legislation will strengthen the hand of the hard-liners in Beijing who want to keep China out of the community of nations.

With respect to the economic issues that underlie this agreement, we must recognize that China already has access to our markets. The bilateral agreement concluded between the United States and China as part of China's accession to the WTO will only help US manufacturers, producers and farmers gain access to the China market.

With respect to human rights, I have always believed that trade could be an effective tool in achieving human rights goals. Human rights considerations have led me to consistently oppose the annual extension of most favored nation for China. Yet I acknowledge that the annual review of NTR has not been effective in advancing human rights in China. Most human rights advocates have now concluded that it is unrealistic to expect that the US would ever revoke NTR for China.

Mr. Speaker, let me briefly review the important provisions of the legislation that have led me to my decision to support this proposal. The key provisions address my concerns regarding human rights, oversight and enforcement of China's WTO obligations, workers' rights, and anti-surge provisions. They impose conditions that are much stronger than have ever been presented during the consideration of the annual extension of trade with China.

Most important, the legislation would establish a Congressional-Executive Commission on China. This Commission is modeled on the Commission on Security and Cooperation in Europe (CSCE), of which I am proud to serve as a member and a Commissioner. The China Commission will: 1) monitor human rights and religious freedom in China; (2) monitor overall aspects of labor market issues in China; and (3) monitor and encourage the development of rule-of-law and democracy-building in China.

The Commission will submit annual reports to Congress and the President, including appropriate WTO-consistent recommendations for legislative and/or executive action. It will maintain a list of victims of human rights abuses in China, and it will provide Members of Congress with information on the issues within its purview.

I expect that the Commission will institutionalize Congressional examination of measures by the Chinese Government that affect US interests. It will serve to identify needed

reforms in China's policies and call attention to any troubling activities of the Chinese government. Nobody supposes that passage of PNTR will bring an immediate end to the abusive practices of the Chinese government. PNTR will, however, bring the pressure of international economic activity to bear on the repressive practices of the Chinese.

At the same time, the Commission will provide an important conduit between Chinese citizens, on the one hand, and the U.S. Government and public, on the other hand. I firmly believe that increased exposure to U.S. values will accelerate progress in China on human rights and economic freedom. Finally, the Commission will be a strong, effective, an unique point of contact on China issues between Congress and the Administration.

The legislation also requires the U.S. Trade Representative to issue an annual report on China's compliance with WTO obligations. The report will cover compliance by China with commitments made in connection with its accession to the WTO, including both multilateral commitments and any bilateral commitments made to the U.S. The report will be a guide to where and how to commit the enforcement resources of the US Government.

The Administration has also agreed to press for a mechanism for reviewing China's compliance with WTO obligations on an annual basis. Such a mechanism will be especially valuable as we proceed through the early stages of development of a free market and the rule of law in China.

The legislation also calls for additional resources to be allocated to the U.S. Trade Representative as well as other Cabinet agencies to strengthen the ability of the United States to monitor and enforce Chinese compliance with trade agreements.

We are all aware that China has engaged in abusive and horrendous practices of employing forced and prison labor in the production of goods. Our efforts to highlight these practices and pressure the Chinese to end them have had little success to this point. This legislation instructs the President to establish an interagency task force to monitor and promote effective enforcement of the prohibition on the importation of goods made by forced or prison labor into the United States.

The legislation before us also calls for the allocation of resources to the Departments of Commerce, State, and Labor to provide training and technical assistance in China for purposes of developing the rule of law with respect to commercial and labor market standards. The departments will establish programs to assist China in bringing its laws into compliance with international requirements, including WTO rules, and in developing processes to enforce the rule of law.

One of the strongest features of the bilateral agreement negotiated by the Clinton Administration is product-specific safeguard which will be included in China's protocol of accession to the WTO. This special anti-surge safeguard will apply to China for a period of 12 years following China's accession to the WTO. These provisions are more reasonable, and more favorable for U.S. industry and workers, than the comparable provisions that apply in general U.S. trade law to our other trading partners. The China safeguard contains lower causation and injury standards than ordinarily would apply between WTO members under section 201 of the Trade Act of 1974. The codification of this provision by the Levin-Bereuter package is a vital feature of today's legislation.

Mr. Speaker, I also believe that we should amend our trade laws to apply the China standards on dumping to all countries. Such Congressional action would be consistent with our WTO obligations. I have prepared and offered such a bipartisan amendment, with my colleague Mr. English of Pennsylvania, in both the Ways & Means Committee and in the Rules Committee. The amendment contains several provisions from HR 1505, the bipartisan Fair Trade Law Enhancement Act of 1999, introduced by Representative ENGLISH and myself in the first session of this Congress.

In 1999, we witnessed a surge of subsidized imported steel into the U.S. While some of that import surge came from China, it also came from Russia, Japan, Brazil, and South Korea. Our existing anti-dumping and countervailing duty laws and relief under Section 201 of the Trade Act of 1974 were not able to help U.S. industries from these illegal imports. The new surge provisions negotiated with China will help in regards to future China imports. However, they will do nothing to help in regards to our other trading partners. Under WTO, we should use the more realistic China causation standards for all countries rather than using the causation standards included, for example, currently in Section 201. My amendment would have corrected this inconsistency.

Unfortunately, my amendment was not made in order for consideration by the full House. I am hopeful that, after we act today to codify the trade laws applying to China, the next logical step will be to extend these standards to all of our trading partners. In addition, the Administration has given me assurances that it will vigorously use the full resources of its authority to enforce existing trade laws and that the Administration will not tolerate any illegal dumping. The Commerce Department is currently preparing a detailed report and analysis on last year's steel dumping. I plan to work closely with the Administration and concerned members from both sides of the aisle and workers and management in affected industries to make sure that we adopt measures to prevent future occurrences similar to what happened in 1999.

There has been much discussion as to how to advance international standards for labor and environment in our trade negotiations. Progress in that regard has been made in the China agreement.

It is also important to note that President Clinton made it clear to our trading partners in Seattle that any future trade rounds under the World Trade Organization must include the discussion of international labor and environmental standards. I wholeheartedly support the President in insisting that international labor and environmental standards be included among our nation's priorities in negotiations with our trading partners.

The sole issue before us today is whether Congress will approve the Administration's initiative to normalize trade with China and subject China to the standards and rule of law within the World Trade Organization. We all understand that China is far from a model citizen in the world community of nations. The question is how to move the world's largest country, a country which, in our lifetimes, will become the world's largest economy, in the direction of democracy, openness, and economic freedom. Based on the full package that is being presented and the steps taken by the Administration to enforce our existing trade laws, I believe that Congress's ratification of the President's ratification of the President's initiative is in the best interest of our country.

Mr. STARK. Mr. Speaker, I yield 30 seconds to the gentleman from New York (Mr. CROWLEY), who understands that China will soon surpass the United States to become the leading emitter of greenhouse gases and that will not abate.

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

Mr. CROWLEY. Mr. Speaker, although I am for free and fair trade, as well as engagement with China, now is not the time for permanent normal trade relations. China has simply not matured enough politically or economically to have permanent normal trade relations with the U.S.

China still poses a danger to our national security, has a record of gross human rights violations, including the use of prison labor, and a lack of religious freedom. China also has a terrible record on the environment and has some of the most polluted cities in the entire world.

I think it is dangerous to give up the most important leverage we have in order to get China to comply with the agreements, the annual review process, and the carrot of permanent relations. You do not give away the carrot before you get the results that you want.

Mr. Speaker, I rise today to urge my colleagues to oppose granting permanent normal trade relations to China.

Although I am for free and fair trade, as well as engagement with China, now is not the time for Permanent NTR.

China, has simply not matured enough politically or economically to have permanent normal trade relations with the United States. China still poses a danger to our national security, has a record of gross human rights violations, including the use of prison labor and a lack of religious freedom. China also has a terrible record on the environment and has some of the most polluted cities in the world.

Additionally, China has violated every agreement it has made with the Untied States. Even the Administration doesn't trust them in this respect, which is why they've proposed a rapid response team to monitor China's compliance with this deal.

I think it is dangerous to give up the most important leverage we have in getting China to comply with its agreements, the annual review process and the carrot of permanent relations. You don't give away the carrot before you get the result you want.

Mr. Speaker, I would urge my colleagues to oppose granting China Permanent NTR until they have proven they can abide by their international obligations.

The SPEAKER pro tempore (Mr. LAHOOD) The Chair announces that the gentleman from Georgia (Mr. NORWOOD) has 18½ minutes remaining, the gentleman from Illinois (Mr. CRANE) has 15½ minutes remaining, the gentleman from New York (Mr. RANGEL)

has 25½ minutes remaining, and the gentleman from California (Mr. STARK) has 27½ remaining.

Mr. NORWOOD. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Utah (Mr. COOK).

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

Mr. Speaker, our decision to give permanent normal trade relations to China should not be based on what is profitable for our country today at the expense of our future.

Arguments that trade with China would lead to the evolution of democratic principles which will spread to the people hold no weight. The truth is, we have been engaged in trade with China for 30 years; yet they remain the most repressive government in the world. Has our strengthening of China's regime through trade brought political freedom? Absolutely not.

I cannot close my eyes to the human rights abuses, to the political oppression of religious intolerance of the Chinese Government. I cannot turn a deaf ear to the workers on both sides of the ocean who clamor for better working conditions and fairer wages.

I refuse to turn my back on the nuclear and security threat that China poses to our great Nation and its neighbors like Taiwan. And it is unbelievable to me that we are on the brink of giving the Chinese all of our electronic and computer capability to help them guide their missiles to our cities.

As the dragon stands knocking at our door, knocking ever so loudly, do we permanently give it free access inside, when in the past it is broken its promises, stolen our technology, compromised our security? Do we allow the Chinese Government to prosper when it treats its citizens, the very people it should be protecting so poorly, so unjustly?

China has been promising economic concessions to buy its way into the WTO. But it has shown no willingness to change its political dogma. Abolishing our yearly review of trade relations gives carte blanche to the Chinese Government. We should not permanently reward and appease its intransigence.

Mr. Speaker, I urge my colleagues to vote against PNTR for China.

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

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

Mr. OSE. Mr. Speaker, I rise today in support of the bill.

Mr. Speaker, I rise today in support of Permanent Trade relations with China.

My district encompasses the Sacramento Valley in California. Agriculture is the dominant industry in the region. One of the reasons I support free trade is that it's good for my farmers.

We've all heard about how PNTR with China will increase Ag. exports and boost the rural economy. We've also heard about how PNTR with China will increase exports in manufacturing, high tech, and services. All these things are true.

In fact, during the debate over PNTR with China, the proponents have consistently highlighted the tremendous export possibilities of trade with China.

But free trade benefits all Americans, not just companies that export. Lets review some of the benefits of free trade to the American people.

1. Comparative Advantage.—In the theory of Comparative Advantage, Americans will produce products that we are best at producing and other nations will produce products that they are best at producing.

With free trade, we don't have to waste time and labor on producing low quality products. By importing certain goods, American workers are freed to produce higher quality items that bring higher wages.

2. Increase Competitiveness.—Open trade forces American companies to compete with foreign companies. This competitiveness causes U.S. businesses to continually try to improve their products and lower their prices.

Does anyone in this Congress believe that the U.S. auto industry would be as healthy, or that U.S. cars would be of such high quality, if not for the competition from Japan?

As a result of that competition, our auto industry is competitive around the world and American consumers can buy world class American/made automobiles.

3. Keeps Inflation in Check.—Trade also helps keep inflation in check by acting as a safety valve when the economy heats up. The recent period of robust economic growth, low unemployment, and low inflation is unprecedented in our history. A significant portion of this success is attributed the fact that our markets are open.

As we consider this vote today, let us keep one thing in mind. Tariffs are really taxes on consumers. When we reduce barriers to trade, consumers win. In fact, American families save thousands of dollars a year because of trade, freeing up money that can be spent on a home, or education or health care.

As we vote today, I urge my colleagues to consider all the ways the American people benefit from trade.

Mr. RANGEL. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON–LEE of Texas. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I rise in appreciation of the deliberations that have occurred on this very important vote. I also rise to say that this morning I saw the story of a young Chinese woman coming off the bus in China from a village with her 5-year-old child loaded down with her bags, looking for a better qualify of life. As I watched her seeking a greater place in the sun for that little boy, I knew that this vote today had to be more than efforts on behalf of trade between the United States of America and China. It had to be a vote with backbone.

This vote to support PNTR has to be a vote to trade with China and exchange democracy, to trade and exchange the products of the United States made by American workers and made in America; to create opportunities for intellectual and academic change; to create the opportunity to export technology to China and to close the digital divide in places like the 18th Congressional District; and by greater trade in opportunities for American businessmen. I hope to see an increase in the opportunities for capital investment in rural and urban America.

Trade is, of course, the engine of the 21st century. The PNTR is not closing the door; it is opening the door of democracy to China.

I rise to support this legislation, and I would ask that we do it with a backbone on behalf of the American people of the United States of America, so that our exports include both our goods and commodities as well as our values of democracy, peace, and a better quality of life.

Mr. Speaker, I rise today in support of granting Permanent Normal Trade Relations for China. I have come to this conclusion after intensely listening to arguments for some period of time from many supporters and opponents of the PNTR, and weighing the pros and cons of this extremely important trade bill.

I want to thank Chairman ARCHER and Ranking Member RANGEL for their important work on this legislation. They should be commended for their hard work.

It is my hope that every one's views on this bill will be respected on this vote, and that we will find a constructive way to unify after this vote for the good of all Americans. This is truly a vote of conscience that each and every member has wrestled with.

For several years, I have recognized that trade with China has value for Americans and the people of China, yet I have reservations. My record on trade measures since coming to Congress demonstrates my willingness to evaluate each vote on its own merits. Each year that I have voted for most-favored-nation status for China, I have likewise raised my voice against the ''undemocratic'' ways of that nation.

It is imperative that we recognize that American companies must reinvest in rural and urban America as a result of PNTR. Unlike during the Cold War, we have unparalled opportunities to bring the people of China and America much closer together. America has a responsibility to invest and to establish a rapid response for companies that are affected as a result of job loss.

I have been working very closely with the Administration to secure a commitment to designate the Department of Labor to study job losses and to provide added relief to American workers adversely affected by the PNTR agreement.

I have also worked to establish a Task Force on small businesses from a range of agencies within the United States government to facilitate and negotiate doing business in China. This Task Force would be responsible for specifically encouraging trade between United States small businesses and these newly established small business in China.

We are not here to discuss whether China will gain access to the WTO. We recognize it will do so and that the unconditional most-favored nation (MFN) principle requires that trade concessions be granted ''immediately and unconditionally'' to all 135 WTO Members. More importantly, the World Trade Organization is not nor should it be a human rights policy toward China. Nothing about this vote

should reflect our Nation's views about current or past human rights practices in China. This is about how to bring about change over the long-term.

The World Trade Organization would strengthen against surges in imports from China and open Chinese markets to more U.S. exports. The November 1999 Agreement between the United States and China contains a product-specific safeguard, which will be included in China's protocol of accession to the WTO. A provision was recently added to this legislation that spells out procedures for effectively invoking that safeguard.

H.R. 4444 presently before the House enables the United States to grant PNTR to China once it has completed its accession, provided that it is on terms at least as good as those in our 1999 bilateral agreement. By granting permanent trade relations to China, it will open its markets to an unprecedented degree, while in return the United States simply maintains its current market access policies. The enhanced trade and services for American and Chinese companies could be dramatic for Texans and Americans as a whole.

Texas alone has export sales to China of more than $580 million in 1998—nearly 50 percent above its sales in 1993. Shipments through the Port of Houston with China including Hong Kong totaled $444 million in 1998. In 1999, air cargo trade between Houston and China, including Hong Kong totaled $1.5 million kilograms and was valued at $56 million. In short, China has come a long way since we established relations in 1971, and develop further relations through PNTR.

Through the PNTR deal, we gain even more significant concessions regarding PNTR. U.S. companies would be able to take advantage of several provisions of the U.S.-China Trade deal after China accedes to the WTO, but only if Congress permanently normalizes China's trade status. For example, tarrifs on industrial products on coming into China would fall to an average of 9.4 percent by 2005 from 24 percent. Agricultural tariffs will fall to 17.5 percent from 31 percent.

In addition, the technology industry in my district would benefit from PNTR. For example, foreign companies would be able to own up to 49% of Chinese telecommunications ventures upon China's entry into the WTO, and up to 50% in the second year. And China will import some 40 foreign films in the first year of the agreement, up from 10, and allow foreign films and musical companies to share in distribution revenues on 20 of these firms. The benefits are clearly advantageous to our industries as we support democratization in China.

PNTR is more than a matter of economics for so many of us—including those that have worked on the promotion of democracy and the rule of law around the world. I happen to have been one who with great trepidation voted for the MFN status, based upon the many strong arguments that have been made that if you continue to expose a nation to opportunity, to democracy, to the respect of human rights, would see gradually those parts of the world. I am hoping and would hope most of us would like to believe that we have that kind of trend moving forward in China.

I have had discussions with Former President Jimmy Carter, who strongly voiced his support for granting PNTR to China. Clearly, religious oppression is a continuous concern as a general matter in China. Nevertheless, President Carter eloquently emphasized that villages outside large cities in China are having free elections and that the freedom to practice one's religion has been growing. This is a very positive development. The Chinese people must be counted on to relish these rights and to fight for opportunities at the table of democracy.

Former President Jimmy Carter has worked relentlessly since leaving the oval office to press for open, free, and fair elections all over the world. He has been advocating a powerful human rights agenda within our foreign policy and I salute him for his efforts.

PNTR could help many of these villagers find ways to improve their economic and social well being. For example, some companies are simply showing the Chinese how to improve fertilizers to improve agricultural growth. The people of China certainly should be empowered with the ability to feed their people. That should be a basic right.

At the same time, Americans should understand that granting PNTR should not remove the responsibility from Congress, this Administration, or any future Administration in assessing and responding to any drastic negative impact on Americans as a result of this legislation. For this reason, I expect to develop specific proposals with the Administration that will help small businesses under the PNTR. This is vital to small businesses, especially minority and women-owned entities.

In the 18th Congressional District in Houston Texas, which has a per capita income of $11,091, many of my constituents have not prospered as much as others throughout the Nation. PNTR will spur capital investments, and investment opportunities that would come from international trade.

There will be more appropriate opportunities for expressing dissatisfaction with China's human rights record. I strongly share the view that we must keep pressure on China. A congressional-executive commission within this legislation would help monitor human rights and labor rights while placing safeguards against import surges could play a pivotal role regarding our concerns in China. By addressing human rights matters when they arise, the United States can continue to play a crucial role in demanding that the Chinese leadership live up to WTO commitments.

We must also recognize that the United States has held a vote on renewal of PNTR status for China every year since 1990, never once actually withdrawing NTR status. Unfortunately, the annual NTR vote has been less than effective in promoting the protection of human rights standards in China.

Some argue that granting PNTR means the United States loses leverage over China by surrendering annual reviews. I have considered the gravity of this question for some time. In my work in Congress on numerous rights matters, whether domestic or internationally oriented, I have focused much of my attention as a Representative of the 18th Congressional District on the promotion of economic, civil, and political rights. I have never hesitated to expressly address basic human rights violations wherever they may occur and specifically in the context of the annual review process for normal trade relations (NTR) with China.

Under the proposed legislation, U.S. industries or workers claiming injury due to import surges from China would have legal recourse to the International Trade Commission and in other venues. This would protect our workers or U.S. industries that suffer job losses from as a result of the agreement with China.

The vote on PNTR provides a unique opportunity to support the democratization of China. We should be honest that it will not happen overnight. It will only happen over time.

Mr. Speaker, a ''no'' vote would damage our Sino-American relations—both economic and strategic—for years to come. By denying permanent normal trade relations status, we would irreparably damage our relationship with China, a country of 1.2 billion. I do not think we can afford to follow such a perilous course.

As I review our options today, I am simply unconvinced that constraining China in our trade relations within the WTO will help advance human rights in China. To the contrary, I have become increasingly convinced that changes resulting from the deal, including greater foreign investment and trade, will benefit ordinary Chinese workers and businessmen with the outside world.

Finally, I have deliberated very carefully about the magnitude of this decision. I recognize that trade with China and trade generally is good for our economy and the American people. At the same time, I look forward to opportunities through the WTO to enhance the protection of human rights as I and other lawmakers have advocated.

Mr. Speaker, a vote for PNTR should not leave any American workers behind. We must export democracy to China and not ignore this momentous opportunity. For these reasons, I will vote to give opportunities to the American worker, I will vote to give opportunities to American businesses, and I will vote to give opportunities to the people of China.

Mr. STARK. Mr. Speaker, I yield 30 seconds to the gentlewoman from Illinois (Ms. SCHAKOWSKY), who recognizes that women in China are only allowed to have one child if they are married, and unmarried women are forced to have abortions.

Ms. SCHAKOWSKY. Mr. Speaker, one of the more compelling arguments for PNTR is that it will improve the life of Chinese workers and that U.S. companies will export higher wages and better working conditions, but this factual and shocking report says exactly the opposite, that, in fact, U.S. companies are instead taking advantage of the nearest slave labor conditions and wages, that persist in Chinese factories. But we should not be surprised that companies like Wal-Mart, half of whose U.S. workers qualify for food stamps, have workers in China, nearly half of which owe the factory money after working for a month, 12 to 14 hours a day, making Kathie Lee handbags. Opponents of this proposal dismiss as isolationists and antiprogress, but we favor establishing rules that protect workers and establish our ideals.

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

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

Mr. HAYES. Mr. Speaker, I rise today to urge my colleagues to oppose

this measure of permanent normal trade relations for the People's Republic of China. It does not represent a fair trade agreement for our Nation's textile workers. For the tens of thousands of textile employees in North Carolina's 8th Congressional District, this agreement continues down the road of trading away their jobs to cheap products. The end result of NAFTA, Africa/CBI, and now PNTR has been the continued erosion of one of our Nation's oldest industries.

I believe in opening new markets for our products and I am supportive of encouraging a fair trade agreement with China. However, we cannot continue to benefit foreign industries at the expense of our textile workers. I am fully aware of the potential benefits of trade with China. However, it is wrong to ask the workers of the 8th District of North Carolina and across the country to make sacrifices for those abroad when so many are struggling to make ends meet right here at home. I invite my colleagues who believe PNTR is great for America to come to my district and see the real effects of so-called free trade.

Mr. Speaker, oppose this measure.

Mr. CRANE. Mr. Speaker, I yield 1 minute to our distinguished colleague, the gentleman from Cincinnati, Ohio (Mr. PORTMAN).

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

Mr. PORTMAN. Mr. Speaker, I thank the gentleman from Illinois (Mr. CRANE) for yielding me this time.

Mr. Speaker, I rise today in support of PNTR. I have to say I have listened to a lot of the debate and many of the arguments that are made against PNTR I think simply are not focused on what we are voting on today. They are not relevant to the vote today.

What we are voting on today is whether the United States is going to be able to take advantage of a one-sided trade agreement that only benefits us with the Chinese by normalizing trade relations with China. Yes, putting China in the same category as emerging countries in Eastern Europe like Romania, countries in Africa like Kenya or Egypt, rather than putting China in the category of enemy countries like Libya or Iraq or Cuba, that is all this is about.

Why can we not take advantage of this one-sided trade agreement that only benefits us unless we do this today? Because then they will not have the ability in WTO to give us the benefits they have just negotiated with us.

This is about jobs. It is about exports from my district and other districts. The most important export is going to be the export of U.S. ideas and U.S. values, to bring China into the mainstream.

With all due respect, so many of the arguments being made about human rights, about the environments, about national security, they are not relevant to the vote we are making today.

Mr. Speaker, I rise today in support of continued Normal Trade Relations between the United States and China.

Trade with China has been a significant factor in the economic expansion we've been able to enjoy during the 1990s. In my own district, Greater Cincinnati companies exports to China have almost doubled in this decade alone. That means more jobs for my constituents, more prosperity for the families and businesses in Southwest Ohio, and a healthier economy for the area I represent, for the state of Ohio as a whole and, indeed, for the entire nation.

For those of my colleagues who are undecided on this subject, I'd urge you to take a close look at this PNTR agreement, because it makes so much sense. This is a totally one-sided agreement. Because we already have an essentially open market, we've given away nothing to get this deal, but we've received unprecedented concessions from the Chinese.

Mr. Speaker, China has a long way to go on improving labor standards, human rights and environmental protection. That's why I believe our most important export to China won't be out products and services. Our most important export is our ideas and our beliefs about freedom and democracy.

As the United States and China develop closer ties—as individuals from both countries begin to interact more often with each other—it's going to be impossible for the Chinese government to prevent our values and ideas from spreading. You can already see it happening with the spread of the internet in China, despite the best efforts of their government to slow it down.

Mr. Speaker, we can choose to get rid of normal trade relations with China, and stand on the sidelines when our European and Asian competitors take our place. Or we can build a strong bilateral relationship through engagement—opening their country to our products and ideas.

I urge my colleagues to support the rational approach—and to support normal trade relations with China.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. BECERRA), a member of the Committee on Ways and Means.

Mr. BECERRA. Mr. Speaker, I thank the gentleman from New York (Mr. RANGEL) for yielding me the time.

Mr. Speaker, I rise in support of PNTR. I would like to begin by thanking the gentleman from New York (Mr. RANGEL), the gentleman from Michigan (Mr. LEVIN), the gentleman from California (Mr. MATSUI); and, of course, the gentleman from Illinois (Mr. CRANE) and the gentleman from Texas (Mr. ARCHER) for their leadership in this particular measure.

I would also like to thank the Committee on Rules for putting forward the Levin–Bereuter parallel language that will ensure that we have mechanisms to monitor China and to try to get us closer to freer and fairer trade.

I do not disagree with those who say that human rights is a problem, that worker conditions are a problem, environmental conditions are a problem in China. They are. One cannot pick up a newspaper without reading about the persecution of the Falun Gong. Worker rights, they still do not exist in China, and certainly we know that China has not been the best in enforcing the agreements it has signed.

The question is not so much that China has not done the best it could. The question is, how do we get it to perform better? Is it better to try to engage it and bring it along so it can join the community of nations? Or is it better to shove it off to the corner, put on a dunce cap and say they cannot come out of the corner until they act better?

Isolation has been proven over the centuries to not work. Engagement, while it may work slowly, works. I would rather tell China, join us and do it the right way than tell them sit in that corner until we think they are doing the right thing.

It is time for us to understand that we cannot close our eyes to China. China has problems. It will have problems for a long time; but it is up to us, as the leader in this world, to bring China, as we have done with other countries, forward so it can act among the community of nations the way we would like to see it act.

I have the very basic concerns that many of my colleagues who are going to vote no have as well, but I cannot close my eyes to the fact that China is big, it is here, and it is not going away.

Let us learn from our experiences. Let us move forward, and let us use the power of the greatest democracy in the world to show the rest of the world that China, too, can join us as neighbor and partner and be part of that community of nations that will make us proud to trade with them freely and fairly.

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

Mr. Speaker, when I suggested to the gentleman that I heard William Clay Ford, Jr., say that the Ford Motor Company delivers excellent products and strives to make the world a better place, this gentleman recognized that Ford was going to have to change that and say they would deliver excellent products and strive to make the world a better place for polluters, slavery, intolerance, and repression.

Mr. Speaker, I yield 1 minute to the gentleman from Rhode Island (Mr. KENNEDY).

Mr. KENNEDY of Rhode Island. Mr. Speaker, on human rights, China has failed with over 1,000 executions of dissenters since 1998. On religious rights, China has created an atmosphere of dread and torture and arrest which are commonplace, and on military aggression China's policies are still of great concern.

This weekend we celebrate Memorial Day and are reminded that freedom is not free. Our veterans laid down their lives fighting such dictatorships such as China. What is our generation going to do, lay down and let them make the deal just because we have a buck to save? Do we not care about what this country was founded on? Do we not

care about human rights? This is a travesty. This Congress passed sanctions against South Africa when Nelson Mandela was tortured and jailed in South Africa. What would we do today if this was an apartheid? I guess what we would do is do even more deals with P.W. Botha, because that is just what this Congress is going to do when it does PNTR for China, is lay down with dictators like P.W. Botha and China.

Mr. NORWOOD. Mr. Speaker, it is now a great pleasure for me to yield 3 minutes to the gentleman from New Jersey (Mr. SMITH), a true leader in human rights in this Congress.

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Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman from Georgia (Mr. NORWOOD) very much for yielding me this time.

Mr. Speaker, in the 1992 presidential campaign, Mr. Clinton accused his opponent of coddling the dictator of China and promised that, if he was elected, he would deny MFN to China ''as long as they keep locking people up.'' Today China is locking people up and torturing them big time.

Faced, in the spring of 1993, with a vote that was likely to strip China of MFN, President Clinton preempted congressional action with the issuance of an Executive Order that gave the PRC one more year to reform. For MFN to continue, significant progress in human rights was established. The President said in May 28, 1993, ''Starting today, the U.S. will speak with one voice on China policy.''

We are here today because the American people continue to harbor profound concerns about a range of practices by China's Communist leaders. The President went on. He said that ''the core of the policy will be a resolute insistence upon significant progress on human rights in China.''

''Whether I extend MFN next year'', the President went on, ''will depend on whether China makes significant progress in improving its human rights record.''

I had nothing but praise for the President, Mr. Speaker. I did not realize at the time that we had been had.

As the probationary year progressed, profound doubt concerning the President's commitment to his own policy emerged. So midway through that probationary period in January of 1994, I led a human rights mission to China and was shocked and dismayed to be told by high Chinese officials with whom I met that the Clinton administration would continue MFN without conditions, and that his human rights linkage was pure fiction meaningless and political. It turns out the President was bluffing. The fix was in, and the Chinese dictatorship knew it. A terrible setback for human rights, democracy, the environment, and security issues.

Let me just point out, Mr. Speaker, once that delinking took place, the hard-liners knew for sure that as long as the Clinton administration was in place, there would never be a change. This administration and some in Congress will fight hard to protect intellectual property rights and copyright infringement.

Sanctions for the protection of CDs are wise public policy but are deemed impermissible to employ in the effort to protect Chinese men, women and children from government abuse.

Torture, forced abortion, all kinds of human rights abuses, all of them taken together warrants no sanctions whatsoever. Steal some of our CDs, and we will bring the full brunt of those sanctions against you. Sometimes I think we got our priorities wrong.

Earlier today, Mr. Speaker, the United States Commission on International Religious Freedom testified before the Committee on International Relations and made it very clear that there has been a marked deterioration in religious freedom in China and admonished Congress not to confer PNTR on the PRC. I ask Members to read the 77-page State Department Woman Rights report replete with human rights abuses.

Mr. Speaker, to date there has yet to be any serious credible linkage of trade and human rights. Yet today we are being asked to forgo any possibility of linkage in the future.

Deny China PNTR today—require them to make progress in the direction of reform and protection of human rights.

Mr. Speaker, in the 1992 Presidential Campaign, Mr. Clinton accused his opponent of coddling the dictators of China and promised that he, if elected, would deny MFN to China ''as long as they keep locking people up.'' Today Clinton is locking people up—and torturing them—big time.

Faced in the spring of 1993 with a vote that was likely to strip China of MFN, President Clinton pre-empted Congressional action with the issuance of an executive order that gave the PRC one more year of MFN. For MFN to continue, ''Significant Progress'' in human rights was established as the new standard. The president said in a speech on May 28, 1993:

> Starting today, the United States will speak with one voice on China policy. We no longer have an Executive Branch policy and a Congressional policy. We have an American policy.
>
> We are here today because the American people continue to harbor profound concerns about a range of practices by China's communist leaders. We are concerned that many activists and pro-democracy leaders, including some from Tiananmen Square, continue to languish behind prison bars in China for no crime other than exercising their consciences. We are concerned by the Dalai Lama's reports of Chinese abuses against the people and culture of Tibet . . .
>
> The core of this policy will be a resolute insistence upon significant progress on human rights in China. To implement this policy, I am signing today an Executive Order that will have the effect of extending Most Favored Nation status for China for 12 months. Whether I extend MFN next year, however, will depend upon whether China makes significant progress in improving its human rights record.

I had nothing but praise for the president. I didn't realize at the time that we had been had. As the ''probationary year'' progressed, profound doubt concerning the President's commitment to his own policy emerged.

So, midway through the ''probationary period,'' in Jan. of 1994, I led a human rights mission to China and was shocked and dismayed to be told by high Chinese government officials with whom I met, that President Clinton would continue MFN without conditions and that his brand of human rights linkage was pure fiction, meaningless and political.

Turns out the President was indeed bluffing, the fix was in, and the Chinese dictatorship knew it. A terrible setback for human rights, democracy, the environment and security issues.

In a breathtaking capitulation, the Administration officially de-linked human rights and trade in the Spring of 1994—and the Chinese hardliners then knew for absolute certain that for this Administration profits trump respect for human life and that sanctions were to be reserved exclusively for commercial concerns, such as intellectual property rights, copyright infringement, and the pirating of CDs and video cassettes. Then, and only then, would this Administration mount up on its hind legs to fight and employ the credible threat of sanctions to ameliorate Beijing's behavior.

In an article in the Washington Post in June 9, 1998, we get this insight, ''A few months after President Clinton de-linked MFN from progress on human rights, there was a meeting at the White House to assess the effects of the Administration's new China policy. At the meeting, president Clinton announced, ''I hate our China policy. I wish I was running against our China policy. I mean, we give them MFN and change our commercial policy and what has changed?'' So reports the Washington Post.

As Chairman of the International Operations and Human Rights Subcommittee, I have chaired 18 hearings and markups on human rights abuses in China. Not only has nothing changed for the better with our defacto delinking policy, human rights abuses have changed for the worse. The delinkage policy experiment which will be made permanent today if this legislation passes—will worsen the situation.

Human rights abuses have gotten progressively worse in virtually every category. At a hearing this morning with the U.S. Commission on International Religious Freedom, Rabbi Saperstein and two commissioners testified that there was a ". . . sharp deterioration in freedom of religion in China during the last year. The Commission believes that an unconditional grant of PNTR at this moment may be taken as a signal of American indifference to religious freedom. The government of China attaches great symbolic importance to steps such as the grant of PNTR, and presents them to the Chinese people as proof of international acceptance and approval.'' Rabbi Saperstein admonished Congress to vote ''No'' on PNTR.

I urge members to read the 77 page State Department report, which details pervasive torture, forced abortion, and new, frightening crackdowns on dissidents and religious believers. The U.S. State Department Report states:

> Abuses included instances of extra judicial killings, torture and mistreatment of prisoners, forced confessions, arbitrary arrest and detention, lengthy incommunicado detention, and denial of due process. Prison

conditions at most facilities remained harsh. In many cases, particularly in sensitive political cases, the judicial system denies criminal defendants basic legal safeguards and due process because authorities attach higher priority to maintaining public order and suppressing political opposition that to enforcing legal norms. The Government infringed on citizens' privacy rights. The Government tightened restrictions on freedom of speech and of the press, and increased controls on the Internet; self-censorship by journalists also increased. The Government severely restricted freedom of assembly, and continued to restrict freedom of association. The government continued to restrict freedom of religion, and intensified controls on some unregistered churches. The Government continued to restrict freedom of movement. The Government does not permit independent domestic nongovernmental organizations (NGOs) to monitor publicly human rights conditions. Violence against women, including coercive family planning practices—which sometimes include forced abortions and forced sterilization; prostitution; discrimination against women; trafficking in women and children; abuse of children; and discrimination against the disabled and minorities are all problems. The Government continued to restrict tightly worker rights, and forced labor in prison facilities remains a serious problem. Child labor persists. Particularly serious human rights abuses persisted in some minority areas, especially in Tibet and Xinjiang, where restrictions on religion and other fundamental freedoms intensified . . .

. . . Police and other elements of the security apparatus employed torture and degrading treatment in dealing with detainees and prisoners. Former detainees and the press reported credibly that officials used electric shocks, prolonged periods of solitary confinement, incommunicado detention, beatings, shackles, and other forms of abuse against detained men and women . . .

The Chinese dictators—our business partners—excel in the torture chamber business and even the internet in China is used against its users. The State Department points out that:

The Government increased monitoring of the Internet during the year, and placed restrictions on information available on the Internet. The Government has special Internet police units to monitor and increase control of Internet content and access . . . Web pages run by Falun Gong followers were targeted specifically by the government as part of its crackdown against the group that began in July.

The repression of human rights in general and the barbaric forced abortion policy is having a devastating impact on women's lives. The State Department Human Rights Report says that 500 Chinese women commit suicide each and every day.

Mr. Speaker to date there has yet to be any serious, credible linkage of trade and human rights, yet we are being asked today to forgo any possible linkage in the future. This is a real vote—the dictatorship will actually lose something they want. Deny China's PNTR today—require them to move in the direction of reform and the protection of human rights.

Mr. CRANE. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, people are split on both sides of this, but I would like to relay a story. Hall Rogers and some of my Democrat colleagues went to Hanoi. We spoke to the Communist Chinese Prime Minister. I asked him, Mr. Prime Minister, why do you not get involved in trade?

In perfect English, he said, Congressman, we are Communists. He said, If we get involved in trade, people out there will have, in his term, things, private property and property, and we as, Communists, will be out of business. At that point, I said, Trade is good.

If we take a look at where China was 20 years ago, I was there, and where they are now, no, they will lie, cheat, steal. They are a national security risk. But I think the question is where do we want China to be 20 years from now. I think we have an ability to open those markets and move them to the right instead of going back to the left. I think it is in the best interest for national security and human rights to let them move in that direction.

Mr. RANGEL. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in favor of this language of this treaty. I truly believe that the failure to enact PNTR will deprive the United States of meaningful market access. China has access to our markets. We need access to their markets.

This agreement will provide a landmark set of rules in protecting patents, copyrights, trademarks, and other forms of intellectual property protection. This system protects Americans' research, innovation, and creates incentives for further investment of technological services.

We need this treaty today. There is no way that we can be the leader of the world. Our chair at the table of the world is empty. No agreement ever before has contained stronger language to strengthen the guarantees of fair trade and to address practices that distort trade and investment.

It will help American workers by eliminating practices that can cost American jobs and force unfair transfer of technology to China. For the first time, Americans will have the means to combat many of these practices.

Mr. Speaker, I rise to speak on Permanent Normal Trade Relations with China (H.R. 4444).

The potential of Permanent Normal Trade Relations is far from being realized by many Americans, in fact, it is far from being realized by many of my colleagues. I am here to express the reason I support this measure. What we are doing should not be looked at as a favor for China, but as an act that is in the best interest of America and Americans. And certainly, my district, my state, our country, our American workers. Without PNTR, American workers, American farmers, and American business will be left behind.

While groups, such as Asian, Latin American, Canadian and European competitors reap the benefits of PNTR, American workers, American farmers, and American businesses will miss out on opportunities that may possibly raise their economic standards. To compete effectively, American workers, American farmers, and American businesses, need the access provided by granting PNTR—the ability to export and distribute goods in China. This access will allow our businesses to export to China from here at home and to have their own distribution networks in China. This is more convenient than being forced to set up factories in China to sell products through Chinese partners. This will provide the opportunity for our firms to attain the access they need to China's fastgrowing services market in sectors like telecommunications. This agreement truly strengthens our ability to ensure fair trade and protect U.S. agricultural and manufacturing bases from unwanted import surges, unfair pricing, and unwarranted abusive investment practices.

I truly believe that failure to enact PNTR will deprive the United States of meaningful market access for goods—key elements that are necessary to safeguard American workers from unfair import surges from China. This agreement will also provide a landmark set of rules for protecting patents, copyrights, trademarks and other forms of intellectual property. This system protects Americans' research and innovation and creates incentives for further investment and technological progress worldwide.

Our firms also need access to China's fastgrowing services market in sectors like telecommunications. Just think, this access will allow, for the first time, our companies the ability to sell and distribute products in China made by workers here at home without being forced to transfer our technology to China. This ability to work at home also sets the stage for increased trade, which will play a part in raising the living standards here in America.

The U.S., the world's largest exporter, will gain the most from a strong, open, multilateral trading system. This trading system will help raise living standards for American working families that depend on export-related jobs. It is a fact that jobs supported by goods exports pay 13–16% more than the national average. Denying China PNTR will cost American exports and the jobs they support as well as higher paying jobs. We must not allow our competitors in Europe, Asia, and elsewhere to capture Chinese markets.

Simply stated, if Congress enacts PNTR there will be more exports to China of products made in the United States by American workers and products grown by our farmers. If Congress does not grant PNTR, our competitors will enjoy the full market access and enforcement rights in China that we will be denied. No agreement ever on WTO accession has ever contained stronger measures to strengthen guarantees of fair trade and to address practices that distort trade and investment. Mainly, it will help American workers by eliminating practices that can cost American jobs and force the unfair transfer of U.S. technology to China. For the first time, Americans will have the means to combat measures such as forced technology transfer, frequent mandated offsets, frivolous local content requirements, and other unfair practices that drain jobs and technology away from the U.S. Passage of PNTR will open China to American values and practices also. U.S. companies are more committed than their Asian competitors to progressive labor management practices and protecting the safety of their workers. It is clear, our decision could fundamentally

change not only our relationship with China, but China itself.

Since I am a representative of Dallas, Texas, let me expound on how PNTR will help Texas and my district. The U.S.-China Bilateral Agreement on China's accession to the WTO opens an important market to Texas' exports, by benefiting key industries, busily creating export, and blossoming employment opportunities. Texas' exports to China are broadly diversified with almost every major product category registering exports to the Chinese market in 1998. Texas' merchandise exports sales to China totaled over $583 million in 1998—a 46% increase from the $399 million sold to China in 1993. Included in Texas' exports to China are sales from key metropolitan areas. For example, my district, Dallas, grossed $92 million in sales. The agreement will open the market for a wide range of services, including telecommunications, banking, insurance, financial services, professional, hotel, restaurant, tourism, motion pictures, video distribution, software, business, computer, environmental, and distribution and related services. This will occur not only in Texas, but also throughout America.

It's simple, granting PNTR will not erase the horrific acts of the Chinese Government, but it will enable self-protection and allow opportunities for American workers. Opportunities that we should not allow to pass us by due to past actions of the Chinese Government.

Let me end by acknowledging the work that all of my colleagues have and continue to do in order to ensure America's leadership position in the world. As Members of Congress and leaders, we must realize that now is the time to encourage China to evolve. We can advance America's economic system without diluting the goals we stand for and the goals that allow democracy to prevail.

Mr. STARK. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. HOLT).

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

Mr. HOLT. Mr. Speaker, I rise in opposition to this bill.

Mr. Speaker, it is unfortunate that so many observers have gotten it wrong. The China trade vote is not about protectionism versus free trade; it's not about business versus labor; it's not even about China haters versus China apologists. No, it is about a vision of world trade worthy of America in the 21st Century. It is about whether 21st century globalism will have any guiding principle or whether it will be an aimless trading frenzy.

Proponents of Permanent Normal Trade Relations say that the deal reached with China will give China unprecedented access to American business, that American traders have given up nothing in the deal to gain concessions for China, that China will enter the World Trade Organization regardless of Congress' decision on PNTR, and that American industry must not let other countries gain advantages in a market of 1.3 billion potential customers. Proponents concede that China does have a poor record of abiding by trade agreements as well as a poor record with respect to worker's rights, human rights, and environmental protection, and then they say the situation can be rectified through the rule-based trade agreement and constructive engagement derived from that trade. They argue that trade has a liberalizing influence on society. The most frequent argument is that the internet will irrevocably open China. Engagement, they say, is preferable to isolationism. There are a few grains of truth in their arguments, but this agreement falls far short of what we need and so, this is not the right thing to do.

I too am for engagement, real engagement. Proponents of PNTR say that the presence of thousands of American traders carrying checkbooks and adhering to American factory standards will unleash the altruistic intentions of a billion Chinese. Of course, that has not happened anywhere else in the world. Business in America did not by itself produce the social progress we extol. It did not happen in American factories; it did not happen in civil rights; it did not happen in environmental protection. In every case we had to re-enforce economic activity with rules of social behavior—in insuring collective bargaining, in opening public accommodations through civil rights legislation, and in outlawing pollution. Unfettered business did not do these things. We needed a system of rules. Even trade requires a system of rules. This whole debate is about whether to bring China into a rule-based trade regime. The great irony of all this is that proponents of PNTR insist on the need for rule-based trade agreements, backed up with sanctions, trade actions intended to induce good behavior on all sides. So, why do we need rule-based agreements in trade, but not in any other area we think is important?

Real engagement extends beyond just trade, and it extends beyond China. Of course, trade is good, We in the United States are a more prosperous country because goods, services, and people can move freely among Oregon, Texas, New Jersey and the other states. Each state does not try to be self-sufficient. But such free trade works because it is fair trade. Although there is some competition between states, everyone can be confident that each state plays by nearly equal rules with regard to environment, workers' conditions, and product safety. Open trade requires expectations of fair standards of behavior. Trade in the 21st century will be, and must be, about more than how many widgets enter and leave a port.

We do not want to insult an independent and proud sovereign nation. In order to accomplish the goals of our negotiations we should not alienate the other parties. But we must not give up on values. Some say workers rights are irrelevant, or human rights, or religious rights, or environmental protection. They are not irrelevant. The citizens in my district tell me these concerns are not irrelevant. To them the proponents say, these may be important, but trade will take care of them. This trickle-down is specious. It has not worked that way in the past. It has not worked that way elsewhere in the world.

I cannot support this legislation to grant permanent normal trade relations because it fails to consider anything but trade. This is not ready for a vote. The administration should first put in place mechanisms to deal with these other things—in the trade agreement, in the WTO, in the ILO, in the World Bank. Worker's rights, environmental protection, and human rights are not irrelevant concerns. I do not expect full, immediate accomplishment of our goals in these difficult areas, but silence on these issues will not lead to progress.

I urge my colleagues to oppose the bill before us today. I also emphasize to them and to the administration that after today's vote, whatever the outcome, we have much work to do to make sure we address these concerns.

Mr. STARK. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Ms. SLAUGHTER).

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks, and include extraneous material.)

Ms. SLAUGHTER. Mr. Speaker, I rise in opposition to this bill.

This is not a vote to trade or not to trade—the issue is yearly oversight or no oversight. Given China's record of violating virtually every international agreement it enters into, the leverage of oversight is critical.

Trade and Oversight are not mutually exclusive. We can have both. Even U.S. Trade Representatives Charlene Barshefsky, during recent testimony before the House Ways and Means Committee, acknowledged that the U.S. could obtain all of the tariff cuts China would be required to make upon entry into the WTO even if Congress did not grant PNTR.

The same arguments for PNTR were put forth by proponents of the North American Free Trade Agreement (NAFTA). The result of NAFTA has been 500,000 lost jobs for American workers and a ballooning trade deficit with Mexico of $22 billion.

Why will no one talk about the impact of this agreement on our trade deficit? There is considerable foreign capital in our stock market which will leave the US if a better deal arises. Our overall trade deficit has already surpassed $331 billion, a figure that is beginning to sound alarms for many financial analysts concerned about the long-term stability of the U.S. dollar. The Secretary of the Treasury told me Monday and this problem must be addressed.

Moreover, the $2 billion in goods the U.S. exports to China are not purchased by the Chinese. They are merely supplies for the U.S. plants that are operating there. Compare that to the fact that the Chinese sell $80 billion in goods to the US annually. If the Chinese continue their practice of not buying US goods, this will not be a home run for American

China continues to threaten Taiwan, a country our nation has pledged to protect. Granting PNTR would send the wrong signal to Bejing that military action against Taiwan would be tolerated.

Finally, large companies have lobbied hard for Congress to pass PNTR for China. Corporations must be concerned about their bottom line. But the 570,000 persons I represent have other issues. There has been no ground swell for this trade deal from our community. I have even received some letters from workers who say they've been asked to write in favor of PNTR but they fear if it passes, it will mean the loss of their jobs. Chinese laborers earn only one twentieth what American workers do.

Trade will go on. Wouldn't it be nice if it were fair trade.

Mr. Speaker, I include for the RECORD an article from yesterday's New York Times, as follows:

[From the New York Times, May 23, 2000]

JOINING THE CLUB: LIKE OTHERS, CHINA WILL TRY TO PROTECT ITS OWN INDUSTRIES

(By Craig S. Smith)

SHANGHAI, May 22—Sun Guomin, a poor farmer in a village west of here, represents an example of why American business executives and government officials may be disappointed once China enters the World Trade Organization.

While American businesses have been dreaming of the vast potential markets for their goods and services in China, the government is unlikely to allow the West the kind of access those dreams are made of. For if Beijing immediately did everything the trade organization requires, Mr. Sun and millions like him could be driven out of business.

And with droves of laid-off workers already mounting sporadic protests across the country, giving foreign competition a hand in wiping out whole industries could amount to political suicide for China's governing Communist Party.

Agriculture is one of the most vulnerable areas.

Mr. Sun, 68, is struggling to get by on his six and a half acres of land in the village of Nansong, west of Shanghai, where he lives in a mud house on a dirt path with his wife, Chen Baonan.

He has already stopped growing barely, once a major crop in this part of the flat Yangtze River delta, because it does not pay. He and his neighbors still grow rapeseeed, the source of canola oil, and the plant's brilliant yellow flowers carpet the delta with color each spring.

But the price the government pays for rapeseed has fallen so low, Mr. Sun says, that he is better off pressing the seeds himself and using the cooking oil at home. He would gladly lease his field to a factory, but the government will not let him, citing a need to preserve farmland. He and his wife have opened a small store in the front of their house, where they make about five cents a day selling cigarettes and beer.

Joining the W.T.O. threatens to make China's agricultural economics even worse.

Last year China imported record quantities of rapeseed and soybeans, because foreign oilseed production is cheaper and the quality often higher than that of domestically grown crops. But to enter the trade group, China has agreed to lift quotas that it now uses to restrict the import of edible oils. A surge in imports would further dampen demand for seeds from people like Mr. Sun.

The problem exists pretty much across the board.

The Chinese Academy of Social Sciences, a top government research institute in Beijing, recently estimated that prices for Chinese grain and other agricultural products would continue to exceed those of the global market for the next 20 years.

Thanks to huge mechanized farms, the American cost of production is often lower than that in China, where farming employs as many as 600 million people, fields are fragmented and transportation is slow.

And many other labor-intensive industries are in the same boat.

Many of the country's 100-plus automobile assembly plants face extinction if imports surge as tariffs fall, and chemical plants could be crippled by foreign competition. The Chinese government wants to reform the economy, but it favors a cautious, go-slow approach rather than risk widespread unrest that could undermine its rule.

''It's important to think about stability,'' said Zhou Hanming, a lawyer who advises the government about the W.T.O.

Mr. Zhou says that the two to five years in which the organization requires members to put most of its mandated measures into effect is too short a time, and that China will do what it must to shelter industries until they are ready to face global competition.

''We're working very hard on a large number of new laws and regulations that will offer protection of national industries, vulnerable industries, infant industries,'' he said.

Mr. Zhou, one of dozens of experts Beijing has enlisted to prepare the country to defend its industries, is studying ways to use antidumping rules. Under China's trade deal with the United States, Washington insisted that it be allowed to levy punitive duties against imports that it deems to be sold below cost. Washington wanted the clause to protect the American textile industry from cheap Chinese imports, but China has seized on the provision to protect its own threatened industries.

''We're going to learn how to use the same weapon,'' Mr. Zhou said.

The country will also use other means to give threatened industries an edge, including preferential bank loans and tax breaks. And Beijing may end longstanding tax breaks for foreign companies that were intended to encourage investment.

But China does hope to use its membership in the trade group as a lever to move moribund state industries toward real reform.

Take the pharmaceutical industry, which still relies largely on copies, often illegal, of Western compounds. China will come under pressure from the group to enforce the intellectual property rights of foreign drug makers. To survive, Chinese pharmaceutical firms will have to invest in research and development and begin producing original drugs.

''The pressure will help force us to depend on ourselves,'' said Wang Li, general manager of the Shanghai Joy Biopharm Company, a state-owned drug laboratory started five years ago to develop commercially viable pharmaceuticals for the domestic industry.

And China hopes that membership in the group will spur foreign investment, which fell last year for the first time since investors withdrew after the crackdown on pro-democracy protesters at Tianamen Square in June 1989.

Multinational corporations have already begun signaling their willingness to pump more money into China after it joins. Nonetheless, protection is high on Beijing's agenda.

China is not known for its strict adherence to trade agreements. In 1995, Trade Minister Wu Yi signed a deal with the United States trade representative, Charlene Barshefsky, that promised to protect American intellectual property rights. But counterfeiting of computer software and movies on compact disks is now more common than ever. Street hawkers sell the latest Hollywood blockbusters in most Chinese cities, and the police ignore the activity.

Nor has China proven a progressive member of another trade club. As a member of the Asia-Pacific Economic Cooperation forum, it has resisted moves to speed the liberalization of financial services.

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

(Mr. FARR of California asked and was given permission to revise and extend his remarks.)

Mr. FARR of California. Mr. Speaker, I rise in strong opposition to this permanent status and in support of annual status.

''Dear Representative Farr/Sam, . . . [it is] the very strong sentiment of the Labor Council delegates that the agreement negotiated with China . . . is a bad deal for working people in this country. . . . It should not be ratified by Congress. We urge you to vote against it.''—Amy Newell, Business Agent, Santa Cruz Central Labor Committee, AFL–CIO, in a letter dated March 20, 2000.

''Dear Congressman Farr/Sam, I am writing to you today to let you know how important Congressional approval of the Permanent Normal Trade Relations for China (PNTR) is for Monterey County growers! . . . Both California and Monterey County stand to gain jobs and business growth from your approval of PNTR. . . . I urge you to look carefully at the PNTR China issue and lend your immediate support to this extremely important matter!''—Sharan Lanini, Executive Director, Monterey County Farm Bureau, in a letter dated March 24, 2000.

How could two views on the same issue coming out of roughly the same regional community be so incredibly disparate? Yet, this is the issue I am faced with as a U.S. Congressman as the vote on China and WTO approaches.

The issue at hand is whether the United States will grant China Permanent Normal Trade Relations (PNTR). The U.S. already provides China with NTR—Normal Trade Relations—status, a trade arrangement that is currently renewed or denied on an annual basis. China has been granted NTR (previously referred to as ''MFN''—Most Favored Nation status) for 19 years in a row. I have supported annual NTR for China in the past.

The difference this year is not just whether to make permanent the annual NTR debate for China. The difference this year is that American approval of PNTR will provide the United States the same access to Chinese markets as other World Trade Organization (WTO) members. Without PNTR, the U.S. will continue to trade with China on a bilateral basis and under conditions separate and different from the rest of the world. PNTR would establish new rules between the two countries equal to the rest of the world and new grounds for settling trade disputes.

Most people know that I am a strong believer in trade. My votes on NAFTA, GATT and WTO are no secret. I regularly defend the Market Access Program (MAP) which provides federal funds to advertise American products overseas as a way to increase demand in foreign markets for U.S.-made items. The fastest growing market for products coming out of the Central Coast—particularly agriculture—is in Asia. In fact, Asian markets accounted for over 285 million pounds of export products from Monterey County alone in 1998. This figure could easily grow exponentially if full and fair access to the China market were made available to our growers. According to statistics the Department of Commerce released last month, the Santa Cruz-Watsonville area saw an 839 percent increase in exports to China over 1993–98. Salinas saw a 743 percent increase in its exports to China over the same period.

I want to see that kind of economic opportunity available to all California communities and all communities across the country. I want to see China open up to Central Coast agriculture. I want to see America finally get a break at marketing its goods to the potential

billion Chinese patrons. Ultimately, that means more business for local growers, more jobs for local workers, increased shipping operations for local truckers, and better economic conditions all around.

But in negotiating a trade deal with China (or any entity on any issue) we should look for the best deal that advances all of the United States' interests. Economics is not the only issue at stake here; there are others, including the non-tangible issues of human rights and personal freedoms. There is wide disagreement on whether PNTR helps or hinders these causes within China.

If human rights and environmental stewardship are important interests to the United States, then it is right of us to try to find ways to advance these issues world wide. If China is a concern of ours, then we ought to try to sway Chinese leadership to move toward accommodation in these areas. The best way to do that is to require that China return to Congress each year to make its case that it deserves special trade status because it has made efforts to correct environmental and human rights deficiencies. PNTR eliminates that tool and robs us of the chance to hold China accountable.

So, I will vote ''no'' on PNTR for China. I do so fully supportive of open and fair trade, but also mindful of using American influence to keep China on track to being a better citizen of the world.

Mr. STARK. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. KANJORSKI).

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

Mr. KANJORSKI. Mr. Speaker, I rise in opposition to the proposition.

A DIFFICULT DECISION

Mr. Speaker, over the last three months, I have conducted a thorough analysis of extending Permanent Normal Trade Relations (PNTR) status to China, thereby putting U.S. trade relations with China on the same plane as our relations with virtually every other country in the World Trade Organization. During this time, I have remained undecided on this issue. I have listened to every possible argument in this debate and comprehensively examined the legislation's potential effects so that I could learn more about the quality of jobs that expanded trade can bring and the potential effects of trade on human rights. I also wanted to study the impact of trade on not only our workers, but also the international labor standards for other workers around the world. First and foremost among my considerations during my deliberations, however, was determining the consequences of this legislation for the people working, the families living, and the businesses operating in Northeastern and Central Pennsylvania.

This has been an extremely difficult decision for me. In the long term, I believe that international trade benefits the United States when conducted fairly. Our nation cannot repeat the mistakes of 1930 when Congress enacted the Smoot-Hawley bill, which helped to precipitate the Great Depression. Freer trade among nations increases wealth for all and improves relations with our allies, similar to the 1960s when we reduced a number of trade barriers.

NAFTA AND PNTR

But international trade has not always helped everyone. In the short term, absent the creation of an effective economic safety net, increased international trade will produce winners and losers in our economy. In 1993, I voted against the North American Free Trade Agreement (NAFTA), primarily because there were insufficient protections in place to preserve the economic security of average, working Americans and lower-income workers in labor-intensive industries. Over time, my doubts were proven correct. After NAFTA, some sectors of our economy grew, while others did not. Additionally, workers in some regions of our country have flourished under NAFTA, while workers in other regions have experienced wage stagnation or lost their jobs outright.

Six-and-a-half years after the NAFTA vote, our country has another opportunity to consider the issue of increased global trade. The debate on PNTR, however, differs significantly from our deliberations over NAFTA. Under NAFTA, we created the world's largest free trade area with two other countries, Mexico and Canada. NAFTA not only eliminated tariffs between the United States, Mexico, and Canada, but it also required us to enter into an expansive range of commitments and agreements to integrate the economies of the three nations.

Through PNTR we are only seeking to place U.S. trade relations with China on the same footing as our relations with virtually every other country in the world, including nations like Argentina, Bulgaria, Cyprus, Greece, and Switzerland. In other words, the economic integration required by PNTR is significantly less than that required by NAFTA. Under PNTR, we will not eliminate or even lower our tariffs for the goods we import from China. Thus, a product produced in the United States, Mexico, and Canada, which is not subject to a tariff, will often still remain cheaper than the same item manufactured in China, which will still be subject to the tariffs that we apply not only to China, but also to Germany, France, Brazil, Japan, and Great Britain. Moreover, as a result of this agreement China will significantly lower trade barriers for U.S. products to enter the Chinese marketplace.

COMPETING VIEWPOINTS

In order to educate myself more fully about the reasons to support and oppose PNTR status for China, I have met with hundreds of individuals in recent weeks and months and have heard from thousands more. On one side of this debate, the business community maintains that the United States stands to gain tens of thousands of high-tech jobs as a result of PNTR. In the short term, however, our economy will likely face job losses in low-tech, labor-intensive industries. Additionally, I fear that in the short term only selected communities in our country—like those within the Silicon Valley of California, in the high-tech corridor of Northern Virginia, and along Wall Street in New York—will benefit from extending PNTR.

Supporters of the agreement further contend that denial of PNTR would hurt American families who would pay more for consumer goods. They estimate these higher prices could cost more than $10 billion each year. Additionally, supporters of PNTR insist that the best way to improve China's record on human rights, religious freedom, and free speech is to engage and not isolate the Chinese people in the world economy. Finally, PNTR's supporters note that because the Europeans have recently entered into an agreement with the Chinese government, China is all the more likely to join the World Trade Organization this year. Consequently, we need PNTR so that U.S. workers, farmers, and businesses can remain competitive with our trading partners in Europe, the Americas, and Asia.

On the other side of this debate, I have heard many reasons to oppose PNTR. Some interest groups have estimated that our nation will lose tens of thousands of jobs as a result of PNTR. Just as I doubt the number of projected jobs that supporters believe will be created by this decision, I also am skeptical of the anticipated jobs that opponents believe will be lost because of this legislation. In reality, the net change in jobs probably lies between these two estimates.

Others opposed to this legislation feel that by granting PNTR to China we will condone that nation's record of human rights abuses. But using trade as leverage against the Chinese government is not only unenforceable, I believe it is also likely to bring change to the most oppressed Chinese people. There is a great danger in the arguments that some have put forth in attempting to demonize the Chinese government. If we care about improving our relations with China and improving the qualify of life for the Chinese people, we must remain engaged. As Dai Qing, perhaps China's most prominent environmentalist and independent political thinker, states, ''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 World Trade Organization.''

A THIRD WAY

During this debate over Permanent Normal Trade Relations for China, I fear that we may have unfortunately again neglected to address an issue that we should have considered during our deliberations over NAFTA. In this country, a paradox arises because the two diverging viewpoints on extending trade to other nations fail to join together to advance the real interests of all Americans. If we defeat PNTR today, our low-tech, labor-intensive jobs will still continue to be lost by trade that already exists with China and our other leading trading partners around the world under current trade agreements. Additionally, the U.S. stands to lose our opportunity to create new, high-tech jobs for workers in our Nation because we will have failed to open the Chinese market.

It is also a false hope that the defeat of PNTR will provide job security for those jobs already lost or about to be lost to global trade. According to the Congressional Research Service, which provides Congress with nonpartisan analysis, Pennsylvania has already lost 18,663 jobs to Canada and Mexico since passage of NAFTA. This trend will likely continue in the future, even if we do not pass PNTR today.

With or without PNTR, our economy will certainly change in positive and negative ways because of increased worldwide competition in the years ahead. I have, therefore, asked myself what can be done now in the United States to help those regions of the country and those sectors of our economy that need assistance in order to ensure that all American workers and businesses can benefit tomorrow from increased global trade. By providing short-term support for these communities,

businesses, and workers, we can ultimately ensure that everyone in our economy profits from international trade.

We are fortunate that our economy continues to grow and prosper. President Clinton has led the Nation to the strongest economy the world has ever seen. He has created the most economic opportunities for working families in the last 30 years, and I know that he shares my concerns for those Americans who have not fully participated in the economic expansion of the last eight years. His leadership in reducing the budget deficit, lowering taxes for lower- and middle-income Americans, and supporting workers' rights has strengthened our economic outlook for the 21st century.

Of primary importance to me in this debate is how we will overcome the negative consequences of increased trade, especially for those older workers who may lose their jobs. From my perspective, workers and families displaced by greater global competition must ultimately retain at least the same quality of life as they would have obtained under their old jobs. Our government can accomplish this objective through a number of mechanisms. We could, for example, enact legislation to:

Promote investment in economically distressed areas. Through President Clinton's New Markets initiative, we can increase investments in the untapped potential of our Nation's underserved markets and create long-term partnerships that will lead to lasting economic change in distressed communities. One component of the New Markets Initiative is the America's Private Investment Companies (APIC) bill, and I have been an ardent supporter of this legislation. APICs would make large-scale investments in businesses operating in distressed urban centers, mid-sized cities, small towns, and rural areas, to stimulate job growth and economic development. Because we recently reached a bipartisan agreement between President Clinton and Speaker Hastert on this economic development package, I am hopeful that will pass this legislation later this year. I do, however, regret that this package is not before us today.

Enhance job training and trade adjustment programs. We must additionally give workers the tools they need to succeed in the global economy through reforms of our nation's trade adjustment and economic development assistance programs. We can accomplish this goal by extending trade adjustment assistance eligibility to those who lose their jobs due to shifts in production and strengthening the linkage between income support and early enrollment in retraining. We should also create an Office of Community Economic Adjustment within the Economic Development Administration in order to ensure that economically distressed regions of our country receive access to all available federal resources in times of need. Again, we are unfortunately not voting on such legislation today.

Safety net tools, like promoting investments in distressed areas and enhancing job training and trade adjustment programs, will not only mitigate the negative effects flowing from increased trade, but also lift up displaced workers and communities traditionally hurt by greater global trade. The business community and labor organizations should recognize the benefits of taking these proactive steps to help all Americans participate in the prosperity of trade. In the future when we consider other trade measures in Congress, I hope that we will expand the debate to include these quality of life protections.

OPPOSE THE LEGISLATION

Mr. Speaker, in the past the American public has demonstrated good judgment in determining how we should conduct trade with other nations. In reaching my final decision to oppose this legislation, I have asked myself the same four basic questions used by many Americans when debating trade issues. Those questions are:

Who benefits from the PNTR package in the United States?

What are the advantages of the PNTR package for American workers?

What regions of the country will benefit or lose under the PNTR package?

Who benefits in China from the PNTR package?

As I noted earlier, while PNTR's supporters state that thousands of jobs will be created as the result of the agreement, I worry that many workers and businesses in Northeastern and Central Pennsylvania will not reap those benefits in the short term and possibly not even the long term. Moreover, the PNTR agreement fails to mitigate the potential damages caused by increased competition in the global marketplace for our communities at home. Workers that lose their jobs because of increased trade will further lose from a poorly constructed economic safety net. This outcome will lead to a further widening in the gap between the income of wealthy individuals and average, hard-working Americans in this country, a far more worrisome problem because of its potential future effects on our society.

Admittedly, some workers in some sectors of our economy will undoubtedly win under this PNTR package. We cannot, however, overlook the fact that some workers will not only lose their economic security, but they could also potentially experience changes in the structure of their families and their respect for their government as a result of this legislation. I cannot support this legislation, because it fails to mitigate these and other losses that workers, families, and businesses may face from increased trade.

Finally, during this PNTR debate I have often heard from my constituents that China ''cannot be trusted.'' In reality, they are saying that the Chinese government cannot be trusted. Efforts to include provisions in this PNTR package that establish a commission to monitor human rights, labor standards, and religious freedom in China are a step in the right direction, as is requiring the Administration to report annually to Congress on China's compliance with international standards. I commend my colleagues Congressmen SANDY LEVIN and DOUG BEREUTER for their bipartisan and hard work on this issue. Although it may be the best we can ask from the Chinese government at this time, we need to really know whether we can trust the Chinese government in the future before moving ahead.

Mr. Speaker, an agreement such as this one is a contract. As I recall from my days as an attorney, people generally enter into contracts only if all parties to the agreement believe that they will win under the arrangement. China may feel they have a winning deal with the United States on this PNTR package. From the perspective of the United States, however, this PNTR agreement fails to strengthen the short- and long-term economic security for all regions of our country and all American workers. Rejecting this legislation is not rejecting trade with China. It merely means that we will continue to have the opportunity to review on an annual basis our current trade policy with China and examine changes in that nation's trade record and human rights performance. Regretfully, I must oppose this bill.

Mr. STARK. Mr. Speaker, it gives me great pleasure to yield 30 seconds to the gentlewoman from Florida (Ms. BROWN) who understands that the Dalai Lama never said he supports PNTR and understands that there is a difference between China acceding to WTO and Congress passing PNTR.

Ms. BROWN of Florida. Mr. Speaker, has the Chinese Government earned our trust? No. China has violated the term of four previous agreements we signed with them.

Has the WTO earned our trust? No. The WTO repeatedly rules in favor of the multinational companies, and ignores the workers, their human rights and the environment.

Look at the banana issue. When the WTO ruled in favor of one company, Chiquita International; they ignored all Caribbean nations whose main exports are bananas. Now thousands of farmers are without work. We cannot trust the WTO to look out for the people. We cannot trust China to look out for the people. Who can we trust?

I urge my colleagues to consider their responsibility and vote ''no'' on this bill.

I rise in strong opposition to H.R. 4444. I absolutely do not believe that it is in our country's best interest to grant Permanent Normal Trade Relations to China. I have listened carefully to both sides of the debate and I know that each side has valid concerns. But in the end, I think there is too much at stake for Congress to give up oversight on this issue.

Taking away our ability to impose unilateral trade sanctions against a country like China is simply not acceptable. Without this option, the U.S. will lose its leverage to influence China towards improving environmental standards, as well as human rights and labor rights violations. Under the WTO rules, we would lose our ability to unilaterally punish a nation or a company for these types of violations. China has simply not been a trustworthy trading partner, and has violated the terms of all four bilateral trade agreements it has previously signed with the U.S.

In addition, I am more than concerned about China's human rights record. Along with the poor treatment of the work force, the Chinese Communist party's human rights record only seems to be getting worse, not better, even in the midst of economic opening. Government restrictions on free speech and the press, as well as forced imprisonment for expressing one's political or religious beliefs, have deterred political opening.

On the economic front, the U.S. balance of payments last year shows that our trade deficit with China is growing rapidly. In the end, I believe that extending PNRT will result in a net loss of jobs for Americans, not gains.

Finally, I am very concerned about the discovery last year of Chinese espionage. I do not believe that a country that steals our military secrets should be granted trade benefits!

When I weigh the gravity of these factors, I believe it is in our best interests to oppose

Permanent Normal Trade Relations to China, and I encourage my colleagues to vote ''no'' on H.R. 4444.

The SPEAKER pro tempore (Mr. LAHOOD). The Chair announces that the gentleman from Georgia (Mr. NORWOOD) has 12½ minutes remaining. The gentleman from Illinois (Mr. CRANE) has 13½ minutes remaining. The gentleman from New York (Mr. RANGEL) has 21½ minutes remaining. The gentleman from California (Mr. STARK) has 25½ minutes remaining.

The Chair intends at the conclusion, as we wrap up, to begin with the gentleman from Georgia (Mr. NORWOOD), then the gentleman from California (Mr. STARK) to follow, then the gentleman from New York (Mr. RANGEL) to follow, and to finish with the gentleman from Illinois (Mr. CRANE).

Mr. NORWOOD. Mr. Speaker, I yield such time as he may consume to the gentleman from Iowa (Mr. LATHAM).

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

Mr. LATHAM. Mr. Speaker, I rise in support of normalizing trade in China.

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

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

Mr. NEY. Mr. Speaker, I want to thank the gentleman from Georgia (Mr. NORWOOD) and all the Members that are fighting so diligently to bring the side of the American workers to the floor here of the House.

Let me just re-stress, and I made these statements last night, this is from the Ohio Department of Commerce, Director Gary Suhadolnik, and this documents where baby chickens were fed arsenic in the water. They were killed. They contained 18 percent arsenic in their systems, and they were put into the Easter baskets of American children. Luckily, we caught 350 of the baskets before the rest could come over the market.

There are other examples in here of hideous examples of dangers to American children because these products come in. China does have respect for our American children. They do not have respect for what comes over from China. If this agreement passes, we are going to have more of this. We are going to have our markets flooded.

On the other end, we have been so comfortable. We wear engagement here like a coat. It gets a little bit hot, one takes it off, the word engagement.

We talk about the farmers, once again the gentleman from Washington (Mr. NETHERCUTT) has a bill that unleashes all the sanctions around the world. But all of a sudden, we cannot talk about engagement when we talk about the Nethercutt bill, which if my colleagues really want to help the farmers, they would pass it.

If my colleagues want to pass this bill to help the farmers like my colleagues say, that 9 percent tariff reduction is going to vanish. It is going to vanish instantly when they manipulate their currency in China like it happened in Mexico, and my colleagues know it.

We have got to stand up for American workers. Despite all the lucrative predictions that the China WTO deal will open up new opportunities for American farmers and businesses, I remain convinced that this trade deal represents a bad deal for the United States.

The International Trade Commission analyzed a similar trade deal that was on the table in April and concluded that it would lead to an increase in the U.S. trade deficit.

Then people say, well, this is not permanent. You bet your life if my colleagues vote for this, the undecided Members of Congress, Mr. Speaker, if they hear this message, if they vote for this, it is going to be permanent. It will not be undone.

Stand up for American workers for a change.

Mr. CRANE. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. GOODLATTE).

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

Mr. GOODLATTE. Mr. Speaker, I rise in strong support of this legislation.

Mr. Speaker, I rise today in support of H.R. 4444, a bill to grant permanent normal trade relations status to China. The central tenet of America's trade policy should be threefold: opening markets for goods produced by American workers, improving our nations economy, and promoting American values and ideals abroad. In this sense, I believe that our trade policy should encourage reform, while demanding a level playing field for international commerce. This has already yielded many benefits for America in rural and urban areas alike. Indeed, within my congressional district in southwest Virginia, approximately one in every four jobs is tied to exports. The expansion in free trade in recent years has allowed Lynchburg and Roanoke to become two of the 25 fastest growing export regions in the U.S.

However, we have yet to include one of the world's largest emerging markets in this process. China, a nation of over 1 billion people, has been hamstrung over the years with outmoded laws and trading practices put in place by the Communist regime. Even with these barriers in place, China is becoming a thriving market for U.S. products and services, and is already our 5th largest trading partner. If we can bring China into a rules-based trading system and dismantle the barriers put in place by it's failed economic philosophy, we can open up a massive new market to American goods and services.

Some have argued that opening the U.S. market to Chinese-made goods will have a detrimental effect on U.S. workers. Nothing could be further from the truth. The United States already has an open market for most goods originating in China and the rest of the world. It is China whose market is closed to the products designed by U.S. engineers, manufactured by U.S. workers and exported by U.S. companies. If we open this market to U.S. goods and services, American workers stand to gain a tremendous benefit from the additional demand generated by China's huge population.

At the same time, I do share the concerns many have raised regarding our national security and China. Specifically, I am concerned with the findings of the Cox Commission that indicates that China is engaged in a concerted campaign to steal militarily sensitive equipment. These efforts by the Chinese government combined with the provocative stance towards the democratic republic of Taiwan, are a cause for serious concern.

I am also deeply concerned with the pattern of human rights abuses by the Chinese government. Human rights in China is imperative and the United States must continue to press China in that direction. As a nation dedicated to freedom and the rights of the individual, we have a responsibility to speak out when those rights are violated, whether at home or abroad.

The most effective way to influence change in China is to engage the Chinese government in ways that emphasize open trade and democratic reform. If we attempt to isolate China, the reality is that we will lose jobs to other nations that will not cut off trade, but rather take advantage of the situation. With PNTR the United States can use the WTO to eliminate unfair Chinese trade barriers that exclude American products. Failing to pass PNTR simply gives the lion's share of trade benefits away to other nations, while doing nothing to help U.S. workers and consumers.

It is critical that we adopt the approach of opening China up through increased westernization of the Chinese people. Trade and contact is building greater desire for western ways, including democracy. The Chinese people have a long history and change will be slow. The way to fight for progressive reform in China is not by abandoning the playing field, but through continued exposure to democratic ideas such as free markets and free speech.

The Internet revolution has eliminated economic and political barriers throughout the world. Free markets and free speech go hand in hand. With 8.9 million Internet users and over 15,000 web sites already based within China, the Internet has the potential to offer a dramatic improvement in the quality of life for millions of Chinese citizens as well.

By offering China the opportunity to enter the community of rule-abiding nations, we have a chance to create real and lasting change in China. At the same time, we must continue to work aggressively to ensure that China follows the rules of the international trading community.

Trade and commerce will lead directly to progress and freedom. We must continue fighting for a level playing field for trade—one on which our nation, our American workers and American consumers alike can win.

Mr. CRANE. Mr. Speaker, I yield 1½ minutes to the gentleman from Arizona (Mr. SALMON).

Mr. SALMON. (The gentleman from Arizona delivered the following speech in Chinese.)

In the world today the single most important bilateral relationship is the relationship between the U.S. and China. Passage of PNTR not only benefits the economies of both countries,

but it also advances the cause of freedom.

Mr. Speaker, I just spoke to the Chinese people in their native tongue.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair advises the gentleman from Arizona (Mr. SALMON) that those remarks may not be a part of the official RECORD unless the gentleman supplies a translation.

Mr. SALMON. Mr. Speaker, it will probably be hard to translate.

Mr. Speaker, I just spoke to the Chinese people in their native tongue about the benefits of PNTR to both our countries and how it will advance the cause of freedom.

Unfortunately, to the majority of the Americans, this debate has been framed as a stark choice between free trade and human rights. In truth, increased trade with China is both.

Many Americans understand the economic benefit of PNTR to the United States. First is the dramatic reduction of trade barriers imposed on U.S. exports of goods and services. Whether it is a car battery or a semiconductor, U.S. companies will enjoy the lowest tariffs on their products in the history of U.S. trade with China.

But free trade will also improve the human rights situation. Even His Holiness the Dalai Lama, the exiled Tibetan spiritual leader who has suffered oppression at the hands of the Chinese Government, understands the importance of engaging China. In a recent interview, he said, I have always stressed that China should not be isolated. China must be brought into the mainstream of the world community.

By saying no to isolationism and embracing engagement, we can spread the gospel of free trade, democracy, human rights, and religious freedom one worker, one village, one city, and one province at a time.

Let us all know and take note the most important export that we have is our American values and democracy. Let us not be afraid. Let us have conviction in our ideals and know that they will move China.

Mr. RANGEL. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. MEEHAN).

Mr. MEEHAN. Mr. Speaker, I rise in support of this legislation, and I do so with no illusions about China's records on human rights, worker rights, and environmental protection. I will not pretend that China is where it should be on any of these fronts.

In terms of economics, this is a one-way deal. We get significant reductions in barriers that stand in the way of the sale of American products in China. We give no greater access to America's markets for Chinese products than were provided for years and years.

Economic benefits for the United States are not the only reality that confronts us today. Another reality is that isolating China will do not a thing to bring about a more just economic or political order there.

The answer is not turning our back on China. The answer is pushing our democratic values upon China through commerce and communication with its citizens. This engagement will steer forces of individual inspiration and aspiration and initiative in China that will, in the long run, no authoritarian government can ever contain.

There is a claim here that we have to choose between American prosperity and Chinese human rights. I say choose both. Vote ''yes.''

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Mr. STARK. Mr. Speaker, I yield such time as she may consume to the gentlewoman from North Carolina (Mrs. CLAYTON).

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

Mrs. CLAYTON. Mr. Speaker, I rise reluctantly to oppose this bill. It is a difficult bill. There is merit on both sides, but I want to tell my colleagues that I oppose passing this trade agreement before we get our fundamental values in place.

Mr. Speaker, this is one of the most difficult votes I will take, but I must rise in opposition to permanent normal trade relations for China. There are strong arguments on both sides of this issue. For some, PNTR will be a benefit. But, for many, too many, PNTR will be a burden. Clearly, certain sectors of the service industry will win by having access to China's 1.3 billion consumers. And, though not certain, I hope agriculture will win by selling our commodities. We have made some progress on the Blue Mold issue affecting North Carolina tobacco, but more progress needs to be made. In my congressional district, however, there will be too many losers.

Indeed, the results of the administration's own analysis have led some to project losses of more than 800,000 U.S. jobs with the granting of PNTR. Notwithstanding this vote, the United States and China will continue to be trading partners. But, there can be no free trade without freedom. More importantly, there can be no free trade without fair trade.

Before establishing a permanent arrangement with China, one that is not subject to annual review, we must insist on some fundamental conditions. We must end our trade imbalance; urge the Chinese to end its labor, human rights and religious abuses; force China to respect the environment and ensure that those at the bottom of America's economy benefit from the agreement comparable to those at the top. Vote against this bill.

Mr. STARK. Mr. Speaker, I yield 1 minute to the gentlewoman from Connecticut (Ms. DELAURO), who realizes that we cannot negotiate with people who randomly kill prisoners to harvest human organs for sale.

Ms. DELAURO. Mr. Speaker, I support a trade regime that advances the living standards of Americans and that creates hope for the Chinese people; and that is why I oppose permanent normal trade relations with China. Because it says one more time that we are pushing ahead with trade agreements without any regard for environmental and labor standards, and without any regard for religious and political freedoms.

We never proceed on a trade agreement without protection for intellectual property. All would concede the consequences for companies here and the rule of law there. I want to see trade bring new openness to China, new economic opportunities and the rise of freedom. But what has the experience of the past decade taught us? Look at their record. China has engaged in unfair trade practices, pirated intellectual property, participated in weapons proliferation, suppressed democracy, and acted with belligerence towards Taiwan; all this while Congress has provided most favored nation status.

Do we truly believe that by granting China permanent MFN and foregoing the yearly review that these abuses will somehow improve? Let us vote against this effort. Let us impose on China the opportunity for freedom, and if they cannot do that, they should forfeit the benefits that other nations enjoy.

Without granting permanent MFN to China, and without their membership in the World Trade Organization, our trade deficit with China has soared from $2.8 billion in 1987 to $68.7 billion in 1999. This is what happens when we are completely indifferent to standards abroad. This imbalance costs jobs in Connecticut and across the country. It hurts employers. I have listened to arguments that trade with China will bring change—that once China is open to American goods, they will also be open to American ideals of freedom. I want to see trade bring a new openess to China, new economic opportunities, and a rise of freedom. That's why I supported MFN for China during my first years in Congress. I believed that argument. But what has the experience of the past decade taught us. Let's look at China's record.

But, China has engaged in unfair trade practices, pirated intellectual property, participated in weapons proliferation, suppressed democracy, and acted with belligerence toward Taiwan. There is no evidence that China is responding and that it deserves a new trade regime with the United States. And all the while, this Congress has granted China Most Favored Nation Trading Status. Do we truly believe that by granting China permanent MFN, and forgoing a yearly review, that this record or abuses will somehow improve?

Right now, on labor standards and Democratic rights, China is surrounded by a Great Wall. It is holding back its people's hopes for democratic freedoms. It threatens to bring down economic standards here. This Congress should say to China clearly and unequivocally that China must break down this wall, truly open its markets, raise labor standards, and freedom, or China should forfeit their rights to the benefits that all nations enjoy.

Only by voting ''no'' will this great body ever again debate what standards should matter in our trade relations with China. Oppose permanent most favored nation status for China.

Mr. NORWOOD. Mr. Speaker, I yield 15 seconds to the gentleman from Ohio (Mr. NEY).

Mr. NEY. Mr. Speaker, if we want to send a message to the Chinese people, we might as well try to mail it in a letter because they will not hear it in the

sweatshops and the prisons. And the text of this bill does not do anything for them.

So if we want to send a message to the Chinese people, we should vote ''no,'' and then we can really try to help them out.

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

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

Mr. CALVERT. Mr. Speaker, I rise in strong support of granting permanent normal trade relations, H.R. 4444, for the People's Republic of China.

I have long subscribed to Ronald Reagan's philosophy on dealing with adversaries: contain them militarily, engage them diplomatically and flood them with western goods and influences. I believe a similar combination will work on China.

Many Americans are rightly concerned about human rights; and religious and political freedom in China. However, rejecting normal trading practices with China will not improve freedom in China. In fact, it will plunge China further into isolation and reduce freedom.

Pat Robertson, with the Christian Broadcasting Network, and Rev. Richard Cizik, with the National Association of Evangelicals agree that engagement with China has and will continue to improve human rights in China.

Therefore, Mr. Speaker, I strongly encourage my colleagues on both sides of the aisle to help our American economy improve human rights in China. Vote ''yes'' on H.R. 4444.

Mr. CRANE. Mr. Speaker, I yield such time as he may consume to the gentleman from Washington (Mr. NETHERCUTT).

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

Mr. NETHERCUTT. Mr. Speaker, I rise in support of extending permanent normal trade relations status to China.

I have heard two arguments recently against granting China this trade status which I think deserve examination.

1. Critics say we should not grant PNTR status to China because we will lose leverage on all future trade agreements. This allegation represents a fundamental misunderstanding of the vast benefits this agreement offers America. PNTR status will allow the United States to establish reciprocal access to Chinese markets, for the first time. Passage of this bill will allow the United States to take advantage of the enormously favorable bilateral trade agreement negotiated with China for entry into the World Trade Organization. It should be noted that this is a one-way arrangement—China will dramatically reduce industrial and agricultural tariffs on American products while we change nothing about our trade laws. China will enter the World Trade Organization with or without Congressional approval of PNTR—but if we don't pass this legislation the consequences for American exporters will be devastating. 134 other countries will have access to the Chinese market on the very favorable terms that the United States negotiated, while we will be locked out. This is not a position of leverage—this is a position of extreme weakness. Opposing PNTR effectively isolates the United States from this market.

2. Critics say this represents a benefit from shadowy special interests, but is not in overall American interests. Opponents who believe that we should turn our backs on one of the world's largest export markets do a disservice to export dependent jobs across the nation. International trade, considering all imports and exports, now constitutes 29 percent of the gross domestic product, up from 7 percent in 1950. In Washington State, our economy is even more dependent on trade, with foreign exports alone accounting for nearly 25 percent of the gross state product. Export-related jobs represented 31 percent of the total increase in jobs in the state over the last 30 years and these jobs pay 46 percent more than the overall state average. Who are these supposed shadowy special interests then? How about the semiconductor, computer and telecommunications industries, the backbone of the New American economy—their tariff rates will fall to zero—the workers in these sectors represent a valuable special interest. Pacific Northwest wheat farmers have not been able to sell to China for more than 20 years—the bilateral agreement will open this vast market for the first time. Tariffs on Washington apples will fall from 30 percent to 10 percent, making their products much more competitive—these farmers are a valuable special interest.

This is a good agreement, and is in the interests of all Americans and all trade interests.

Aside from its importance to the agricultural community of eastern Washington, this measure is critically important to the enormous number of aerospace workers throughout our state. Over the last few months, I have been in contact with the presidents of union locals who asked my support for PNTR because it would help U.S. aerospace workers. Last week, I was visited by a delegation of union presidents who represent a national coalition of unions who are supporting this measure. They are committed to human rights and environmental protection but they are also committed to expanding the rank and file membership in their unions through expanded trade with China.

I believe Members should recognize this diversity of opinion within the labor movement. While some AFL–CIO unions are offering serious opposition to PNTR, the largest locals in my State have endorsed PNTR. The International Association of Machinists, and the Society of Professional Engineering Employees in Aerospace, both AFL–CIO affiliates, have endorsed this legislation. I would hope that Members of this body would hear the pleas of local unions that are trying to preserve their jobs and not lose access to future markets.

Mr. CRANE. Mr. Speaker, I yield 1 minute to the gentleman from Oklahoma (Mr. WATKINS).

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

Mr. WATKINS. Mr. Speaker, 13 years ago I delivered the commencement address at my alma mater, Oklahoma State University. I entitled that speech ''International Trade: Opportunity or Destruction. Which Way America?''

As I stand before my colleagues today, we are going to answer that question. We build economic opportunities for our children and grandchildren; and provide opportunities to export American values for freedom of religion, speech, and human rights to China. I want to emphasize five facts: One, we are in a global competitive world, and we are not going back. Two, 134 countries of the WTO have already approved permanent trading relationships with China. We are the only country that is lingering behind. Three, China can already enter the United States markets. That is why we have an $80 billion trade imbalance. Four, this agreement will allow us—the USA—to enter China's market of 1.3 billion people and will let us have the opportunity also to market the values that we believe in: freedom of religion, freedom of assembly, freedom of speech, and, yes, human rights. Fact five: I am a grandfather. I could step back and say, ''Why should I care? This is not going to affect me.'' But, my colleagues, are we going to give our children and our grandchildren the tools of opportunity to compete in this global economy or place them in an unfair position to maintain America's leadership in the world. I stand in support of this legislation. We must give our children and grandchildren the tools to compete in this world.

Mr. RANGEL. Mr. Speaker, I yield 1½ minutes to the gentleman from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Mr. Speaker, I would like to mention some of the points today about which I think there is not nearly as much disagreement as we have had on others.

The first is I think it is perfectly clear that we have to engage China in commerce. These are the ties that bind. This is a country with a population in excess of 1.2 billion people and growing.

I think it is terribly important to point out that the Taiwanese, who have been under as much risk as anyone in the world with China's behavior, strongly support the adoption of this bill and view it as a very important step towards achieving a more peaceful resolution of their differences over the next decade.

I think it is fair to say that there is no question that the concessions the United States has extracted to further access to China are very, very strong. In Florida, my home State, there will be significant reductions in tariffs on orange juice, grapefruit concentrate, and fertilizer. And the fertilizer industry will begin to privatize over time in China.

Who will benefit under this agreement? In 1997, 82 percent of the exporters to China were small and medium-sized businesses. In my State, Florida, in 1997, 52 percent of the exporters to China were small businesses, businesses with 100 employees or less.

We are bringing China into the rule of law. One of the things that separates those that oppose this bill from those that support it is how quickly can we do that. It will take time to change attitudes, to change systems. And make no mistake about it, we will have to fight like the dickens to enforce these rules.

Finally, in closing, we need to respect and address the concerns that have been raised in opposition to this

bill, and I believe the Bereuter-Levin proposal will do that and would strongly urge its adoption.

Mr. STARK. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. DAVIS).

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, I rise in opposition to granting of a permanent normal trade relationship with China.

Mr. Speaker, I want to tell the story of two workers: one in Liaoyang in Northeast China and one in the 7th District in Chicago, Illinois.

They have never met. They probably never will meet.

But their fates are tied together as if they were family members . . . and their fates meet here, today on the floor of the House.

The workers at the Liaoyang Ferro-alloy Factory, the fourth largest in the city, employing 5,000 workers began huge demonstrations on May 18.

Even though the workers only earn what would be considered here starvation wages, they had not been paid in two years. The union had done nothing for them.

Because the world was watching and this vote was pending local officials could not crush the demonstrations as they did with 20,000 Yanjiazhan mine workers in a nearby city earlier this year.

As a result the factory agreed to pay back wages.

In the 7th District of Illinois on Chicago's Westside there is a mini renaissance of manufacturing. Some of it is the result of the Chicago Manufacturing Center which has offices in the same building as my district office. They are struggling to bring manufacturing back to the inner city . . . such as a plant to make awnings.

These struggling new small businesses, the engine of job creation today, and their workers are about to be thrown into unfair competition with factories in China like the one I just spoke of.

According to the U.S. Trade Representative's own model, over the next ten years, this bill wll create 276,221 jobs, but it will result in the loss of 1,148,313 jobs.

A net loss of 872,091 desperately needed U.S. jobs.

Those job losses will occur in every state and in every sector of the economy including agriculture. That's with, the job losses will occur in my state and they will occur in every state of this great union.

If all you care about is making our economy grow then you must vote against PNTR for China. Don't throw these working families into the unemployment line.

Despite the ''dot Com'' hype, it is the consumer spending of working families which is sustaining our economy.

If you care at all about real people, if the quality of life of our people, and the people of China matter at all to you. Then you must also vote against PNTR for China.

More than 2000 years ago the ancient Greeks taught us the fate of those who were seduced by the alluring voices and false promises of the Sirens.

Mr. Speaker, let us not be seduced by the Sirens of the 21st century, who sing of globalism as an end in itself, and who abandon our people for sweet promises.

Let us steer for our North Star, our goal of a fair economy, a level playing field . . . that's the road to global prosperity. Vote ''no'' on Permanent Normal Trade Relations for China.

Mr. STARK. Mr. Speaker, I yield 30 seconds to the gentleman from New York (Mr. ENGEL), who understands that granting PNTR would allow China to continue to regularly threaten the Democratic Nation of Taiwan and the U.S. with military attack.

Mr. ENGEL. Mr. Speaker, this vote defines what kind of a Nation we want to be. There is no doubt that business will make a lot of money if this bill passes; but are we only for the almighty dollar, or are we for morality and doing what is right? The almighty dollar or human rights? The almighty dollar or American jobs? The almighty dollar or environmental concerns?

Why can we not continue our annual review of China instead of giving them a permanent blank check? It is the only leverage we have. Is it only the almighty dollar that counts? Shame on us if it is true. Vote ''no.''

Mr. CRANE. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. WELDON).

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Speaker, over the past several years, I have supported Most Favored Nation status for China. I have expressed my concerns about human rights in trips to China, in speeches before the National Defense University of the PLA, and at Fudan University in Shanghai. I have talked about my concerns about Taiwan. But I do believe that engagement is more productive than isolation.

This year I have been undecided up until this very moment. I have been undecided, Mr. Speaker, because of our national security, and I want to talk to that issue for a few moments.

I was a member of the Cox committee. For 7 months, I sat behind closed doors and looked at the evidence that the FBI and the CIA had relative to the acquiring of technology from America, some of our most sensitive technology. The fact that China acquired over 500 HPCs, high performance computers, when in 1995 they had none and in 3 years they had over 500. I have looked at the transfer of missile technology, which has not just helped the Chinese but also been transferred to North Korea. I looked at the fact that China was able to use our weapons design for our nuclear warheads, which has now benefited their nuclear warhead program. The access to telecommunications technology, satellite launching technology which can also be used from Irving nuclear missiles. And I looked at China acquiring encryption.

But, Mr. Speaker, through it all, when all was said and done, I looked at the fact that China was a willing buyer, but up until 5 years ago we were not a willing seller. It was not China stealing America's technology; it was a wholesale auctioning of our most sensitive technology by this White House. In every single case, the evidence points to the other end of Pennsylvania Avenue, where this President and this Vice President auctioned off America's national security. And we cannot use this debate to blame the Chinese people. We should not use this debate to say China stole our technology.

In spite of President Clinton, I will vote for MFN, and hope that a new administration will take a different tact in terms of America's national security.

Mr. RANGEL. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. DOOLEY), who worked so hard on this piece of legislation.

Mr. DOOLEY of California. Mr. Speaker, I rise in strong support of passage of PNTR and also rise to commend President Clinton and the administration for their terrific effort to negotiate an agreement that is good for U.S. workers, that is good for U.S. businesses, and that is good for U.S. farmers.

It is such a wonderful deal because this is one of the few agreements that we have ever had the chance to vote on where the United States gave up nothing. We did not reduce a tariff, we did not reduce a quota, and in return we got significant across-the-board reductions in tariffs and increased market access, which is going to increase the influence that the United States has on the internal affairs of China.

That is important, because many of us are very concerned about the progress on human rights and religious freedoms in China. But it is inconceivable that we are going to have more influence in seeing progress in those areas by adopting a policy which further isolates the United States from the affairs in China. We are going to do more to empower the Chinese citizens to make progress in their efforts to advance democracy, in their efforts to advance greater personal freedoms by extending the hand of economic cooperation.

This policy of economic engagement is one which is going to ensure that China becomes a part of the body of nations that do comply with the rules of law. It is going to also be an instrument that is going to ensure that with additional U.S. investment and additional U.S. trade that we will see an accelerated enhancement of the per capita GDP and the standard of living in China that will also result in greater benefits and progress on human rights as well as labor and environmental conditions.

Mr. STARK. Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio (Ms. KAPTUR), who understands that ADM may have to change its slogan to ''Supermarket to a More Polluted World'' if in fact this awful resolution passes.

Ms. KAPTUR. Mr. Speaker, I rise in strongest opposition to permanent trade privileges for China.

Trade does not bring freedom. Only enforceable laws in democratic republics bring freedom. Trade does not bring peace. Before World War II, the largest trading relationship in the world was not Nazi Germany's with England. Did that stop totalitarianism's rise? Trade does not build a middle class. Only laws governing workers' rights to organize undergird the rise of a strong middle class with good wages and benefits.

This is not a fight about expanding America's export markets. This is a fight about China becoming a vast export platform 12 times the size of Mexico's, taking our markets in Asia's rim and sending a glut of sweatshop and agricultural commodities back here to our shores.

This is a heroic fight for democratic values in the harsh countryside and in the industrial sweatshops in China, in places most Americans, including this Congress, will never visit. Will we side with the chauffeured limousine class, advertisers, retailers, and global companies that soothingly tell us ''everything will be all right,'' or will we stand with the freedom fighters in China and throughout the world?

For those fighting permanent privileges for China on the basis of democratic values. I say, hurray.

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For those courageous people in Taiwan standing tall for sovereignty and self-determination, indeed for nationhood, I say, keep the flame of liberty burning. For those fighting permanent privileges for China on the basis of religious freedom, I say, God bless you. For those fighting for one-half billion working women and girls in China be afforded dignity and respect, I say, if not with this vote, then when?

For those fighting permanent trade privileges for China on the basis of freedom of assembly, whether it is for the Falun Gong or for the murdered freedom fighters in Tiananmen Square, I say, keep standing tall in liberty's cause. Happy Memorial Day. Vote ''no'' on permanent trade relations with China.

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

Mr. CRANE. Mr. Speaker, I yield 30 seconds to the distinguished gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. Mr. Speaker, I rise in support of this most important trade agreement. Failure by this Congress to extend PNTR would squander a decade and a half of negotiations, invite the unraveling of China's extensive WTO commitments, and punish American businesses and farmers by shutting them out of the world's biggest emerging market for the foreseeable future.

The best way to encourage the type of behavior we desire is through policies that promote the rule of law, free trade, economic reform, and democratization. For these are the seeds from which democracy can grow.

Therefore, I believe we should continue to pursue our historic and long-standing policy of engagement rather than containment. Vote for this legislation.

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentlewoman from Florida (Mrs. THURMAN).

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

Mr. Speaker, I would actually like to take my time here to have a colloquy with the gentleman from Michigan (Mr. LEVIN).

I think that one of the things that strengthens this proposal over any of the other trade agreements that we have really has come through the work of the gentleman from Michigan (Mr. LEVIN) and the gentleman from Nebraska (Mr. BEREUTER). And so I would like to enter into a colloquy for the purposes of showing the American people and our friends in labor that there are some real strengths in this that are necessary for this debate to move on.

Mr. Speaker, what I would like to ask the gentleman from Michigan (Mr. LEVIN) is what tools will the Commission have at its disposal to press for better enforcement of human rights and worker rights in China?

Mr. LEVIN. Mr. Speaker, will the gentlewoman yield?

Mrs. THURMAN. I yield to the gentleman from Michigan.

Mr. LEVIN. Mr. Speaker, I thank the gentlewoman for asking about this commission that is now part of this legislation.

This is a unique commission, high level, executive, and congressional. There will be 18 Members of Congress. There will be five members, high level from the executive. So it will be monitoring human rights, the rule of law, full-time staff, every day, every month, not just one time a year. It is going to be required to report to us every year.

This commission will be empowered to make recommendations to this Congress, recommendations for action by the Congress or by the President. Its recommendations could include actions by the United States Representative to IMF or to the World Bank or legislation and recommendations regarding legislation that controls the sensitive exports.

Let me also say this commission is modeled after the Helsinki Commission. It was successful. A number of us worked with it when it was impacting rights in the Soviet Union. It was a constant pressure point, as this commission will be. It will add external pressure to the internal pressures.

There have been reports in recent days in the paper of dissidents in China, and here is what they say: A broad array of dissidents, environmentalists, and labor activists in China appear united in their support of Congressional passage of the permanent normal trade relations act with this commission and that this combines external pressure with internal.

Mrs. THURMAN. Mr. Speaker, reclaiming my time, I say to the gentleman from Michigan (Mr. LEVIN) quickly because I would also like the gentleman to talk a little bit about the antisurge provision because I think this is, too, stemming from the NAFTA. I would also like the gentleman to talk a little bit about the staff in China.

Mr. LEVIN. Mr. Speaker, if the gentlewoman will continue to yield, quickly, the permanent staff can be stationed here. It can be stationed in China.

Let me say a word about the surge provision, the toughest antisurge provision in American law. If there is an inflow of products from China that would hurt American workers and producers, workers and producers can file a complaint, swift action with the standard of causation, which will allow us to act if there is this surge.

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

Mr. Speaker, the gentlewoman from New York (Ms. SLAUGHTER) understands that the average Chinese worker earns 108 bucks a year, hardly enough if they spent every nickel they earned every year in the United States to make a dent in our $80 billion trade deficit with China.

Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Ms. SLAUGHTER).

Ms. SLAUGHTER. Mr. Speaker, even as we talk on the floor, the Chinese are planning not to comply with any of this. They say already that they have a cautious, go-slow approach, otherwise they will risk widespread unrest that could undermine their rule. They are not going to comply with WTO's 5-year rule. They say they will do everything they can to shelter their industries, and that is no surprise to us.

Yesterday, on the floor, a colleague told me about a General Motors plant closing down in his district in Flint, and the last act that those workers had to do was to undo that piece of machinery and crate it up to be shipped over to its new homes and its new workers; and then General Motors had the effrontery to classify that as an export.

Do we want to see that happen to all the jobs in this country? We want to trade with China, and we will trade with China. But would it not be wonderful if, for one chance in our life, that this would be absolutely fair trade?

We are not going to be selling any goods over there. Everything is going to be manufactured there, as other colleagues have said before, and brought right back here at one-twentieth of the cost manufactured here, but it will be sold here at the maximum they could get.

Mr. NORWOOD. Mr. Speaker, I yield 30 seconds to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I thank my good friend for yielding me the time.

Mr. Speaker, I just want to make sure that Members understand that

there is a profound difference between the Helsinki Commission, which I chair, which was formed back in 1976 to implement the Helsinki Final Act to which the USSR and the Warsaw Pact nations and others were a party to. They signed on the dotted line.

The commission that is contemplated in this legislation is a watchdog commission. It is like any other commission that might be formed, but there is no participation by China or any of the other countries in Asia, so there is a major difference. So I would hope we would no longer somehow compare it to the Helsinki Commission. There is no real comparison between the two.

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

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

Mr. RANGEL. Mr. Speaker, I think at this time it might help to share with us the remaining time.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Georgia (Mr. NORWOOD) has 9¾ minutes remaining. The gentleman from Illinois (Mr. CRANE) has 8½ minutes remaining. The gentleman from New York (Mr. ENGEL) has 14½ minutes remaining. The gentleman from California (Mr. STARK) has 21 minutes remaining.

Let me just repeat that we intend in the closing part of the debate to begin with the gentleman from Georgia (Mr. NORWOOD), then to go to the gentleman from California (Mr. STARK), then to go to the gentleman from New York (Mr. RANGEL), and then finish up with the gentleman from Illinois (Mr. CRANE).

Mr. RANGEL. It is my understanding, Mr. Speaker, that that order will be after a quorum call?

The SPEAKER pro tempore. That is correct.

Mr. RANGEL. So that it could very well be that we will have to have some speakers that have large amounts of time before that quorum call to call on several of their speakers?

The SPEAKER pro tempore. Correct.

Mr. RANGEL. Mr. Speaker, I yield 1 minute to the gentleman from Arkansas (Mr. BERRY).

Mr. BERRY. Mr. Speaker, first of all I want to recognize the distinguished ranking member, the gentleman from New York (Mr. RANGEL), and the distinguished ranking member, the gentleman from Texas (Mr. STENHOLM), for their leadership on this matter.

I rise in support of permanent normal trade relations with China. If Congress does not grant permanent normal trade relations to China, it will be the worst economic mistake this country has made since the Great Depression.

Without a doubt, this agreement is good from an economic standpoint, from a human rights standpoint, from a national security standpoint. Nearly every industry in the United States will see a direct benefit from tariff reductions on American goods going into China.

Agriculture, financial services, insurance, telecommunications, information and technology, and a host of other industries will directly benefit from this agreement. Jobs will also be created to meet the growing demand for products in China.

American agriculture will benefit as much as anyone. More rice, wheat, cotton, soybeans, poultry, pork, beef and a host of other products will be sent to China directly from Arkansas and other States.

Mr. Speaker, I urge passage of this bill.

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

Mr. Speaker, the gentleman from Massachusetts (Mr. TIERNEY), who lives next to the area where a civil action was written, understands that passage of PNTR will lead the U.S. corporations doing business in China simply to be able to continue to avoid stringent environmental regulations.

Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. TIERNEY).

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

Mr. TIERNEY. Mr. Speaker, a vote for permanent normal trade relations with China gives up favorable United States Trade Agreement enforcement rights, it relinquishes forever any ability to use as leverage our existing periodic review process to, at least, try to effect universally acknowledged violations of human rights, including worker rights, religious intolerance, the spreading of technological and other information for dangerous weaponry, environmental degradation, and a long history of noncompliance with virtually every bilateral agreement negotiated between the United States and China in recent generations.

It does so despite the fact that it will have an adverse effect on the jobs of many who are the least prepared to deal with such a loss, and that is mostly because we have failed in advance of expanding ever-open market initiatives, to put in place effective transition assistance and worker training and re-training and health care for those who are unable to afford it through the unexpected job loss. And all of this is done unnecessarily.

Contrary to those who misinform us with claims that granting PNTR to China benefits the United States, that is inaccurate. And it is not accurate, as inferred and misstated, that in failing to give PNTR to China, we would give a benefit to the European Union that we would not get in the United States. Legal analysis shows otherwise

In fact, if China, in acceding to the WTO, grants market-opening concessions to WTO members other than the United States, then existing bilateral trade agreements between China and the United States require that China grant those same concessions to the United States, even if Congress does not grant PNTR to China.

Sound legal analysis of the controlling bilateral trade documents since 1979 show this to be true. Further, the bilateral agreements between China and the United States have far superior mechanisms for enforcing trade agreement violations than has the so far grossly slow and relatively ineffectual WTO Claims process. The need to retain our advantage of enforcement and to forego being constrained only to the WTO process is extremely important given China's history of noncompliance. In fact, it was the United States' ability to use the so-called 301 Sanctions, as allowed in the bilateral agreements between the countries that finally forced China's compliance with the 1992 Trade Agreements on Intellectual Property.

There is reason to be concerned that Chinese officials are already backing away from the 1999 U.S.-China Bilateral Agreement, which is the basis for the request for PNTR. Consider just two of several statements by Chinese negotiators and/or authoritative sources:

On wheat, where the Administration Summary of the United States-China WTO Agreement, February 15, 2000, says ''China will import all types of U.S. wheat from all regions of the United States to all ports in China . . .,'' China's chief WTO negotiator was quoted in the South China Morning Post on January 7, 2000, as saying: ''It is a complete misunderstanding to expect this grain to enter the country . . . Beijing only conceded a theoretical opportunity for the export of grain.''

The USTR fact sheet states: ''China will allow 49% foreign investment in all services, it will allow 50% foreign ownership for value-added in two years and paging services in three years. In contradiction, AFX-ASIA, November 22, 1999, asserts: ''. . . foreign companies will be allowed to acquire the 25% stakes in operators of local commerce, long distance and international calls, and the maximum permitted foreign stake in telecom operators will be raised to 49% six years after WTO entry, the official in the ministry's [China's Ministry of Information Industry] policy and regulation department said.''

The list goes on and on, but it should be noted that the United States Trade Representative has publicly stated that major differences remain on the ''commitments on a wide range of WTO rules including subsidies, technical standards, a mechanism to review implementation and many other issues.''

This is not an argument over trade or no trade. Despite attempts by some to paint those who would vote ''no'' on PNTR as isolationists, I—and most other objecting parties—support trade, and support trade with China. We have $80 billion of trade with China now as well as a trade imbalance (in China's favor and not in our interests) of $70 billion per year. No one proposes ending trade with China. What is opposed is the expansion of trade privileges to China without retaining the ability to enforce effective compliance with those trade agreements. Furthermore, there is opposition to surrendering what appears to be a final opportunity to inject into multi-lateral trade agreements protection for workers, for the environment, for human rights and against religious intolerance. It is a chance to retain some leverage against China's long standing conduct of making weapons of mass destruction or related technology and/or information available to nations such as Pakistan and Iran, all very much against our national security.

That other countries in the WTO have poor records in some of these areas also, is not

sufficient reason to forego the annual opportunity to raise these issues with China. The WTO is itself flawed by the absence of mechanisms to review individual members' compliance with reasonable international standards in these areas. While no one contends that every country must meet the exact standards set by the United States or any other nation, there certainly are recognizable thresholds of conduct (child labor, the right to associate, the right to believe in one's religion) that should and could be negotiated and incorporated in trade agreements.

We would be remiss to add a country as large as China, with such an atrocious record, without first seeking to correct deficiencies in the WTO. At the very least, if such a country is to be allowed to join WTO, some review of its conduct in complying with international norms or evidence of improvement in these areas over time, should be required.

My colleagues DAVID OBEY and BARNEY FRANK have made several good points in recent presentations on the issue. ''As trade between highly developed, high wage countries, and under developed low wage countries has become a larger and larger share of the mix, negative side effects have appeared in high wage countries like ours. A downward pressure on wages because of that expanded trade between very unlike economies has reinforced other economic trends and policy actions, producing an ever widening income gap between those that invest and those that work. A rising tide no longer lifts all boats. In fact, the ability of those with large amounts of capital to pay any price necessary for what they want has, in the global economy and local neighborhood alike, driven some costs far above what can be afforded by those whose boats are anchored to low wages. That has happened with the price of housing. It has happened with the price of education—especially at private institutions. It has happened with the price of medical care.''

''Downward pressure on wages in economies like our own have been accompanied by greater incentives to minimize environmental costs that go into any product because we are told these products are in competition with products produced in countries with much less concern for either well-paid workers or well-protected environments. This has made it more difficult to protect gains that industrial countries have made in raising workers' living standards or cleaning up the environments in which they live.

There is no question that in macro economic terms, totally open trade can produce more goods at lower costs worldwide. And normally that would be a blessing.

But when that becomes the only goal, or at times the only result, it carries a high price for those who do not possess large amounts of capital because their wages cease to rise. And the communities they live in come under pressure to allow corporations to do less and less to clean up pollution, all in the name of remaining globally competitive in a world where there are almost no restraints on the movement of the power of capital and ever increasing restraints in the power of everything and everyone else—governments, consumers, and labor.''

No one expects equal income for all people. The need for society to have risk takers who can amass wealth for investment to produce economic growth for everyone is bound to produce inequality. ''But as Pope John Paul once observed, there are certain ''norms of decency'' that must be respected in order to produce economic justice and the social cohesion that is necessary for any economic system to function.'' The last decades have produced just the opposite—the widest gap between the wealthiest one percent of our people and the least wealthy twenty percent—at any time since the birth of the twentieth century.

Since new globalized trading realities have helped produce the problem, they must also be part of the effort to fix it. Trade agreements are an appropriate place to address such issues. While Alan Greenspan, the Chairman of the Federal Reserve, asserts that we must not allow our ''inability'' to help workers who are being injured to reduce our support for open trade, I believe BARNEY FRANK has it more accurate when he says, ''The problem we face is not inability, but unwillingness to do so.''

It is appropriate to set new trading rules, new sets of power relationships, and wider representation of interest at the negotiating table. Congress should have a commitment, as should society, to greater educational opportunity and training opportunities for workers and children in working class families. It should have a greater commitment to health care for every person regardless of financial circumstances, especially those of families of workers whose corporate employers are being squeezed by the pressures of globalization to shrink the safety net businesses used to provide.

In essence, this vote is about doing all the right things before and not after we give away our leverage to obtain them.

The real shame of this debate is that few people understand that we can, in effect, retain our leverage to enforce the values in which we believe and continue to trade. A more honest debate with less demagoging and less misinformation—as well as a willingness by those who stand to gain a tremendous amount economically to acknowledge and not dismiss the concerns of others—could have resulted in Congressional action that would have protected all Americans.

The American public will not be pleased when analysis shows that Congress has unnecessarily voted to surrender the U.S. capacity to best enforce its interests. It will be all the more unhappy when it hears that Congress did so while also giving away our only leverage to protect fundamental individual rights of autonomy and association, and to safe guard distributive justice and social well being of a sort that cannot be measured by maximization of corporate shareholders returns or aggregate monetary wealth.

I ask for a vote against this, Mr. Speaker.

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

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

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Speaker, it is my understanding that there may be a motion to recommit that involves what would happen if there was armed conflict between China and Taiwan.

In my judgment, if this motion were approved, language would be attached to the bill requiring the United States to withdraw PNTR from China in the event of a Chinese attack on or blockade of Taiwan. This language is in direct violation of GATT Article I which requires that all WTO members grant each other ''any advantage, favor, privilege, or immunity'' provided to other countries ''immediately and unconditionally.'' And this would, in fact, be a condition.

A condition like the one included in the motion to recommit is discriminatory and disadvantageous, violating this fundamental WTO principle. If it is adopted, we will lose the full benefits to America's farmers and workers of the strong rules-based and enforceable market opening agreement we negotiated in November.

Let me assure my colleagues that even without the approval of the motion to recommit, the United States and the Congress retain the authority to take whatever actions we deem appropriate to address our national security concerns in the event of a blockade or attack on Taiwan.

Article 21 of the GATT agreement states that nothing in the agreement ''shall be construed . . . to prevent any contracting party from taking any action which it considers necessary for the protection of its essential security interests . . . taken in time of war or other emergency in international relations.''

This provision has enabled the United States to conduct embargoes against Czechoslovakia in 1949, Nicaragua in 1985, and the embargo we have maintained against Cuba since 1962. All of these nations were WTO members at the time, and in each case the United States's position was upheld.

Though this motion seeks to protect Taiwan, I would argue that it will do just the opposite. Approving this motion will send a dire message to the Chinese that no longer is the United States interested in working with China openly, no longer do we seek to change China by bringing it into the greater community of nations and exposing it to the rule of law. Rather, we will be starting down the road of isolating China from the world and encouraging mistrust and conflict. If this latter course of action is taken, I firmly believe that Taiwan will be put at risk.

Indeed, the Taiwanese Government is the first to point out these points in its support of Chinese accession to the WTO and its support of our extension of PNTR for China.

If my colleagues are truly concerned about the welfare of Taiwan, I urge my colleagues to oppose the motion to recommit and to vote for the bill.

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER).

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

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Mr. HOYER. Mr. Speaker, I rise today as one who has consistently

voted against normal trading relations for the People's Republic of China. Today, however, I will vote for PNTR because I believe the facts have dramatically changed. Our deep disagreement today is not on the ends that American policy seeks to achieve, adherence to human rights and worker rights by all nations. Our difference is on the means to achieve those ends.

Contrary to what critics say, PNTR provides no blank check for China. In fact, China has agreed to make historic trade concessions that it has never agreed to before, opening its markets, slashing its tariffs, and agreeing to abide by the global trading system based on the rule of law. If they renege, so can we. In contrast, our annual votes never required China to make any concessions whatsoever. Still, China has received NTR status year after year after year. At best, our annual votes on NTR had a minimal effect in mitigating repression and human rights in China. As the current ranking member and for a decade chairman of the Helsinki Commission which monitors and advocates human rights, I believe that the Levin-Bereuter proposal is an important contribution to this bill. The bipartisan proposal would establish a congressional executive commission on China. As our experience with the Helsinki Commission indicates, a China commission will be a more effective mechanism for maintaining pressure on China on human rights, worker rights, and rule of law issues than our brief annual reviews.

Let me conclude, Mr. Speaker, by noting that this vote also is critical, in my opinion, for our core national security interests, which include the stability of China and Asia in general, and the peaceful resolution of differences between the PRC and Taiwan. That is why our allies in the region support PNTR and China's accession to the WTO. Engaging China through trade and the WTO enhances, in my opinion, the possibility for dialogue on other security interests from the proliferation of weapons of mass destruction to global climate change.

Mr. Speaker, as the most powerful Nation on Earth, we have a responsibility to engage China, the most populous nation on Earth and move it, if we can, toward democratic reform, market economics, the rule of law, and respect for basic human rights. As President Kennedy stated in 1962, ''Economic isolation and political leadership are wholly incompatible. The United States has encouraged sweeping changes in free world economic patterns in order to strengthen the forces of freedom.'' These words still ring true today. Let us seize this opportunity for a more stable and safer 21st century.

Mr. STARK. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Michigan (Mr. STUPAK).

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

Mr. STUPAK. Mr. Speaker, I rise in opposition to the permanent normal trade relations with China. Today's Detroit News quotes a business executive's position on China, and I quote: ''We're not interested in China per se but free trade.'' This executive said it all. Proponents are not interested in fair trade but free trade, where the United States once again freely negotiates away our markets, our jobs, our values, our ideals and our beliefs.

In 1993, I raised the issue that these free trade agreements would jeopardize the natural resources of our country and of our Great Lakes water. I was ridiculed. But now we know that I was correct. Under these free trade agreements, despite assurances and side agreements, our sovereignty over our own natural resources are at risk. The Nova Group's proposal to ship Lake Superior water demonstrates the economic feasibility to ship Great Lakes water to China. This is the first drop in a flood of attacks that will come on our Nation's natural resources and our own sovereignty, all in the name of free trade.

As a country, as elected representatives, as Americans, we stand for principles, values and beliefs that are not free but fair. Do not freely give away our natural resources, our sovereignty and our American beliefs and ideals. Vote no on permanent normal trade relations with China.

Mr. Speaker, I rise in opposition to Permanent Normal Trade Relations with China.

Today's Detroit News quotes a business executive's position on China, and I quote: ''We're not interested in China per se, but free trade.'' This executive said it all! Proponents are not interested in fair trade, but free trade, where the United States once again freely negotiates away our markets, our jobs, our values, our ideals, and our beliefs.

A year ago, over 200 Members of this House joined to stop the illegal steel dumping by China and others in our market. China freely dumped steel while negotiating this deal. Miners in my district and steelworkers all across this nation were laid off because of illegal dumping of steel by China.

In the 90's, the U.S. negotiated four major trade agreements with China, from beef to auto parts, each violated with impunity—no remedy and no sanctions. More ''free'' trade.

Is it no wonder our trade deficit continues to soar each month? China is now the second largest contributor to our trade deficit which now stands at $70 billion per year. This year China will surpass Japan as our largest trade deficit partner. More ''free'' give away trade!

In 1993, I raised the issue that these ''free'' trade agreements would jeopardize our natural resources such as Great Lakes water. I was ridiculed, but now we know I was correct. Under these ''free'' trade agreements, despite assurances and side agreements, our sovereignty over our own natural resources are at risk. The Nova Group's proposal to ship Lake Superior water demonstrates the economic feasibility to ship Great Lakes water to China, and this is the first drop in a flood of attacks that will come at our nation's natural resources and our own sovereignty, all in the name of free trade. As the business executive said, ''We're not interested in China per se—but free trade.''

We, as Members of this House, must be interested in China, its people, our people, our constituents, our American ideas, and our American values and we should only freely export ideals, principles, and our American values such as: families should be allowed to freely have children—not forced abortions and sterilizations; products and goods produced should be produced with pride and ingenuity—not by prisoner and child labor; freedom to assemble, organize and question your government—not crushing ideals of freedom, hope, justice, and religious freedom with tanks in Tiananmen Square.

As a country, as elected representatives, as Americans, we stand for principles, values, and beliefs that are not free but fair. Do not freely give away our natural resources, our sovereignty, our American beliefs and ideals. Vote ''no'' on Permanent Normal Relations with China.

Mr. STARK. Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio (Mrs. JONES).

(Mrs. JONES of Ohio asked and was given permission to revise and extend her remarks.)

Mrs. JONES of Ohio. Mr. Speaker, I voted for the African Growth and Opportunity Act and CBI because those regions of the world had never had an opportunity to have a trade agreement with our country. But today I rise in opposition to permanent normalization of trade with China. I have said that PNTR should stand for perpetrating a notion of trade reform. Perpetrating a notion that China will change, perpetrating a notion that environmental conditions will improve, perpetrating a notion that we will be more secure, and perpetrating a notion that human rights will improve.

Let us trade with China, but let us not fool ourselves. Let us not reward China for noncompliance. I tell my son Mervyn, who is 17, You do right, I will help you. You do wrong, you will get nothing from me. That is what we should tell China: You do right, we will trade with you. You do not, we will not.

Mr. STARK. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Indiana (Mr. VISCLOSKY).

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

Mr. VISCLOSKY. I thank the gentleman for yielding me this time.

Mr. Speaker, the average American in 1998 made a nickel less in real terms for 1 hour's worth of labor than they made 18 years before that in 1980. What we are engaged in today is a race to the bottom, a race to pay the lowest wage, a race to give the least benefits, a race to not have a safe workplace, a race to not have to worry about the environment. The Chinese Government said that we will reform. My position in opposition to this bill is they should reform, and then we should revisit the issue. We owe this generation and the next generation of American workers hope in their economic future. We do not give that to them today.

Mr. Speaker, I rise first to express my strong opposition to granting China Permanent Normal Trade Relations. Until China reforms its worker rights and establishes environmental standards, approval of their status is simply another stop in the race to the bottom of the economic barrel. Secondly, as I listen to my colleagues rise in support of this bill or, conversely, to voice their opposition, I cannot help but think that we must focus our attention on the broader trade policy goals of the United States.

This week's vote on PNTR deals with only one of the two pillars that the world trading system is built upon—open markets. While this is a very important objective, we must place equal value on the second pillar—rules against unfair trade. We all know what happens if we continue to strengthen just one half of any foundation, while ignoring the other half. Eventually the entire structure will come crashing to the ground. The international trading system is no different. As we talk this week about opening up the world's largest market, let us not forget about the importance of enforcing the rules of fair trade.

The United States and the World Trade Organization (WTO) are not committed to free trade. However, free trade must also be fair trade. That is why there are internationally established rules, and U.S. laws consistent with these rules, which serve to protect domestic industries from being wiped out by unfair foreign trade practices. Unfortunately, these rules against unfair trade are only as good as the bodies that enforce them, and our own International Trade Commission (USITC), in particular, has decidedly chosen to ignore its mandate to uphold the laws.

In recent cases, the USITC has denied relief to American industries injured by unfairly traded goods. In fact, the current USITC Commissioners individually have voted in favor of U.S. industries less than half the time in investigations and contested sunset reviews, even after the U.S. Department of Commerce has found that U.S. industries have been victimized by massive foreign dumping.

Understanding that these industries that are losing before the USITC are not merely crying wolf. Because of the enormous industry-wide commitment that is required to bring an antidumping or countervailing duty case, only the most dire cases ever come before the ITC. These are industries that have been bloodied and battered by lengthy assaults from foreign industries, and have turned to the U.S. government and its supposed policy of zero tolerance for unfair trade as their last resort. Until the USITC reverses its record, or its responsibilities are assumed by another agency, I believe its policy toward American trade laws should be made known.

Although the American steel industry is not the only industry that has been victimized by decisions handed down by the ITC, it is one that I can speak of personally because it is such a vital industry to the people of my district. At the height of the recent steel crisis, the American steel industry and its workers filed several cold-rolled steel cases. The facts were simple: thousands of workers lost their jobs; five steel companies went bankrupt; operating profits turned to operating losses; and the U.S. Department of Commerce eventually found that twelve countries were dumping at substantial margins. Yet somehow the USITC determined that the domestic industry was not injured by this illegal dumping. Perhaps, it is time for the USITC to reevaluate its understanding of the world ''injury,'' because there are thousands of American steelworkers who have an entirely different understanding.

Mr. STARK. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Ohio (Mr. STRICKLAND).

Mr. STRICKLAND. Mr. Speaker, today we are going to make an economic decision, but we are also making a moral decision. I believe that being an American means something. The thousands of men and women who have sacrificed their lives for this country did so out of reverence for its values, individual liberty, personal dignity, self-determination. When we encourage unrestricted trade with a nation like China, which disregards these values, we dishonor America's heroes. China uses child labor, slave labor, and allows abhorrent working conditions to flourish. It persecutes Christians, Buddhists and other religious people, threatening them with fines, imprisonment and even death. I believe our national honor depends on us standing with the persecuted in China, our own workers and against this trade deal for multinational corporations.

Mr. Speaker, granting China permanent normal trade relations is a mistake for our workers, our businesses and our democratic values.

Mr. STARK. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Oregon (Mr. WU).

Mr. WU. Mr. Speaker, as I tried to make my case earlier that this trade agreement is just not in fundamental American interests, I would like to restate that argument very briefly. If we both, America and China, dropped our trade quotas, dropped our tariffs to zero, we would lose control over imports and China would not. China has a nonconvertible currency. They have a second level of control, because you cannot get the foreign currency to buy goods and bring it here.

We have heard many, many arguments today also about the salutary effect of business. When I was young, I believed in the Tooth Fairy, I believed in Santa Claus, and I believed that all these good things just came sort of naturally. Later on I figured out that my parents made deep, deep sacrifices and worked hard to put things on the table so that we could have things in our family. The problem here is that we would like to believe that trade will automatically change everything, that it has this wonderful transformative effect.

But the truth is that generations before us made deep, deep sacrifices. They knew that it was more than about business, that the business of America must be more than business alone. They made broad sacrifices. They did not see their business as business alone. They saw the business of America as pressing hard on a broad set of human values, of human rights, of civil liberties, of the rule of law. We must stand in that tradition today.

About 2,500 years ago, in a space not much larger than this, 300 Spartans stood tall against 100,000 Persians. With typical candor, our Republican friends have said that this vote would not be called a moment before there were 218 votes. We do not need 300 Spartans today to keep the forces of darkness back. We only need 217 others to stand in this space.

History is focused upon this Chamber. As Abraham Lincoln said in sending the Emancipation Proclamation forth, ''Let our actions be judged by beneficent history and a just God.'' And if each and every one of you can say that you are willing to be judged by history and by God based on your actions today, then I will be comfortable with your actions. Do what is right. Do what is right today in this Chamber.

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

Mr. Speaker, we have heard today from many of our colleagues who say they recognize that human rights in China are deplorable. They recognize that the environment is damaged by China wantonly without regard to what it will do to future generations. We recognize that political prisoners are imprisoned every day and that human rights and religion are trod upon. Everybody says that that is going on in China. There is no disagreement. Some people have said, Let's have a commission. Well, if you have been like me and served on a children's commission and a Medicare commission and a Social Security commission, you know that in this town to create a commission is to prevent anything from happening. I dismiss the idea of the Levin-Bereuter commission as a fig leaf which will do nothing to change China's behavior.

But I would also like to suggest that the harm done to America may not be very great if the people who want most favored nation prevail; it is just who you are going to hurt and who you are going to help. Arguably those people pushing for most favored nation are trying to help General Electric and the huge corporations that are already the richest in history. And so if this passes, those corporations will all make two bits, 50 cents a share more in earnings. And that will help millions of Americans a few bucks here and a few bucks there, and it will probably help the CEOs of those corporations get another million or two in stock options.

Who is it going to hurt? I will tell you who it is going to hurt. It is going to hurt probably a couple of hundred thousand Americans real bad. It is going to hurt those people who are going to lose their jobs overnight. They are going to get hurt 30 or 40,000 bucks because they are going to be out of work. They may lose their homes; they may lose a chance for their children to go to college. But I do not suppose anybody cares about them because the truth is those people may lose their jobs in 10 years, anyway, through the growth of technology because they do not have the training to keep up.

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They are the people who still work with their hands in factories, they still have minimum skills, they do heavy lifting in warehouses. They are the people that we are running higgeldy-piggeldy to eliminate from the workforce because they belong to unions and cost us a lot in benefits.

So when you think about how you are going to vote, you can think about those families who may be looking for Hamburger Helper on the dinner table because Dad lost his job as a result of this, or you can think about the people who are already making millions of dollars in stock options and the people whose pensions are a little higher. If you are a Federal employee and in the C fund, your retirement is going to do a little better.

That is it. It is as simple as all that. The big corporations get helped big time, and a few of our middle-class Americans have their lives destroyed if you vote for this terrible, terrible giveaway of our leverage to make China do the right thing.

Mr. NORWOOD. Mr. Speaker, I am delighted to yield 5 minutes to my friend, the gentleman from California (Mr. HUNTER).

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

Mr. Speaker, in March of 1941 our former colleague, Carl Anderson, a Representative from Minnesota, warned us about the danger of arming potential adversaries. He said then that the chances of war with Japan were 50–50, and, that if our fleet had to meet the Japanese fleet, we would meet a fleet which was built with American steel and fueled with American petroleum.

A few months later at Pearl Harbor, 21 American ships were destroyed, 300 planes were destroyed, and 5,000 Americans were killed and wounded by a Japanese fleet that was built with American steel and fueled with American petroleum.

Well, whichever side of this debate one is on, everyone here has to concede American dollars are arming Communist China today. Let us look at what they have done with the $350 billion that they have amassed in trade surplus over the last 8 years. The Sovrenny class missile destroyers, straight from the Russians, designed for one purpose, to kill American aircraft carriers, were purchased with American trade dollars. The SU–27 fighter aircraft, high performance aircraft, capable of effective warfare against America's top line fighters, were purchased with American trade dollars. On top of that, kilo class submarines, AWACS aircraft, air-to-air refueling capability, sophisticated communications equipment, all purchased with American trade dollars, and compounding the danger, China's own sales to nations like Iraq, Iran, Libya, Syria and North Korea of components for weapons of mass destruction.

Mr. Speaker, we have just left the bloodiest century in the history of the world. In a way it is a century of triumph for America. The story of the 20th century is the story of a great Democrat President, FDR, who stood with Winston Churchill against Germany's Hitler. It is the story of a great Republican President, Ronald Reagan, who faced down the Soviet empire and disassembled Soviet Union.

But it is also a story of tragedy, because 617,000 Americans lie in cemeteries across this country and in the oceans of the world and the battlefields of the world as people who were killed in action saving the world for freedom in this last century.

Many of them fought in wars for which we were unprepared; that is a tragedy of the 20th century. But the greater tragedy, which could be the tragedy of the 21st century, could happen if this country, having fought and bled and sacrificed to dissolve the Soviet empire, through a massive infusion of cash produces, by our own hand, another military superpower, and if the cemeteries of this country one day hold the bodies of Americans in uniform killed with weapons purchased by American trade dollars. That will be the greatest tragedy of this new 21st century.

Mr. Speaker, let us avoid that tragedy. Vote no on PNTR.

Mr. CRANE. Mr. Speaker, I yield such time as he may consume to the gentleman from Alabama (Mr. BACHUS).

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

Mr. BACHUS. Mr. Speaker, I rise in support of the legislation.

We have hammered out an agreement that safeguards the legitimate interests and concerns of Alabama's coke industry and assures the long term viability of that industry. This is not only a victory for the coke industry and its employees, but also for Alabama's coal industry which supplies the basic raw materials for the production of coke.

I was skeptical of this agreement at first because of my concerns about our national security and China's human rights violations. However, I am now persuaded by the support for this agreement by the Taiwanese government, dissidents within China, and reformers within their government that it is not only in our best interests, but will also encourage the likelihood of positive reform of their poor record on human rights and religious persecution.

Mr. CRANE. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from California (Mr. DREIER), who has played so vitally important a role in this effort.

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

Mr. DREIER. Mr. Speaker, over the last 2 decades we have observed incredible changes, the cause of freedom, both economic and political freedom, sweep across our globe. I recall very well 10 years ago this last October as the Berlin Wall was getting ready to come down, we heard a speech from the first elected leader of South Korea, one of those countries which we maintained an economic tie with and brought about economic reform and political reform in. He said in his speech here, ''The forces of freedom and liberty are eroding the foundations of closed societies. The efficiency of the market economy and the benefits of an open society have become undeniable. Now these universal ideals, symbolized by the United States of America, have begun to undermine the fortresses of repression.''

I was struck with that speech that he gave a decade ago right here in this Chamber; and, Mr. Speaker, if we stand with the likes of Colin Powell, the Dalai Lama, Billy Graham, the former Presidents, and a wide range of leaders in China and dissidents who understand the power of opening this up, we will one day see the first elected leader from the People's Republic of China stand right here in this Chamber delivering a familiar, similar speech.

Mr. Speaker, with that, I encourage my colleagues to vote yes on what many have described as the most important vote of our careers.

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Michigan (Mr. LEVIN), a member of the Committee on Ways and Means and a gentleman that has contributed so much to this debate.

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

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

Mr. Speaker, I want to thank all of my colleagues on both sides of the aisle and especially, if I might, the gentleman from Nebraska (Mr. BEREUTER).

I want to comment briefly on some of the arguments here, for example, the job loss, the reference to 800,000, based, it is said, on an ITC report. But here is what the ITC says, that that briefing paper in several ways misrepresents the work and the findings of the ITC.

But China will become increasingly a competitor, and that is why we have an anti-surge provision, the strongest in American law.

It is also said China never has abided by a trade agreement. That is not true. They have abided in part in some. But it is going to be a special challenge to implement compliance by China, and that is why we have in our proposal additional resources and a provision for an annual review within the WTO sought by the U.S.

Human rights, the annual review has not been an effective mechanism. It was not used after Tianenman, and there is no strategy for its effective use in the future. We can do better. We can do better. The Helsinki Commission-type will help us. It will be up to us to make sure it will do better than that. That commission worked despite, not because of, the Soviet Union.

We should not isolate China, nor should we in the U.S. isolate ourselves

from pressing China to move in the right direction.

Passing PNTR will allow us to actively engage China and constructively confront it. Rejecting PNTR would likely lead to chaos in our relationship with China, making both active engagement and constructive confrontation far more difficult.

This debate is about difficult judgments about a huge country far away, and about immense pressures much closer to home. Democracy is about resolving competing and conflicting pressures. Taking these pressures fully into account, there are important occasions when we must rise above them. With leadership, a democracy can be more than the sum of particular pressures. Today the challenge before us in this House is to exercise such leadership. Today the challenge is before us. Let us meet that challenge.

Mr. BEREUTER. Mr. Speaker, will the gentleman yield?

Mr. LEVIN. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Speaker, I want to commend the gentleman for his work on the commission.

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

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

Mr. OWENS. Mr. Speaker, greed has rolled in like a bulldozer over all of the numerous logical reasons supporting the denial of a permanent trade agreement with China. The mega-profits to be realized by the corporate elite are so overwhelming that this juggernaut cannot be halted. What an irony it is that the larger part of the evil empire is now going to be a recipient of large-scale investments from the leader of capitalism in the free world.

This act will have tornado-like devastation on the employment of hundreds of thousands of ordinary men and women in this Nation. Workers on both sides of the world will be the victims of this agreement. Chinese laborers paid 25 cents per hour or less will fill the bank accounts of multinational corporations. American workers will be forced to struggle harder and work more hours as industrial and manufacturing jobs are moved to China. Only lower-paying service jobs or high-tech positions requiring a college education will be left on our shores.

Mr. Speaker, it is irresponsible to consider trade legislation like this without considering the consequences. We need to right now begin to prepare for all those workers that are going to be thrown out of work. I urge a no vote on this legislation.

Mr. STARK. Mr. Speaker, it is a great privilege to yield 5 minutes to the distinguished gentlewoman from California (Ms. PELOSI), who has been a leader for human rights, for dignity, and for fair trade with China for many years.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding time so generously.

Mr. Speaker, today Congress is poised to take a vote which will define us as a Nation. We will decide whether we will uphold the principles upon which our great country was founded. We will decide if we will support the pillars of our foreign policy, promoting democratic values, stopping the proliferation of weapons of mass destruction, growing our economy by promoting our exports abroad, or if we will squander our leverage to please some in the business community who do not share our responsibility to the public interest.

In the public interest, I am pleased to join in opposition to this PNTR resolution. I am pleased to join the American Legion, the Veterans of Foreign Wars, the National Catholic Conference of Bishops, the International Campaign for Tibet, the China Democratic Party, the Sierra Club, and many other organizations committed to promoting human rights, fair trade, and protecting our environment.

In the course of the debate preceding today's vote, some have said that the annual review of China's trade status has not been useful. They failed to mention that conditioning MFN on improvements in China's trade, human rights and proliferation behavior has never become law. It is the Bush-Clinton policy which has prevailed every year and produced record deficits. This year it will be over $85 billion in trade deficit with China, more people in prison for their political and religious beliefs than at any time since the cultural revolution, and an expansion in China's proliferation activities, from Pakistan, making South Asia a more dangerous place, to Iran, making the Persian Gulf a more dangerous place, to Libya, threatening stability in the Middle East, as well as threatening the security of Taiwan.

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Most recently, this Libyan sale was in March of the year 2000; this is current and ongoing. And despite the failure of this policy of turning back or conditioning MFN, now called NTR, on improvement in these areas, despite the Bush/Clinton failure, they are asking us to make it permanent. On top of all of that, there is little reason to believe that the Chinese will comply with this trade agreement.

They have violated every bilateral agreement with the U.S. that they have signed on trade. We must not let the Beijing regime dictate the terms of surrender of our annual review of the U.S./China relationship.

Mr. Speaker, China's trade surplus of $85 billion for this year enables the Chinese Government to buy products, to buy political support and to buy silence from countries throughout the world. But we must not be silent, we must speak out for freedom, because it is in our national security interests to do so.

Democratic countries do not invade their neighbors. Democratic countries respect the rule of law, facilitating, for one thing, trade. We must speak out for freedom, because it is the right thing to do and honors the sacrifice of our country's founders.

Before I close, I want to say, I think that this has been a very constructive debate. The Members have been very courteous to listen and to exchange ideas in a very, shall we say, spirited way. And I want to thank all of my colleagues for listening and to those who have listened, as we ponder our vote today, I want my colleagues to think of two questions. First of all, what credibility do we have as a country that is the leader of the free world to speak about freedom?

Mr. Speaker, I want my colleagues to ponder two questions; what credibility do we have as the leader of the free world to speak out against human rights abuses anywhere in the world if we will put deals ahead of ideals in China?

Finally, what does it profit a country if it gains the whole world and suffers the loss of its soul? I urge my colleagues to vote ''no.''

The SPEAKER pro tempore (Mr. LAHOOD). The Chair announces that the gentleman from Illinois (Mr. CRANE) has 7 minutes remaining, the gentleman from Georgia (Mr. NORWOOD) has 4½ minutes remaining, the gentleman from New York (Mr. RANGEL) has 4½ minutes remaining, and the gentleman from California (Mr. STARK) has 4 minutes remaining.

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

Mr. Speaker, I want to take advantage of this opportunity to commend my colleagues on the other side of the aisle who are supportive of this effort that we are initiating here with Mainland China, one-fifth of the world's population. And I want to congratulate them for the support they gave us just 2 weeks ago, when 309 Members on a bipartisan basis supported my Africa bill and the Caribbean Basin bill, and we made an outreach to underdeveloped portions of the world in sub-Saharan Africa. And it is because of our belief that, based upon experience with the 48 countries there and the 700 million population, that kind of an outreach has a positive effect and it does raise the standards, the human rights issues are addressed when we have this kind of contact.

While we have more ways to go with some of the other sub-Saharan African countries, and we do with China, too, this is a positive initiative working in the right direction, and I think everyone who supports it should be commended.

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

Mr. NORWOOD. Mr. Speaker, I yield such time as he may consume to the gentleman from South Carolina (Mr. DEMINT).

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

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

CALL OF THE HOUSE

Mr. STARK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members responded to their names:

[Roll No. 226]

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
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
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (FL)

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The SPEAKER pro tempore (Mr. LAHOOD). On this rollcall, four hundred nineteen Members have recorded their presence by electronic device, a quorum.

Under the rule, further proceedings under the call are dispensed with.

AUTHORIZING EXTENSION OF NONDISCRIMINATORY TREATMENT (NORMAN TRADE RELATIONS TREATMENT) TO PEOPLE'S REPUBLIC OF CHINA

The SPEAKER pro tempore. The Chair announces that the gentleman from Illinois (Mr. CRANE) will yield 2 minutes to the Majority Leader, and then we will have closing statements from each of the managers beginning with the gentleman from Georgia (Mr. NORWOOD), who will have 4½ minutes; the gentleman from California (Mr. STARK), who will have 4 minutes; the gentleman from New York (Mr. RANGEL), who will have 4½ minutes; and the gentleman from Illinois (Mr. CRANE), who will have 4 minutes.

Mr. CRANE. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. ARMEY), our distinguished majority leader.

Mr. ARMEY. Mr. Speaker, I thank the gentleman from Illinois for yielding me this time.

Mr. Speaker, I support permanent normal trade relations with China because I profoundly believe that it will advance the cause of human rights for the Chinese people. Mr. Speaker, I believe free and open trade is not only the best way to make China a free and open nation, but it may be the only way.

A vote to open the China market and the world experience to the Chinese people is a vote to open markets. What is a market, Mr. Speaker? Market is simply an arena in which there is a sharing of information about market transactions, informations about desires, wants, hopes and dreams, and economic conditions.

But, Mr. Speaker, one cannot share that information about economics without also sharing information about culture, politics, religion, and values. Information, Mr. Speaker, is the life blood of a market. It is also poison to dictators, because dictators know that it is the truth that will set one free. They also know that, in a modern technology age, information is the basis by which one acquires truth.

When we open the China market, citizens from all over China will be carrying devices like this, a simple little pocket PC. With that PC, they can connect to the Internet every bit of information about culture, religion, markets, economics, and freedom and dignity available on this Earth. They cannot be stopped.

It is said, Mr. Speaker, that the pen is mightier than the sword. I would argue that the PC is mightier than the shackles of tyranny.

When the people of China are free to transact in world markets, and when they share this information about freedom, they will learn the lessons of liberty, they will see liberty working out in the lives of the other citizens in the world, and they will demand it of their nation, and they will change their government.

The Communist hard-liners know this, Mr. Speaker, and that is why they do mischief to our efforts today. That is why they disrupt it, because they fear the freedom that comes from commerce and is contagious throughout all of human spirit.

I do not know, Mr. Speaker, what life will be for the Chinese people 5 or 10 or 15 years from now when we vote for freedom and commerce today. I cannot guarantee my colleagues that their life will be better. But I can tell my colleagues, Mr. Speaker, if we vote ''no'' today, if we deny them the chance, we will condemn them to a continued life of despair.

I for one choose to vote, instead, for my fondest hope, for the hope of freedom, dignity, commerce, and prosperity, for the beautiful people of China so that their children, like our children, in this wide open world can come home and say in that magical voice, Mom, dad, I got the job.

Mr. NORWOOD. Mr. Speaker, I yield myself the remaining time.

Mr. Speaker, if my colleagues vote ''no'' today, we have normal trading relations with China.

Jobs, American jobs, bombs, Bibles, in a nutshell, those are the three concerns that we have been talking about for the last 5 hours.

Every year, every year I have been here, we are asked to approve normal trade for China based on existing and potential progress with these three concerns in mind: jobs, bombs, and Bibles. We are told every year that, if we will just extend normal trade for one more year, that jobs in this country will not be adversely affected.

My district has lost manufacturing jobs to cheap Chinese labor every year I have been in Congress. There are others of my colleagues who fit in that category. This is not just cheap labor, Mr. Speaker, this is also slave labor.

We are told, if we just will extend normal trade for one more year, we will not have to worry so much about Red China dropping nuclear bombs on us because they are going to be much friendlier, our relationship is going to be greatly improved.

Yet, every single year that I have been in Congress, China has increased its nuclear arsenal with technology stolen from us and increased its threats to use them against American cities if we dare oppose their invasion of our allies.

We are told that, if we extend normal trade relations for just one more year, the human rights in China will surely get better, that Christians will not be jailed for having Bibles, and Muslims will not be jailed for having the Koran, the Tibetans will not be jailed for simply following their traditional religion.

Yet, every year that I have been in Congress, persecution of anyone in China who believes in a higher authority has gotten much worse. All of these things, all of them are worse after 5 years of what we have described as normal trade relations with China.

So what is our response we are considering to these violations? To grant them normal trade relations forever with no qualifications.

Here is what we must decide today. Do we allow China to profit from stealing our nuclear weapons secrets? Does China profit from violating our existing trade agreements and throwing hard-working Americans out of their manufacturing jobs? Does China profit from threatening an invasion of our friend and ally Taiwan? Does China profit from threatening nuclear attack on our cities?

Does China profit from forcing young Chinese mothers to endure forced abortions and sterilization and watch government doctors kill their child as it is being born? Does China profit from throwing Christians in jail for just having a Bible or crushing the people of Tibet when they wanted to worship as they saw fit?

There are many who support PNTR because they honestly believe that an all-out global trade, with no restrictions and no oversight, has a chance of simply overwhelming China's corrupt political and economic system. I disagree, but I respect their position and do not doubt at all their honest motives.

But there is a seamier side of the China lobby that has successfully spread false information to America's business leaders, and many of our colleagues and have basically taken advantage of those honest emotions.

We have a choice in this House today, a big choice. Our collective voice, Mr. Speaker, will be heard by billions of people around the world. People yearning and struggling for freedom, hoping, fighting and praying for democracy and human rights and peace.

Our choice will determine whether our citizens and those masses of humanity locked in darkness continue to believe in America as the great beacon of human decency and divine providence, a Nation by whose light all mankind can see that liberty still shines brighter than gold.

Mr. STARK. Mr. Speaker, I was tempted to recite Horatio at the Bridge for my colleagues, but I thought I might get more votes if I took this opportunity to recognize the distinguished minority whip to tell us why American workers should suffer ill no more.

Mr. Speaker, I yield 4 minutes to the gentleman from Michigan (Mr. BONIOR)

Mr. BONIOR. Mr. Speaker, I congratulate the gentleman from Georgia (Mr. NORWOOD) on a magnificent statement.

Mr. Speaker, it is almost sunrise in Gwong Dong Province in China. Soon 1,000 workers at the Chin She factory will be getting ready to go to work. Most of them are young people, some as young as 16 years of age. They work 14-hour shifts, 7 days a week. They are housed in cramped dormitories that resemble prisons. Their average pay is 3 cents an hour. They make handbags for export here to America.

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We are told we need this trade deal to open up the vast markets for American goods, but these Chinese workers cannot even afford to buy the products they make themselves. How are they going to buy our cars, our cell phones, our computers?

We can have free markets without free people, but it does not often come to a good end; Chile's Pinochet, Indonesia's Suharto.

We should have learned the lessons of NAFTA, jobs lost in food processing, in consumer products, in high-tech; 100,000 good auto worker jobs lost forever since NAFTA. And where are those men and women today? Oh, they are working. They are working in nursing homes, at gas stations, at convenience stores, and making a fraction of what they once earned. And the jobs they used to have are now performed by workers making pennies on the dollar in Mexico's economic free-fire zone called the maquiladora.

But harsh as life can be in Mexico, China is far worse. It is a police state. And I say to the majority leader that their information is censored, including the Internet; a nation where injustice is law and brutality is order.

Alexis de Tocqueville once wrote that if people are to become or remain civilized, ''the act of associating together must grow and improve in the same ratio in which equality of condition is increased.''

That is what enabled America to become the most prosperous Nation in the world. It was not the forces of world commerce that enabled coal miners and steelworkers and auto workers and textile workers to take their place among America's middle class. No, it was leaders like Walter Reuther, and it was other Americans exercising their rights to form unions, to create political parties, to build women's organizations, to organize churches, civic organizations and groups. That is what the progressive movement at the turn of the century was all about.

Mr. Speaker, democracy is something that grows from the ground up. Theodore Roosevelt understood that a long time ago before any of us. It was not the global trade that created our national parks or the laws that protect our air and our water; it was the environmental movement. It was not free trade that won women the right to vote or beat Jim Crow; it was the commitment and the sacrifice of the suffragettes and civil rights leaders. It was the Elizabeth Cady Stantons and the A. Philip Randolphs, the Martin Luther Kings, and, yes, our own colleague, the gentleman from Georgia (Mr. LEWIS).

The advocates of this trade deal tell us that prosperity is a precondition for democracy, and with all due respect, they are wrong. They have to grow together. While trade may make a handful of investors wealthy, it is democracy, democracy, that makes nations prosperous. Americans value trade, but we are not willing to trade in our values. We understand this approach to trade is really the past masquerading as the future. It is turning back the clock on 100 years of progress.

Some oppose this trade deal because of its impact on the environment, still others out of concern for our national security, and still others out of a deep commitment to religious liberty and human rights. But while we sometimes speak with different voices, we each share that same vision, and it is de Tocqueville's vision of a civilized society, and it is a vision of a new kind of a global economy, an economy where people matter as much as profits.

Let me close, Mr. Speaker, by suggesting to my colleagues that it is almost sunrise in Gwong Dong Province, and soon the workers at the Chin She Handbag factory will begin another day. Today, we can send them a message of hope, a message that the global economy we want is not one where

working families in China and Mexico and America compete in a hopeless race to the bottom.

We have a better vision than that. It is a vision of the global economy where all have a seat at the table. It is a vision of a new global economy where none of us are on the outside looking in. At the beginning of the last century, the progressive movement began a struggle that made the promise of democracy and prosperity real for millions of Americans. Now, from this House of Representatives, we carry that struggle for human dignity into a new century. For families here in America and throughout the world, we have just begun.

Mr. RANGEL. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman is recognized for 4½ minutes.

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

Mr. RANGEL. Mr. Speaker, this has been, I think, one of my better days in this House; to be able to listen to the eloquent exchanges on such an important issue to our country and, indeed, the world; to be able to disagree and not be disagreeable; and for people from within and without to know that this will still be the House of Representatives and the true representatives of the people no matter how the vote turns out.

Let me say this. Some 50 years ago, November 30, 1950, to be exact, I found myself a member of the Second Infantry Division, having fought from Pusan, entering in July, straight through up to North Korea sitting on the Yalu River. I was 20 years old at the time, waiting to go home, because we thought the war was over. We had beaten back the North Koreans. While we were there and General McArthur was having his fight with President Truman, hoards of Chinese, not the lovely Chinese that the distinguished majority leader was talking about, but hoards of Communist Chinese destroyed the entire Eighth Army, and we suffered 90 percent casualties. I do not take Communists lightly.

But that was 50 years ago, and now the guy that was shot and was a high school dropout became a Member of this distinguished body, and now this United States is the most powerful country in the world, militarily and economically. And how did we get this way? It is because we do things better. We are better educated, we are better at producing. But in order for us to continue to prosper, we have to have economic growth. We have to find new marketplaces.

Yet, all of a sudden, to my shock and surprise, with the exception of Cuba, communism is not the barrier. It is exchange, engagement, and find those marketplaces. How can we afford to ignore over a billion people, knowing that if we ignore them that the Asians and the Europeans will not?

We come to the well here with an agreement where we are breaking down the barriers in China. Not in the United States. They have been down. This gives us an opportunity to go into those markets. And I have been throughout the United States. No one challenges me that farmers are begging to get into those markets. Silicon Valley in California, Silicon Alley in New York, farmers, pharmacists, manufacturers, the banking industry, the insurance industry are all asking us to allow them to get there and show how good Americans can really be.

We say we would like to do that, but we have deep-seated concerns about the way China treats its people. Well, we do not want to eliminate those concerns. That is why we have locked into place, with the help of the gentleman from Michigan (Mr. LEVIN) and the gentleman from Nebraska (Mr. BEREUTER), a commission and oversight that if this fails, we will not have.

I ask those people that have this compassion and concern for their newfound Communist friends in China, what if these Chinese do everything that we hate for them to do, what do we do when it comes up next year if it is not permanent? Do my colleagues not understand that we would be the bad guys for putting in place an impediment to their getting into the World Trade Organization, but they will get in anyway? We will have no way, except barking at the Moon, to complain about the behavior that we dislike.

But I tell my colleagues this. We cannot forget as Americans that we have blemishes on this human rights issue. We have descendants of slaves that sit in this body. We have people here as Members of Congress that 50 years ago could not eat in certain restaurants. We have people living in the United States without educations, without hope, without running water.

Mr. Speaker, I have not leaned on one Member in asking them to vote for this bill. I would not think that I am more of an American than they are, but I want to share with my colleagues that when people in certain districts go to sleep dreaming about human rights, they are not thinking about Shanghai; they are thinking about an opportunity in this great country.

We are blessed. Let us break down these barriers. Let us be able to go there to China. Let us maintain an annual report, yes; but daily we will monitor the conduct and let us give America an opportunity to be all that she can be. We will show them.

Cutting off communication did not work with that Communist, Castro. He has outlived close to 10 Presidents. Do not let it happen in China.

Mr. CRANE. Mr. Speaker, I yield the balance of my time to the gentleman from Illinois (Mr. HASTERT), our distinguished Speaker of the House.

Mr. HASTERT. Mr. Speaker, here we are, finally, on the floor of this great House closing the debate on permanent normal trade relations with China.

Before we move into the finality of this, I want to thank those who helped make this legislation possible. I have to thank the gentleman from California (Mr. MATSUI), the gentleman from California (Mr. DREIER), the gentleman from Michigan (Mr. LEVIN), the gentleman from Nebraska (Mr. BEREUTER), and the gentleman from New York (Mr. RANGEL). And I must say to the gentleman from New York (Mr. RANGEL), we have been talking a lot lately. They will be talking about us.

I also want to thank the gentleman from Texas (Mr. ARCHER), the gentleman from Illinois (Mr. CRANE), and my partners, the gentleman from Texas (Mr. DELAY) and the gentleman from Texas (Mr. ARMEY). I thank them all for their diligence in making this happen.

But while there is one bill being debated here today, there are actually two debates going on; two questions that have to be answered. One, is granting this status to China in the best interest of the United States and the American people? And, two, is granting this status good for the people of China?

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I believe the answer to both is ''yes.''

Among other things, this debate is about American economic security. American negotiators have reached a tough, but fair, agreement for China's entry into the World Trade Organization. It is in fact a one-sided agreement. China gets nothing from us they do not already have, and we get lower tariffs and easier access for our exports going to China. And who makes those exports? American workers do.

Regardless of whether we grant normal trade status to China, the Chinese market is opening. Someone is going to have the opportunity to sell to this vast new market. The question is who will be there when the door opens? Will it be the United States, or will it be Europe and Japan?

There will be new and larger markets for farm commodities and manufactured goods in China. Who will produce those products? American farmers and American workers or European farmers and European workers?

This vote today is about whether American firms set the ground rules and standards for business in China.

The potential for American economic growth is huge. If we pass this legislation, U.S. agricultural exports to China would increase by $2 billion every year. That means American farmers will be selling more corn and more wheat and more citrus and more soybeans.

Last year, the wireless telephone market in China was $20 billion. By 2003, that market will be up to $45 billion. Our high-tech firms would thrive in the Chinese marketplace.

It is clear that passing this legislation is in the best interest of American economic security. That is why Alan

Greenspan supports it, and that is one reason why we should vote ''yes.''

But there is another reason. Gradual democratic reform is taking root in the hearts and the minds of the Chinese people. But for it to continue, we must clear the way for more Americans to work with the Chinese.

More trade will expose the Chinese people to powerful new ideas. Thanks to the American business presence in China, thousands of Chinese employees already have access to foreign newspapers and the Internet and to worldwide e-mail.

Today this House is doing a good thing. We are showing the people and the leaders of China what real democracy looks like.

The gentleman from Michigan (Mr. BONIOR) and I share a common goal, to help American workers and to encourage American reforms and human rights in China. But we differ on how to achieve that goal.

I believe my approach is better, and that is why I urge Members to support this bill. But I am proud that I live in a country where the gentleman from Michigan (Mr BONIOR) can be here on this floor today passionately putting forth his point of view, because that is what true democracy is all about. And, ladies and gentlemen, that is what this great House of Representatives is all about.

In addition to the privilege of serving as the Speaker of this House, I am honored to be the representative of the people of the 14th District of Illinois. Like every State in this great Nation, Illinois has a lot to offer the people of China.

So, in closing, I say to the people of China that we want to send you our corn and our farm machinery and our telecommunications equipment. But as we do, we are going to send along something more, free of charge. We are going to send you a glimpse of freedom and the ideals of Illinois' favorite son, Abraham Lincoln, the Great Emancipator. Because we want for you the prosperity and the blessings of the liberty that we enjoy.

This is a historic vote and a proud day for this body. I believe the vote we are casting today will help ensure our continued prosperity. Vote for the future. Vote ''aye.''

Mr. WAXMAN. Mr. Speaker, it is with some reluctance that I support Permanent Normal Trade Relations for China. I believe in free trade and I believe this agreement will bring economic growth to the United States and China, but I am highly concerned about the skewed priorities of U.S. trade negotiations and the framework of the World Trade Organization.

I voted against the NAFTA because I thought we could make Mexico negotiate a better deal with more safeguards for the environment and worker rights.

I voted against the GATT, which created the World Trade Organization, because I disapproved of establishing a world trading system that ceded our sovereignty in a number of areas, and particularly our ability to uphold laws for public health and the environment.

I would have voted against Fast Track, if it had come to the floor, because of my concern that U.S. trade negotiators were not permitted to put worker protection issues as well as environment matters on the agenda.

But according to the WTO rules that Congress ratified, and I voted against, China will be able to become part of the WTO regardless of our vote today. All we can decide here is whether the U.S. will benefit from the terms of China's accession.

Although the symbolic message of rejecting PNTR would be potent, the substantive impact could be harmful for our economic and national security interests. On the economic side, there are some who believe that we can get every benefit by virtue of the bilateral agreement signed in 1979. I think that interpretation is incorrect. To press that issue, we could end up in a destructive trade war and at the same time lose major economic opportunities to America's global competitors.

In the national security arena, I fear that in rejecting PNTR we would treat China as an adversary and that it would in reaction to our vote certainly become one. Rejecting PNTR would embolden the hardline militarists and make China even less cooperative in arms control and regional affairs. On the other hand, supporting the entry of both China and Taiwan into the WTO is an unprecedented opportunity to work with both countries on equal footing within a major multilateral organization.

Furthermore, I think our current mechanism of annual review is not working and as a threat is not credible. I have voted against extending Normal Trade Relations status to China every year to protest their denial of human rights to their own citizens, but the possibility of cutting off trade relations has become an empty threat. That is why I strongly support my colleague SANDY LEVIN's proposal to establish a Congressional-Executive Commission to provide a continuous examination of human rights in China. It will create a strong network for Congress to communicate with NGO activists in China and maintain a constant focus on local Chinese elections, grass-roots environmental activities, and the situation in Tibet.

I hope that passing PNTR will also bring greater transparency to China, and promote the rule of law. The influx of American interest, telecommunications, and media companies will democratize the flow of information beyond government control and give us new tools to scrutinize China's record on human rights and religious freedom.

Although I'm supporting this bill, I continue to have serious concerns. For one thing, I am very troubled that Chinese tariffs on cigarettes will fall from 65% to 25% over the next four years. Lung cancer and other smoking-related diseases are already the most common cause of death in China, accounting for more than 700,000 deaths annually. This tariff reduction could open the door for tobacco companies to launch their aggressive marketing tactics against a highly vulnerable population where less than 4% know the dangers of smoking. Smoking patterns could eventually cause more than 3 millions deaths a year in China, and smoking rates could sky-rocket among women and children. We have a responsibility to make sure we don't spread the tobacco public health crisis to China.

I also believe that the existing need for WTO reform will become even more apparent once China is a WTO member. I think there is a good change that China will try to get out of living up to its obligations under this accord and that even WTO judgments against China will be difficult to enforce. I also suspect that China may make efforts to use the WTO rules to challenge our own laws as trade barriers, When that happens, and maybe before, we in this country will have to face the dangers that the WTO represents and why it must be reformed.

The WTO's dispute settlement mechanism must be open to input by non-governmental entities that have an interest in the deliberation. The evaluating panels cannot be shrouded in secrecy if dispute settlement is going to evolve as a credible and effective tool to enforce transparency and compliance.

The U.S. should be leading the change to make trade rules include standards for human rights, labor rights, and the environment. We must work for a world economy that lives up to our standards instead of sinking to lower ones. Perhaps most importantly, we must make U.S. companies the ambassadors of these values when they operate abroad. I hope the advantages and consequences that unfold from PNTR will hasten our attention to moving forward on this agenda.

My support for PNTR was not an easy decision. The debate has convinced me that we must redouble our efforts to press for domestic change in China, a change in U.S. trade priorities and more progressive would trading norms. But it has also brought me to the realization that isolating China would not cause new problems without without solving old ones and bring about great dangers that we must work to prevent.

Today's vote could determine the course of U.S.-China relations for the next century. On voting for PNTR, I hope we will help make our most dynamic industries lead the way as they expand into China and the rest of the world. I also hope that it will allow us to working to bring down national barriers and promote the well-being lf all our peoples.

Mr. GALLEGLY. Mr. Speaker, I rise in support of H.R. 4444 which would extend to the People's Republic of China permanent normal trade relations. More importantly, however, passage of this bill serves to ratify the bi-lateral trade agreement reached between the U.S. and China last fall as a condition for China's accession into the World Trade Organization. This will be the only vote Congress has on this momentous agreement.

On the one hand, China is a potential boom market for our industries, particularly agriculture which is critically important to my district. Bringing China into the WTO has the potential of making the Port of Hueneme, in my district, an even more important portal for Pacific Rim trade. With 20 percent of the world's population, China is an appealing market. It behooves us to work diligently and intelligently to open that market to U.S. sellers.

The other hand carries many pitfalls. China's track record in meeting its obligations under international agreements is not good. China is the only remaining Communist superpower. China has stolen our nuclear secrets and threatens stability in Asia with her belligerence towards Taiwan and others. We ignore that reality at our own peril.

Last year, I voted against a one-year extension of China's Most Favored Nation status based on two criteria: The United States maintains a multibillion-dollar trade deficit with

China and has for years, and China has repeatedly demonstrated an aggressive military stance that includes stealing our most important nuclear secrets. At the beginning of this debate, I was not automatically against China's entry into the World Trade Organization, but I did have some very serious concerns. WTO membership carries more protection for the United States than does Most Favored Nation status. MFN has been a one-way street. It was a unilateral decision on our part to allow China access to our markets with no reciprocal opening on China's behalf. WTO is more of a two-way street. China must meet and maintain certain open-door criteria to remain in the WTO.

Our trade with China historically has been a one-way street. In 1990, our trade deficit with China stood at $10.4 billion. By 1998, that deficit had climbed to $56.9 billion. It is estimated our trade deficit with China in 1999 will be $66.4 billion. China's entry into WTO and the ratification of the U.S.-China trade agreement can ease that deficit, but only if the agreement has teeth. I believe the WTO process has those teeth.

In 1992, China and the U.S. signed a bilateral memorandum of understanding on trade access. China has violated it many times. In 1992, we also struck a deal with China to protect intellectual property, including copyrights on U.S. products. Today, U.S. copyrights for motion pictures and software in China are still being stolen by Chinese companies, a situation that results in the loss of billions of dollars and many thousands of American jobs. Chinese noncompliance has forced us to threaten trade sanctions several times.

On the national security front, China was continuing a systematic raid on the designs of our most sophisticated thermonuclear weapons at the same time that it was modernizing and pretending to normalize relations with the U.S. Among the stolen designs was information on the neutron bomb, which to date no nation has opted to deploy and hopefully no one will. Even though China has been caught red-handed, it continues to deny its espionage. Meanwhile, it continues to showcase its belligerency by transferring sensitive missile technology to North Korea and by repeatedly threatening to attack Taiwan.

The U.S.-China agreement can have positive consequences for the U.S., China and, indeed, the entire world. The agreement will force China to open its markets to U.S. goods and services, which will result in a lowering of the trade deficit. It could wean China from its passion for subsidies and government interference in its industries. It could educate the Chinese on the rule of law, as opposed to its current system of rule by the whim of its leaders. It could also hasten the spread of democracy within her borders. Each time a country has opened its economic markets, an open market of ideas has followed.

But we must step carefully. We must not let our desire to access China's markets to blind us to China's distaste for democracy, her threat to our national security and her history of violating international laws and agreements. For the WTO agreement to work, it must level the playing field for U.S. exporters and be fully enforceable. Anything less will not open China's markets or advance the historical trend toward truly free trade and the rule of law.

Since the U.S. signed a bilateral trade agreement with China last year, I have said repeatedly that my vote for or against permanent trade relations with China would rely on specific factors: It must protect American jobs, ensure Chinese markets are open to American goods and services, protect America's strategic interests and—be enforceable.

I have made it clear that without those provisions, I would vote against Permanent Normal Trade Relations. Some of those protections were not in the bill until last night.

Those protections are in the bill only because I and other Members of Congress withheld our support until every 'i' was dotted. By working behind the scenes, we were able to force concessions that make this agreement a better deal for American businesses, American workers and for those who support greater human rights for the Chinese people. Last night, a bipartisan provision was incorporated into the bill that makes it easier for us to monitor China's trade compliance, and act if need be. That provision builds on provisions in the World Trade Organization agreement that allows us to continue to treat China as a communist economy. That's important because our safeguards and anti-dumping countermeasures are more stringent for communist economies than it is for capitalist countries.

In addition, the revised bill continues Congress' all-important right to debate and vote on China's human rights practices and international behavior each year.

The European Union signed its WTO agreement with China on Friday, followed by an agreement with Australia on Monday. Both were negotiated with China's history of duplicity in mind. In particular, the EU agreement improves the deal signed by the U.S. by making China significantly more open to foreign investment and trade. Under WTO rules, those provisions are open to the U.S. as well.

We have given China Permanent Normal Trade Relations. But this is not the end, only the beginning. China has, at best, a mixed record of living up to international agreements, and I still have concerns about China's adherence to this one. But I am satisfied we have the mechanisms in place to force compliance, or take remedial action, if necessary. American businesses will not have a level playing field unless we continually insist on it, but now we have the tools to do that.

Mr. DINGELL. Mr. Speaker, from the beginning of this debate I have expressed my belief that any trade deal with China involves two questions. The first, which we are debating today, is whether the Chinese have negotiated an agreement that is fair for American workers and businesses. However, before we can address this question we must be able to answer the second question, whether the agreement that has been negotiated includes the necessary enforcement mechanisms to ensure compliance by China and fair treatment for American companies and workers. We have not yet answered this question, and consequently I cannot support this or any deal with China lacking the enforcement mechanisms necessary to guarantee fair trade.

Today's robust debate has highlighted the concerns of many of my colleagues, thousands of interest groups and millions of citizens. All the subjects being debated today—national security, human rights, religious freedom, democracy, labor at home and abroad, the environment and the development of our and the world's economy—are of considerable importance.

China is the most populous nation in the world. As such, its potential as a market for American goods and services is second to none. The concept of increased trade with China based on a good, enforceable agreement is sound and deserving of support. Trade is and will be extremely important to both American companies and workers. As a blueprint, the agreement negotiated by the Clinton Administration with China is good for America in many respects.

When it comes down to it, any agreement, like any contract, is only as good as its enforcement provisions. What we have from China, so far, is its promise, if you will, to allow U.S. and foreign firms to compete fairly and openly in the Chinese market. But negotiations must still be held to reach agreement on how those promises China has made are going to be enforced. It has been more than two years since the World Trade Organization (WTO) working party and Chinese negotiators first met to conduct serious negotiations on the enforcement provisions to be included in the protocol.

Mr. Speaker, members should know in detail what the WTO will do to ensure full and fair implementation of China's commitments contained in the accession agreement before, not after, we vote on an issue as important as the issue on the floor today. Why is the protocol and working party report so important, some may ask. The simple answer is that the protocol and working party report identify what the WTO will do to make sure that China fully implements the commitments it has made in the agreements that have been reached with the United States and other WTO partners. Until the Congress sees not only the commitments China has made but also the WTO's enforcement commitments, there is, in reality, no agreement for Congress to consider and determine worthy of granting PNTR to China.

Once China enters the WTO, American firms and American workers must turn to the WTO for enforcement of their rights, and enforcement at the WTO is an area of considerable disappointment and concern. The WTO's ''binding dispute resolution'' system has proven to be a system rife with bias, incompetency, as well as totally unfamiliar with basic principles of due process and openness.

There are no judges, only ad hoc panelists, most of whom are not experienced or qualified in applying proper standards of review. These panelists are assisted, if not controlled, by WTO bureaucrats who have inherent biases based on their programmatic interests in the subjects under review. Proceedings are kept secret from the public and from the parties in interest.There is no ability to engage in meaningful fact-finding. Panel decisions have also created obligations for WTO members that they did not agree to in the process of negotiations. And even if a panel decides in your favor, as in the case brought by the United States against the European Union (EU) on beef hormones and bananas, there is no assurance at all that anything will change. Years have gone by since the U.S. ''won'' these cases, and U.S. firms still have no greater access to the EU market.

Mr. Chairman, PNTR is an extremely valuable trade benefit with China does not have but earnestly wants. It constitutes the only real leverage the U.S. has to bring about the kind of economic and trade reforms within China that will open that market to the products and

services American firms and American workers produce. Before we grant PNTR to China, we must make sure that China not only makes sufficient market opening commitments, but also that those commitments are enforceable.

I am not pleased to vote no today. It is unquestionably in our national interest to have a cooperative relationship with China, and I am well aware that rejecting this trade package could further strain U.S.-Chinese relations and diminish our influence in China with regard to democracy, human rights, labor, environmental protection and Taiwan.

But ultimately, my vote is about fairness and timing. Without enforcement mechanisms there can be no assurance of fairness for American business, American industry, and American jobs. By voting on a trade deal of such great importance before all the deals have been cut, especially on the enforcement mechanisms which will decide if this agreement is worth the paper it is written on, we needlessly jeopardize American jobs and business prospects in China. I guarantee you rules that can't be enforced will be broken. This vote should be postponed until accession agreements are concluded. Only then can we fully and responsibility assess the commitments China makes and determine whether the agreement ensures that China's commitment will be fully implemented and effectively enforced.

Mr. DIXON. Mr. Speaker, I rise today in support of H.R. 4444, extending Permanent Normal Trade Relations (PNTR) status to China. In my career, I cannot recall a vote on which a final decision was more difficult to reach. Until today, I have been genuinely and sincerely undecided. In these past weeks and months, I have been listening intently to the forceful arguments for and against the legislation, especially those made by my constituents—who are as divided on this issue as I have been. I have great respect for the beliefs of those on both sides of this debate and for the passion of their convictions. In the final analysis, I believe that ''aye'' is the correct vote for a variety of reasons, including advancing the causes of human rights and democratization, for our national security, and for our economic self-interest.

Improving respect for human rights and fostering democracy clearly must be top policy priorities in our relationship with China. No one here today condones the political and religious repression in that nation. The disagreement is over which U.S. policy is more likely to contribute to an improvement in conditions in China. I stress the word ''contribute,'' because we need to be cognizant that nothing we do will dramatically change China in the short term.

Both sides of this debate have prominent human rights activists and former political prisoners supporting their position. We are presented with no easy formula that instructs us whether China plus or minus PNTR results in improved human rights. I have come to the conclusion that the increased outside contact, prosperity, and economic liberalization that comes with a strong U.S.-Sino trade relationship within the World Trade Organization (WTO) will be a greater force for change than the annual consideration and routine extension of NTR has offered. I am also comforted by the recent expressions of support for China's entry into the WTO by the Dalai Lama—perhaps the most prominent symbol of the repressive nature of the Chinese regime.

We have heard much debate about the job losses which could result from passage of PNTR. While I am extremely sensitive to labor's concerns, on balance I believe that the economic interests of business and labor are enhanced by this normalization of trade with China. The U.S.-China Bilateral WTO Agreement provides for broad tariff reductions by China, for enhanced market access for American goods, and contains import surge protections for the U.S. The agreement requires no reduction in U.S. tariffs or any enhanced market access for Chinese products. As we have never revoked Most Favored Nation/Normal Trade Relations through the annual review process, China currently has defactor PNTR. I fail to see how reduced Chinese tariffs and other concessions in return for ending the formality of the annual review leads to increased job loss.

I believe that passing PNTR will not create any significant job loss that was not already occurring in certain sectors of the economy. While various estimates of the employment effects of PNTR have been proffered, they must be viewed in the context of an economy that is dynamic and in constant flux. The shape of the American economy is changing and will change whether or not we pass PNTR. In fact, I believe that Chinese WTO accession and passage of PNTR will be a net creator of good jobs in California and in my congressional district.

It is my fervent hope that over the long term, China's accession to the WTO will improve the human rights situation and encourage democratization in China. The inclusion in H.R. 4444 of a strong legislative package authored by Representatives SANDER LEVIN (D–MI) and DOUG BEREUTER (R–NE) has addressed my doubts about the effects of this bill on human rights in China, as well as the American jobs. The human rights monitoring commission created by the legislation is a good idea in its own right. I believe the merit of close scrutiny of China's human rights situation speaks for itself and I would support the proposal independent of this PNTR bill.

The import surge protections negotiated by the Clinton Administration and codified in this bill go a long way to addressing my concern about job losses resulting from this bill. This mechanism allows the President to utilize tariff increases, import restrictions, or other relief for domestic industries whose markets are disrupted by a surge in Chinese made goods. These powerful tools come in additional to the trade remedies already available under U.S. law and under the WTO.

Ultimately, passing PNTR is in our economic self interest. China will join the WTO whether or not we pass this legislation today. The rest of the world will enjoy significant tariff reduction on their exports to China regardless of the outcome of this vote. We are voting on our nation's ability to sell the products made by our workers and our companies on a competitive basis. We must continue to vigilantly monitor our relationship with China. We must continue to pursue improvements in respect for human rights in all appropriate venues, including the United Nations Commission on Human Rights. We will have to maintain our steadfast support for Taiwan. We will have to closely monitor Chinese compliance with its obligations under the WTO and make full use of that organization's mechanisms to enforce those obligations. With the knowledge in mind, Mr. Speaker, I am left with the belief that passage of this legislation is in the interests of both the American and the Chinese people.

Mr. DELAY. Mr. Speaker, today we are plotting a bold course that is in keeping with our history, our potential, and our ultimate goal of liberating the Chinese people.

In the international arena, America doesn't shrink from a challenge. We seize opportunity. We are fighters, visionaries, and pioneers. It's in our nature as Americans, to look past a challenge to victory.

Standing as we do, at the head of the world, in a position of unprecedented strength and prosperity, why would we now choose the timid path? We should not, and we will not. That's why we will pass Permanent Normal Trade Relations status with the People's Republic of China.

While PNTR will help our American economy, this is only one step toward our larger goal; ending communist rule in China by exposing the Chinese people to American values. Freedom is a contagious virtue.

Defeating a foe is a poor substitute for liberating a country from the weight of a repressive ideology. We should today ensure the triumph of liberty by planting the seeds of freedom in China. We should not accept a retrenchment driven by fear and insecurity.

There are serious issues we must address. Confronting these issues requires real American leadership and courage,

We should not for a moment imagine that PNTR will solve or even the address the many troubling questions concerning the future of the communist government in Beijing. Without a doubt, expanded trade must be matched with a revitalization of America's military and a strengthening of our friendships with our allies in Asia. Simply expanding trade without supplying these critical elements will not create a free China.

But we shouldn't let the strong steps we must take to resist aggression prevent us from communicating with the Chinese people.

The cornerstone of U.S. foreign policy has always been to make the case for freedom and democracy. We have never been afraid to place our values and our form of government up against any competitor. Give us half a chance, and we will win.

Expanding trade with China is just this sort of opportunity. Fundamental change in China will not happen simply through State Department dictates. It will only happen after we inspire the Chinese people to demand freedom.

We want to appeal to the Chinese people. To do that we have to be there, on the ground, spreading our values and the sure knowledge that there is a far better, nobler form of government than communism. Ignorance is the ally of repressive governments.

Expanded trade, because it spreads American values, is an essential tool in changing a closed society. And in the battle for China's future, one Chinese entrepreneur is worth a million government bureaucrats.

Over the last century, communist countries have run from this competition. They hid their people behind walls and fortified borders, because they knew that if their citizens were exposed to our values, then the battle would be lost. As a great power built on a foundation of timeless virtues, we fear no competing political systems because we trust the strength of our ideas.

We should ask ourselves: Why do so many of the hardliners, the old communist guard in China, resist opening their country to increased trade and interaction with America?

It's because they understand the power of democratic values. We need to support Chinese reformers by giving them more, not less, access to American ideals. This will raise the call for human rights and lead China to the rule of law.

We can't for a single minute ignore abuses by the Chinese government. Beijing's record on human rights, religious persecution, coercive abortion, and arms shipments to hostile states is shameful. The Chinese government does wicked things to its people.

The way to stop these evil deeds is to end communist rule and that means transforming China into a free-market democracy. This is much more likely to happen if American ideals eat away at the infrastructure of tyranny from the inside out.

We must also reject any notion that our support of expanded trade in China signals in any small way a slackening of our solemn commitment to defend Taiwan from aggression. We are sworn to defend Taiwan and we say again today that the United States will not allow any resolution of Taiwan's status that involves force or threats. We will not stand for it. Further, we must insist that Taiwan be admitted to the WTO as well.

Granting PNTR to China is a critical component of a strategy driven by our one, clear objective: destroying communism. So, I urge my fellow Members, to support PNTR and commit the United States to this contest between freedom and repression.

Mr. DICKS. Mr. Speaker, extending permanent normal trade relations to China and supporting its accession to the World Trade Organization greatly benefits the United States. By encouraging participation in international organizations that facilitate the rule of law, I believe that this agreement is also in the best interest of the Chinese people.

By approving PNTR, we will be enabling the United States to take advantage of the across-the-board reductions in tariff barriers that we negotiated as terms for our approval of China's accession to the World Trade Organization. Agricultural tariffs will be substantially reduced on several priority products, including a 66 percent cut on the tariff for apples, that will obviously have a large impact on my State of Washington and other apple producing areas of our country. China also agreed to lift its longstanding ban on the import of wheat and to increase the quota by more than 400 percent. China agreed to participate in the Information Technology Agreement and to eliminate tariffs on products such as software, computers, and semiconductors. Also China agreed to slash tariffs on industrial goods by an average of 62 percent, enabling America's manufacturers to compete much more evenly in the Chinese marketplace. The WTO accession agreement also contains provisions that will help other industries in which the U.S. is a world leader—telecommunications, insurance and banking just to name a few.

The approval last week of a market access agreement between China and the European Union further adds to the benefits we will enjoy with China's accession to the WTO, as the best terms of each agreement negotiated by the Chinese must be extended to all members of the WTO. More agricultural tariffs will be cut, including those on wheat gluten and Washington wines. Several more tariffs on industrial goods will also be reduced, liberalization of the telecommunications industry will be accelerated, and United States law firms will be authorized to offer legal services in China.

In return, we do not have to change anything—not one tariff, nor one regulation currently enforced by the United States. All we must do, according to WTO rules, is to extend permanent normal trade relations to China. Those of my colleagues that argue that our record trade deficit with China is a reason to oppose this bill must consider this point. There is nothing about this bill that will lead to an increase in the amount of goods we import from China; rather, this is all about slashing Chinese tariffs against United States goods which will lead to a substantial increase in United States exports to China. If you are truly concerned about addressing the United States trade deficit, you should vote for this bill.

Some are opposing this bill, claiming that China has rarely adhered to prior trade agreements in the past. In my judgment, opponents claiming this point should be eager to support this agreement. By entering the WTO, China will finally be participating in an organization whose sole purpose to enforce trade agreements. A few years ago, we had to beg, cajole, and plead with China in order to persuade them to provide any enforcement of the intellectual property agreement established between our two countries. With accession to the WTO, we will have an impartial adjudicator to hear the case and determine what redress is warranted. No longer will we have to rely on the honesty and effectivness of the Chinese Government to ensure that they abide by trade agreements.

My good friends in the labor community have expressed grave concerns over the effects this bill will have on American and Chinese workers. I deeply repect their concerns, but I believe that they are best addressed by voting for this bill.

Currently, United States manufacturers and service providers struggle to enter the Chinese market becaue of high tariffs and often insurmountable red tape. By agreeing to cut their tariffs and reduce burdensome rules, China will be creating an incredible opportunity for American-made goods to finally penetrate their market. I firmly believe that this will be a real job creator in the United States, and ultimately of great benefit to U.S. workers. For this reason, the 27,000 member International Association of Machinists and Aerospace Workers Local 751 western Washington endorsed this legislaiton.

I cannot claim that the benefit to the Chinese worker will be as quick or as quantifiable as are the gains to American workers, but I do believe that accession to the WTO is in the best, long-term interest of the Chinese worker. This agreement will contribute to what we are already seeing in many parts of China—the growth of economic freedom and a vibrant middle class.

I also respect the convictions of those who consistently oppose any engagement with China because of China's disappointing record on human rights and religious freedoms. However, I side with many who, like the Dalai Lama and dissidents Bao tong and Dai Qing, recognize that engaging the Chinese and bringing them into international organizations that support the rule of law will be more effective in promoting freedom in China than will isolating China from the world community.

In my justment, the most important reason to support this bill and Chinese accession into the WTO is for our own national security. By voting against this bill, we would be encouraging the isolation of China from the international community and hostility toward the United States. History shows that isolating a nation in this fashion often leads to mistrust, military buildup, and conflict. A belligerent China, possessing nuclear weapons and the largest land army in the world would be a grave prospect.

Conversely, I believe that maintaining our trade link with China will continue to provide us with a stable foundation

Mrs. KELLY. Mr. Speaker, I rise today in support of H.R. 4444, Extending Nondiscriminatory Treatment to the People's Republic of China. We stand here today at a cross roads in our relations with the Chinese. We can choose to engage China in a one sided agreement in which their tariffs on United States exports to China drop from the current average of 24.6 percent in 1997 to 9.4 percent in 2005. In return we will not have to lower our tariffs at all. Or we can choose to reject this agreement, allowing China to keep its tariffs high for United States goods and services while they reduce them for other countries. We must remember that in both of these choices, China joins the WTO.

The choice is clear. The policy of engagement is the better course and the path we must choose. However, engagement does not equal endorsement. There are three areas we must continue to push China on to improve their record: the environment, human rights, and transparency in their international dealings. The legislation before us moves us forward on each one.

As our efforts to address global climate change continue, China must be part of the solution. If we do not engage China in solutions to improve the global environment there is no way our solutions to clean up our planet can truly be effective. China is the world's largest energy consumer and emitter of greenhouse gases that contribute to global climate change. China is also the world's largest developing country chemical exporter and the world's largest producer of ozone-depleting substances. If China is left out of the fight for a cleaner environment, our efforts could be neutralized.

China's record on human rights has been abysmal. However, it is important to remember that the most repressive periods in recent Chinese history have occurred in times of isolation. Let us continue to encourage China to give their people greater freedoms. Under this policy of engagement, China has signed the U.N. Covenant on Civil and Political Rights and the U.N. Covenant on Economic, Social, and Cultural Rights. Both await ratification in the National People's Congress. It is our hope the Congress will move quickly to ratify. These are steps in the right direction which we

should continue to encourage. The Dalai Lama has endorsed this agreement because he agrees that engagement is the fastest road to the realization of giving all Chinese democratic rights.

We need to recognize that China's growing regional integration has increased their willingness to settle long-standing disputes with its neighbors. Our allies in Asia support granting China permanent normal trading status, precisely because it would support regional security and cooperative efforts. This is especially true for Taiwan. That is why Taiwan's President Chen Shui-bain has endorsed this agreement and China's accession into the WTO.

However, we cannot solely rely on the benefits of trade to protect our interests. In February of this year we passed the Taiwan Security Act with the overwhelming support of the House. This legislation will ensure that Taiwan has the tools necessary to defend itself from a potentially aggressive China. Congress needs to pass legislation and ensure the President signs it into law this year.

Most importantly, this agreement is good for U.S. jobs and especially for jobs in New York's Hudson Valley. The agreement gives American workers unprecedented access to China's markets. For every additional billion in exports to China there are estimated to be created 20,000 new jobs in the United States. Last year New York exported nearly $600 million in goods and services to China—this figure is expected to rapidly multiply under this agreement.

No one believes trade alone will bring freedom to China or peace to the world. When change does come it will be slow and will need our encouragement. This is the choice before us today. We can take a step move China in the right direction, and gain the benefits; or we can push China in the wrong direction, and pay the price. I believe this choice is clear. I encourage members on both sides of the aisle to make the right choice and join me in voting to approve permanent normal trade relations with China.

Mr. MANZULLO. Mr. Speaker, I do not represent companies. I do not represent unions. I represent people. As with any legislation, I ask what does this vote on Permanent Normal Trade Relations (PNTR) for China mean to the people I represent back home?

Workers and farmers throughout northern Illinois stand to benefit from the United States-China World Trade Organization (WTO) Accession Agreement because they will be making more product that eventually is exported to China, either directly or indirectly as suppliers.

If you work for Daimler Chrysler in Belvidere, this vote simply means the opportunity to build and sell more Neons and auto parts to China. As recently as 1995, Chrysler exported 600 Neons and purchased parts from six different suppliers in northern Illinois for their Jeep Cherokee plant in Beijing, China. The amount of Chrysler-related exports to China totaled $7.8 million.

However, in 1999, no Neons and only $30,000 in auto parts from two northern Illinois suppliers were sold to China. Why? China's protectionist auto policy now makes it virtually impossible to sell American cars and auto parts in China. This agreement forces China to cut tariffs by 75 percent on American cars and drop local content requirements on American-made auto parts. This will allow more Neons and American auto parts made by companies like Modine Manufacturing of McHenry and Camcar of Rockford to be exported to China.

The workers at Honeywell's Microswitch plant in Freeport will benefit from PNTR for China because the company expects its exports to China to double by 2002. There are $15,000 worth of Microswitch parts on each Boeing aircraft. China has plans to buy 1,600 new aircraft over the next 20 years.

The workers at Hamilton-Sundstrand in Rockford will benefit from this agreement because $400,000 worth of parts are made in Rockford for each Boeing aircraft. This translates into hundreds of millions of dollars worth of work for the employees at Hamilton-Sundstrand.

The workers at Motorola in Harvard and Rockford will benefit because the agreement eliminates all tariffs on cell phones and pagers. Also, for the first time, Motorola will be permitted to sell its full range of products directly to the Chinese people.

The workers at Goodyear's Kely Springfield Tire plant in Freeport; the workers at Cherry Valley Tool & Machine of Belvidere; the workers at Kysor/Westram Corporation of Byron; and the workers at the Rockford Spring Company will all benefit from PNTR for China as suppliers to the agricultural equipment manufacturer, Case. As Case is able to sell more combine and tractors to China because the agreement lowers numerous tariff and non-tariff barriers to American agriculture equipment, the workers in their supplier chain will benefit, too.

Over half of Caterpillar's 1999 U.S. production was exported. These exports supported about 32,000 U.S. supplier jobs at small and medium-sized enterprises like the 400 employees at Bergstrom Manufacturing of Rockford, which makes the Heating Ventilation and Air Conditioning units. The tariff cuts on construction equipment and the distribution rights in the agreement will help Caterpillar and thus Bergstrom Manufacturing become more competitive in China.

The workers at Seward Screw Products of Seward make 80 different parts for Harley-Davidson's large motorcycle factory in Milwaukee, WI. Today, Harley is prevented from selling any motorcycles in China because of import license restrictions, import quotas, excessive tariffs, and other significant trade barriers. This agreement substantially eliminates or reduces these trade barriers. In addition, granting PNTR to China will help Taiwan enter the WTO. The U.S.-Taiwan WTO Accession Agreement eliminates Taiwan's import ban on large motorcycle engines. Because both China and Taiwan represents the greatest long range market potential for motorcycles, the workers at Seward Screw Products will benefit by making more products for Harley.

But this agreement is not just for large companies. Few people know that 82 percent of all direct United States exporters to China are small-and medium-sized companies. These exporters generated 35 percent of the dollar volume of all United States exports to China in 1997. This figure is higher than the small business exporter dollar volume share of overall U.S. exports, which was 30.6 percent.

China is the third largest growth market for small business exporters. In fact, the number of small businesses exporting to China grew by a remarkable 141 percent between 1992 and 1997. Plus, the value of small business exports to China more than doubled between 1992 and 1997.

Who are these exporters? I held a hearing on this topic last week before my Small Business Exports Subcommittee to find out. They are 135 employees who work for Aqua-Aerobic Systems in Rockford, IL. The agreement removes a variety of trade barriers against equipment used in sewage treatment plants because China needs the equipment to modernize its infrastructure.

Small companies like the 75 employee Coffee Masters of Spring Grove will benefit from this trade agreement. They have tried for years to break into the China market but with no success. They believe this agreement will knock down the numerous trade barriers to their specialized roasted coffee product.

E.D. Entyre of Oregon just announced earlier this month that they received a $53,000 order for road construction equipment for a highway project in Hubei province in China. They believe the agreement will help their 350 employees deal directly with customers in China rather than going through various ''middlemen.''

Clinton Electronics of Loves Park exports high resolution display monitors for medical applications. The cuts in tariffs by over 50 percent on medical equipment, along with the elimination of quotas, will help further boost their 250 employee firm's exports to China.

And, we cannot forget the farmer. Illinois soybean, grain, and corn farmers like Bob Phelps of Rockton want to look to export markets like China—not the U.S. government—for their income security. Overall, American farmers will be able to sell about $2 billion more of their products to China each year because the agreement will cut Chinese tariffs in half for farm products.

Soybean growers will see about a 20 percent increase in exports to China, according to the National Oilseed Processors Association. Hog farmers will receive about $5 more per head, an Iowa State University study projects. That will mean an extra $2.5 million for hog farmers in northern Illinois.

Simply put, Mr. Speaker, this agreement is totally one-sided in favor of the people I represent who make products that are either directly or indirectly exported to China. We do not change any of our trade laws to make it easier for the Chinese to export to us. It is China that has granted concession after concession to the benefit of our workers and farmers! I urge my colleagues to support Permanent Normal Trade Relations for China.

Mr. DOOLITTLE. Mr. Speaker, I support the opening of the mainland Chinese market to American exports. It is in the best interests of the American people and the Chinese people.

I feel strongly that the Communist government on mainland China is tyrannical, aggressive, and undesirable. I would like to see it go

the way of its Marxist conrade, the Soviet Union. I am alarmed by its threatening statements toward the United States and its belligerence toward our friends on Taiwan. I am disgusted by Communist China's record on human rights, on religious freedom, and its brutal one-child policy that forces women to abort their unborn babies.

If this were a vote on approval of the Communist regime in Beijing, I would strongly oppose it as would the vast majority of my colleagues. This is not such a vote.

My record has been highly critical of Communist China. On national security, I strongly supported Representative COX'S investigation into Communist Chinese theft of American technologies. I cosponsored legislation to look into suspicious Chinese activity in the Panama Canal. On the question of Taiwan, I cosponsored the Taiwan Security Enhancement Act to strengthen the free nation's defense capability in case of attack from the mainland.

On forced abortion, I enthusiastically voted in favor of cutting off money to the U.N.'s population control agency so long as it cooperated with China's brutal one-child policy. On religious freedom, I recently wrote a letter to President Jiang Zemin urging release of Pastor Xu Guoxing.

My vote in favor of PNTR is not a departure. I remain solidly against anti-Communist China, which is why I support this agreement.

I want to end the despicable behavior of the Chinese Government against the United States, against Taiwan, and against the people it rules. The question is, how do we get there from here?

I think it is by exporting to China—not only American goods, but more importantly American ideas.

While this agreement is ostensibly about exporting American goods to mainland China, its ultimate virtue is the export of American ideas to mainland China. How else are things going to change in China? Our ideas have triumphed time and again in the past. We Americans have every reason to be confident that they will again. Since we are inspired by our ideas, is there any reason to think the Chinese, who themselves are oppressed by their government, will not be inspired by American ideas of liberty?

This agreement is part of the struggle against communism in China. It is war by other means.

Look at who supports this agreement and who opposes it. Taiwan, who has refused to bow to the bullying tactics of the much-larger mainland, supports the agreement. The spiritual leader of Tibet, the Dalai Lama, who was forced into exile by the Communist Chinese Government supports the agreement.

Within China's Communist establishment, the hard-liners are opposed to the PNTR agreement negotiated by the reformers. America's adoption of PNTR would be a victory for the reformers, and disapproval would be a victory for the hard-liners eager for confrontation with the United States. The Soviet Union was vanquished peacefully in a struggle between reformers and hardliners.

Adopting this agreement strengthens the reformers within the Chinese Government not only in the internal power struggle, but throughout society. Increased contacts with Americans will expose the average Chinese citizen to our universally appealing ideas on liberty. Increased prosperity and access to communications technologies will increase the appetite of Chinese for American ways of life. And the expansion of a Chinese middle class that owes nothing to the communists is crucial. We are helping build the constituency for Chinese liberty.

While it may be emotionally satisfying to proclaim that one would never cooperate with the murderous regime in Beijing, it ultimately achieves little else. Not a single citizen of China is more free or better fed. Our own security is no more enhanced, nor is that of our friends. It is more important to be effective than to obtain simple self-satisfaction in one's hardened stance. I too, am revolted by communism, including the version practiced in China. I want to defeat it, and this is the way to do it.

The monstrosity of the crimes committed by Communist china have been so great that slaying the monster is more important than just calling it a monster.

Mainland China will gain membership into the WTO with or without American support. So why not gain benefits for our American companies in exchange? China is expanding trade with the rest of the world. Agreeing to this pact would allow American companies to compete on an equal footing with everyone else doing business on the mainland. By rejecting the agreement, we would punish our own companies unnecessarily.

Americans dominate the world in the agriculture and high-tech sectors. Lowering Chinese barriers to American goods will benefit Americans. High-tech pay the highest salaries, and increasing markets will produce more great jobs for Americans.

I have voted against the annual renewal of NTR for mainland China in the past. This year, the vote is different. In the past, NTR was about Chinese goods flowing into the United States. This time, it is about access to the mainland Chinese market for American goods. Free Americans will continue to buy Chinese-made goods whichever way Congress votes on this agreement. But passage will allow mainland Chinese to buy goods from Americans at lower prices—made lower by the reduction in tarrifs.

Granting permanent NTR leaves many other levers at our disposal to deal with mainland China. We must continue to protect ourselves and to speak out against the tyrannical Chinese Government. But we cannot be content with just words; we must back that up with action.

Mr. POMEROY. Mr. Speaker, I rise in strong support of H.R. 4444, a bill to provide permanent normal trade relations (PNTR) to China. By passing this legislation, Congress will create substantial new export opportunities for American farmers and businesses, advance the cause of personal freedom for the Chinese people, and promote United States strategic interests in East Asia.

It is important to be clear about what the House is voting on. This is not a vote on whether China joins the World Trade Organization (WTO)—the WTO will admit China later this year. The question before us is whether to give China the same trade status that all WTO members are required to give each other—permanent normal trade relations. If we do, U.S. farmers and businesspeople will enjoy dramatically increased access to the world's most populous market. If we do not, the United States will be largely shut out of the China market while our trade competitors will capitalize on China's market opening measures.

The United States routinely approves NTR on an annual basis. Even in the wake of Tiananmen Square, we did not revoke NTR because to do so would not only spark a trade war but would also risk even graver conflict between the United States and China. As a result, the annual NTR debate has never provided effective leverage to change the behavior of the Chinese Government because revoking NTR has never been a credible threat.

For American agriculture, opening the China market is a clear win, which is why nearly every farm and commodity organization in the country supports this bill. The USDA has conservatively estimated that China's market opening measures will increase American agriculture exports by $2 billion annually. Under the terms of its agreement to join the WTO, Chinese tariffs on wheat will drop from 20 percent to just 1 percent; tariffs on beef will fall from 45 percent to 12 percent; poultry from 20 percent to 10 percent; and pork tariffs will decline from 20 percent to 12 percent. In addition, China has agreed to eliminate all export subsides on agriculture commodities.

Opponents of PNTR have raised many valid concerns, including China's poor record on human rights, lack of religious and political freedom, threats against Taiwan, and a growing trade surplus with the United States. I share each of these concerns but disagree about the best way to address them. In my view, building commercial relationships with the Chinese people will lessen the control of the central government in Beijing; giving China a stake in the international economy will make it less likely to be aggressive toward its neighbors; and reducing China's trade barriers will help increase United States exports and reduce our trade deficit.

With respect to human rights, many of the most prominent Chinese political dissidents have urged Congress to approve PNTR. Wang Dan, the leader of the Tiananmen Square demonstration, has said that PNTR ''will be beneficial for the long-term future of China.'' Martin Lee, the democratic leader of Hong Kong, Dai Qing, Bao Tong, and many other influential activists have all expressed their support for PNTR. Their shared opinion is that engagement with the United States advances the cause of personal freedom in China. In addition, no less authority that the Dalai Lama has said that Chinese participation in the international economy is good for religious freedom in China.

Approving PNTR for China also serves our national security interests. Secretary of Defense William Cohen, former Chairman of the Joint Chiefs of Staff Colin Powell, and many other military experts have said that bringing China into the WTO and approving this legislation will enhance our security interests in East Asia. The recently and democratically elected President of Taiwan, Chen Shui-bian, also supports the normal trade relations between the United States and China.

In sum, Mr. Speaker, approving PNTR and opening the China market helps American framers, workers, and small businesspeople, supports the cause of political and religious freedom in China, and strengthens United States security interests in Asia. I urge my colleagues to vote yes.

Ms. LEE. Mr. Speaker, as we enter a new century and a new millennium, relations

among the nations of the Pacific Rim and Africa are becoming more significant. Trade with China represents a substantial component of our country's international commerce. As Congress has debated United States trading policies toward China and Africa during the past couple of weeks, I have carefully considered many fundamental issues.

I am a firm believer of self-determination for China. China is a Communist country, whether we agree with that system of government or not. Nevertheless, whatever political or economic system is in place, it is wrong to round up, to intimidate, to arrest people, and place them in slave labor camps with no due process. It is reprehensible for the United States to endorse this behavior by rewarding it with a favorable trade regime.

The time is now to send a strong message—an unyielding message that the United States will not condone mass suffering and oppression.

Trade must be open, it 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, workers' rights must be protected, religious freedom should be protected and American jobs should not become a casualty of trade policy.

Many argue that the best way to ensure China's respect for all these issues, is to admit China to the World Trade Organization and to grant it Permanent Normal Trading Relations status (PNTR). I disagree, and believe an annual review provides for this.

China's persistent gross violations against free exercise of religion, against women and reproductive freedom, and against political expression should prohibit the U.S. from relaxing its policies toward China and should cause us to ask why we want to relax our trade policies toward China and reward China for this repression.

Annual review, at least presents an effective mechanism for China's compliance with international worker, environmental, and human rights standards. Annual review, moreover, is the most viable insurance for the American worker.

According to the Economic Policy Institute, over 870,000 jobs will be lost over the decade. What will happen with these workers?

If this bill passes, the U.S. trade deficit will continue to escalate, leading to job losses in virtually every sector of the economy.

In my state of California 87,294 jobs will be lost. This is very scary.

I support free trade. But our trade policies should also include a fair ideal with American workers. Our trade policies should put an end to slave labor in China, rather than reward it.

We are not talking about cutting off our relationship with China. We want to make sure that our trade relations are such that people of China and the United States can benefit from a fair and free trade policy.

I urge my colleagues to oppose this measure.

Very seldom do we have these defining moments; this vote defines who we are as a people and as a nation.

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 whether here in America, in Africa, China or anywhere in the world.

Mr. PAUL. Mr. Speaker, yesterday morning the legislation which would have implemented ''permanent normal trade relations'' with the People's Republic of China was three pages in length. Today, it is 66 pages in length. Close examination of this bill ''gone bad'' is demonstrative of how this Congress misdefines ''free trade'' and how, like most everything else is in Washington, this ''free trade'' bill is a misnomer of significant proportions.

For the past several years I have favored normal trade relations with the People's Republic of China. Because of certain misconceptions, I believe it is useful to begin with some detail as to what ''normal trade relations'' status is and what it is not. Previous ''normal trade relations'' votes meant only that U.S. tariffs imposed on Chinese goods will be no different than tariffs imposed on other countries for similar products—period. NTR status did not mean more U.S. taxpayers dollars sent to China. It did not signify more international family planning dollars sent overseas. NTR status does not mean automatic access to the World Bank, the World Trade Organization, OPIC, or any member of other ''foreign aid'' vehicles by which the U.S. Congress sends foreign aid to a large number of countries. Rather, NTR status was the lowering of a United States citizen's taxes paid on voluntary exchanges entered into by citizens who happen to reside in different countries.

Of course, many of the critics of NTR status for China do not address the free trade and the necessarily negative economic consequences of their position. No one should question that individual rights are vital to liberty and that the communist government of China has an abysmal record in that department. At the same time, basic human rights must necessarily include the right to enter into voluntary exchanges with others. To burden the U.S. citizens who enter into voluntary exchanges with exorbitant taxes (tariffs) in the name of ''protecting'' the human rights of citizens of other countries would be internally inconsistent. Trade barriers when lowered, after all, benefit consumers who can purchase goods more cheaply than previously available. Those individuals choosing not to trade with citizens of particular foreign jurisdictions are not threatened by lowering barriers for those who do. Oftentimes, these critics focus instead on human rights deprivation by government leaders in China and see trade barriers as a means to ''reform'' these sometimes tyrannical leaders. However, according to Father Robert Sirco, a Paulist priest who discussed this topic in the Wall Street Journal, American missionaries in China favor NTR status and see this as the policy most likely to bring about positive change in China.

But all of this said, this new 66 page ''free trade'' bill is not about free trade at all. It is about empowering and enriching international trade regulators and quasi-governmental entities on the backs of the U.S. taxpayer. Like NAFTA before us, this bill contains provisions which continue our country down the ugly path of internationally-engineered, ''managed trade'' rather than that of free trade. As explained by Ph.D. economist Murray N. Rothbard: ''[G]enuine free trade doesn't require a treaty (or its deformed cousin, a 'trade agreement'; NAFTA was called an agreement so it can avoid the constitutional requirement of approval by two-thirds of the Senate). If the establishment truly wants free trade, all its has to do is to repeal our numerous tariffs, import quotas, anti-dumping laws, and other American-imposed restrictions of free trade. No foreign policy or foreign maneuvering is necessary.''

In truth, the bipartisan establishment's fanfare of ''free trade'' fosters the opposite of genuine freedom of exchange. Whereas genuine free traders examine free markets from the perspective of the consumer (each individual), the merchantilist examines trade from the perspective of the power elite; in other words, from the perspective of the big business in concert with big government. Genuine free traders consider exports a means of paying for imports, in the same way that goods in general are produced in order to be sold to consumers. But the mercantilists want to privilege the government business elite at the expense of all consumers, be they domestic or foreign. This new PNTR bill, rather than lowering government imposed barriers to trade, has become a legislative vehicle under which the United States can more quickly integrate and cartelize government in order to entrench the interventionist mixed economy.

No Mr. Speaker and my colleagues, don't be fooled into thinking this bill is anything about free trade. In fact, those supporting it should be disgraced to learn that, among other misgivings, this bill, further undermines U.S. sovereignty by empowering the World Trade Organization on the backs of American taxpayers, sends federal employees to Beijing to become lobbyists to members of their communist government to become more WTO-friendly, funds the imposition of the questionable Universal Declaration of Human Rights upon foreign governments, and authorizes the spending of nearly $100 million to expand the reach of Radio Free Asia.

Mr. Speaker, I say no to this taxpayer-financed fanfare of ''free trade'' which fosters the opposite of genuine freedom of exchange and urge by colleagues to do the same.

Mr. BORSKI. Mr. Speaker, I rise today in strong opposition to H.R. 4444, which would permanently extend normal trade relations (PNTR) status to the People's Republic of China. If we enact this legislation today, we forever surrender our ability to review our trade relations with China on an annual basis.

Article I, Section 8 of the Constitution of the United States states that ''the Congress shall have power . . . to regulate commerce with foreign nations.'' Our founding fathers intentionally granted the ''People's body'' a separate, distinct voice on trade matters. This constitutional obligation makes our democracy unique: European parliamentary democracies grant no such powers to their legislatures. Under our Constitution, Congress does not simply rubberstamp the decisions of the Executive Branch. Congress is a separate, coequal partner in our system of checks and balances.

Every year in the House, we have exercised our Constitutional duty by reviewing our trade relationship with China. On an annual basis, the President has notified Congress that he will grant most-favored-nation (MFN) trading status to China, and we have had the opportunity to approve or reject MFN status by a vote on the floor of the House. This vote has been preceded by a full debate on whether China deserves to be treated as an equal trading partner. Members vote on the issue, and their constituents hold them accountable for their vote.

I have consistently voted against MFN for China because I believe it does not deserve to be treated as an equal trading partner. The Chinese dictatorship has one of the most deplorable human rights records on Earth, and, according to the State Department, things are only getting worse. The Chinese government uses executions and torture to maintain order, persecutes religious minorities and imprisons dissidents who dare to speak out for democracy. At a bare minimum, China's human rights record must improve if we are to treat it as an equal partner.

Equal trading partners extend the benefits of trade to those who produce its goods and services. In China, where workers make between 13 and 35 cents an hour, this relationship does not exist. The basic rights that we enjoy in the U.S.—the right to organize, the right to strike, decent wages and benefits, safe workplaces—simply do not exist in China.

Equally deplorable is the manner in which China has treated its neighbors. It continues its belligerence toward the free-market democracy of Taiwan. In fact, shortly after the ink was dry on the World Trade Organization (WTO) agreement, China threatened to use force against Taiwan. China continues to threaten our interests elsewhere by selling weapons of mass destruction to rogue terrorist nations and by trying to steal our nuclear weapons designs.

The WTO agreement is not the first trade deal we have reached with China. But trade agreements only work when countries abide by them. Regrettably, China has violated every trade deal with the U.S., and top Chinese officials have already indicated that they have no intention to abide by the WTO deal.

Despite China's worsening record on human rights, international trade, relations with its neighbors, and weapons proliferation, we are on the brink of throwing out our annual review forever. Like it or not, the annual MFN review process is the only means by which the U.S. can influence the Chinese government's behavior toward its own people and other nations. If Congress approves PNTR, we forever relinquish any leverage we have to improve Chinese behavior.

Mr. Speaker, many have argued that if we fail to approve PNTR we will lose precious business opportunities in China. I concede that point. Certainly, European and Japanese companies will be doing a great deal of business in China.

But I believe that America stands for something more than the almighty dollar. As the world's sole superpower and strongest democracy, we have a moral responsibility to stand up for those who struggle against tyranny. We are the only nation capable and willing to bring about democratic change in China. And we can use our economic power to exert that leverage.

During the Cold War, we put principles before dollars. We refused to grant MFN status to authoritarian communist regimes because of their deplorable records toward their citizens and their neighbors. When Lech Walesa and the other leaders of the Solidarity movement were imprisoned in Poland, the U.S. Congress stood with the Polish people and imposed sanctions on the communist government. Now, we enjoy a vibrant trading relationship with Poland and other former communist Central European nations, but those trade benefits were extended after these countries opened their societies and embraced free markets and democracy. In fact, we are now doing business with the same dissidents who were imprisoned by their former communist regimes. These new leaders remember with gratitude that America stood with them—and not their oppressors—in the dark days of the countries.

Today's ''Lech Walesas'' are sitting in prisons in China because they dared to speak out for freedom and democracy. They, in my opinion, will become the future leaders of China. And when we seek to form a trading relationship with the future leaders of China, they will remember how we voted today.

Defeating PNTR would certainly send shockwaves throughout America's corporate boardrooms. But it would send a more powerful, purposeful message to the people of China that we stand with them in their quest to create a free-market, democratic society that cherishes a peaceful relationship with her neighbors and the United States. However, if Congress approves PNTR, we lose any leverage we have in helping the Chinese people realize their vision for a better society.

Mr. WOLF. Mr. Speaker, I am astounded that today, this Congress is taking a vote on giving China permanent normal trade relations. I am amazed that this vote is about to take place because all of the evidence shows that China has done nothing to deserve America granting China permanent access to the U.S. market. In fact, the national security evidence and the human rights evidence shows that the Chinese government is a brutal regime that sees America not as a strategic partner, but as a global threat and competitor, economically and militarily.

There is much debate in this Congress and in America about China's future. Proponents of giving China PNTR claim that giving China permanent access to the U.S. market will change China's leadership, that giving China PNTR will promote democracy, promote religious freedom, promote peace, promote human rights.

While it is my fervent hope that these changes will occur in China, I have to ask the question, ''what evidence is there to believe that China will change?'' ''What evidence is there that China has changed?''

After receiving several national security briefings from the CIA on China, having visited Tibet and China, and after looking at all of the continued and worsening human rights abuses committed by the Chinese government, I have to conclude that reality says, that giving China PNTR right now is dangerous to America's national security and that giving China PNTR will only strengthen the Chinese communists hold on power—allowing China to continue with its already horrible human rights record.

Let's look at the evidence.

China continues to destabilize Asia. In the past 50 years, China has clashed with nearly all of its neighbors. They invaded the Soviet Union, they invaded parts of India, they invaded Vietnam, they fought and killed thousands of U.S. troops in the Korean War. Thousands of American GI's who were captured or killed by the Chinese during the Korean War are still unaccounted for. We have never found out what happened to these GI's at Chinese hands.

China continues to threaten to use force against Taiwan. China has done this repeatedly and forcefully while we in Congress have been debating whether or not to give China PNTR. China is right now reportedly conducting war games mimicking an invasion of Taiwan that includes battle against U.S. troops. China has threatened Taiwan with a ''blood soaked battle.''

In 1999, China's Defense Minister declared that war with the U.S. ''is inevitable.'' It is estimated that China has over a dozen nuclear ballistic missiles aimed at major U.S. cities and is reportedly building three new types of long-range missiles capable of striking the U.S.

Less than one year ago the Cox Committee found that China has ''stolen'' classified information regarding the most advanced U.S. thermonuclear weapons, giving them design information ''on par with our own.'' The information included classified information on every currently deployed warhead in the U.S. ballistic missile arsenal.

China's official military newspaper threatened the U.S. saying if the U.S. were to defend Taiwan, China would resort to ''long range'' missiles to inflict damage on America.

China has exported weapons of mass destruction and missiles in violation of treaty commitments. The director of the CIA has said that China remains a ''key supplier'' of these weapons to Pakistan, Iran, and North Korea. Other reports indicate China has passed on similar weapons and technology to Libya and Syria. If one of these countries is involved in a conflict, it is very possible that our men and women in uniform could be called into harm's way. These weapons of mass destruction could then be targeted against American troops.

China is forging an alliance with Russia against the U.S. and China is purchasing as many weapons from Russia as it can. Reports indicate that China has purchased advanced naval vessels and top of the line anti-ship missiles from the Russians that specifically are meant to be used against U.S. aircraft carriers.

Reports indicate that China is seeking to disrupt or end U.S. alliances in the Pacific. Reports indicate that China is seeking to be the primary power in Asia and to nudge the U.S. out of Asia.

China has increased its military budget by close to 13 percent this year.

We hear the argument that PNTR will lead to economic and political growth in China, but who in China will benefit the most from increased foreign investment? Since the Clinton administration reduced technology trade restrictions in 1993, incidences of technology transfers from the U.S. to China have been numerous. Much of the capital and revenue the Chinese would gain from PNTR will go to help increase China's military build-up and to help stabilize a repressive, authoritarian regime.

I'd suggest the money is going to go toward building more jails and more prison labor camps, toward more weapons purchases and toward funding more intelligence operations against the U.S.

For all of these reasons and more, all of the major American veterans organizations, including the American Legion, the Veterans of Foreign Wars, AMVETS, and the Military Order of the Purple Heart all oppose giving China PNTR. This Congress needs to heed the voices of our veterans. These are the people who have fought, who have been wounded, and who have put their lives on the line to

preserve and protect freedom. These veterans know a national security threat when they see one. They unanimously oppose giving China PNTR because they know that it is very likely that American troops will be in harm's way because of China's military threats against the U.S. and because of China's military threats in the Asia region. Letters from these groups are included for the record.

Three former Commandants of the Marine Corps, seven retired four star generals, a former Commander in Chief of the U.S. Army in Europe, and numerous other national security experts signed a letter opposing giving China PNTR because of national security concerns. These national security leaders argue that if the U.S. gives China PNTR:

> The nation ignores at its peril threatening Chinese rhetoric and behavior. * * * Being is using some of the hard currency it is garnering from trade and financial dealings with the United States to acquire ominous weaponry * * * specifically designed to attack American carrier battle groups * * * We believe that the annual debate on our China policy mandated by current law should not be eliminated at present.

A recent report issued by the CPA and the FBI stated that China has stepped up military spying against the United States while using political influence programs to manipulate U.S. policy. This FBI/CPA report says that the U.S. military and U.S. private corporations are the primary targets of Chinese intelligence. This report also says that Chinese companies play a significant role in China's pursuit and acquisition of secret U.S. technology.

I am concerned that Members of Congress and the American public do not know enough about the national security threat China poses to the U.S. I have been urging our colleagues to obtain a briefing by the CIA on China and just over 40 Members have had this briefing. I have written President Clinton urging him to declassify information that shows the national security threat China poses to the U.S. before this vote takes place and he has done nothing.

Members and the American public need to know the answers to questions about the national security regarding and PNTR before this vote takes place.

Right smack in the middle of this debate on PNTR, the Chinese government has stepped up its already heinous human rights violations.

That's not just me saying that. The 1999 State Department Human Rights report on China is 68 pages long on descriptions of China's human rights abuses—abuses ranging from its policy of forced abortion and forced sterilization, to imprisonment and eradication of any democratic dissent, to imprisonment of people for having religious beliefs, to forced labor in China's vast prison labor system. The report says, ''The Government's poor human rights record deteriorated markedly throughout the year, as the Government intensified efforts to suppress dissent.''

The U.S. Commission on International Religious Freedom, a bi-partisan commission established by Congress whose members were appointed by Congress and the Administration, opposes giving China PNTR because of China's continued religious persecution, saying: ''* * * Congress should not approve PNTR for China until China makes substantial improvements in respect for religious freedom.''

We know that 8 Catholic bishops are in prison—and I think there are probably more—and some have been in custody for over 30 years. In the past week, more Protestant House church leaders have been arrested. Muslims in northwest China are in prison because of their faith.

China continues to pillage and occupy Tibet. Tibet is a peace-loving country that is not a threat to China. Yet, the Chinese government has brutally occupied Tibet for decades and has no plans to leave Tibet. I visited Tibet and met with Buddhist monks and nuns. Each temple has a Chinese communist official that controls and monitors everything that is done in the temple. The Chinese have cameras strewn throughout the capital of Lhasa, so they can watch and monitor the people. Hundreds of Tibetan monks and nuns are in prison because of their faith.

The Chinese military is responsible for trafficking in human organs. A blood type match is made between a prospective organ recipient and a Chinese prisoner. Once the match is made, prisoners are taken to a remote location, where the necessary medical personnel have been assembled, and summarily executed. Their organs are then removed and sold.

The State Department Human Rights report says that over 500 women in China of child bearing age commit suicide each day. Could it be that China's policy of forced abortion and forced sterilization are a significant cause of these suicides? Could it be that the fines for violating the government's birth quotas, that are three times a couple's annual salary, are causing these suicides?

A country that abuses its own citizens on a massive scale cannot be trusted in its dealings with the U.S. Do Members actually think that the same Chinese government that flattens its own citizens with tanks—that kills frail 80-year-old Catholic bishops—can be trusted?

The decision on whether to give China PNTR must be based on facts and truth, not on wishful thinking or ill-placed hopes. Our challenge as a country and as lawmakers is to examine the facts, to seek the truth and to make informed and wise decisions based on the facts and truth. All of what I have said about China's worsening human rights record and the national security concerns are incontestably true. Yet, a large number of Members here are seriously considering giving away to China the only leverage the U.S. has—aside from military coercion—our annual review of whether to extend to China normal trading privileges.

I am concerned that we in the U.S. have become so enamored with China's prospective market, that we are on the verge of ignoring facts and truth. We may be ignoring history, ignoring China's abysmal human rights record, and ignoring the threats China poses to U.S. national security and to our men and women in uniform.

Today, in the year 2000, America is at a similar crossroads as Europe and America were leading up to World War II. Europe and America in the 1930's were tired of conflict, having just fought a bloody World War I, and chose to ignore the threat emanating from Germany and Japan. Neville Chamberlain forced through the sale of Germany of the Merlin high-performance engine—the same engine that was used by the British during the Battle of Britain in the famous Spitfire fighter plane. France was so caught up in enjoying the peace that it depleted its artillery stock through artillery sales to Romania, Yugoslavia and Turkey. France sold so many of its artillery pieces that when Germany invaded France, France only had 90 artillery pieces on its line with Germany. America was selling oil to Japan during Japan's invasion of Chinese Manchuria and kept selling oil to Japan within a year or so of the Japanese attack on Pearl Harbor.

We are at a similar crossroads today. Many in America feel victorious as the Cold War with the former Soviet Union no longer exists. Some see the recent facts and developments regarding China in a positive and hopeful light because they are tired of standing down a potential adversary and they are tired of facing a global rival. Events that many did not expect to happen in their lifetimes have occurred. The Berlin Wall has fallen, Germany is reunited, the Soviet Union has dissolved, Western Europe no longer faces a phalanx of hostile tanks, soldiers and missiles to its east. The battle against the former Soviet Union continued for 40 years and many simply want to wish away a future rival and a future conflict.

Those of us in Congress and in America who are very concerned with the national security threat that China poses to the U.S. are frequently criticized as having a Cold War mentality toward China and of being China bashers. We are accused of being overly critical of China and of China's human rights abuses, that we are looking for a rival simply to replace the enemy that once was the Soviet Union. Because of our concerns with China and opposition to giving China PNTR, we are accused of not giving China a chance to change and grow into a democracy and into a reliable and trusted ally.

Yet, in reality, China is still an authoritarian, communist country of over a billion people.

Yet, in realty, China wants the U.S. out of Asia and seeks to be the unrivaled power in Asia.

The massive human rights abuses and massive religious persecution in China are undisputed facts.

It is fact that China plundered Tibet.

It is fact that communist China has engaged militarily virtually every country on its border as well as the U.S. in the past 50 years.

It is fact that this present Chinese leadership rolled over its own people with tanks in Tiananmen Square.

It is fact that China commits untold atrocities against its own people.

It is fact that China has been publicly threatening to shoot nuclear missiles at the U.S.

Fits of wishful thinking and outright ignoring these and countless other facts do not change the reality of the regime in China or the plausible threat that China poses to the U.S.

We need to learn what history teaches us about leadership.

The lessons from our past are clear. Leadership is not about seeing what we wish to see. Leadership is not about closing our eyes to the threats before us. Leadership is about clearly, lucidly, and forcefully addressing facts and truth and taking appropriate action.

The American way of life, our freedom can only be preserved by vigilance. Vigilance requires us to look at the situation in China today and conclude that the Chinese regime should not receive permanent trade relations with the U.S. until the questions of national security have been adequately addressed and until there is a significant improvement in China's human rights record.

We must have a way to continue our annual review of trade with China. If we sign off on permanent trade, we hand over any influence we could have in promoting a China that respects its citizens and that is a non-threatening, peaceful member of the community of nations.

Annual review of China's trade status is an appropriate foreign policy tool, it is an opportunity for Congress to influence the behavior of China on matters of national security and human rights, and it is the right thing to do in maintaining our vigilance in preserving freedom.

[From the American Legion]

CHINA TRADE OPPOSED BY THE AMERICAN LEGION

INDIANAPOLIS (Wednesday, May 20, 2000).—Taking into account nuclear espionage charges, human rights abuses, saber rattling against Taiwan, and influence-peddling indictments, the 2.8-million member American Legion today demanded the U.S. government withhold Permanent Normalized Trade Relations with the People's Republic of China and oppose its entry into the World Trade Organization.

The American Legion's board of directors, during its annual spring meeting here, recommended Congress and the Clinton administration force China to meet four preconditions both for entry into the WTO and for ending the annual congressional review of its trade status: Recognition of the Taiwan's right to self-determination; full cooperation on the accounting of American servicemen missing from the Korean War and the Cold War; abandonment of policies aimed at military dominance in Asia; and encouragement and promotion of human rights and religious freedom among the Chinese people.

''China should embrace democratic values before it benefits from unfettered American investment,'' American Legion National Commander Al Lance said. ''The American Legion sets forth the prerequisites for peace and stability, without which Communist China will become economically and militarily more formidable even as it embarks on policies pursuant to regional instability. A something-for-nothing trade arrangement with China—one that severs trade from national security and human rights—threatens stability, rewards antagonism, and strengthens a potential foe of American sons and daughters in the U.S. armed forces.''

Founded in 1919, The American Legion is the nation's largest veterans organization.

VETERANS OF FOREIGN WARS OF THE UNITED STATES

Washington, DC, May 17, 2000.

To: All Members of the United States House of Representatives, 106th U.S. Congress.

From: John W. Smart, Commander-in-Chief, Veterans of Foreign Wars of the United States.

The Veterans of Foreign Wars of the United States oppose Permanent Normal Trade Relations with China. China's policies and actions over the past several years have not demonstrated that it is ready to become a permanent-trading partner of the United States.

Passage of the China Trade Bill would end annual congressional review of China's access to U.S. markets and give it permanent trade relations with the United States. While this bill might provide certain economic benefits and advantages to some American companies, it could hurt other American industries and may cost many Americans their jobs. Permanent Normal Trade relations with the United States should be earned by China, not given away. Essentially this bill rewards China for mistreating its citizens, violating its current trade agreements, threatening its neighbors and the United States with military action, proliferating weapons of mass destruction, stealing nuclear, military and industrial secrets from the United States, increasing espionage against the U.S., and practicing religious oppression. We believe this bill sends the wrong message to China and the rest of the world.

Now is not the proper time to grant China Permanent Normal Trade Relations. The United States should maintain its current annual congressional review of China's trade status until such time as China changes it's policy and demonstrates that it is ready to treat its people according to the basic human rights standards of other modern industrial nations.

A vote against Permanent Normal Trade Relations with China will send a clear message that the United States does not tolerate China's persistent human rights violations, and will not agree with it's proliferation of missile technology and weapons of mass destruction, it's military threats against the United States and other countries in the Pacific region including repeated threats made against Taiwan.

Respectfully,

JOHN W. SMART,
Commander-in-Chief.

AMVETS,

Lanham, MD, May 16, 2000.

Hon. FRANK R. WOLF,
Member of Congress, U.S. House of Representatives, Washington, DC.

DEAR REPRESENTATIVE WOLF: AMVETS, the nation's fourth largest veterans organization, represents more than 200,000 veterans who honorably served in the Armed Forces of the United States, and opposes Permanent Normal Trade Relations (PNTR) for China.

While the U.S. relationship with China is important, AMVETS believes that national security issues take precedence over the trade relations with foreign countries. We concur in your belief that our nation can not afford to give leverage to the Republic of China—which exports weapons of mass destruction and missiles, maintains spy presence in the U.S. and continues to threaten Taiwan with military force.

When Congress votes in the House during the week of May 22, let it be known that AMVETS says ''no'' to the Permanent Normal Trade Relations for China.

Sincerely,

CHARLES L. TAYLOR,
National Commander, 1999–2000.

MILITARY ORDER OF THE PURPLE HEART,

May 15, 2000.

Hon. FRANK R. WOLF,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN WOLF: The Military Order of the Purple Heart (MOPH), representing the patriotic interests of its 30,000 members and the 600,000 living recipients of the Purple Heart, is seriously concerned with the Administration's proposal to grant Permanent Normal Trade Relations (PNTR) status to the Peoples Republic of China.

The MOPH is familiar with the current series of U.S. Government reports concerning China to include: the Cox Committee Report, the Rumsfield Commission Report, the 1999 Intelligence Community Report on Arms Proliferation, and Chairman Spence's May 2000 HASC National Security Report on China. These and other similar security assessments clearly indicate that China, as an international actor, continues to behave in a manner that is threatening to international stability and U.S. national security interests.

Given the broad consensus that has formed about this issue, to include the recent Harris Poll indicating 79% of all Americans are against granting PNTR status to China, the MOPH believes it both prudent and reasonable to delay the granting of PNTR status to China at this time. Speaking as patriots and combat wounded veterans, we believe that granting PNTR status to China would relieve them from the current pressure caused by annual Congressional review of their trade status. Clearly, Congressional review has caused China to improve its dismal human rights record and to modify to some extent its proliferation of dangerous arms on the world market. Yet these modifications must been seen as the beginning not the end.

Today, China represents the most dangerous of the emerging threats to U.S. national security. Her designs on Western Pacific dominance, her extreme belligerence towards Taiwan, and her persistent espionage and theft of U.S. advanced technologies are behaviors that must be checked before any reasonable consideration of PNTR status can be undertaken.

Many of the America's combat wounded veterans sacrificed life and blood to repel Chinese aggression during the Korean Conflict. Fifty years after that war China remains an unabashedly communistic regime. It is time for China to change if she wishes to be a truly welcomed participant on the world's stage. It is also time for Congress and the Administration to reflect upon the sacrifices of its combat wounded veterans and ensure that China will not once again become our enemy. In the view of the MOPH this objective must be reached before PNTR status should be granted to China.

Yours in Patriotism,

FRANK G. WICKERSHAM III,
National Legislative Director.

FLEET RESERVE ASSOCIATION,

Alexandria, VA, April 21, 2000.

Hon. CHRISTOPHER H. SMITH,
M.C., House of Representatives, Washington, DC.

DEAR REPRESENTATIVE SMITH: Please be advised that the Fleet Reserve Association (FRA), representing its 151,000 members, all career and retired Sailors, Marines, and Coast Guardsmen of the United States Armed Forces, joins you and your colleagues in opposing Permanent Normal Trade Relations (PNTR) for China.

FRA shares your concern that weapons of mass destruction exported by that country can be used against U.S. military personnel, and also our Nation's citizens. Further, China already has obtained considerable knowledge of our Nation's weapons technology without normal trade relations. Should the United States open its door to normal trade relations, it is worrisome that China will discover even more of that sensitive information.

One of the most important goals of this Association is to protect its members as well as every active duty and reserve uniformed member of the Navy, Marine Corps, and Coast Guard. To fulfill that commitment, FRA must do all that it can to oppose any move that could possibly send those brave men and women into harms way without ''rhyme or reason.'' With the possibility that the future will hang dark shadows over open trading with a yet unproven China, FRA is sensitive to the harm that country may inflict upon our Nation.

Loyalty, Protection, and Service,

CHARLES L. CALKINS,
National Executive Secretary.

NAVAL RESERVE ASSOCIATION,

Alexandria, VA, May 9, 2000.

Hon. FRANK R. WOLF,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE WOLF: The Naval Reserve Association and the Naval Enlisted Reserve Association work together as affiliates to represent 37,000 officers and enlisted members from the Naval Reserve services. They are representative of the 89,000 Selected Reservists, the 4,500 non-pay Drilling Reservists (VTU), and the 91,000 Individual Ready Reservists (IRR), as well as the Retired Reserve community.

As a resource to the U.S. Military, our membership is concerned with our relationship with China. Decisions made today will be affecting the political-military balance in the Pacific for the next 50 years. The Peoples Republic of China may well be a rival.

Building its economy on the backs of its people, China is also willing to risk world stability. To generate hard currency, the PRC is selling weapons systems to Third World nations, including many considered rogue states in nature.

China is aggressively building its military. The PRC's ambitions include reunification by force with Taiwan, and territorial claim over the energy resources in the international waters of the South China Sea.

The process of reviewing trade relations with China each year is an opportunity for Congress to influence the behavior of China on matters of national security and human rights.

China is the largest of four surviving Communist governments in the world today. Human rights of its citizens continue to be violated. Evidence exists of Chinese espionage within the U.S. Government and industry. The PCR has effected political influence to manipulate U.S. policy. An annual trade review provides an element of counter balance.

Trade between nations helps maintain diplomatic dialogue and exposes a country's citizenry to outside ideas as well as products. Commerce with China is growing in importance for a number of U.S. Corporations. As a nation, we should continue to expand the marketplace, but not carte blanche. Now is not the time to offer Permanent Normal Trade Relationships (PNTR) for China.

MARSHALL HANSON,
Director of Legislation, Naval Reserve Association.

DENNIS F. PIERMAN,
Executive Director, Naval Enlisted Reserve Association.

WARRANT OFFICERS ASSOCIATION,
Herndon, VA, May 9, 2000.

Hon. FRANK R. WOLF,
Member of Congress, House of Representatives, Washington DC.

DEAR REPRESENTATIVE WOLF: On behalf of the members of this Association I write to express support and appreciation of your actions and that of several of your colleagues, in opposing Permanent Normal Trade Relations with China.

The USAWOA represents nearly 20,000 warrant officers of the Active Army, the Army Guard, and the Army Reserve. These highly-skilled men and women serve as helicopter pilots, special forces team leaders, intelligence analysts, command and control computer and communications managers, armament and equipment repair technicians, and in other technical fields critical to success of the modern battlefield. Daily, many of them are in harm's way.

From our perspective, it appears that China has done little to deserve such consideration. Of more concern is the fact that China shows few of the peaceful, democratic traits evidenced by our Nation's other major trading partners. Indeed, China appears to striving to achieve not only economic dominance of the Pacific Rim but also a significant military advantage over her neighbors, and quite possible, the United States.

In this instance, trade and economic considerations cannot take precedence over the safety of our Nation and that of our allies and friends. Until fundamental, lasting changes take place in China, normalization of trade relations should not take place.

Respectfully,

RAYMOND A. BELL,
Executive Director.

RESERVE OFFICERS ASSOCIATION
OF THE UNITED STATES,
Washington, DC, April 27, 2000.

Hon. FRANK R. WOLF,
House of Representatives, Washington, DC.

DEAR CONGRESSMAN WOLF: The Reserve Officers Association (''ROA''), representing 80,000 officers in all seven Uniformed Services, is concerned about the proposal to grant Permanent Normal Trade Relations (''PNTR'') to China.

ROA acknowledges the importance of our relationship with China, including our growing economic ties to China. Nevertheless, ROA believes that it would be a mistake to grant PNTR to China at this time. The annual process of reviewing trade relations with China provides Congress with leverage over Chinese behavior on national security and human rights matters. Granting PNTR would deprive Congress of the opportunity to influence China to improve its human rights record and behave as a more responsible actor on the national security stage.

Just within the past few weeks, China has made military threats against Taiwan and threatened military action against the United States if we defend Taiwan. Just four years ago, China fired several live missiles in the Taiwan Strait, necessitating a deployment of two American carrier battle groups to the area.

A report issued last month by the CIA and FBI indicates that Beijing has increased its military spying against the United States. Less than a year ago, the Cox Committee reported that China stole classified information regarding advanced American thermonuclear weapons.

Additionally, Beijing has exported weapons of mass destruction to Iran and North Korea, in violation of treaty commitments. Finally, China's record of human rights abuses is well documented.

A recent Harris Poll revealed that fully 79% of the American people oppose giving China permanent access to U.S. markets until China meets human rights and labor standards. On this issue, Congress should respect the wisdom of the American people. Now is not the time to grant Permanent Normal Trade Relations to China.

Sincerely,

JAYSON L. SPIEGEL,
Executive Director.

AN OPEN LETTER TO THE CONGRESS

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

Hon. TRENT LOTT,
Majority Leader, U.S. Capitol, Washington, DC.

DEAR SPEAKER HASTERT AND SENATOR LOTT: In recent days, proponents of granting China Permanent Normal Trade Relations (PNTR) status have asserted that the failure by Congress to do so would harm U.S. national security. As individuals who have devoted much of our professional lives to providing for and safeguarding America's security and vital interests, we believe this assertion to be incorrect—possibly dangerously so.

In our judgment, the Nation ignores at its peril threatening Chinese rhetoric and behavior. For example, PRC leaders and official publications routinely refer to the United States as ''the main enemy.'' They have threatened ''long-distance missile strikes'' against American cities if the U.S. interferes with China's coercion of Taiwan. Beijing is using some of the hard currency it is garnering from trade and financial dealings with the United States to acquire ominous weaponry, such as Russian-built Sovremenny-class destroyers—ships whose nuclear-capable SS–N–22 ''Sunburn'' missiles were specifically designed to attack American carrier battle groups.

In December, China's Defense Minister General Chi Haotian told a meeting of senior officers of the People's Liberation Army that China needs to prepare for an ''inevitable'' war of several years duration to break American ''hegemony'' in East Asia. A few months earlier, the Central Military Commission of the Communist Party circulated to all PLA bases and garrisons a document in which it declared, ''The strategic superiority which can be claimed by the U.S. is close to zero. It does not even enjoy a sure advantage in terms of the foreseeable scale of war and the high-tech content which can be applied to combat . . . After the first strategic strike, the U.S. forces will be faced with weaponry and logistic problems, providing us with opportunities for major offensives and to win large battles.''

Such statements and actions suggest that the Chinese today, like the Japanese sixty years ago, put great faith in the ability of a materially weaker challenger to defeat a major power which looks stronger, but which they believe has become decadent and irresolute in the use of power. If Beijing is poised to make the same mistake that Tokyo made in 1941, it would cost this country dearly to prove them wrong should it come to a war the Chinese apparently expect and for which they are preparing. A firm American stand now would likely avoid miscalculation later, boost deterrence and, therefore, promote peace in the Western Pacific and East Asia.

Toward that end, we believe that the annual debate on our China policy mandated by current law should not be eliminated at present. It should, instead, be expanded to place international economic ties in the larger context of American national security policy and interests in Asia.

The PRC clearly does not want this yearly debate to occur, which is why granting PNTR at this time, in the face of myriad threats from China, is likely to be interpreted by Beijing as an act of appeasement. If so, far from enhancing U.S. security, a vote for PNTR under present circumstances would only intensify the threat Communist China will pose.

We believe that, under present and foreseeable circumstances, China's trade status and behavior should continue to be subjected to a formal annual review. In addition, the United States must retain the ability to take whatever measures are deemed necessary to prevent the transfer of technology, capital and other resources to Beijing that could ultimately help threaten U.S. security and American lives. We strongly urge Congress to reject any China NTR or WTO-related legislation that does not contain such safeguards.

General Robert H. Barrow, USMC (Ret.), former Commandant, U.S. Marine Corps.

General J.B. Davis, USAF (Ret.), former Chief of Staff, Supreme Headquarters Allied Powers Europe.

Diana Denman, former Co-Chair, U.S. Peace Corps Advisory Council.

Adm. Leon A. 'Bud' Edney, USN (Ret.), former Supreme Allied Commander, Atlantic.

Major Gen. Vincent E. Falter, USA (Ret.), former Deputy to the Assistant Secretary of Defense for Atomic Energy.

Frank J. Gaffney, Jr., President, Center for Security Policy and former Acting Assistant Secretary of Defense.

Hon. William R. Graham, former Director of the Office of Science and Technology Policy and Science Advisor to President Reagan.

James T. Hackett, former Acting Director of the Arms Control and Disarmament Agency.

Adm. Kinnaird McKee, USN (Ret.), former Director, Naval Nuclear Propulsion.

Lieutenant General Thomas H. Miller, USMC (Ret.), former Deputy Chief of Staff for Aviation, Headquarters U.S. Marine Corps.

Gen. Carl Mundy, USMC (Ret.), former Commandant, U.S. Marine Corps.

Major Gen. J. Milnor Roberts, USA (Ret.), former Chief of Army Reserve.

General Glenn K. Otis, USA (Ret.), former Commander-in-Chief, U.S. Army, Europe.

General John L. Piotrowski, USAF (Ret.), former Commander, U.S. Space Command and Vice Chief of Staff, U.S. Air Force.

Hon. Roger W. Robinson, Jr., former Senior Director, International Economic Policy, National Security Council.

Major Gen. John K. Singlaub, USA (Ret.), former Chief of Staff, U.S. Forces Korea.

Hon. Gerald B.H. Solomon, former Member of the U.S. House of Representatives.

Gen. Donn A. Starry, USA (Ret.), former Commander, U.S. Army Readiness Command.

Hon. James H. Webb, Jr., former Secretary of the Navy.

General Joseph J. Went, USMC (Ret.), former Assistant Commandant, U.S. Marine Corps.

General Louis H. Wilson, USMC (Ret.), former Commandant, U.S. Marine Corps.

[From the Center for Security Policy]

TWENTY-ONE NATIONAL SECURITY LEADERS URGE REJECTION OF PNTR

WASHINGTON, D.C.—On the eve the House of Representatives vote on granting the People's Republic of China Permanent Normal Trade Relations (PNTR) status the Center for Security Policy released an Open Letter to Senate Majority Leader Trent Lott and Speaker of the House Dennis Hastert (see the attached). This letter, which was signed by over twenty of the Nation's most eminent security policy practitioners and retired military officers, argues forcefully that the granting China PNTR would harm U.S. national security.

This letter comes on the heels of numerous appeals by the Nation's largest veterans and military service organizations who have expressed their opposition to rewarding China's threatening rhetoric and behavior by removing the yearly review of China's trading status. These groups, including the American Legion, Veterans of Foreign Wars, the Reserve Officers Association of the United States, the Warrant Officers Association, the Fleet Reserve Association, the Military Order of the Purple Heart, AMVETS, the Naval Reserve Association and the Naval Enlisted Reserve Association and the signatories of today's letter should be commended for their defense of America's security and principles.

The Open Letter's signatories include: three former Commandants of the U.S. Marine Corps (General Robert H. Barrow, General Carl Mundy and General Louis H. Wilson); seven retired four-staff general officers (former Chief of Staff, Supreme Headquarters Allied Powers Europe, General J.B. Davis, USAF; former Supreme Allied Commander, Atlantic, Admiral Leon 'Bud' Edney, USN; former Director, Naval Nuclear Propulsion, Admiral Kinnaird McKee, USN (Ret.); former Commander-in-Chief, U.S. Army, Europe, General Glenn K. Otis, USA (Ret.); former Commander, U.S. Space Command and Vice Chief of Staff, U.S. Air Force, General John L. Piotrowski USAF (Ret.); former Commander, U.S. Army Readiness Command, General Donn A. Starry, USA (Ret.); and former Assistant Commandant, U.S. Marine Corps, General Joseph J. Went, USMC (Ret.)); former Secretary of the Navy, James H. Webb, Jr.; former Science Advisor to President Reagan, William R. Graham; and former Chairman of the House Rules Committee, Gerald B.H. Solomon.

The Open Letter reads in part:

''[T]he Chinese today, like the Japanese sixty years ago, put great faith in the ability of a materially weaker challenger to defeat a major power which looks stronger, but which they believe has become decadent and irresolute in the use of power. If Beijing is poised to make the same mistake that Tokyo made in 1941, it would cost this country dearly to prove them wrong should it come to a war the Chinese apparently expect and for which they are preparing. A firm American stand now would likely avoid miscalculation later, boost deterrence and, therefore, promote peace in the Western Pacific and East Asia. Toward that end, we believe that the annual debate on our China policy mandated by current law should not be eliminated at present. It should, instead, be expanded to place international economic ties in the larger context of American national security policy and interests in Asia.''

The Center urges Congress to weigh carefully the arguments of these highly respected and accomplished authorities and, in so doing, to discount dubious appeals for granting China PNTR on national security grounds.

Mr. UNDERWOOD. Mr. Speaker, I rise in support of granting permanent normal trade relations to the People's Republic of China. I do not presume that my comments will change any of my colleagues minds but please allow me to tell you why I am in support of this measure.

During the 19th Century, European powers, more or less, forced their own way into China by militarily demanding exclusive trade concessions. More often than not, these trade concessions benefitted the European merchants almost unilaterally. In this age of imperialism, little concern was given to the ''economic benefit'' received by the Chinese people in general. To be sure, there were many Chinese feudal lords and merchants who grew very wealthy from trading with the Europeans, but as a matter of course, widespread economic prosperity would not reach the average Chinese peasant or urban laborer until well into the late 20th Century.

The United States during this age of imperialism was steadfast in promoting the ''Open Door Policy'' whereby no nation was excluded from trade with China. Of course, this privilege was limited to only but a few great maritime powers. Nevertheless the concept of free trade and open access to markets was there.

The point of recalling this history is to understand China's present frame of political reference. China was, in many ways, abused by the Western foreign powers for much of the 19th and early 20th Centuries. In the turmoil that followed the Second World War, the Chinese Communists seized power in a revolution of the peasantry. In establishing a paranoid one-party authoritarian state, the west's colonial legacy has remained a rather contemporary influence in the body politic of China's leaders. In the years since the Cultural Revolution, China has made tremendous in roads to opening up and embracing many market concepts. True, they still are ruled by an intolerant regime that has an abhorrent human rights, labor rights, women's rights, civil liberties, and environmental record. True, they are also modernizing their military and repeatedly engage in political ''saber rattling.''

Yet anyone who has bothered to study Chinese history will instantly recognize that it is China who fears the western world's economic, political, and military power. It is China who fears being isolated and contained. Beijing recognizes that as a developing nation they need to be a part of the global economy in order to survive and become more prosperous. Since China increasingly depends on the connections to the global economy, they indeed have more to loose if they are cut out. Part of the motivation behind the trade accord, as brokered by President Clinton, is to ''normalize'' the trade and economic links of China with the global economy and thereby cement China's dependence upon this community, which is subject to the rule of law.

So, let us now turn briefly to the agreement as drafted in this bill. To address some of the rhetoric let us turn to the facts. All this agreement does is remove the annual Congressional review process, as required by the 1974 Trade Act, before granting normal trade relations to China for the year. In granting this ''permanent'' status, China will then be able to work towards joining the World Trade Organization (WTO). In this agreement, the granting of PNTR by the United States only goes into effect upon China's admittance to the WTO. This process could take years. In the meantime this body loses nothing; the annual NTR review would still apply. In addition, there are many legal and market oriented hoops that the Chinese government must comply with in order to become a member of the WTO. Once China is a member of the WTO, the United States still can impose sanctions on China but they have to be ''WTO consistent.'' This means that if for national security reasons or other qualifying reasons, the President feels it is necessary to impose economic sanctions, it would be within our rights to do so.

One concern is that in passing this bill, Congress abdicates its ability to have economic leverage over China. There are many other processes to affect this ''leverage'' over China. For example, the U.S. could use the power of the Export-Import Bank, TDA and OPIC to apply pressure on China. Finally, the Levin-Bereuter language that establishes a Congressional Executive Commission on Human Rights and Labor Abuses in China, will annually grant this body the opportunity to investigate and criticize China's abuse in these areas. This language preserves our commitment and ability to annually address Human Rights and Labor Abuses in China.

Mr. Speaker the strengths of granting PNTR clearly outweigh the weaknesses. It will undoubtedly benefit American businesses and open China's markets in U.S. goods. Plain and simple, this agreement is about trade. My colleagues, China has along way to go towards reforming its civil society but you cannot genuinely compare the current regime in China to the government of Nazi Germany in the 1930s. Unlike the Nazi's, China is not bent on world domination. The Chinese have no military plans to occupy parts of California or New York.

Mr. Speaker, trade inevitably liberalizes a society. Look at South Korea, Taiwan, Indonesia, Spain, Portugal, Chile and Argentina.

The former authoritarian regimes in these nations were undoubtedly weakened by the permeating influence of open markets and the free flow of goods, capital, and ideas. As we stand here on the precipice of change, we have an opportunity to take a first step towards exposing China towards the benefits and responsibilities of trade and the rule of law. Granting PNTR and China's membership in the WTO is not a panacea. It may change China in profound ways that were not anticipated by most Americans. But in the end, the long road ahead for our national security and economic security begins with this first step. We should grant PNTR and continue to engage China.

Mr. CHAMBLISS. Mr. Speaker, the decision on whether or not we should grant normal trade status to China is always a difficult one. In 1995 and 1996, I supported renewing trade with China because there were indications that the Chinese were moving in the right direction toward a more open free society. However, abiding concerns about human rights, religious persecution, proliferation of advanced missile technology, and saber rattling toward Taiwan and China's other neighbors led me to vote against granting normal trade status to China during the last three years.

This year, however, the debate over granting normal trade relations with China is different. We face a momentous decision about the future of jobs in the United States and specifically greater employment prospects for men and women living in Georgia's Eighth Congressional district. The administration negotiated a one way agreement with China that mandates significant reductions in tariffs as a part of China's entry into the World Trade Organization as well as includes import safeguards for sensitive industries like textiles. In 1998, Georgia exported over $338 million worth of goods and services to China. China has an estimated $750 billion in infrastructure needs over the next ten years. Companies and industries located here in middle and south Georgia are well positioned to take advantage of this auspicious opportunity. Thousands of Georgia's workers at companies such as Brown & Williamson Tobacco Corporation in Macon, Rayonier in Baxley, Barnesville, and Lumber City, Hudson Pecan Company in Ocilla, International Paper in Folkston, BP Amoco in Hazlehurst and Nashville, Blue Bird Body Corporation in Fort Valley, and CSX Corporation in Waycross all support increased trade with China.

I continue to be concerned with a number of issues related to China. But today we must decide whether or not we will close the door to expanded markets for products made in Georgia, alienate the most populous nation in the world, and lose a genuine opportunity to build a dialogue with China and spread American values of freedom, democracy, and market economics consequently improving the lives of 1.6 billion people. We should condemn China's brutal repression against its citizens and continue to vigilantly monitor human rights abuses. We will ensure that our military and intelligence capabilities are strong and robust enough to meet the challenges of any Chinese aggression. We must pry open the Chinese market and tear down pernicious trade barriers that block American goods and services and restrain prosperity.

We cannot change Chinese civilization overnight. But turning our back on China now and limiting our opportunities for improving our relationship with the Chinese is not the answer either. Rejecting trade with China only frustrates efforts by American businesses to expand their worldwide sales and create jobs here at home.

We must continue to be concerned about human rights and labor issues in China. We will now have a forum like we have never had to dialogue on these issues.

For the agricultural community, the benefits of trade with China are enormous. Chinese tariffs on pecans will be reduced 35 percent, tobacco 40 percent, and textiles 13.7 percent. For the manufacturing community, the job security and job creation potential are great. Tariffs on wood products will be slashed 64 percent, agriculture equipment 50 percent, and aluminum 33 percent. In fact, most every agricultural and manufacturing group or company in the state of Georgia supports expanding trade relations with China.

Granting China normal trade relations will be beneficial to our district and the state. But more importantly, building better friendships with the Chinese people, teaching them about the value of open, democratic, and free societies, and bringing China into the legal, cultural, and economic community of nations will create a better world for the next generation.

Mr. UDALL of Colorado. Mr. Speaker, I will vote against this bill. Deciding how to vote on this has not been easy, and I want to explain how I've arrived at my decision.

I began by reviewing the developments that led to the decision we are asked to make today.

In November 1999, after nearly 14 years of negotiations, the U.S. and China reached a bilateral agreement covering market access issues with China, taking the first step to China's admission to the World Trade Organization (WTO).

For the U.S. to benefit from China's accession to the WTO, Congress must first grant unconditional and permanent NTR to China. This means we would no longer have the annual opportunity to review China's record on human and worker rights, which Congress has done since the passage of the Trade Act in 1974. The Trade Act includes an amendment that denies NTR for China, which congress has voted to waive since 1980. I think this has been an important exercise that has enabled Congress to regularly review China's progress in human and worker rights. Some argue that this ''sword of Damocles'' that we hang annually over the heads of the Chinese isn't putting a stop to human rights violations. But we should ask what might have happened if we hadn't exercised this leverage. Human rights organizations and dissidents tell me that as the vote approaches every year in Congress, the situation in China becomes a little less grim. To me, that indicates that the annual review of Congress continues to be important.

The agreement negotiated last November would require China to open its markets widely and deeply, and would provide new trade and investment opportunities for U.S. businesses. But there remain unanswered questions about the economic consequences of the agreement and whether the immediate benefits to U.S. producers will be as great as some have claimed. For instance, it is unclear whether the agreement will improve our increasing trade imbalance with China, a deficit valued annually at $69 billion. It is unclear whether most of the benefits of the agreement will be realized by U.S. companies that invest directly in China and use China primarily as an export platform, or whether there will be an increase in imports of U.S.-made goods to China. It also remains unclear on what terms the U.S. and China would trade in the absence of the WTO agreement—some analysts maintain that the 1979 U.S.-bilateral treaty would allow the U.S. to benefit from some, if not all, of the provisions in the WTO agreement, even if the agreement itself doesn't go into effect.

So, I have questions about the details and effects of the trade agreement.

But my misgivings about granting permanent NTR status to China don't revolve around questions of the benefits of trade as much as about the question of who will benefit. We hear from free trade advocates that permanent NTR will be good for the people of China. There's an underlying assumption here that free trade invariably leads to development and democracy. Markets do produce change, but not necessarily ''development'' in a positive sense. Markets without law produce the kind of capitalism we see in Russia, and markets without democracy produce an Indonesian-style economic disaster. I agree that open markets and more porous borders have helped lift up the lives of people in many countries of the world. But I am also alarmed about the growing economic inequality within and between countries. Unless free trade is also fair trade, we risk lifting up the few to the detriment of the many. Economic openness accompanied by tighter restrictions on basic freedoms. Even now, China claims its action in arresting and imprisoning pro-democracy activists and Falun Gong followers are done in the name of the ''rule of law.''

Fortunately, the vote on permanent NTR is not a vote on whether to isolate China from the rest of the world. The forces of globalization have already changed China and connected it to the world in ways even China's leadership can't control. Even now, China receives far more foreign direct investment than any other developing country. Trade, investment, and reform will continue whether or not the U.S. grants China permanent NTR. And this doesn't mean that the U.S. would necessarily be left out of the mix. Despite threats to impose stiff tariffs on U.S. firms doing business in China if permanent NTR does not pass, China's paramount concern right now is its economy and finding ways to bring it into the 21st century. If China is determined to find this path, it is doubtful that it would choose to neglect the very country that consumes 40 percent of its exports.

After careful consideration, I have decided I cannot support permanent NTR for China at this time. There are five main reasons why.

First, if there is any constant in China's behavior, it is that China does not do what it says it will do, especially as regards trade. In my view, a WTO agreement can advance economic reform in China only if it is enforced. The WTO was founded on the assumption that its members respect international laws. But China has violated all four bilateral trade agreements that it has entered with the U.S. since 1992. Already, some of China's ministries have moved to protect themselves against the effect of WTO membership. It seems to me that if we can expect massive violations from China based on its record of

noncompliance with existing trade agreements, we should be concerned that the WTO multilateral dispute mechanisms—already cumbersome—are not constructed to handle this kind of load.

Second is the concern I touched on earlier about the importance of the leverage provided by the annual NTR review. China's record of violating its citizens' fundamental human rights of freedom of speech, religion and association will be harder, not easier, to challenge if Congress grants PNTR.

Third, I have many concerns about labor the environmental standards that the November 1999 agreement does not take into account. If we don't insist now—before we grant permanent NTR—that China commit to making progress in these areas, what could be our best chance for these reforms will be closed off.

Fourth, there is important symbolism to consider. Granting China permanent NTR would send a powerful message to Asia's genuine fledgling democracies—Thailand, the Philippines, Korea, and Indonesia, where workers have the right to organize—that they no longer have to abide by internationally recognized human and labor rights. Granting China permanent NTR would also send a troubling message that although we hold other countries accountable through sanctions for arms sales, threats to neighboring democracies, or human rights abuses, we are not willing to do the same for China. While I am not advocating sanctions for China, neither do I believe we should turn a blind eye to China's human rights abuses by granting permanent NTR.

This leads me to my fifth reason, which to me is the most important. China has racked up a dismal human rights record year after year, despite signing two UN covenants on human rights prior to President Clinton's trip to Beijing in 1998. In fact, according to recent reports by the State Department, Human Rights Watch, and other organizations, the situation has deteriorated markedly since late 1998. Even now at the current meeting of the UN Human Rights Commission in Geneva, China is fighting a U.S. effort to censure Beijing for its worsening human rights record. In the name of ''social stability,'' China has effectively banned opposition political parties, further constrained free association and religious expression, sped up the pace of arrests and executions of activists, and interfered with the free flow of information through restrictions on the Internet. This is all in addition to extrajudicial killings, torture and mistreatment of prisoners, forced confessions, arbitrary arrest and detention, and denial of due process. Just recently, a constituent of mine in Westminster asked for help in getting his Chinese parents released from a jail in Hubei Province, where they are being detained for their Falun Gong practice. We've done what we can, but as far as I know, they're still there.

Before we grant PNTR, we should insist that China ratify and live up to the two UN human rights treaties it has already signed. We should ask that it take steps to begin dismantling its ''reeducation through labor'' system, which allows officials to sentence citizens to labor camps for up to three years without judicial review. We should insist that China change its repressive policies regarding the Tibetan people and open Tibet to regular access by UN human rights and humanitarian agencies and foreign journalists. If we don't insist now—before we grant permanent NTR—that China live up to agreements it has signed and that it adhere to international standards of human rights, China will have no incentive to move in this direction.

Some have suggested that the ''brave'' position to take is to vote to grant normal trade relations to China. I disagree. For me it is far more difficult to cast a vote that some might say would close the door on a developing country and its billion citizens, all of whom deserve the benefits that truly free trade can bring. On the contrary, I'll be the first to welcome China if—as it opens it markets—it also will open its prisons; lift restrictions on speech, association, and religious expression; protect the rights of its workers; and respect its environment.

I don't believe we can or should ignore China. To do so would risk ignoring important economic opportunities and strategic and security considerations. I believe we should encourage China's economic modernization, but we should also encourage China to take the leap into the 21st century in more than just economic ways.

The question is not whether to engage China, it is how and on whose terms. I was encouraged by the efforts of Representative LEVIN and Representative BEREUTER to seek a way in which to maintain pressure on China to improve its record on human rights, compliance with core labor standards, and development of the rule of law. That is why I voted for the rule, which added the Levin-Bereuter provisions to the bill. These provisions still don't go far enough—given that they have no power of enforcement—to allow me to change my position. But I believe they reflect the right spirit, a spirit that is about trying actively to shape globalization, not passively closing our doors. Although I cannot support permanent NTR today, I remain committed to this activist course.

Mr. LANTOS. Mr. Speaker, granting China Permanent Normal Trade Relations status is unwise, unprincipled, and counterproductive.

American multi-national corporations are realistic enough to understand that most of them will never sell anything in China. They will create production platforms taking advantage of cheap labor and non-existent health, safety, and environmental regulations to replace American men and women who work for a living wage in the United States.

In our economic relations with China, it is we who have the leverage, not the Chinese. They have a $70 billion trade surplus with the United States—and this surplus is vital for their military armament plans and their economic progress. We have all the cards but pretend to be impotent.

Mr. Speaker, fig leaves have a noble function in Greek sculpture—they conceal valuable and at times indispensable parts. The ''Commission'' proposed in this legislation gives a bad name to fig leaves. We have governmental and private studies overflowing our desks, all proving the outrageous human rights abuses, violations of religious freedom, and the denial of political discourse that permeate China. No one in his or her right mind believes for a moment that yet another commission will have any impact on the dictatorial regime in Beijing.

China's victory in this struggle today, however, will be carefully studied and imitated by the new KGB-trained President of Russia. Our ability to advocate pluralism, religious freedom, and political liberties in Russia will be profoundly crippled by the hypocrisy of this debate today. President Putin will have no trouble learning the lesson that what we really care about is stability and investment opportunities. All the rhetoric about liberty, freedom of the press, and religious freedom is just that—sheer rhetoric with no substance.

Mr. Speaker, China already has Normal Trade Relations with the United States. This measure on which we are voting today merely protects this repulsive regime from an annual debate in the Congress, which over the past decade has pointed out China's serious shortcomings. Now the government in Beijing will have a free ride.

Mr. BISHOP. Mr. Speaker, after considering the arguments for and against PNTR, I have concluded that rejecting it would be a serious mistake and passing it would benefit Georgia's and our area's economy.

China will soon enter the World Trade Organization (WTO), which oversees the rules of international commerce. The United States is already a member. WTO rules say that members must grant one another ''unconditional'' low-tariff access to their markets. The current process of annual votes by Congress on China trade amounts to a ''condition.'' Hence, the U.S. would be out of compliance with WTO rules if PNTR was not passed.

To gain entry into the WTO, China has agreed to open markets that have long been closed, such as agriculture, services, technology, telecommunications, and manufactured goods, and will drop or greatly reduce tariffs. The U.S. has already opened our markets. U.S. exports to China have tripled over the past decade. But China's exports to the U.S. are seven times greater. That deficit should drop with an expansion of U.S. goods and services under PNTR and WTO.

Unfortunately, China will only give these market-opening benefits to countries that give Chinese products ''unconditional'' access. So, if we fail to give China PNTR, they will shut U.S. companies out of huge business opportunities in a fast-growing economy of 1.2 billion people. That would impact jobs in our area greatly, according to Governor Roy Barnes, Agriculture Commissioner Tommy Irvin, the 342,000-members of the Georgia Farm Bureau, Proctor and Gamble, Merck Pharmaceutical, Miller Brewing, Phillip Morris, Kraft Foods, Georgia Pacific, Weyerhaeuer, Ayres Aircraft, Carter Manufacturing, Griffin Chemical, Coca-Cola, Bell South, Georgia Power, AT&T, Cargill, Tyson Foods, Gold Kist, American Cotton Shippers, Synovus Financial, AFLAC, UPS, Tobacco Association of the United States, Brown and Williamson, and countless others.

Too many people associated with these area businesses would lose. We just can't afford NOT to grant PNTR.

Some, including myself, have expressed deeply-felt and well-reasoned concerns about PNTR. Some, including veterans groups, have questioned whether it might compromise our national security. Some farmers and business entrepreneurs feel China's proclivity for cheating might put the U.S. at an export disadvantage. Others express concern about rewarding a country like China with a horrible record of political suppression, religious persecution, and unfair and inhumane labor practices. I share all of these concerns.

Upon close analysis, however, I believe that failure to pass PNTR would have even worse consequences. Our national security would be endangered because rejection of PNTR would send a clear message that we view China as an adversary. The Chinese are modernizing a military that has more manpower than any country on earth, and only because of our current engagement policy have they agreed to stop transferring anti-ship cruise missiles to Iran and other rogue nations for cash. If they view us as an adversary, rather than a trading partner, they will continue to transfer weapons of mass destruction and endanger our national security.

Moreover, if we are seen as an adversary to China, our bilateral relations with other Asian countries such as Singapore, Thailand, Malaysia, Indonesia, Taiwan, and even Japan would be affected. These countries would have to align themselves with China, their strong neighbor, or the U.S. on the other side of the world. Taiwan President-elect Chen shui-Bian supports PNTR because he says it would promote greater cooperation between mainland China and the free world as well as contribute to peace and stability.

As for human rights, labor and environmental issues, it is clear the U.S. cannot exert influence if it is disengaged. Although the effectiveness of the oversight measures in the PNTR package is disputed, the measures do, in fact, make workable mechanisms available to the U.S. to take retaliatory action against any breakdown in our expectations of China. With the passage of PNTR, China will have the opportunity to prove to the world its ability to greatly improve its record. In turn, the U.S. and other WTO nations, will have the opportunity to hold China more accountable.

My vote for PNTR is a vote to open markets in China's in order to promote jobs in Georgia, and for a safer world.

Mr. HEFLEY. Mr. Speaker, China has a continuing legacy of human rights violations and oppression which cannot be ignored. Year after year we have been told, ''Give most-favored-nation status to China and their government will be forced to reform.'' We heard that during the Bush years. We hear it during the Clinton years.

Let us look at the score card a little bit.

We gave most-favored-nation status and they continue their policy of population planning with forced abortion.

We gave most-favored-nation status and they continue not to tolerate any dissent of any kind; the imprisonments, the torture, and the killings go on.

It was reported in the beginning of May that Chinese police cut off a villager's tongue after he was detained for writing anti-corruption slogans on a communist party office building.

We gave most-favored-nation status and they continue to try to stamp out any religion that is not state-supported religion.

''In February, the family of 60-year-old Chen Zixiu, a Falun Gong follower, were asked to collect her body from a police station in Shandong province where she had been detained for four days. Her body was covered with bruises, her teeth were broken and there was blood coming out of her ears. She was arrested on suspicion of planning to go to Beijing to petition the authorities against the banning of the Falun Gong.''

We gave most-favored-nation status and their policy of cultural genocide in Tibet continues.

''The International Campaign for Tibet reports that more than 1,000 monks and nuns were expelled from their monasteries and nunneries in 1999, bringing to more than 11,000 the number of monks and nuns turned out of their monasteries since the beginning of the 'Strike Hard' campaign in 1996.''

We gave most-favored-nation status and they sell nuclear and missile technology to some of our worst enemies.

''In addition, Beijing is aggressively developing strategic ties with Burma, North Korea, Iran, Iraq, Syria, and Pakistan.''

We gave most-favored-nation status and they make plans to invade Taiwan.

''An internal document prepared by China's Central Military Commission and published in the Western press states that the United States will 'pay a high price' if it intervenes in any China-Taiwan military conflict.''

We gave most-favored-nation status to them, and they have the biggest buildup of nuclear missile development of any country on the face of the earth.

PNTR supporters say access to China's huge market will increase U.S. businesses exports and create extra jobs in America. As it is, we have a 70 billion dollar trade deficit with China and most proponents of the agreement admit our deficit will continue to grow.

''In all likelihood there will be no great improvement in the trade balance. . . . And there will be no net extra jobs.''—National Journal.

The United States should not sell out for the promise of an extra buck. . . . a promise that will not be kept even if PNTR is passed.

If you have a rabid dog in your backyard, you don't welcome him into your home.

Vote ''no'' on PNTR with China.

Mr. THORNBERRY. Mr. Speaker, I rise in support of normal trading relations with China.

Trying to determine what course will be the best for the United States and for the people of China in the long run is not easy. No one has a crystal ball. However, I believe that is in the best interests of the United States and of the people of China to have more contact with and interaction rather than less.

First of all, trade with China directly affects hard-working Americans in my district. For example, more than one-third of our agricultural production is exported, and China is the largest potential overseas market for our cotton, beef, and other products.

Secondly, we cannot afford to forget that China has more people than any other country in the world; it has the world's largest economy after ours; and it has a strong military with missiles and nuclear warheads which can reach the United States. While Chinese leaders have done a number of things with which we do not agree, we should not ignore or cut off contact with a country that will inevitably play an increasingly important role in world affairs.

Finally, I believe that continuing trade with China is in the best interests of the people of China. They have more freedom today, than they ever had since the Communists took control in 1949. The areas where people have the greatest freedom are those areas with the most contact with the outside world. We should not hesitate to speak out strongly for the values we hold dear, such as freedom of religion. But we will not help the people of China to obtain that freedom by cutting back on our trade, contacts, and influence there.

For these reasons I will vote for normal trade relations with China and continue to work for the national security interests and values of the United States.

Mr. CRANE. Mr. Speaker, Congress takes an historic step today in considering legislation to grant normal trade relations to China. We do this to position our workers, firms, and farmers to take maximum advantage of the vast opportunities offered as a result of China's decision to join the WTO.

Just as importantly, we do this to reinforce the reformers in China who look in our direction and at our success, as they attempt to move the Chinese economy out from under the iron grip of Communism and stranglehold of state control. China's decision to adopt the WTO system of fair trade rules is a choice to impose the discipline of market-based principles throughout a vast country of 1.2 billion people. In my estimation, the revolutionary change WTO rules will bring to the Chinese economy dwarfs any other avenue of influence available to the U.S.

The trade agreement with China and this vote to normalize trade relations between our two countries have been hard fought and long awaited. For fourteen years, through Democrat and Republican Administrations, this body insisted that we would not take an empty trade deal with China. At last we have succeeded in obtaining a great win for Americans. In addition to the commercial benefits, this bill turns our relationship with China in a positive direction. By reinforcing the efforts of Chinese citizens fighting for change, we magnify our chances of maintaining peace, stability and security in Asia.

In bringing China into the WTO, we will obtain access to the WTO dispute settlement mechanism to systematically tear down barriers, if China chooses to be recalcitrant in any area. With a WTO finding on our side, and the collective judgment of 135 countries against China, we multiply ten-fold our leverage to bring China into compliance with the rules of fair trade. In the event China chooses to flaunt a WTO finding against it, we would have the ready option of imposing WTO-legal trade sanctions.

I expect this new approach to solving trade disputes with China to be many times more effective than our current method of threatening unilateral trade sanctions under Section 301.

Over the past 21 years, China has sought to reform its economy, encouraging the growth of the private sector. Since 1979, China's government policy toward the private sector has evolved from prohibition, to toleration, to active encouragement. The number of private sector employees (i.e. those working for a privately owned Chinese company or self-employed) rose from 4.5 million in 1985 to an estimated 81.3 million in 1999. Accounting for over half of China's economic output, the private sector in China has become a major force in the country's economic development.

China's membership in the WTO will require it to privatize a substantial portion of its economy, not only to conform to the WTO, but also to be able to compete internationally. Reduced government control over the economy will enhance living standards and economic freedom for the average Chinese citizen.

The growth of the private sector in China, which WTO membership will further encourage, has allowed many more Chinese citizens

to choose their employment, education, housing and recreation free from state control. According to CRS, privatization ''has reduced the pervasiveness of the work unit as a means of social control''.

We know that U.S. foreign investment exposes Chinese workers and managers to such principles as merit-based pay and promotion, individual rights and privacy, ethical business practices, transparency of business and payroll transactions, and free access to more information. Internet usages and the consequent flow of information into China are surging. Motorola, my own corporate constituent, provides wireless communications equipment that enables Chinese citizens to gain access to, and utilize affordable communications services.

Motorola directly promotes the exchange of ideas by sending hundreds of Chinese employees to its U.S. facilities each year to attend technology, engineering, and management seminars. In a country where only 10–15% of the people have access to a college education, this is precious training that allows for eye-opening exposure to the American way of life.

In 1998, Motorola established the Center for Enterprise Excellence (CEE) to provide training for management of China's ailing state-owned enterprises. As of June 1999, 500 executives and engineers of 75 state-owned enterprises from 15 provinces had received training. Motorola also provides scholarships to 8 universities in China—with money disbursed to approximately 1,000 students and 100 teachers every year.

Caterpillar has also worked with Illinois State University (ISU) to establish a learning center in Beijing.

Motorola pioneered a company-subsidized Employee Home Ownership Program in China. The program provides for an additional 20% of each employee's salary to be paid into a special housing fund. The money can be withdrawn and used to buy or rent a house or apartment, or to renovate an existing home.

U.S. companies export U.S. concepts of volunteerism, charitable giving, and community activism. For example, Motorola has contributed approximately $1.5 million to China's Project Hope—which focuses on providing funds and mobilizing non-governmental resources to support elementary school education in the poorest rural districts in China. Through these donations, Project Hope has built 24 primary schools and financed education for more than 6,700 children.

In short, a vote for normal trade relations, which will allow these types of exchanges to continue, is a vote for bringing American values and ideals much closer to average Chinese citizens.

I urge a ''yes'' vote on H.R. 4444.

[From the Daily Herald, May 23, 2000]

THE CASE FOR CHINA TRADE

Like it or not, China is a growing economic and military force with whom Washington must deal over time.

U.S. business interest are urging Congress to permanently normalize trade relations with China in a vote this week. That would drive China's tariffs down and further open the vast Asian nation to a wide range of American products.

American labor, by contrast, is lobbying hard for Congress to reject Permanent Normal Trade Relations. Unions argue that jobs would flow away from Americans and to poorly paid and highly exploited Chinese workers.

That many Chinese workers toil under miserable conditions is beyond dispute. But the hard reality is that their lives will not improve by Congress rejecting normalized trade with China.

China is going to be admitted to the World Trade Organization whether Congress OKs permanent normal trade relations or not. European nations have already built their own trade bridges while China. Congressional rejection of permanent trade status for China would merely guarantee that European and Pacific Rim nations would benefit from China's reduced tariffs and do so without competition from U.S. business. Illinois farmers and suburban companies such as Motorola would miss an opportunity that would carry direct and ripple benefits for thousands of workers here.

That's the economic side of the story. The political side is that Congress, by turning down permanent trade status, would introduce new tensions into U.S.-Chinese relations that would serve no positive purpose for the United States or China's citizens.

Like it or note, China is a growing economic and military force with whom Washington must deal over time. Those dealings are often frustrated, given China's oppression of its citizens, aggressive stance toward Taiwan, ambitious weapons acquisition and resistance to granting political liberty even as it experiments with limited economic freedom.

But to nurture a long-term relationship with Cuba is nonetheless in the best interests of the United States, and such a relationship can be better built and sustained between two countries that are cooperating—not battling—over commerce.

China's leaders make it difficult for Washington to work with Beijing even when doing so is in America's better interests. That was true when Richard Nixon traveled to China and when the U.S. agreed to China's admission to the United Nations. It remains true today, when a vote for permanent trade status is a tough vote but the correct vote noneless.

Mr. GEJDENSON. Mr. Speaker, we are making a critical decision today on whether to grant permanent normal trade relations to China. This is not an easy decision. Before casting my vote, I considered the advice and counsel of my constituents and experts in the field. And, after weighing the complexity of the PNTR issue and the long-term implications of this vote, I have decided to vote against granting permanent normal trade relations to China.

While this bill would have an important economic impact, it fails to honor American values regarding human rights, labor protections and the environment.

Free and fair trade makes sense for America. If given a level playing field, American companies and workers can compete with any other in the international marketplace. Indeed, to a great degree, globalization and free trade have helped to sustain this country's record prosperity and economic expansion over the past decade.

Yet, free trade alone, without consideration for human rights, basic labor standards, and environmental protection will only encourage a race to the bottom.

For over a decade, I have been troubled by the message our China policy has sent to the Chinese people, to our citizens and to the rest of the world. Despite egregious human rights violations, China's export of weapons of mass destruction around the world, repeated crackdowns on religious freedom and its continued occupation of Tibet, we have refused to establish a bottom line in our relationship with China.

Regardless of the policies pursued by the Chinese regime, we continue to send a message that economic interests override our concerns regarding abuses of human rights, labor standards and the environment.

Just as our trade policy with Japan and Europe has evolved throughout the years to give priority to issues such as market access and intellectual property rights, we need to ensure that basic labor and environmental standards and respect for human rights be given similar weight at the negotiating table.

There are some who have argued that increased contact with China will improve the country's dismal record on these issues, especially through the use of information technology and the Internet.

While I agree that the Internet has promoted the spread of information, our recent history with China has shown that increased economic engagement will not necessarily lead the country down a path to democratic reform.

Indeed, we have stood by and watched a systematic deterioration in China's respect for labor, the environment and human rights, including most recently, a series of violent crackdowns on members of the Falun Gong movement.

It is cruicial that we continue to engage China out of concern for our own national security interests as well as the interests of China's democratic development. For that reason, I'm pleased that the legislation before the House today contains a bill I introduced authorizing commercial and labor rule of law assistance to China.

Mr. Speaker, this vote is not just about granting permanent normal trade relations to the People's Republic of China—it's about sending a message to the world that is consistent with the values that have made our nation great. Until such an agreement is before us, I am left with no choice but to vote no.

Mr. WEYGAND. Mr. Speaker, I rise in opposition to granting permanent normal trade relations to China and urge my colleagues to do the same.

Our nation continues to experience unprecedented economic growth. A major factor in that growth is the expansion of international trade and the increased global competitiveness of U.S. businesses.

Expanding export opportunities is especially important in the Northeast where the economy is still transitioning into a high-tech economy. The economic base of the manufacturing, jewelry, and textile industries has been slow to adapt to the global economy. Increasing export opportunities for these sectors is critical to foster our continued economic growth.

It is possible to enter into trade agreements that will result in higher wages, cleaner air, and greater consumer safeguards. However, because we cannot look into a crystal ball to find out how a trade agreement will turn out, we must address environmental and consumer safeguards and worker rights at the outset. Additionally, in today's high-tech world, agreements should also contain provisions that protect intellectual property and allow equitable market access for all trading partners. Unfortunately, there are many countries that do not provide adequate market access, protect intellectual property, take steps to preserve the environment, respect internationally accepted worker rights, or have adequate measures in place to ensure consumer safety.

In an effort to expand opportunities, I strongly support export assistance programs such as the Export-Import Bank (EX–IM) and the Overseas Private Investment Corporation (OPIC). Together these two institutions provide critical financial assistance to American businesses seeking to expand their business into foreign countries. By providing insurance, loans, and loan guarantees, EX–IM and OPIC ensure that U.S. businesses are able to compete in markets that are often unstable and where foreign companies are subsidized by governments.

Additionally, as a member of the House Banking and Financial Services Committee, I am addressing the impact of trade on international financial markets. In particular, we have had to consider several financial crises in the last two years. Financial problems in Asia, South America, and Russia have led to other trade problems, most notably the dumping of foreign products into the U.S. marketplace. In an effort to mitigate the impact of the financial crisis. I have supported an increase in U.S. payments to the International Monetary Fund (IMF). This funding helped to replenish the IMF's resources depleted by the financial crises in Asia, Mexico and Russia and to prevent the meltdown in the world economy from striking the United States.

There continues to be substantial debate about the progress that China has made on worker and human rights, market accesses, and protecting intellectual property. In fact, the U.S. government continues to express its concerns regarding these issues, as indicated in the 1998 Annual Report on Human Rights and the 1999 Trade Policy Agenda and 1998 Annual Report of the President of the United States on the Trade Agreements Program.

Exports from the United States to China are far outweighed by goods imported to consumers in our country by China. According to the Library of Congress, our trade deficit with the Chinese was nearly $57 billion in 1998 and, as our country's fourth largest trading partner, China is poised to exceed our trade deficit with Japan within a few years. High tariffs, in some cases in excess of 100%, restrictions on distribution, restrictions on investment, and non-tariff barriers including quotas remain substantial impediments to market access for U.S. companies. In my opinion, this trade imbalance is troublesome and we must signal our intention to China that the playing field for American businesses must be leveled.

By opposing this bill we send a message to China that improvements regarding human and worker rights, our growing trade deficit, intellectual property protections, and child labor must be made before permanent normal trade relations, and child labor must be made before permanent normal trade relations is granted.

Again, Mr. Speaker, I urge my colleagues to oppose PNTR for China.

Mr. STENHOLM. Mr. Speaker, I rise in support of the bill to provide for normal trade relations with China on a permanent basis, otherwise known as PNTR. I will focus my remarks on the potential benefits of this market opening agreement for U.S. farmers and ranchers. I believe those benefits will be significant, and I am in good company in that belief. Nine Secretaries of Agriculture who have served since John F. Kennedy support PNTR for China. But like my colleagues, my decision is much more broadly based. I believe that United States engagement with China will help persuade the Chinese to play by the rules in agricultural trade, and cause China to improve its record on human rights, labor, and environmental issues. And I am in good company in this belief as well—Billy Graham; former President Jimmy Carter; Martin Lee (champion of Democracy in Hong Kong); Dai-Ching (Chinese investigative journalist and environmentalist); all agree that the best way to improve China's performance on human rights and the environment is to engage China.

BENEFITS FOR AGRICULTURE

CHINA'S NEED

I have heard the argument that China, with 21 percent of the world's population and 7 percent of the world's arable land, doesn't need U.S. agricultural products. Some have stated that between 1992–1998, China exported about $4 billion more in agricultural products than it imported in each of those years. But this does not reflect the significant agricultural imports that enter China ''off the books'' through Hong Kong. If we look at agricultural trade for China and Hong Kong for the 1992–1998 period, we get a clearer picture of the full potential of the Chinese market. According to the U.N. Trade Database, China and Hong Kong annually imported about $5.5 billion more in agricultural products than they exported. If you include fish and forestry, China and Hong Kong's net annual deficit in agricultural imports was even larger—$6.9 billion. And these numbers do not reflect the predicted growth of China's middle class, and its increased demand for meat and other agricultural products. USDA's Economic Research Service [ERS] and private United States agricultural commodity groups believe that China will continue to be a major market for United States agricultural products, and that China's accession to the WTO will expand that market.

SUMMARY OF CHINA'S WTO AGREEMENT

With regard to the agricultural products that U.S. producer groups identified as priority items, the average tariff will fall from 31 percent to 14 percent. This means that these United States agricultural products will face less than half the tariff they currently face in the Chinese market. China has agreed to end import bans and its discriminatory licensing system for bulk commodities, including wheat, corn, cotton, rice, and soybean oil. China has also agreed to establish a WTO consistent tariff-rate quota [TRQ] system with in-quota tariffs of 1–3 percent. Specific rules for the administration of these TRQs, and a percentage of trade reserved for non-state trade, will help to ensure the quotas get filled, and will increase demand for U.S. agricultural products. All of this ensures an initial minimum level of access for wheat, corn, cotton, rice, and soybean products—that will increase as the agreement is fully implemented.

China's commitment on export subsidies means that United States exports of corn, cotton, and rice will not compete with subsidies from the Chinese government in third country markets, such as South Korea, Malaysia, and Indonesia. China's commitment to cap and reduce domestic subsidies will reduce incentives to overproduce. China's commitment to provide greater transparency with regard to its domestic subsidies will increase predictability with regard to China's agricultural production. China has also agreed to abide by the WTO agreement on Sanitary and Phyto-sanitary regulation, and has already implemented rule changes that have allowed imports of United States citrus, wheat, and meat. China has also agreed that the United States may continue to use its anti-dumping methodology for 15 years, and has agreed to an additional ''product-specific'' 12-year safeguard provision. Together, these provisions give U.S. producers a level of protection above and beyond that provided for under normal WTO rules.

Finally, China has agreed to allow any entity to import most products into any part of the country within 3 years of accession, and to liberalize distribution services for agricultural products. This means United States companies will be allowed to market their products in China. Let's look at the potential of this agreement for some specific commodities. For cotton, China committed to a tariff-rate quota of 743,000 tons for cotton in 2000, increasing to 894,000 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 ⅔ of the quota, which means we help avoid the problem we have sometimes had in the past with quotas going unfilled. USDA's Economic Research Service [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. That's why National Cotton Council President Ronald Rayner congratulated U.S. negotiators on the agricultural agreement, stating that it will ''benefit the U.S. cotton industry with greater access to the Chinese market and a promise of less subsidization by the Chinese''. For corn, China committed to establish a 4.5 million ton tariff rate quota in 2000, rising to 7.2 million by 2004. Within quota imports would be subject to a 1 percent duty, and over-quota duties would be 77 percent in 2000, dropping to 65 percent by 2004. Nonstate trade companies get ¼ of the quota in 2000 rising to 40 percent by 2004. ERS projects that China's net imports of corn in 2005 will increase by $587 million, if it joins the WTO. United States exports to China have averaged about 47 million bushels over the past 5 years. The National Corn Growers Association states that ''we have an opportunity to triple that average if, when China joins the WTO, the United States is prepared to grant China permanent normal trade relations.'' The Corn Growers add: ''China's impressive growth in national income is projected to lead to increased consumption of food and fiber. At the same time, growing resource constraints on agricultural production are making China increasingly reliant on trade.''

For wheat, China committed to a tariff-rate quota of 7.3 million tons in 2000, rising to 9.64 million in 2004. In quota duty would be 1 percent and out of quota duty would be 77 percent in 2000, falling to 65 percent by 2004. Nonstate trade companies get 10 percent. ERS projects that China's net imports of wheat in 2005 will increase from $231 million to $773 million, if it joins the WTO. What does the National Association of Wheat Growers say?: ''The United States market is currently open to China; this agreement serves to open the Chinese market to American products and services. This agreement will give United States wheat producers a far greater sales opportunity to a country with 1.2 billion consumers, with a potential 10 percent increase in total annual United States wheat exports.''.

For soybean products, China has agreed to a tariff rate quota of 1.72 million tons of soy oil in 2000, rising to 3.26 million in 2005. The in-quota duty is 9 percent and over-quota duty is 74 percent in 2000, falling to 9 percent in 2006. Nonstate traders get half the quota in 2000 and 90 percent by 2005.

ERS projects that China's net imports of soybean products in 2005 will increase by $180 million, if it joins the WTO. Here's what the American Soybean Association has to say: ''ASA strongly supports WTO membership for China, and urges Congress to extend permanent NTR status to China.''

CONCLUSION

Overall, the Economic Research Service concludes that China's implementation of its WTO obligations between 2000 and 2004 will add $2 billion to the bottom line for United States farmers and ranchers in 2005. And ERS is not alone in its view. According to Worldwatch's Lester Brown, China's water supplies in its grain-producing areas are falling at a high rate. Brown sees massive grain imports and growing dependence on U.S. grain. A report dated May 23, 2000 from Kyodo News International confirms Brown's story, stating ''A severe drought in northern and eastern China threatens millions of hectares of crops and is causing widespread drinking water shortages.''. The total area affected is about 31 million acres. 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 as a result of China's accession into the WTO. This is likely to occur as Chinese consumption levels increase, domestic production patterns skew more to global prices, China ceases to employ export subsidies, and there is a commensurate decline in Chinese agricultural exports to the Asian region. While this agreement may be with China, it will have impacts far beyond Chinese borders.'' To put ERS numbers on China into context, I will mention another number, and that is the amount farmers and ranchers lost in 1996 due to various U.S. economic sanctions placed on countries around the world.

According to the ERS, we lost half a billion dollars in 1996 due to those sanctions. But that is less than a fourth of the $2 billion ERS says 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 agricultural products each year. That's about half of the $14 billion worth of agricultural products China imports annually. Fortunately, we are moving in the right direction in our policy on sanctions, and the administration's changes last year have allowed sales of corn to Iran and wheat to Libya. Let's move forward on China too, and stop giving away agricultural markets to our competitors. And let's do so just because this is a good deal for farmers and ranchers. Let's think about what the Billy Graham Center has to say about permanent normal trade relations with China. And, by the way, they are the ones who coordinate services for more than a hundred Christian organizations involved in service in China. They say that denial of PNTR will ''seriously hamper the efforts of Christians from outside China who have spent years seeking to establish an effective Christian witness among the Chinese people''. I urge your support for permanent normal trade relations with China.

Mr. SHAYS. Mr. Speaker, today, we will make a crucial decision about our place in the global economy. The question of voting for permanent normal trade relations with China is easily answered in economic, social and political terms. Formalizing a freer trading relationship with China will help American employees and employers alike. For China, PNTR will promote democracy, a better standard of living, and ultimately improve human rights. The vote on PNTR is a necessary step toward China's full membership into the World Trade Organization [WTO]. Members of the WTO agree to be governed by a set of rules allowing for a relatively open trading relationship among them.

For China to complete its accession to the WTO, it will have to change many of its laws, institutions and policies to make them conform with international trade rules. China must complete negotiations with the WTO, and separately with its various trading partners within the WTO, including the United States. China is the world's third largest economy after the United States and Japan, and the largest not a member of the WTO. It has the world's 10th largest trade economy. If we fail to pass PNTR, our economic competitors in Europe and Japan will have greater access to this huge and still-growing Chinese market—while our own access will still be blocked. American business can compete anywhere in the world and win—if it is given a relatively level playing field. The bilateral agreement signed in November 1999 forces China to remove protectionist barriers to its markets, while protecting import-sensitive American industry from a flood of new Chinese imports.

The United States has made no significant concessions to China, because we already have few barriers to our market. The agreement gives our business equal access to the Chinese market. The American export sector—which already accounts for 11 million jobs—will be strengthened further. According to most experts, China is on the verge of huge infrastructure expenditures over the next few years as it attempts to catch up with Europe, Japan, and the United States. Most of these projects will be contracted to Western firms. This could be a boon to southwestern Connecticut. In 1998, the Stamford-Norwalk area alone exported $86 million worth of goods to China.

There are some in Congress and throughout our country who want to deny PNTR to China to punish it for its terrible human rights record. But closing off China will not bring any improvement in the way it treats its citizens. An isolated China will continue to repress its population and forestall the onset of democracy and freedom. A nation cannot engage in free trade without educating its citizens. The more educated a country's citizens become, the more they want and are empowered to demand an open society and freedom. In truth, the most subversive action we can take towards the oppressive Chinese regime is to encourage free trade. Communist hardliners argue the defeat of PNTR will make it easier for them to thwart the movement toward democracy and capitalism. In the absence of interaction with the United States, these hardliners will be able to restrict communication, stop foreign travel, and pull the plug on the Internet. Reform will wither on the vine.

Taking a look at recent history, Communist dictatorships that had interaction with the West—the Soviet Union, Poland, Romania and Hungary—are dead. Those shut off from the rest of the world—Fidel Castro's Cuba and Kim Jong Il's North Korea—are still brutalizing their citizenry. For me, the issue is clear. PNTR is essential to our full participation in the emerging economy of the future. We win access to Chinese markets. China becomes exposed to the type of information and prosperity that builds democracy and freedom. Candles give way to electric lights. The horse and carriage gave way to the automobile. Typewriters gave way to word processors and ocmputers. We cannot repeal the law of gravity. We are in a world economy, and China is a large and vital part of that economy. Permanent normal trade relations with China should be approved by Congress and welcome by all Americans.

Mr. KNOLLENBERG. Mr. Speaker, this is an historic day for the workers, business leaders, and reformers in China and the United States. Today Congress has the opportunity to push our relations forward by breaking down the walls surrounding China and supporting its entrance into the World Trade Organization. As we cast our votes today, I ask my colleagues to carefully consider the incredible potential this opportunity offers for the Chinese and American people. Passing PNTR supports freedom in China.

As long as China's barriers to the United States remain, our relationship with the Chinese people will be restricted. By breaking down Chinese barriers to trade, while enhancing our own protections, we are creating new opportunities for American and Chinese people to work together and develop new ways to agree. Bringing China into the WTO will increase the exchange of cultures and ideas, which will in turn foster new areas of cooperation and progress. This is the most effective way to provide support for the reform-minded Chinese people who need our help the most. On their behalf, Congress should extend PNTR to China. Passing PNTR also supports the United States.

Some Members may come to the floor today to claim the United States workforce and economy will suffer from greater competition with China. However, these Members are misinformed. To the contrary, the United States Trade Representative should be congratulated for her effective negotiations. This is a one-way deal. The United States will continue our current tariff levels on all Chinese imports, with new protections, and in return China will drop its average tariff level by 62 per cent. By voting yes, only China will have to change its laws.

This vote is about the power of economic freedom and prosperity, as displayed in the United States. It is true that as China expands into the world markets of goods and services, the United States will face new competition. It is also true that for the first time, the domestic Chinese economy will face direct competition from the United States. The American economy is leading the world—primarily as a result of the strength of the American workforce. I have faith in the productivity and entrepreneurial spirit of the American economy to continue this leadership and find new opportunities for success in China. Congress should embrace trade with China, and the competition it brings, because this will lead to a higher standard of living for the people of the United States as well as the people of China. That is how we make progress.

Mr. Speaker, I urge my colleagues to carefully consider the incredible opportunity this vote offers. On behalf of American and Chinese workers, businesses, and reformers, I urge my colleagues to support progress with China and vote for PNTR.

Mr. CASTLE. Mr. Speaker, I rise today in support of H.R. 4444, to authorize extension of permanent normal trade relations [PNTR] to the People's Republic of China [PRC]. I do so because, fundamentally, I believe that extending PNTR to the PRC is in the United States' short-term and long-term national interest. Our economic interests and our democratic values necessitate extending PNTR to the PRC.

Extending PNTR to the PRC is in our national interest because extending PNTR is a necessary precondition for United States companies to enjoy the full advantages of China's entry into the World Trade Organization [WTO] and the fruits of thirteen years of difficult bilateral negotiations between the PRC and the United States. For my State of Delaware, this bilateral agreement opens perhaps the most important emerging market to our exports, benefitting key industries and creating export and employment opportunities. Extending PNTR to the PRC would significantly benefit Delaware's key export sectors, including agriculture, poultry, insurance, financial, and chemical products.

According to the United States Department of Commerce, Delaware's merchandise export sales to China in 1998 totaled $69 million, up 17 percent from $59 million in 1993, and China ranked as Delaware's 16th largest export destination in 1998. Delaware's exports to China are becoming more diversified, with 1998 exports encompassing 17 different product categories, up from 12 product sectors in 1993. In twelve of these product sectors, exports from Delaware to China more than doubled from 1993 to 1998.

I believe those who claim that the PRC will benefit more from receiving PNTR with the United States are mistaken. The United States will greatly benefit from PNTR with China, because currently the United States market is already open to Chinese exports. To join the WTO and receive PNTR, China must make all the concessions—opening its markets, eliminating barriers, and implementing comprehensive trade and investment reforms. As a result, the terms for Chinese WTO membership represent an extraordinary breakthrough for Delaware workers, farmers, and consumers. Delaware clearly will have expanded opportunities to extend its exports to Chinese markets, and ensuring that China adhere to global trade rules is in Delaware's strong interests.

Because China has received Normal Trade Relations under United States law annually since 1980, United States tariffs would remain exactly the same if PNTR is approved. In contrast, failure by Congress to extend PNTR would squander 14 years of negotiations, invite the unraveling of China's extensive WTO commitments and shut American companies and farmers out of the world's biggest emergency market for years to come.

The stakes involved are high. Trade is much more than the sale of U.S. goods and services. It is also an exchange of ideas, beliefs, and values that changes and enriches all who participate. When we trade with China and bring it into the integrated global trading arena, we are in a strong sense exporting our American democratic values, beliefs and practices. To be sure, there are real hurdles that China faces with our relationship with it, but engaging and enveloping and integrating China into ''the world of trade'' is tremendously important. We realize that implementing the agreements associated with PNTR will be slow and difficult, but Chinese government leaders and economists hope the process of normalizing trade with the United States will help close inefficient state enterprises that employ a great number of Chinese, and help reduce government censorship.

Like most Americans, I continue to be concerned that despite the positive influence trade with the United States has had on China's development toward more open, liberalized trade policies, serious human rights, trade, security, and weapons proliferation issues remain. Though sometimes it seems difficult to see how these things have improved, I would observe the following: the number of international religious missions operating openly in China has grown rapidly in recent years. Today, these groups provide educational, humanitarian, medical, and development assistance in communities across China. Despite continued, documented acts of government oppression, people in China nonetheless can worship, participate in communities of faith, and move about the country much more freely today than was even imaginable twenty years ago. Today, people can communicate with each other and the outside world much more easily and with much less government interference through the tools of business and trade: telephones, cell phones, faxes and e-mail. On balance, foreign investment has introduced positive new labor practices into the Chinese workplace, stimulating growing aspirations for labor and human rights among Chinese workers.

Nevertheless, we must continue to work to improve human rights and expand freedom in China. I have voted for legislation which overwhelmingly passed the House that voiced my strong disapproval of China's actions and policies. We can and must continue to place pressure on China without punishing American businesses and farmers. I have voted to direct House committees to hold hearings and report appropriate legislation to the House addressing U.S. concerns with China's trade practices, human rights record, military policy, and promotion of weapons proliferation. I do not believe that the annual congressional debate, linking justifiable concern for human rights and religious freedom in China to the threat of unilateral United States trade sanctions has been productive. Some will say, the debate on the problems we have with China will end if we extend PNTR to China. To those I say, the debate will never end, and the pressure will never cease until China demonstrates a commitment to a freer and democratic nation. Indeed, by extending PNTR to China, the pressure on China to address our concerns may prove to be even greater and more consistent.

Clearly, the Chinese Government has a long way to go, and the positive developments we seek will no doubt come about gradually. The issue now before the House of Representatives is how to best encourage China to respect international norms of behavior in all areas, and what can the United States government do that will best advance human rights and religious freedom for the people of China. Are conditions more likely to improve through isolation and containment, or through opening trade, investment, and exchange between peoples? The answer is clear to me.

I believe the best way to encourage the type of behavior we desire is through policies that promote the rule of law, free trade, economic reform, and democratization in China, for these are the seeds from which democracy can grow. Therefore, I believe the U.S. should continue to pursue our historic and long-standing policy of ''engagement,'' rather than containment, with China, based on the premise that the United States will be best able to influence the growth of democracy and market-oriented policies in China through enhanced diplomatic and trade ties, which over time will hopefully bring improvements in human rights and economic conditions. The Chinese government in much more likely to develop the rule of law and observe international norms of behavior if it is recognized by the U.S. government as an equal, responsible partner within the globalized trading community of nations.

History has shown that when people are empowered economically, they also become empowered politically. Economic freedom precipitates political freedom. China's citizens will come to have greater choice about their lifestyles and employment and to enjoy enhanced access to communication and information from the United States.

The longer China's trade is governed by the rule of law and is transparent, the quicker they will assimilate into the global system of trade, and raise their standard of living. U.S. private enterprises trading with Chinese private enterprises will help change the status quo between our nations better than any diplomatic agreements we may enter into. As noted earlier, although I am dissatisfied with some of China's recent actions, I am convinced we still need to maintain mechanisms for engagement, and a functioning, bilateral trade relationship provides a framework for helping to restore our long-term interests in China. Human rights must not be violated, and the U.S. will not trade with people who do not provide their own citizens basic human rights and decencies. However, I believe that entering into PNTR is in our national interest, and that not going forward with it would undermine any competitiveness we have with China, while it itself enjoys all the advantages that PNTR provides with every other of the 133 WTO member-nations. China must adopt free and fair trade practices, and we should help facilitate that as much as we can, without sacrificing our values.

This legislation includes important authority to allow the Congress to monitor China's compliance with this agreement. This includes a process which would begin with an annual report from the U.S. Trade Representative, followed by hearings on Chinese trade practices. Congressional panels could then instruct our trade representative to investigate any trade violation and pursue a resolution through the WTO, the 135-member body that sets the rules for international trade. Also included in this legislation is the establishment of a congressional-executive commission that would pressure China to improve its record on human rights, labor, and rule of law, providing for enhanced monitoring of China's conduct in areas from trade to human rights, as well as efforts to make labor rights a higher priority in U.S. trade policy.

China is at a turning point in its history. A yes vote on normal trade can help propel it

forward to greater liberalization and engagement with the West. A no vote will encourage Chinese hard-liners to resist change, and even be perceived in China as a vote for confrontation. It will weaken those who work for change, and strengthen those who oppose it at any cost. Our choice is clear. We can try to push China in the right direction, and gain the benefits, or, we can force them in the wrong direction, and pay a price. But standing for freedom, democracy, human rights, security and peace, we must extend Permanent Normal Trade Relations to the People's Republic of China today.

Mr. VENTO. Mr. Speaker, I rise today in strong opposition to H.R. 4444, legislation which would grant Permanent Normal Trade Relations [PNTR] status to China.

To be honest, the idea of permanently altering our relationship with China troubles me. We have been wooed into complacency with the trade agreements hammered out last fall in the WTO accession negotiations. But the million dollar question that no one seems to be asking is: If China plans to abide by their promises, why are they—and why are we—afraid of a yearly review? The fact is that China has repeatedly violated trade agreements and has all but acknowledged that this time will be no different. Why do we think that a permanent extension will be the magic tool to make China suddenly change their ways? It defies logic. In fact, PNTR commends the existing track record of violations and noncompliance. A yearly review of our trade relationship with China may not be the ideal way to promote change. It is, at best, a blunt instrument. But it is one of the only mechanisms we have today to highlight this regime's lack of compliance with internationally accepted norms. The PNTR advocates have conjured up a crisis in which only approval will save the day and U.S. face. This is a farce and a mistake that will overshadow any prospect for real progress on key human rights and economic justice issues that affect China/U.S. relations.

Repeatedly, China's government has proven itself to be one of the most oppressive in the entire world. Many of my colleagues are willing to turn a blind eye toward these injustices—clamoring to capitalize on a promise of economic gain, with indifference to the human indignities upon which it may be built. But even this ''expanded market'' rationale is flawed. If China were indeed a market for ''Made in the USA'' goods, expanding trade could have the potential of boosting our economy and helping working Chinese families. And conversely, if we were importing goods from Chinese owned businesses, we might have a small opportunity to promote free enterprise with China. However, neither one of these scenarios reflect reality. American companies merely use China as a production platform—a manufacturing site for goods, which are then sold in the United States for inflated profit! Jobs that have traditionally provided American workers with living wage employment within the USA and a real chance to join the middle class are being—and will continue to be—exported to China, where companies can exploit the labor conditions and people. The notion that somehow this trade policy will turn China around on a dime is wishful thinking; it is time to face reality and get our heads out of the clouds.

Why would we lower the standards and protections that provide the foundation of our economy and prosperity? Trade pacts have too often been the Trojan Horse that undermines progress in emerging areas not only in the host of human rights issues, but also environmental policy, health, and safety standards.

Don't vote for the PNTR proposition that says; ''Heads we win, tails you lose.'' This, simply put, is a false syllogism, a created crisis that will lead to higher trade deficits with little prospect for a sound economic or social order in U.S./China policy. Amendments and study commissions aren't the answer. Congress doesn't have to reinvent itself and set up special groups, in essence trying ourselves and our deliberation process in knots to justify oversight and some phony ''monitoring'' scheme. If Members of Congress can't vote now on the reality of the situation before us, what would lead the PNTR advocates to believe we would be more willing once this policy is actually in place?

I will not vote to relinquish ability to annually review China's record, to advocate for my constituents' interests, and to promote the core values that have sustained our nation as the world's most successful economy and the promise for individual human rights around the globe. I urge my colleagues to join me in opposing this legislation.

Mr. COMBEST. Mr. Speaker, I rise in strong support of H.R. 4444, a bill that will grant permanent normal trade relations to China. This agreement is a tool U.S. farmers and ranchers can use to their great benefit.

China represents an agriculture 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 that country and bring China more fully into world trade membership.

The economic benefits of this agreement for U.S. agriculture are clear. China's participation in the WTO will result in a least $2 billion per year in additional U.S. agricultural exports by 2005.

More than 80 U.S. agricultural groups support extending permanent normal trade relations to China. This is what a few of them have to say about the benefits of the U.S.-China agreement.

The U.S. wheat growers say that PNTR with China represents a potential 10% increase in U.S. wheat exports.

U.S. pork producers believe that China PNTR could pave the way for an increase in the value of hogs by $5 per head.

Poultry producers say that because China is already the largest U.S. export market for poultry ($350 million in 1999), under PNTR, it could become a $1 billion market in a few years.

Cattle producers believe that a vote against China PNTR is a vote against them. They expect to almost triple beef exports to China by 2005.

U.S. corn growers believe they have the opportunity to immediately triple their 5-year average of corn exports to China with acceptance of permanent normal trade relations.

Some who oppose normal trade relations with China will say that China has an agricultural glut and will never buy U.S. agricultural products. 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 staple commodities by 2005. On top of that, $400 million of U.S. fruits, vegetables, and animal products can be sold by 2005 with China's entry to the WTO. That's $2 billion more of agricultural exports by 2005.

Still others argue that China is self-sufficient in agricultural production, that it produces enough to feed its own people and it does not need U.S. commodities. The trade numbers do not reflect that at all.

According to the United Nations statistics, during the 6-year period ending in 1998, China was a net importer of agriculture products every year. During this period, China's average trade deficit was $5.5 billion for agricultural products. If fish and forestry are included with other agricultural products, the deficit goes up to $6.9 billion.

The Worldwatch Institute Chairman Lester Brown says 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. China imports large amounts of U.S. agriculture commodities right now, some through Hong Kong ($2.5 billion in 1999 of agricultural, fish and forestry products). As the diets of the Chinese improve, there will be more demand for high quality agriculture products and valued added food products. This is what U.S. farmers and the food industry can provide to Chinese consumers.

China has access to the U.S. market right now. China will become a member of the WTO and after its accession will still have access to the U.S. market. The vote on normal trade relations with China will decide whether U.S. agriculture will have improved access to the Chinese market or will cede that market to the competitors of U.S. agriculture.

Without approval of H.R. 4444, or agricultural competitors around the world will gain the benefit of the agreement negotiated by the United States with China and our farmers and ranchers will not. We cannot allow that to happen.

Without approval of H.R. 4444, no enforcement mechanisms will be available and the U.S. will not be able to use WTO dispute settlement provisions, a critical weapon to ensure U.S. trading rights. The ability to enforce tariff rate quotas will be undermined. The U.S. could not challenge Chinese export or domestic subsidies that hurt U.S. exports in other markets. We could not enforce the benefits of the sanitary and phytosanitary agreement that was negotiated with the Chinese and is important to U.S. citrus, wheat and meat producers. Additionally, the special safeguard provisions, to protect against import surges, negotiated by the U.S. would not be available.

The economic case for supporting permanent normal trade relations with China has been made, especially for U.S. agriculture. It is crystal clear; we have nothing to lose and everything to gain.

I strongly urge my colleagues to support H.R. 4444. A vote for this bill is a vote of support for United States farmers and ranchers.

Mr. PORTER. Mr. Speaker, as we enter into debate today on normalizing trade with China, there are certain realities which must be acknowledged. Reality one, the human rights abuses in Chinese today are abominable. China continues to deny its citizens the most basic of human rights: freedom of speech, freedom of assembly and freedom of worship. Reality two, China will enter into the World Trade Organization whether Congress passes PNTR or not. Reality three, isolating China from the United States and the rest of world, will not improve human rights for the Chinese.

I would like to thank the gentleman from Nebraska (Mr. BEREUTER), the gentleman from Michigan (Mr. LEVIN) and the gentleman from California (Mr. DREIER) for including an essential human rights provision in the Levin-Bereuter package—increasing authorization funding for international broadcasting operations in China and neighboring countries.

A fundamental prerequisite to political and economic freedom is an informed citizenry. One of the best and most cost-effective ways to help enhance the respect for human rights abroad is to disseminate reliable information that serves to foster the spirit of democracy in closed societies. Arming citizens with reliable, accurate information will eventually enable them the power to create change. By doing so, not only is the U.S. interest served by helping to spread democracy, but democratic activists are also empowered to challenge the status quo.

Successful in the former Soviet Union and Eastern Europe, Radio Free Europe/Radio Liberty provided this accurate information to help bring down the Iron Curtain. Radio Free Asia as a surrogate for a free press in the People's Republic of China, along with Voice of America, provide an invaluable source of uncensored information to the Chinese people. RFA currently broadcasts 24-hours a day in three languages in China (plus Tibetan in Tibet), and VOA broadcasts 126 hours a week in three languages with five hours a week of television.

Unfortunately, however, many of these signals do not reach the intended audience because of the jamming practices of the Chinese government. Stronger signals are needed to counteract this jamming. Internet is a medium increasingly used by the Chinese, however the government jams these sites as well.

The number of Chinese who risk their lives by listening to RFA and VOA is staggering. More staggering is the number of Chinese who put their lives in jeopardy by calling into RFA's ''call in'' shows. In the first three months of this year alone, RFA reported an average of 27,200 calls per month. Unfortunately, due to the limited resources of RFA less than 2% of these callers were able to speak with RFA broadcasters. The United States is the wealthiest country in the world. Surely, during this time of unparalleled economic boom we can find a few more dollars in our budget to provide resources so these callers, callers who risk their lives by simply picking up a telephone, may be allowed to have their voices heard.

As China struggles with democracy, human rights and freedom, the importance of independent media sources cannot be underestimated. The Chinese government will be less likely to commit abuses (if RFA and VOA are shining light on their injustices while promoting democracy and an understanding of our country. If we hope to bring stability and democracy to Asia, we must not isolate the largest country in the world. We must not turn our backs on the those fighting for freedom and the rule of law. I support extending permanent normal trade relations with China and do not oppose China's entry in the World Trade Organization. I strongly believe that membership in the WTO can be used as a catalyst for reform in China. Through greater involvement in the world community and economic liberalization, China will become a more responsible nation, with one day a reality of respecting human rights and the rule of law.

Mr. NUSSLE. Mr. Speaker, I rise today to share my support for H.R. 4444, legislation to amend the Trade Act of 1974 to grant normal trade relations to China. I support H.R. 4444 because I believe this legislation will not only open Chinese markets to United States products, but will also serves as the next best step we can take in our relationship with China.

I believe I join all of my colleagues in saying that I have serious concerns about the Chinese government, most specifically the current trade deficit, national security concerns, and human rights violations. In 1980, we first granted China annual Most Favored Nation (MFN) status, now known more accurately as Normal Trade Relations (NTR). The nature of the annual review was supposed to give the U.S. leverage in negotiations with China. However, since then, annual renewal has become just another exercise, and I believe H.R. 4444 will put us back on the path towards results. We need to be engaged with China, and to be an influence in China in order to have an effect on how that nation governs.

China is going to join the World Trade Organization regardless of what this Congress does today. The question is whether the United States is going to take advantage of China being a member of the WTO and allow our farmers and manufacturers access to this market. We know other countries will.

One critical aspect of China's ascension to the WTO is that it will change the leverage. The U.S. doesn't have to stand alone anymore in our disputes with China, but rather, we will stand along with the entire 169 nations of the WTO. Everyone in this room knows that the WTO is not a perfect organization with perfect policies, but every meeting of WTO member countries brings new ideas and suggestions for improving the organization. The U.S. will sit at the table while the WTO evolves its policies and lives up to the name World Trade Organization. The only alternative, two nations battling it out, is much less effective, as history has also demonstrated.

History has taught us some valuable lessons about dealing with foreign nations. We have learned from experience that isolation does not work. We don't even have to travel one hundred miles from Florida to see a perfect example of trade sanctions gone awry. The 1970s embargo against the then Soviet Union is another prime example of failed isolationism. The Soviets laughed at the U.S., while our farmers suffered. History has taught us that engagement is the key to results. Engagement allows us to address our concerns about a foreign nation's policies, all while expanding opportunities to our own farmers and manufacturers.

World trade is critically important for agriculture, and 23 percent of Iowa's entire workforce is in some way tied to agriculture. Everything is connected—almost 40 percent of our entire economy relies on trade with other countries. Today's vote has been described in terms of ''granting'' something to China, but it really means jobs for Iowans and new customers for Iowa businesses.

To me, the most important aspect of China's ascension is that it will even the decks on trade tariffs. For too long, the tariffs on U.S. goods going into China have proven insurmountable for farmers and manufacturers in my district who wish to export to China. The deal struck by Ambassador Barshefky will open doors that have been closed for too long.

Opponents of this deal like to claim that it opens the U.S. to China. Apparently, they haven't looked at the trade agreement, and I would also guess that they haven't been out shopping since 1980. Everytime I walk in a store, I pick up products with a ''Made in China'' label on them. The agreement we are voting on today is one-way; our way. It opens the doors for America, not the doors of America.

A farmer from my district, Dave Kronlage of Delaware County, traveled out to Washington on February 16, 2000, to testify before the Ways and Means Committee about China. Dave has done everything he can to profit from his business, including minimizing his risks and by joining with area farmers to create their own meat company, Delaware County Meats. Dave and other farmers, however, are running out of options for increasing their profitability. He told the Committee that China's ascension to the WTO will provide an estimated 7.7 percent increase to his income. In Dave's view, the next move belongs to Congress, and the next move will be made today.

In 1996, we made farmers three promises, to reduce taxation, to reduce regulations, and improve access to foreign markets. We can stand here and argue about how successful Congress has been at the first two, but I don't think there is anyone in this body that will claim that Congress or the President has helped open new markets to farmers. Now is our chance to rectify this shortfall.

My state is the nation's largest pork, corn, and soybean-producing state. Last year, China's increase in pork consumption was roughly equal to the pork produced in Iowa. Yet, we sold not one pork chop to China last year. While pork producers like Dave Kronlage saw their equity evaporate through $8 per hundredweight prices last year, trade with China was not an option.

Normal trade relations with China will put Iowa pork chops, Iowa corn, and Iowa manufactured goods on the shopping lists of 1.3 billion Chinese people. Secretary of Agriculture Dan Glickman estimates agriculture exports will triple, putting another $5 per head in the pockets of Iowa pork producers, and increasing demand for Iowa corn by 360 million bushels. That's the total annual corn production by every one of the 21 counties in Iowa's Second District.

The U.S. produces far more food and manufactured goods than Americans can possibly consume. That means we have to find customers outside the boundaries of the United States. We cannot ignore 1.3 billion customers in China, watch them shop elsewhere, and expect this country to continue as a leader in the world economy.

With one vote, we can hand a market of 1.3 billion people to our farmers, and simply say ''Better late than never.'' Now is the time. This is the best move to make for farmers and manufacturers in the U.S. This is the best move to make for advancing relations with China that could lead to meaningful changes in China's style of governing. And this is the best move for this Congress to make for the future of our economy. I urge my colleagues to vote in favor of H.R. 4444.

Ms. BALDWIN. Mr. Speaker, I, like many of my colleagues, have spent a great deal of time talking and listening to my constituents on the issue of granting Permanent Normal Trade Relations for China.

I have heard from a wide range of voices. These voices represent America's broadly based interests, reflecting our democratic values, like free speech, freedom of religion, the right to privacy, and the right to organize. I have heard from workers in my district who fear they would lose their jobs to China. I have heard from environmental activities who are angry that China has made no attempt to adhere to environmental standards.

And I have heard from many constituencies who are deeply troubled by the religious, political, and human rights oppression China has continued to engage in. Veterans have approached me with their concerns about the well-documented violations of human rights. Religious groups and individuals have called and written about China's lack of true religious freedom. Women activists are outraged by the forced abortions that continue in China. Students at the University of Wisconsin oppose the forced labor and inhumane working conditions that continue to plague Chinese workers.

After listening to the broad range of my constituents's concerns, I cannot in good conscience vote to grant China Permanent Normal Trade Relations and put profit over labor, environmental and human rights.

China has violated every trade agreement over the past twenty years and Chinese officials are already backing away from commitments they made only months ago. I believe we must broaden our policy of engagement with China and restore the link between human rights and trade.

Mr. LEACH. Mr. Speaker, the House gathers today to consider an issue of seminal importance for the national interests of the United States: the case for Permanent Normal Trade Relations (PNTR) with China and China's prospective membership in the World Trade Organization (WTO).

There can be little doubt that this is the most consequential foreign policy legislation upon which this Congress has been asked to address in the new millennium. Impressively, the vast majority of Members appear united on the principle that it is in the interests of the United States to develop a credible strategy for integrating China into the world economy as a responsible power that accepts international political and trading norms. What is at issue is means, not ends; that is, whether granting PNTR advances U.S. interests and values in modern China.

In my judgment, approving PNTR for China is in the enlightened self-interest of the people of the United States and of China. It promotes our economic well-being by opening Chinese markets to American goods and services. It advances our interest in a rules-based international trading system by helping to ''lock-in'' Chinese reforms, economic restructuring, and a commitment to orderly globalization. China's accession to the WTO, in turn, also paves the way for a long-overdue entry by a democratic Taiwan into the global trading body.

China's entry into the WTO, coupled with permanent normal trade relations, opens up substantial commercial advantages to the United States. With market-opening commitments in agriculture, banking and financial services, telecommunications and a panoply of other industries, Americans and other exporters will have much greater access to a market that reflects fully one-fifth of the world's population. Credible estimates suggest that the market-opening concessions that would accompany PNTR would boost U.S. exports to China by around $3 billion or close to a 15% increase in current U.S. exports to China.

Indeed, the math is on our side. While we frequently have 3 to 5 percent tariffs on Chinese goods coming into our country, they just as frequently have 30 to 50 percent tariffs on American goods shipped to China. This agreement negligibly effects America's tariff structure, but dramatically reduces Chinese levies, down in must instances to the single digit level.

The Committee on Banking and Financial Services has jurisdiction over certain macroeconomic issues as well as the financial services industry in particular. With regard to commercial products, China maintains unfairly high tariffs, which this PNTR approach is designed to reduce. With regard to financial services, China maintains arbitrary non-tariff barriers, which this PNTR approach is designed to dismantle. Reduction in Chinese tariffs and non-tariff barriers is self-apparently in the U.S. national interest. Not insignificantly, commerce follows finance. If we fail to pass PNTR, China will simply import fewer manufactured goods and farm products from the United States. It will be German, French and Japanese banks which will enter China and, by so doing, facilitate exports from the companies they serve in their own countries. America will remain an import haven, but opportunities for building export jobs here at home will be denied to American workers.

Here, I would emphasize a fatal flaw of failing to approve PNTR—it would leave the U.S. unable to apply WTO rules and obligations on the Chinese government, including standards of openness and reciprocity as well as mechanisms for dispute resolution. In other words, American farmers, workers and consumers would be denied the market-opening and rules-based trade benefits that China would otherwise be obligated to embrace, and our European and Japanese competitors would be given extraordinary market advantages in China.

In this regard, it must be stressed that although our economic ties to China have grown rapidly in recent years, so too has the size of our trade deficit. It is time American leaders make the fundamental point that normal trade relations are all about reciprocity. A billion dollar a week trade deficit is politically and economically unsustainable, particularly if China's market is closed to American products or biased in favor of products and services from other countries.

The best way for countries to have good sustainable political relations is to have reciprocal open markets, and the best way to achieve reciprocity in trade is to get politics out of economics and competition into the market.

Balanced and mutually beneficial trade is a cornerstone of good Sino-American relations. Likewise, unbalanced trade contains the smoldering prospect of social rupture. Hence, little is more in the U.S. interest than to promote reform and liberalization of China's economic, trade, and investment regimes and to bind China to the rules of international commerce.

For some, the PNTR issue has come to symbolize concerns about globalization and the increased integration of the world economy through trade flows, capital flows, and high-speed information technology. While angst exists in some segments of the American public, as in all publics, about competition and globalization, the historical record affirms that market systems based on free trade and the rule of law lead to higher standards of living than systems based on political isolation or economic autarky.

Protectionism is particularly harmful in the credit, securities, and savings industries because the general economy is dependent on each. In the U.S. today approximately one-fourth of banking assets and one-third of commercial loans are made by foreign entities.

While some may be startled by these statistics, in general, Americans consider foreign financial competition good for the nation's economy and believe it would be even more so in developing countries such as China, which need to build a financial system that can allocate capital on a market basis. Hence, one of the most beneficial and far-reaching aspects of our bilateral WTO accession agreement is China's commitment to undertake the progressive dismantling of barriers to foreign investment in its financial services industry.

More broadly, Beijing's commitment to the rules and obligations of a WTO-based framework should help support China's transition to a modern market economy based on the rule of law. As the world's most populous nation, China's successful management of economic and social reform is very much in the interest of the U.S. and the broader global economy. Joining the WTO binds China to a set of rules, which limits the ability of government officials to capriciously change market rules to advance personal or vested interests. This will help Chinese reformers lay the basis for a rule-based economy that is the best hope for controlling pervasive official corruption. In this context, it deserves stressing that government centered, managed trade provides fertile ground for corrupt practices. On the other hand, free trade under the rule of law is an economic framework where social corruption has a more difficult time flourishing.

Many Americans, including Members of Congress, are vexed by the human rights record of China and are concerned by the pace of economic and political change in China. On the other hand, experience teaches that the political system that best fits economic free enterprise is reflected in democratic political institutions of, by, and for the people. Advancing freely associated economic ties with the West under the rubric of internationally accepted trade rules has one principal political

side effect: it builds bridges to democracy. Quixotic attempts to isolate China economically run the great risk of exacerbating human rights abuses, stunting prospects of establishing democratic institutions, and causing intemperate international actions.

Chinese society is changing far more rapidly than most Americans realize. The late Deng Xiaoping underscored the new Chinese pragmatism with his cat and mice metaphor, and by promoting ''socialism with Chinese characteristics.'' Twenty years of ad hoc, pragmatic economic reforms have moved China from the chaos of the Cultural Revolution to unprecedented economic development and largely peaceful social change, quadrupling the standard of living and laying the foundation for systemic reforms. Indeed, despite indefensible examples of continued political repression, against groups like the Falun Gong and liberal intellectuals, China may be changing as rapidly as any other country in the world. While a communist style political apparatus remains ensconced at the top of Chinese society, at local government levels, experiments with democratic elections are occurring and at the individual and family levels, free speech has become increasingly the norm. In sharp contrast with the period of Mao's Cultural Revolution there is little question that China has become a far more open society than it was just a generation ago when Deng inaugurated his period of ''opening and reform.''

Nonetheless, China's economic and social system cannot develop to its fullest unless the rule of law and its associated rights-including freedom of speech and of the press, due process for disputes over contractual obligations, and a judiciary that efficiently and fairly adjudicates disputes—are made central tenets of Chinese life. As the development of a modern market economy impacts on politics, Beijing's leaders can be expected to recognize the incompatibility of free enterprise and an authoritarian political system. Instability is simply too easily unleashed in society when governments fail to provide safeguards for individual rights and fail to erect political institutions adaptable to change and accountable to the people.

Lastly, establishing permanent normal trade will help foster a stable, mutually beneficial Sino-American relationship, a bilateral relationship that is of profound importance to the future of peace and prosperity not just in Asia, but for the world. Here, a note about Taiwan is important. It is no accident that people in Taiwan as well as Hong Kong strongly favor America normalizing trade relations with Beijing. The opposite—nonnormal trade—presents too many opportunities for friction in an area desperate for normalcy and stability.

From a historical perspective free trade is a natural extension of the open door policy that hallmarked American involvement in China at the end of the 19th century. Rejecting PNTR would effectively drive a stake through the heart of our economic ties with China and place in grave jeopardy the future of our relationship with one-fifth of the world's population.

Whether the 21st century is peaceful and whether it is prosperous will most of all depend on whether the world's most populous country can live with itself and become open to the world in a fair and respectful manner. How the United States, its allies, and the international system responds to the complexities and challenges of modern China is also one of the central foreign policy challenges of our time.

Failure to approve PNTR would not be responsive to that challenge. It would not effectively address our legitimate concerns on human rights, nonproliferation, relations across the Taiwan straits, or trade. On the contrary, rejection of PNTR would go back on our open door tradition and suggest that China and the United States can not maintain cooperative relations. It would be a vote with destabilizing consequences for the region and beyond.

Ironically, in this seminal foreign policy vote, the president's political opposition is willing to share the obligations of governance despite electoral advantage that would accrue in refusing to adopt a bipartisan approach. Republicans are generally prepared to be supportive of the president's initiative because the majority consider PNTR to be key to peace, stability, and prosperity in the 21st century. It would be tragic, and I might say unprecedented in the post World War II era in any Western democracy, if the majority of the administration's own party fails to support its President on what is almost certainly the Executive Branch's most important foreign policy initiative.

The irony that should not go unnoticed is that after all the discord between the Executive and Legislative branches over the past several years the President's own party may produce a vote of no-confidence in the President while the Republicans in this instance support his foreign policy judgment.

In the strongest possible terms, I urge my colleagues to cast a vote with majority support in both parties in favor of this crucial economic and foreign policy measure. Absent a Democratic as well as Republican stamp of approval, foreign economic policy will be seen at home and abroad as subject to capricious change in Congress if there is a shift in party control.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in strong support of H.R. 4444, which grants the president authority to extend permanent normal trade relations (PNTR) with the People's Republic of China, and I urge our colleagues to adopt the measure.

Mr. Speaker, as we all recognize, the decision before us is of historic dimension and is one of the most important actions taken by this Congress. The arguments for and against granting PNTR to China are exceedingly broad and complex. The stakes, too, are tremendous, as it involves the destiny of the most populous nation with one-quarter of planet's inhabitants, the future of America's economic strength and vitality, and perhaps the very stability of the world.

I commend my colleagues and deeply respect their commitment regardless of their position on the issue before us, for there are valid and compelling arguments to be made on both sides.

On this matter, Mr. Speaker, I wish to make a few observations. After examining the November 1999 trade agreement negotiated by the United States with China, it is abundantly clear that granting PNTR to China to facilitate its entry into the World Trading Organization (WTO) will bring innumerable trade benefits to America.

Under the trade agreement, China must dramatically reduce tariffs, phase out quotas, and open up closed market sectors, while the U.S. simply maintains the status quo with no further trade concessions to China. It is truly a one-way deal in our favor. Ensuring that China and the U.S. trade on a level playing field, with WTO enforcement, should go a long way toward rectifying our present trade imbalance.

On the other hand, if we fail to grant PNTR to China, Mr. Speaker, China will still enter the WTO but will not be obligated to extend WTO trade benefits to the U.S. This will significantly reduce U.S. trade and investment with China. I believe our economic competitors in Europe, Japan and Asia will welcome our absence in China, Mr. Speaker, and through the WTO take advantage of China's market-openings to our detriment.

Although the trade incentives for extending China PNTR are obvious and apparent, Mr. Speaker, the most important consideration for me concerns what will best promote democratization and continued political, social and human rights progress in China.

On that point, Mr. Speaker, I find most persuasive and enlightening the voices of those Chinese who have been persecuted and are among China's most ardent and vocal critics—individuals who would be expected to take a hard line stance against the Beijing government.

For example, look at prominent dissident Bao Tong, who has urged the U.S. Congress to pass PNTR as it would hasten China's entry into the WTO, forcing adherence to international standards of conduct and respect for the rule of law. Bao has noted that the annual Congressional trade reviews have not been effective to improve human rights in China and other tools must be sought.

Xie Wanjun, an exiled leader of Tiananmen Square democracy protests and organizer of the China Democracy Party, supports PNTR and the China trade deal. Xie states, ''The closer and economic relationships between the United States and China, the more chances for the United States to monitor human rights in China and the more effective for the United States to push China to launch political reforms.''

Longtime dissident, Ren Wanding, who has been jailed for 11 out of the last 21 years, states, ''If you really want China to change, then you should approve PNTR. If you want to isolate China and see it get worse, then it will get worse and worse.''

Mr. Speaker, these Chinese democracy activists, along with Wang Dan, Dai Qing, Zhou Litai and other prominent dissidents, urge that the U.S. extend PNTR to China. Joining their voices are other Chinese leaders who have opposed Beijing's communist control, including Hong Kong's Democratic Party Chairman Martin Lee and Taiwan's new President Chen Shui-bian. Both Lee and Chen have called for normalization of trade relations between the U.S. and China and WTO accession by China.

Mr. Speaker, we should listen to the wisdom of these courageous Chinese, whose credentials are impeccable and who clearly have the interests of all of the Chinese people at heart. They know that it is absolutely crucial and vital for continued political, social and human rights progress in China that the U.S. maintain and expand its presence there through trade.

The Chinese people thirst for U.S. engagement because America, and everything it represents, is the only nation with the power, the conscience, and the fortitude to push for true reforms and democracy in China.

Mr. Speaker, I urge our colleagues to hear the pleas of the Chinese people for a brighter

future. It is in their best interests, as well as ours, that we extend permanent trade relations to China by adoption of the legislation before us.

Mr. CUNNINGHAM. Mr. Speaker, I rise today in support of establishing Permanent Normal Trade Relations with China.

Mr. Speaker, China is a rogue nation. Totalitarians and Communists rule it. These leaders oppress their people and deny the basic freedoms and religious liberties that we hold so dear here in America. China regularly fails to abide by standards of good citizenship in the community of nations. China's officials have been tied with attempts to influence the 1996 elections in the United States through contributions to the Democratic National Committee. This nation's spies have stolen our nuclear technology. It sells missile technology to Iran and North Korea and regularly threatens war against Taiwan.

It is in this environment that Congress must decide whether we should continue our annual renewal of normal trade relations (NTR) for China, and forego the benefits of lower tariffs and increased access to China's markets, or grant permanent normal trade relations, (PNTR) for China. I believe firmly that this vote affects the advancement of America's national interests, including national security, human rights, religious liberty, and commerce and American jobs.

With very few measures have I so deeply struggled with determining the best course of action, and with identifying what is right or wrong for America. After carefully considering all the facts, and reviewing the notes and letters and calls from my constituents, I believe that our best hope for advancing American national interests in China is fulfilled by granting PNTR to China. Moreover, failing to do so today would damage America's interests, in national security, human rights and religious freedoms, and American commerce and jobs.

Let me first address the matter of American national security. I can assure you that since nearly losing my life fighting communism in Vietnam, the matter of what action best represents America's national security interests is a matter which I take very seriously. Beijing has exhibited poor citizenship in the world. It tested missiles in the Taiwan Straits on the eve of free elections in Taiwan. It has sold missiles and weapons materials to rogue terrorist nations. It smuggled AK–47 rifles into the United States, bound for Los Angeles street gangs. It increased its defense budget 40 percent over the past several years.

However, in light of this current and emerging national security concern, I believe it is only through American engagement, through the extension of PNTR to China, that provides the best hope to advance America's national security interests in China and East Asia. I am under no illusion that by extending PNTR to China will work miracles in the advancement of our national security. It will not. Yet, the penalty for sacrificing our engagement in China by not granting PNTR is much worse. Denying PNTR to China will not keep China out of the WTO. Denying PNTR to China will not protect Taiwan, which is why the government leaders of Taiwan support granting PNTR to China. Rather, denying PNTR to China would bring instability to this critically important area of the world. Denying PNTR to China would force the Beijing regime away from the United States, undermine advocates for democracy in China, and drive China away from the community of law-abiding countries, into the arms of the world's terrorist nations.

Thus, I conclude that it is in America's national security interest to encourage American engagement in China and support PNTR for China.

Secondarily, Mr. Speaker, let me address the issue of religious liberty and freedom for the people of China. Again, Beijing's record in this field is repugnant to the cause of freedom. Its list of crimes against freedom goes on and on. Beijing oppresses the Buddhist people of Tibet, and the Muslims of Xinjiang. It strictly limits the rights of Christians from meeting or owning religious materials. It practices a population policy that includes forced abortion and sterilization. It has detained, jailed, and killed its dissidents. It severely restricts the activities of people of faith, and imprisons priests and ministers, and closes house churches that attempt to teach religion free from the reach of the Beijing regime.

Given this challenge, what action advances America's national interest in this area? I conclude that our national interest for religious liberty and freedom is best advanced by extending PNTR to China. Through American engagement we advance American values, through the export of commerce and culture, directly into the lives of Chinese citizens. While I respect the views of my friends at the Family Research Council and other family organizations who strongly oppose extending PNTR to China, it is also true that several U.S.-based organizations that support Christian missionaries in China support PNTR for China. The case for greater commerce with China can, therefore, be cast favorably not just in commercial terms, but in moral terms, as an engine of liberty and freedom in an oppressed nation. This is why many of our nation's most respected religious leaders, from Billy Graham to Pat Robertson, have called for keeping the door to China open.

I agree that PNTR for China will not work miracles for the people of China. It will not directly free a single person wrongly imprisoned by the communist government of China. However, Wang Juntao, the leader of the protests at Tiananmen Square several years back, has said this: ''I prefer to choose 'yes' . . . Both fundamental change in the human rights situation and democratization in China will come from efforts by Chinese within China. The more the relationship between the two countries expands, the more space there will be for independent forces to grow in China. Such independent forces will eventually push China toward democracy.''

American commerce with China will give the Chinese people a taste of economic freedom, and economic freedom will pave a path toward more political and religious freedom.

Lastly, I would like to address the matter of commerce and American jobs with the world's most populous nation. Companies in San Diego engage in significant exports in China. Among these are Solar Turbines, Cubic, Qualcomm, Jet Products, and several other firms large and small, which engage in manufacturing, telecommunications, television, computers, biotechnology, pharmaceuticals, and many other industries, employing thousands of San Diegans in good high tech, high skill, high wage jobs. Furthermore, many Americans jobs are dependent on imports from China. These include high-tech jobs in the computer hardware and electronic device industries, and hundreds of thousands of lower-tech jobs, including retailers with shops all across America. In addition, American consumers rely on the ability to purchase goods made in China.

The vote before us today is about granting American companies access to China. This vote and WTO membership for China only lowers China's tariffs and China's barriers to trade. This action will allow American companies to increase distribution in China, allowing more goods to be made in America and exported. This bill will allow American financial service companies and insurance companies unprecedented access to China's markets. Our action today will benefit all Americans through greater exports, investment, and opportunity in China.

I want to remind my colleagues that this vote is not a goal line. This is not the end of our duty to the American people on this issue, nor is this the last time that we must face the burden of addressing the shortcomings of China. To use a football analogy, this is another first down in our relationship with China. Since President Nixon returned to China, our relationship has been growing and China has changed. Since I was there 20 years ago, China is a better place.

If we are to continue moving China in the right direction during the next 10–20 years, we must assure that certain conditions are in place to foster that development.

We need a President who will not sell secrets to China for campaign contributions;

A Vice-President that will show leadership and distinguish right from wrong;

A State Department and Commerce Department that will fight for America's interests and not devalue national security concerns for business expediency;

A Department of Defense that has a strong leadership and the support and funding necessary to defend America and protect our servicemen and women;

And intelligence organizations with the assets and direction to protect our strategic and economic interests here and abroad.

Right now we have none of these things. And because of the repeated failures of the Clinton-Gore administration on China policy, Congress must exercise leadership in the United States-China relationship. Here in the People's House, we must remember that America is the world's leader in human rights, religious freedoms and peace and prosperity.

I want to close by sharing a recent experience I had in Vietnam. Several years ago, my good friend Rep. HAL ROGERS asked me to accompany him to Vietnam to raise the flag and reopen our embassy there. My first response to him was no. I did not want to return to Vietnam. I had lost too many friends and had too many memories of my time there to return. Then Pete Peterson, now our Ambassador to Vietnam, who was then our colleague, called me. Pete said, ''Duke, I was a POW. It is tough for me to return to Vietnam, I need you to help me return there and raise America's flag.'' To Pete I said ''yes.'' So I returned to Vietnam.

While I was there I toured old target sites and met with people who had led the Vietnamese Army we fought against. One of those was the head of the Vietnamese security forces. He is now the Mayor of Hanoi. He shared with us many of his thoughts and views on the United States relationship with Vietnam and his views on Communism.

When our conversation turned to questions, I asked him why Vietnam was not moving to open trade with the United States. And I will always remember what he said.

He said, ''Congressman, we are communists. If we allow trade with America, our people will have things. They will have property and be able to own things without our control. That, Congressman, will hurt us and weaken our control over the people.''

When he finished, I thought to myself—''trade is good.''

Mr. Speaker, expanding trade with China advances America's national interests. Expanded trade will help us weaken the hold of the dictators in Beijing, bring economic prosperity and greater stability to the entire Far East region, and carry American values of freedom and liberty into China.

Mr. Speaker, trade is good.

Mr. ORTIZ. Mr. Speaker, I rise in support of H.R. 4444. Establishing permanent trade relations with the largest market on the face of the planet is the right thing for the American people and it is the right direction to support the United States economy.

I have traveled in China and several other Pacific Rim countries. I understand the wealth of opportunity that is available to the countries who take the step of moving aggressively into the markets of Asia without barriers, beginning in the largest market in the world, China. Establishing normal trade relations with this market so our businesses have a level playing field has enormous positive economic consequences for this country that will last throughout the course of this century. Not so long ago, China was a poor country. Now their coastal cities are the new, churning economies of the Pacific Rim. The enormous changes that are occurring on the coast are spreading rapidly to the interior of China, and touching the lives of people there.

The economic advantages of supporting trade with China may well be enough reason to support this resolution, but that is only the beginning. Possibly the most important reason the U.S. needs a permanent trading relationship with china is the national security implications it provides to us. I have seen first hand the relationship China has with the other nations of the Pacific Rim. These nations have hundreds of centuries of history between themselves and China. When China stands closer to the United States, it is possible for the other countries of the Pacific Rim to work with the United States on trade and make the world safer and more democratic.

While we have an utterly different philosophy of government than does China, during the course of our history it has been the inherent responsibility of the American people, especially entrepreneurs, to spread the spirit of democracy and freedom throughout the world. This may be our most unique opportunity to reach the largest number of people yet with the message that the principles of work and responsibility are the foundation of freedom and self-determination. There is no better way to spread the message of democracy than to engage the world's largest nation in a trade agreement that will benefit the United States and China for decades and probably centuries to come. When we engage a country of 1.3 billion people, we take a positive step in demonstrating how freedom works.

This vote will soon take its place alongside the pivotal votes of the past decade which have played a large role in redefining economic success and budgetary policy: the 1993 Budget Deficit Reduction Act; the North American Free Trade Agreement (NAFTA) and the General Agreement on Tariffs and Trade (GATT). We have been enjoying tremendous economic opportunities for the past few years and I hope it continues for a very long time. Remember, we can best provide for people and communities in the United States when our economy is strong, and PNTR will go a long way towards keeping our economy strong.

Mr. WELDON of Florida. Mr. Speaker, one of the most important decisions I have to make as a Member of Congress each year, is how to vote on our nation's trading relationship with China. This year, many of my constituents have been engaged in this debate as they have called, written, or stopped by my office to urge me to vote in favor of, or in opposition to, normalizing trade relations with China.

I have spent months and indeed years weighing the advantages and disadvantages of approving Permanent Normal Trading Relations (PNTR) with China. We have debated this measure ever since I began my service in 1994. As I reviewed the arguments on whether or not to extend Normal Trade Relations to China on a permanent basis, I have decided against PNTR for China.

I plan to vote no for several reasons:

1. The worsening of labor and human rights situation in China;

2. The continued aggressive military statements and actions against a Democratic Taiwan;

3. The transfer of sensitive military technology by China to rouge nations; and

4. The failure of the current Administration to effectively monitor and enforce the trade agreements they have already signed with China, including launch quota agreements, which of course, are very important for our district.

First, this is a vote of conscience. My staff and I have thoroughly reviewed the 1999 U.S. State Department Report on Human Rights Practices in China, which was released in February. The Report told the story of egregious civil and human rights abuses by the Chinese government against its own people.

The Administration's Report said, ''The security apparatus is made up of the Ministries of State Security and Public Security, the People's Armed Police, the People's Liberation Army, and the state judicial, procuratorial, and penal systems. Security policy and personnel were responsible for numerous human rights abuses.''

The Report goes on to say, ''The [Chinese] Government's poor human rights record deteriorated markedly throughout the year, as the Government intensified efforts to suppress dissent, particularly organized dissent . . . The Government tightened restrictions on freedom of speech and of the press, and increased controls on the Internet; self-censorship by journalists also increased . . . The government continues to restrict freedom of religion, and intensified controls on some unregistered churches.''

In addition, violence against Chinese women is on the rise as the government continues to, as the Report states, ''induce coercive family planning—which sometimes includes forced abortion and sterilization; prostitution; discrimination against women; [Government] trafficking in women and children; [Government] abuse of children; and discrimination against the disabled and minorities are all problems.

I believe that by voting in favor of PNTR, I would be giving my implicit support for these violations of basic human rights. There are some of my colleagues who believe that through engagement we can effect changes in China. There may be some merit to that argument and I do not fault them for that belief. I cannot, however, in good conscience, vote to extend this privilege to China at this time. They have shown an unwillingness to embrace basic freedoms.

I am also deeply troubled by Communist China's aggressive militaristic threats toward a Democratic Taiwan. The Chinese government has threatened the democratically elected Taiwanese government. The Chinese have said in no uncertain terms that the recently elected democratic leaders of Taiwan have no role as China usurps Taiwan's independence under the Chinese umbrella of Communism and totalitarianism.

Even before threatening Taiwan, China was engaged in a massive spying effort on the United States. In fact, the Congressional ''Cox Commission,'' produced a three-volume report outlining and detailing the military and commercial abuses and concerns the United States has with the Chinese government. Among the key findings of the bipartisan Cox China Espionage Report were:

1. That Communist China stole billions of dollars worth of American nuclear secrets that took our scientists decades of hard work to develop;

2. The Peoples Republic of China has stolen classified information on every warhead used for our ICBM and our submarine launched ballistic missiles; and

3. According to the unanimous judgment of the Committee, The People's Republic of China will exploit elements of stolen U.S. thermonuclear weapons designs on its new ICBMs as 2002.

The Report goes on and on, like background for a Tom Clancy novel, threatening the very fiber of our cultural heritage.

China has taken the technology they have stolen and shared it with rogue nations. They have encouraged the proliferation of nuclear weapons and missile technology by sharing these sensitive technologies with rogue nations.

No longer are the American people safe from terrorists and the aggressions of our enemies. As many of these rouge nations have access to our top level military secrets. What is most disturbing is that the Administration knew about these security breaches as early as 1995, but failed to act because they were fearful of the repercussions and potential the political fallout.

My first experience with our government's effectiveness or unwillingness to challenge the Chinese in their failure to live up to their agreements came in 1997, and was in relation to the launch agreements, known as the Bilateral Space Launch Services Trade Agreement. The Administration significantly expanded agreements with the Chinese and Russians which permitted U.S. satellite manufacturers to ship satellites to Russia and China for launch. These agreements permitted larger numbers of U.S. satellites to be shipped to

China and Russia for launch in these countries. The Chinese signed an agreement stating that they, a non-market economy (NME), would not sell launch services at below market costs, in other words ''no market dumping.''

In probing this issue, I discovered that the Chinese were indeed allowed to ''dump'' launch services on the international market at below market costs. This was in violation of the agreement that they signed and it also was taking launches away from U.S. launch facilities at the Cape. Furthermore, our U.S. Trade Representative failed to respond to my inquiries over whether or not they were addressing this issue of dumping. It was not until I personally went down to their offices and went through their files that I discovered the fact that they were taking no steps whatsoever to curtail this problem. Furthermore, they never took any action to even discuss this problem with the Chinese.

This is a very disturbing trend which I cannot envision will improve until we as a nation decide to look at China differently. We must always keep our national security, our economic security, and the security of basic human rights in mind in all our dealings with China. Thus far, we have not.

Today I have outlined for you numerous abuses by the Chinese government. And, I understand that at some point there may be the tremendous economic potential to open our trading relations with the people of China. However, today I cannot support the Chinese government's repression of human and civil rights of the Chinese people; I cannot support their continued threats against Taiwan; and I cannot support their theft of American technology and military secrets. Until China can demonstrate a better track record in these key areas; I will not support Permanent Normal Trade Relations with China.

Mr. KUYKENDALL. Mr. Speaker, I rise today to express my strong support for H.R. 4444. Why is granting Permanent Normalized Trade Relations (PNTR) to China so important? There are several answers to this question. Granting PNTR to China transcends political, economic, and social boundaries and should foster better relations between the United States and China. Markets will be opened, diplomatic communication will be enhanced, and democratic values will spread in a Communist arena;.

There is no question that the South Bay and the state of California will see the benefits. China's entry in the World Trade Organization (WTO) would mean dramatically expanded access to one of the largest and fastest growing markets in the world. China is currently our 12th largest trading partner. According to some experts, with China's entry into the WTO, that trade could double. Trade in and out of the Ports of Los Angeles and Long Beach would dramatically rise.

To be admitted into the WTO, China will have to make significant concessions to the other members. The U.S. reached an agreement with China on bilateral trade terms last November. This agreement dramatically cuts tariffs on American products, eliminates most domestic ownership requirements and provides greater transparency regarding Chinese business practices.

Let's take two industries important to my district to illustrate the benefits of this agreement. Mattel currently makes toys in China. To sell these toys in China, they must first be exported out of China and then imported back into the country. On import, Mattel must pay a tariff equal to 35%. After importation, Mattel must rely on Chinese companies to distribute the product in the country. PNTR will eliminate this requirement and effectively reduce the tariff rates to zero by 2005. The result? Increased sales and improved productivity for a U.S. company.

The benefits are the same for cars and auto parts. Currently, for TRW to sell auto parts in China, it must import the parts, which are subject to tariffs that range between 23.4% and 70%. To sell cars in China, Honda and Ford are subject to import tariffs as high as 100%. These companies are also subject to limits on the number of vehicles they can sell. The Chinese also require that cars sold in China must be substantially composed of Chinese parts, further hampering TRW's ability to sell American-made parts in China. With PNTR, tariffs are substantially reduced and the Chinese component requirement is eliminated. The result? Increased production and more jobs in the United States.

Granting PNTR for China is not all about dollar signs. There are also the social implications that increased trade promotes. There has been much debate, often times heated and emotional, over whether to enter into this agreement with China.

Many of the negative feelings associated with China stem from the oppressive 1989 crackdown of the student protesters in Tiananamen Square. Communist China reminds us of our Cold War opponents of yesterday. However, our greatest opportunity to implement change is to open the avenues of trade. Expanded trade relations means a greater flow of democratic ideals to a population unfamiliar with the freedoms we enjoy. The economic freedoms that China is pursuing will not work without some levels of political and personal freedom as well.

Companies like Mattel also implement strict codes of conduct for production facilities and contract manufacturers. This focus upon working conditions and employee treatment means better treatment for Chinese workers following adoption of PNTR.

Alan Greenspan, Chairman of the Federal Reserve, recently wrote, ''The addition of the Chinese economy to the global marketplace will result in a more efficient worldwide allocation of resources and will raise standards of living in China and it's trading partners. . . Further development of China's trading relationships with the United States and other industrial countries will work to strengthen the rule of law within China and to firm its commitment to economic reform.''

Diplomatic ties will also be strengthened with improved trade relations with China. The worst possible scenario occurs if Congress denies granting China PNTR. In this case, diplomatic communication between the United States and China will be severely limited. It would be dangerous if we, as leaders of the free world, do not have open lines of communication with the most populated country in the world. I do not believe that this is a risk worth taking.

There is no doubt that California will make great gains through increased trade. The 36th congressional district also stands to benefit. But considering the big picture, increased trade and increased communication with China will allow an opportunity to lessen tensions between our two countries. The fall of the Iron Curtain took the Berlin Wall with it. Progress can be made with China. Support PNTR.

Mrs. FOWLER. Mr. Speaker, I rise today to support Permanent Normal Trade Relations status for China. This measure is an important step in promoting free and fair trade between the United States and the People's Republic of China, and in promoting freedom within China.

I remain concerned about the behavior of the Chinese leadership in a number of important areas, including weapons proliferation, human rights, and relations with Taiwan. In the past, I have voted against extending NTR for these reasons.

But the vote before us today is different. Extending Permanent NTR to China and supporting its accession to the World Trade Organization is the strongest catalyst for change in that country. It will promote the free market there. It will promote the rule of law there. And I strongly believe that it will ultimately promote the rise of democracy there.

We have seen capitalism rip through the ''Iron Curtain,'' and now we have a tremendous opportunity to see it tear through Communist China.

We cannot do this by allowing the remnants of an antiquated economic system to remain isolated. Those in China who want to see this measure fail are the hard-line Communists who seek to maintain control and oppress the new generation that yearns for a better life. The greatest threat to the future of these Communist tyrants is the passage of PNTR and the freedom it unleashes.

Today we have an unprecedented opportunity to gain substantially greater access to China's market of well over one billion people. If we pass this measure, China will have to change its protectionist laws and policies, and reduce tariff rates on U.S. products. But if we do not extend PNTR, we will lose these benefits, while our trade competitors gain them.

Mr. Speaker the best way to name the communist bear is not to poke it in its eye, but to endear yourself to its cubs. The new generation of Chinese knows America and has a strong desire to emulate our values and culture. This is our country's chance to engage China and have a truly profound effect on that nation's future.

Mr. MOORE. Mr. Speaker, I rise today in strong support of H.R. 4444, legislation to grant Permanent Normal Trade Relations with China.

The United States Trade Representative's agreement with China gives us a unique and historic opportunity to challenge old assumptions and establish new goals with respect to China. The Administration, in November, laid its bet on improving economic relations with China as the best way to ensure that this huge and growing power will become a constructive member of the world community. Today, it is up to Congress to affirm this deal to make these opportunities a reality.

Despite our disappointments with China's internal policies, this is not a time to withdraw and abandon all dealings with China, particularly those that are clearly in our own interest to pursue. The deal the U.S. Trade Representative made with China represents a series of major concessions by the Chinese to accomplish a goal—Chinese membership in the

WTO—that is also clearly in our national interests. This deal is a classic ''win-win'' proposition for the United States.

While China will benefit from expanded trade and investment, this deal is composed of a series of unilateral concessions by China that reduce most of its tariffs, open the markets most attractive to U.S. goods and services, and commit China to international rules of commercial behavior and extensive monitoring of its compliance. Granting China PNTR would result in an opening of markets for American farmers, bankers, insurers, and manufacturers of microchips, chemicals, cars, computers, and software, who will reap benefits from a whole new level of access to what is potentially the world's largest consumer market.

To fully realize the benefits of trade, however, requires more than agreements to reduce barriers. Sustaining support for the trading system also requires that the rules under which countries engage in trade are credible and equitable. The rules should ensure that governments play fair—that they not seek advantage for favored interests by subsidizing their producers or passing regulations that unnecessarily distort international trade. Fairness also requires that the gains from trade are shared widely and do not come at the expense of core labor and human rights standards.

Mr. Speaker, the bill before Congress today's bill will make these larger goals possible. Beyond the market-opening provisions in H.R. 4444, this bill also contains thoughtful provisions developed by Representatives LEVIN and BEREUTER that will establish mechanisms to monitor human rights in China, to report on labor market issues, and to encourage the development of rule of law and democracy-building in China. Granting China permanent PNTR would also mean the beginning of a long-term transition from a state-controlled economy toward a free market that will make these larger goals possible. Indeed, China is not only agreeing to import more American products, they are agreeing to import one of democracy's most cherished values—economic and social freedom.

The only thing the United States would do in return is grant China the same permanent ''normal trade relations'' status afforded to all WTO members, which has been granted on an annual basis for the past 19 years. Granting PNTR to China is not a ''blessing'' of their past and current behavior. Rather, it is a commitment by China to change its behavior to become a responsible global citizen.

This deal would impose on China a clear set of rules for business whereby the United States will benefit from China's verifiable and enforceable commitment to play by the world's rules. This deal will allow the United States to engage this emerging power in well-defined and civilized manner, rather than isolating it and strengthening the claims of its militarists that the America is an enemy. And this deal will open Chinese markets to U.S. products and services, which I hope will make the global economic pie bigger, so everyone gets a bigger piece.

Mr. BARRETT of Nebraska. Mr. Speaker, in order for farmers, ranchers, and food processors to succeed in a global market, the US needs fair trade and fair access to growing global markets. Nebraska is one of the nation's leading producers and exporters of agricultural products. Market access is absolutely crucial to the well being of our producers—as it is to producers of all commodities nationwide.

Agriculture will benefit most from the pending trade agreement with China. China's economy is already among the world's largest, and it has expanded at annual rates of nearly 10 percent. By supporting PNTR, we are giving our agricultural producers the access needed to compete in the global market. Passing up the opportunity to increase trade with a country that has nearly 26 percent of the world's population would be a grave error.

Under it's World Trade Organization accession agreement, China will lower its tariffs from 45 to 12 percent on frozen beef, and 45 to 25 percent on chilled beef by 2004. also, China will accept all beef from the United States that is accompanied by a USDA certificate of wholesomeness.

Nebraska's 1998 exports to China totaled $33 million, which represents a 1,200 percent increase from 1993. China is Nebraska's 14th largest export destination, up from 31st in 1993. By building on this trend, the U.S. has taken a step in the right direction. Approval of PNTR is simply the continuation of this process.

Opponents of PNTR legislation argue that China will no longer need to respect our positions on human rights and other issues.

However, by joining the WTO, China is agreeing to a rules-based trading system, and by working closely with China, the U.S. will be able to influence positive change on human, religious, and political rights.

Not only must we support PNTR for China for agriculture, but for the continued growth of our nation as a whole. I urge my colleagues to vote ''yes'' on H.R. 4444.

Mr. PALLONE. Mr. Speaker, I rise today to join in urging my colleagues to vote No on granting PNTR for the People's Republic of China.

Since relations between the U.S. and China were normalized, Congress has had the opportunity, every year, whether or not to grant China the same trading status we give to other ''friendly'' nations. Although the China trade deal has won out every year, at least we had an annual review in place. If this bill passes, I am sure the dictators in Beijing will take our concerns even less seriously than they have in the past.

It is well known that China has a terrible record on human and worker rights, environmental protection, fair trade and weapons proliferation. China has repeatedly violated almost all of their prior agreements. The United States consumes 40 percent of China's exports, so common sense dictates that we can influence China's actions by threatening to cut off market access. By essentially granting China permanent guaranteed access to our markets we would surrender our only political and economic leverage.

Big business claims that granting China PNTR will allow for more American products to be sold to the 1.2 billion consumers in China. But even if China opens their doors to our products, which I don't believe they intend on doing, how many cars or designer jeans will American workers sell to Chinese workers making 13 cents per hour.

I urge my colleagues to vote against this ''Blank Check for China.''

Mr. PORTMAN. Mr. Speaker, I rise today in support of continued Normal Trade Relations between the United States and China.

Trade with China has been a significant factor in the economic expansion we've been able to enjoy during the 1990s. In my own district, Greater Cincinnati companies exports to China have almost doubled in this decade alone. That means more jobs for my constituents, more prosperity for the families and businesses in Southwest Ohio, and a healthier economy for the area I represent, for the state of Ohio as a whole and, indeed, for the entire nation.

For those of my colleagues who are undecided on this subject, I'd urge you to take a close look at this PNTR agreement, because it makes so much sense. This is a totally one-sided agreement. Because we already have an essentially open market, we've given away nothing to get this deal, but we've received unprecedented concessions from the Chinese.

Mr. Speaker, China has a long way to go on improving labor standards, human rights and environmental protection. That's why I believe our most important export to China won't be our products and services. Our most important export is our ideas and our beliefs about freedom and democracy.

As the United States and China develop closer ties—as individuals from both countries begin to interact more often with each other—it's going to be impossible for the Chinese government to prevent our values and ideas from spreading. You can already see it happening with the spread of the internet in China, despite the best efforts of their government to slow it down.

Mr. Speaker, we can choose to get rid of normal trade relations with China, and stand on the sidelines when our European and Asian competitors take our place. Or we can build a strong bilateral relationship through engagement—opening their country to our products and ideas.

I urge my colleagues to support the rational approach—and to support normal trade relations with China.

Mr. SKELTON. Mr. Speaker, I urge my colleagues to support permanent normal trade relations for China. I will vote in favor of PNTR, not only because of the benefits that American farmers and businesses stand to gain in terms of increased trade, which are substantial, but also because of the impact approval of PNTR will have for U.S. national security and stability in Asia.

A solid trade relationship with China, with its huge potential markets, is important to Missouri. In 1998, China was Missouri's sixth most important export market and the United States' fourth largest trading partner. From 1991 to 1998, U.S. exports to China more than doubled. The agreement that the administration reached with China last November

concerning China's accession to the World Trade Organization commits China to eliminate export subsidies and lower tariffs dramatically, reduce its farm supports, and play by the same trade rules as we do. Further concessions recently gained by the European Union would increase the benefits, as the agreement would apply to all parties to the WTO.

During the first 6 years of the agreement, USDA estimates U.S. agriculture exports to China will increase a total of $7.5 billion. In the first ten years of the agreement, USDA projects one-third of U.S. export growth will be in U.S. agricultural products destined for China.

China is the last major untapped market for American agriculture. As China moves from an agrarian economy to a modern economy, someone must fill the gap. As the standard of living increases in China, the Chinese people will be able to buy more U.S. products. To gain these advantages, Congress must approve PNTR status for China. If Congress does not do so, the only winners will be our international competitors who would welcome the chance to gain market share that would otherwise go to U.S. farmers and benefit the entire agriculture community. Congressional approval of PNTR also have implications for U.S. national security. Early this year, I led a small House Armed Services Committee delegation on a trip to the Asia-Pacific region. Although we did not visit China, we did find in our meetings will officials how much other nations in Asia value America's presence and engagement in the region to promote stability.

The state of U.S.-China relations is critical to the future stability, prosperity, and peace of Asia. Encouraging China to participate in global economic institutions is in our interest because it will bring China under a system of global trade rules and draw it into the world community. It is in our long term interest to develop a relationship with China that is stable and predictable. China will enter the WTO based upon the votes of all 135 WTO members. Denial of PNTR by the U.S. will not affect China's entry into the WTO, but rejecting PNTR after last year's negotiated agreement will diminish our credibility and our ability to make a difference in China.

WTO memberships will bring China into the system of trading rules and standards that apply to all other major trading partners in the world. Congress should approve PNTR so that American farmers, workers, businesses will be able to take advantage of opening markets in China and so that our continued involvement in China can help in working toward other reforms. For all of these reasons, I urge my colleagues to support PNTR.

Mr. LAHOOD. Mr. Speaker, I rise today in support of granting normal trade relations to China. This measure is good policy for our Nation as a whole, and good policy for the people of the 18th district of Illinois. The choice we have before us today is whether we want to trade with China with our hand open in friendship, or with our hand closed in opposition. China is expected to join the WTO later this year, and today's vote will set the stage on how we will trade with China in the years to come.

By passing NTR today, we will establish a first in U.S. trade policy. We will lock ourselves into a one-sided trade deal, which favors the United States. Last year, Ambassador Charlene Barshefsky and our trade representatives negotiated a bilateral agreement with China, which not only significantly lowers many of China's tariffs, but also provides for anti-surge guarantees to protect American manufacturers from Chinese dumping of goods into our markets. Failure to pass NTR will not prevent China from joining the WTO. It will, however, prevent us from benefiting from the bilateral agreement we negotiated, while at the same time concede the benefits of this agreement to our Asian, European, and Latin American competitors.

As a member of the House Agriculture Committee, I recently joined with my colleagues in a series of field hearings throughout the country to get a sense of how agriculture is doing in America. The consensus is that unlike the rest of the country, our agriculture community is in trouble.

Granting NTR to China will not cure the ills that face our agricultural economy, but it will help. The facts are that China has 20 percent of the world's population and approximately 7 percent of the world's arable land. It is shifting from an agrarian economy to an industrialized/manufacturing economy. China currently has a population of over 1.3 billion, with a steady rate of population growth. These facts indicate that over the long term, China represents a hug potential market for American agriculture products. In the near term, China is currently the sixth largest market for U.S. farm products. In 1999, the U.S. exported over $2 billion dollars worth of agricultural commodities to Mainland China and Hong Kong, in spite of high tariff rates and restrictive trade practices, designed to specifically prohibit importation of American agricultural products.

Once China joins the WTO and accedes to the bilateral agreement, many of these high tariff rates and restrictive trade practices will be reduced, or phased out, by 2005. This agreement, as well as WTO rules, also contain provisions which allow the United States to act unilaterally if China violates the terms of the agreement. Granting NTR is not only good for agriculture—it is good for American business as well. As President Clinton stated in the State of the Union address, ''Our markets are already open to China. This agreement will open their markets to us.'' The Commerce Department recently announced that our trade deficit widened in March to an all time high of $30.2 billion. Granting NTR to China will help reverse our trade gap by leveling the playing field, and allowing American business to crack into this highly protected market.

As I have indicated before, I believe that granting NTR is good for the country and good for the people of Illinois. In 1998, direct exports to China from the State of Illinois totaled over $505 million. If we pass the NTR legislation, I would expect this figure to grow significantly. In addition to the agricultural interests in my district, I am also proud to represent America's manufacturing industry. Caterpillar, Inc., one of nations' leading manufacturers of earth moving and construction equipment, is based in my hometown of Peoria, Illinois. Caterpillar employees over 67,000 workers worldwide, many of whom live in my district, and in 1999, exported $5.2 billion worth of equipment. For Caterpillar, and other heavy machinery manufacturers, China has always been a very difficult market in which to work. The bilateral agreement we negotiated would ease market restrictions, lower tariffs on heavy machinery, and, in general, make it easier for American companies to operate in China.

Aside from the obvious economic benefits, I believe that granting NTR to China will lead to positive societal changes within China. It is my hope that improved economic conditions in China will result in a higher quality of life for Chinese workers. I also hope that greater interaction with Western culture, and its focus on human rights, will pressure the Chinese Government to continue with the liberalization of its economic and social structure. We need to approach China with an open hand, not with a closed fist. I urge my colleagues to support granting normal trade relations to China.

Mr. MCGOVERN. Mr. Speaker, I rise today in opposition to H.R. 4444 to grant permanent normal trade relations for China. The United States has engaged in normal trade relations with China for the past two decades. Since then, trade has grown and flourished between our two countries, with an ever-increasing U.S. corporate presence in China. In 1999, China was the 4th largest U.S. trading partner. Since I joined Congress, I have voted three times in favor of normal trade relations with China. Today, however, I will vote to reject H.R. 4444 for three reasons.

First, before today, an annual review of China's performance in the areas of human rights and nuclear non-proliferation has been concretely tied to a vote in Congress on its trade status. This has provided the U.S. with leverage to raise critical issues with China regarding human rights, workers rights, freedom of religion and association, the autonomy of Tibet, the transfer of nuclear technology, the security of Taiwan, and the proliferation of nuclear weapons. At least once a year, China had to respond seriously to these concerns in order to gain the two things it most desires: access to U.S. technology and access to the U.S. consumer market. I don't mean to imply that China's performance always improved in these areas, but the annual review, directly tied to a vote on trade, ensured that the dialogue between our two nations was a serious one.

The vote today strips the Congress, and I believe the Administration, of any leverage on these issues. We can establish commissions and release reports to monitor human rights in China, but we already do that regularly anyway. More pieces of paper will have little impact on China. What leverage we had was due to the fact that the review was tied directly to a vote on trade.

Second, I am interested in not only who benefits from the U.S.-China bilateral trade agreement, but also who suffers. I believe many of the claims made on both sides of this debate will prove, over time, to be exaggerated—especially in light of China's record of non-compliance with other trade agreements. I believe many businesses in Massachusetts, including in my own district, will benefit from increased commerce with China, particularly in the areas of high-tech, computers and financial services. I believe trade in these areas between our two countries will increase even if permanent NTR is rejected today.

I also know, however, that in negotiating this agreement the U.S. Trade Representative conceded whole areas of trade and commerce to China. Nowhere is this more true than in the textile and clothing industry. Prior to the conclusion of negotiations on the bilateral trade agreement, I wrote and phoned the

USTR about this issue, pleading for support. My letters and calls went unanswered. I would like to point out to my colleagues that this is the very first trade agreement opposed both by the textile manufacturers and the clothing and textile workers. As this House knows, that was not the case with NAFTA, the Caribbean Basin Initiative/CBI or the recently approved Africa trade bill. This alone should give all my colleagues an idea about exactly how bad this agreement is for clothing and textiles, and for communities like those I represent in southeastern Massachusetts. By opposing H.R. 4444, I stand with the families and towns whose lives and livelihoods have been so callously disregarded by the USTR.

Third, I believe the very framework around which we currently pursue trade agreements is flawed. Worse, I believe it runs counter to our ability to achieve our goals in promoting freedom and democracy worldwide. Let me be clear, I support normal trade relations with all nations. I believe it is good for America, good for the exchange of goods and services, and good for the exchange of ideas. I am not and never will be an isolationist. I believe strongly, however, that commerce and trade must not operate separate from, let alone contrary to, other national priorities; to promote democracy, nuclear non-proliferation, respect for human rights, and protection of the environment. Internationally, the U.S. is a leader on these issues and a party to international agreements, standards and law. Yet in the areas of trade and commerce, we often negotiate agreements that undermine these other standards and agreements. I believe we must integrate these priorities, not separate them. We have a global economy because the world is now, more than ever before, a global, interdependent community.

The bilateral trade agreement negotiated between the U.S. and China, which goes far beyond ''normal'' trade relations, and H.R. 4444 to grant permanent NTR to China have aggressively sought to ''de-link'' trade from any other U.S. priority or consideration. I believe this takes us down the wrong path. It says to all the other countries of the world that human rights, arms control, and the environment are not important to the U.S. if a buck is to be made. Last minute sugarcoating to establish commissions to monitor human rights will not change this basic message. And it's the wrong message.

For these reasons, and many others, I urge my colleagues to oppose H.R. 4444.

I submit the following materials from the textile industry.

AMERICAN TEXTILE MANUFACTURERS INSTITUTE,
Washington, DC, May 10, 2000.

RE: China Permanent NTR—Textile and Appeal Markets

DEAR REPRESENTATIVE: On behalf of the American Textile Manufacturers Institute (ATMI), I would like to reiterate our opposition to legislation granting permanent normal trade relations to China (NTR) and to again urge you to vote against this proposal. We have written you previously outlining concerns, and this letter is to elaborate more fully on the issue of market access. ATMI is the national trade association for the domestic textile industry, with member company facilities in more than 30 states.

Contrary to claims that the United States gave up nothing in the agreement to support China's accession to the World Trade Organization (WTO), we must emphatically point out that the U.S. has actually given China greater access to our textile and apparel market than that given any other WTO member. Incredibly, the U.S. did this while at the same time doing nothing to guarantee that we will receive reciprocal access the China's markets.

While current WTO members are seeing U.S. textile and apparel quotas phased out over a ten-year period, China will be allowed to benefit from a phaseout period of five years or less (depending on when they actually join the WTO). This is the equivalent of, in a baseball game, allowing one team (China) to start an inning with a runner leading off second base while making every other team play by the normal rules and start each inning in the batters' box. China is being given an enormous headstart toward home plate, which in this case is the elimination of all U.S. quotas and thus unrestricted access to the U.S. market.

At the same time, the U.S. has received nothing but the same old tired assurance from China that they will allow our textile and apparel exports to enter their country. We have heard this song and dance before. But as the following chart shows. China has effectively used its elaborate system of tariff and non-tariff barriers to keep its market closed to our products.

Based on this poor track record, we sincerely doubt that China's most recent assurance of access will pan out.

So as far as textile trade goes, this is a one-sided trade deal that only benefits China, Accordingly, we urge you to reject permanent NTR and allow Congress the chance to use annual renewal of NTR as leverage to force China to honor the promises it has already made to allow U.S. textile and apparel exports access to the vast but heretofore virtually closed Chinese market.

Sincerely,

ROGER CHASTAIN,
President.

AMERICAN TEXTILE MANUFACTURERS INSTITUTE,
Washington, DC, May 18, 2000.

Re: China Permanent NTR—Ineffective Textile and General Product Safeguards

DEAR REPRESENTATIVE: We understand that the House Ways and Means Committee leadership has reached a deal under which the product safeguard provisions of last November's China WTO accession agreement will be incorporated into the permanent normal trade relations (NTR) bill, H.R. 4444. On behalf of the American Textile Manufacturers Institute (ATMI), I would like to point out that this ''breakthrough'' will not do anything to alleviate our concerns. We are still strongly opposed to this legislation and urge your opposition as well.

Enclosed is a copy of our April 21 letter to Ambassador Barshefsky, which points out serious flaws in the China WTO accession agreement's textile product safeguard and 12-year general product safeguard. As you will note from our letter and accompanying questions, we believe the safeguard provisions in the accession agreement will not be effective in preventing serious harm to the U.S. textile industry as a result of import surges. Therefore, inclusion of these provisions in H.R. 444 or any parallel legislation does not address our concerns.

Also, as we stated in this letter (and as you probably know from our previous letters, congressional testimony, news releases and communications from our members and workers in your district), China's entry into the WTO under the accelerated quota phaseout schedule is projected to cost over 150,000 jobs in the U.S. textile and related industries. Thus, we again dispute the claim by supporters of the bill that the United States ''gave away nothing'' in this agreement—in fact, the U.S. is proposing to give China faster access to our market than any other WTO member, and at the cost of 150,000 U.S. jobs.

Therefore, we urge you to vote ''NO'' on H.R. 4444 when it comes before the House.

Sincerely,

ROGER W. CHASTAIN,
President.

AMERICAN TEXTILE MANUFACTURERS INSTITUTE,
Washington, DC, April 21, 2000.

Ambassador CHARLENE BARSHEFSKY,
United States Trade Representative,
Washington, DC.

DEAR AMBASSADOR BARSHEFSKY: We would appreciate your review of several important matters concerning the textile product safeguard and the twelve-year general product specific safeguard in the China WTO Accession agreement.

An effective safeguard is of paramount importance to the livelihoods of more than 1.2 million textile and apparel workers. The study by the International Trade Commission on China's accession concluded that China's share of the U.S. apparel market would triple as a result of the agreement. Another study by Nathan Associates came up with the same conclusion and examined the impact on U.S. textile and apparel employment. The Nathan study determined that over 150,000 U.S. jobs in the textile and apparel sector would be lost as a result of the agreement.

The information we have received thus far as to the details regarding the use of either the textile specific or the general product specific safeguard has created serious concerns regarding the potential effectiveness of either instrument.

We would appreciate hearing from you at your earliest convenience about how these safeguard mechanisms will operate.

Sincerely,

CARIOS MOORE,
Executive Vice President.

ATMI QUESTIONS ON THE TEXTILE PRODUCT SAFEGUARD AND THE 12 YEAR PRODUCT SPECIFIC SAFEGUARD IN THE CHINA WTO ACCESSION AGREEMENT

(1) Textile Product Safeguard

(a) Administration: Will the Committee for the Implementation of Textile Agreements (CITA) will be the administrator of the textile product safeguard in the China WTO accession agreement?

(i) Will CITA be the final decision-making authority on the imposition of this safeguard?

(ii) Will CITA have authority to direct U.S. Customs to carry-out safeguard actions?

(b) Timing: Will textile products that have already been integrated be subject to the textile product safeguard immediately upon china's entry into the WTO and will those products that will be integrated in 2002 be eligible for a safeguard action, if appropriate, in 2002?

(c) Original finding of market disruption: China has by far the world's largest textile and apparel complex and by far the largest quota coverage (over 100 quotas) imposed on its textile and apparel exports. These quotas were imposed because of findings of market disruption over the past 15 years. Can the original finding of market disruption automatically be re-applied when these quotas are removed?

(i) If not, if China's imports do surge across most, if not all, product categories (as the ITC study appears to imply they will), would separate market disruption findings be needed on each category, or, if an overall condition of disruption could be found, could this serve in place of separate statements?

(d) New findings of market disruption: If the original market disruption finding cannot be reapplied, the U.S. has historically made a determination of market disruption in textile and apparel cases where imports of a given textile product were increasing from a particular country (as well as from the world overall) while domestic U.S. production of that same product was declining. Could the U.S. use these same three criteria alone—increasing Chinese imports, increasing world imports and decreasing U.S. production—to make a similar finding under the textile product safeguard in this agreement?

If not, what other or different criteria would be required under a WTO-based system?

(ii) In other cases, the ITC study predicts that china will take market share from other countries. Some of these countries—Mexico and the Caribbean nations—are primary export markets for U.S. textile products. Please confirm that the U.S. could take action on the basis of increasing Chinese imports and declining U.S. production with overall imports remaining stable.

(e) Use of textile inputs to take an apparel safeguard action: As mentioned above, a large percentage of U.S. textile output is now exported to the CBI and Mexico for assembly into garments for re-export back to the United States. Displacement of these regional apparel imports into the United States by Chinese imports would hurt the U.S. textile industry in the same way that the loss of U.S. apparel production does. In fact, for many products, including knit shirts, underwear and woven trousers, a substantial amount of the production originally sourced in the United States has now shifted to the CBI and Mexico. It is extremely important that ATMI be able to ensure that both safeguards in the agreement can be used to protect its workers if these re-export markets are threatened by Chinese imports.

(i) Will the government consider declines in complementary U.S. textile products as a basis for imposing safeguard measures against increasing Chinese apparel imports?

(ii) How would the administration ensure that no WTO difficulties would result from such a result. (see ''e'' below)?

(f) Definition of U.S. apparel production: The United States currently defines a cut piece of fabric which is being exported as a completed garment—as a result government reports sometimes show that U.S. apparel production for a given product is increasing when in fact it is exports of the cut pieces of cloth that are increasing (note: these pieces constitute the bulk of the trade between the U.S. and Mexico and the CBI). If these cut pieces exports were removed, actual U.S. apparel production would almost certainly be in decline.

(i) When considering the use of either safeguard will the government commit to removing exported cut pieces of U.S. fabric from its U.S. apparel production calculations?

(ii) Are there any WTO rules or regulations which this would violate?

(g) Lack of recent U.S. textile and apparel production data: During the last five years, the Commerce Department has stopped issuing quarterly textile and apparel production figures and, as a result, U.S. apparel production figures are often a year or more out of date. The government has also sometimes delayed safeguard actions until more recent production data was available. The imposition of a safeguard measure requires immediate action if it is to be effective—particularly when a dominant supplier such as China is involved.

(i)Will the government agree that it will either re-institute quarterly reporting or that it will use the most recent available production data that it has available as a basis for any safeguard measure and that it will not delay imposition of a safeguard measure because of production information?

(h) Definition of ''reapplication'': The textile safeguard says that after a measure has been in place a year, the safeguard must be ''reapplied'' in order to be extended. What does ''reapplied'' mean?

(i) Does it mean that a new market disruption statement would need to be created?

(1) If so, does this mean that the government would have to wait until imports started increasing again in large numbers before a new safeguard could be imposed?

(a) Would this mean that the industry could conceivably be forced to wait up to a year—in order for a pattern of increasing imports to be established—before a second safeguard action could be applied?

(i) Concerns over potential number of cases and speed of response: Under the category system, China currently has over 100 quotas applied to it. Under the WTO accession package, almost all of these quotas will disappear on Jan. 1, 2005. How can the U.S. government ensure that safeguard actions will quickly be forthcoming if a large number of categories qualify for action at the same time? ((see b) and I) above for details).

(j) Can China appeal a safeguard action to the DSB?: If China disagreed with the imposition of a safeguard by the U.S., would it have recourse under the WTO to request dispute settlement?

(i) If so, could a dispute settlement panel or some other WTO entity overturn the imposition of a quota under this safeguard or authorize Chinese retaliation?

(1) The creation of a textile safeguard action against a WTO country in Agreement on Textiles and Clothing has steadily become more complex, difficult and time-consuming—at least 12 different areas have to be investigated thoroughly and reported upon. Safeguard actions have come to require enormous amount of work and even then outcomes, which require consensus, are often unsatisfactory. As a result, textile safeguard actions for WTO countries are now exceedingly rate.

(a) If a U.S. safeguard action is appealable within the WTO, how can the U.S. government ensure that safeguard actions against China do not get bogged down in this cumbersome process?

(k) Use of the category system in safeguard actions: Under the MFA and ATC, the U.S. has used a category system in order to impose specific quotas. Textile Monitoring body (TMB) reports in the WTO have implied that they no longer consider the category system a relevant vehicle for safeguard actions. Would the U.S. use the category system or would it consider using alternative systems for imposing a safeguard?

(l) WTO criteria: what are the WTO criteria for ''market disruption'' and what would the U.S. have to do meet to sustain a textile product specific safeguard action under WTO review?

(2)The 12 Year Product Specific Safeguard

(a) CITA to administer? Who will be the administrator of the overall product specific safeguard in textile cases? Will CITA administer this safeguard as it has other safeguards under the GATT and the WTO?

(b) Will a Presidential finding be required? Will a judgment of material injury by the administrator require the imposition of a safeguard or will presidential action be also required? (In 301 cases, we note that Presidential action is NOT required.) The ability of a Presidential to potentially ignore a finding of material injury concerns us.

(c) Do textile inputs have standing in a case of increased apparel imports? As stated in regards to the textile safeguard (see 1d) a large percentage of U.S. textile output is now exported to the CBI and Mexico for assembly into garments for re-export back to the United States.

(i) Will declines in complementary U.S. textile products be accepted as a basis for imposing safeguard measures against increasing Chinese apparel imports.

(ii) Are there any WTO rulings or regulations which could be used to prevent such a basis?

(d) A second safeguard action? Can a second safeguard action be re-instituted after a three-year or two-year safeguard has been imposed if a new investigation determines that it is warranted?

(i) Would such a safeguard still be open to retaliation (eg, China's suspension of concessions)?

(e) Section 406—how does it compare?

(i) Can the safeguard under section 406 be applied rather than the general product specific safeguard in this agreement?

(ii) Will section 406 remain in effect in the event that China gets PNTR and the 406, as a part of Jackson Vanik, no longer operable?

(iii) The administration claims that the injury threshold for the product specific safeguard is lower than section 201, stating that it will be easier for industries to get relief under this provision from growing Chinese imports. However, the injury standard for section 406 appears to be the same as the product specific safeguard and the duration of relief is actually longer under section 406. Yet, section 406 is almost never used, while section 201 is more frequently employed.

(1) What is the basis for the administration's belief that utilization of this product specific safeguard will be greater and easier to use?

(2) In your opinion, why are section 406 actions so rarely brought and why should product specific safeguard actions—which appear to be virtually identical—be any easier?

(3) Dumping

(a) Textile dumping cases: Can language be inserted into the agreement making it easier to bring dumping cases against Chinese imports (right now, effective textile dumping cases are difficult to bring because minor product specific changes can result in the evasion of dumping margins.)

(4) Countervailing Duty Cases

(a) Are CVD cases now possible? The USTR Fact Sheet published in *Inside US Trade* implies that countervailing duty suits will be allowed against China. However, Commerce maintains a prohibition on any CVD petitions against non-market economies and the dumping provisions in the United States/China agreement refer to China as a non-market economy. China, therefore, appears to be immune from United States CVD law.

(i) Will the Administration change the Commerce position?

Mrs. MEEK of Florida. Mr. Speaker, I rise in opposition to H.R. 4444, permanent normal trade relations for China. While I must first say that I am essentially a ''free trader'' I am opposed to the extension of permanent normal trade relations with China because of China's dismal record on human rights and its dismal record on worker rights, labor standards and environmental protections. The United States has formerly criticized China's human rights record before the United Nations Human Rights Commission for measures against political activists that have created what officials called a ''sharply deteriorated [human] rights situation . . .'' Pursuant to a May 1, 2000 Report on International Religious Freedom, ''Chinese government violations of religious freedom increased markedly during the past year.''

China has received normal trade relations (NTR) status annually since 1980. However,

gross human rights abuses in China still prevail. Since the Tiananmen Square tragedy of 1989, the annual process of renewal has been a meaningful way to impact human rights considerations into the U.S.-china trade debate. The annual debate in the Congress on normal trade relations is the only substantive economic leverage the Congress can choose to exert against China. If Congress grants China permanent normal trade status, the United States will lose the best leverage it has to meaningfully influence China to enact internationally recognized rights and protections. While there is no doubt that the globalization of the world's markets is inevitable, Congress should continue to have an opportunity to review China's human rights performance on an annual basis before granting China permanent normal trade relations.

Mr. Speaker, in the past, I have voted in support of most favored nation [MFN] status for China. Last year, I opposed the year long MFN for China. However, today, I oppose PNTR for China because of its potential negative impact on the American worker.

While this bill might provide certain economic benefits and advantages to some American companies, it could hurt other American industries and may cost many Americans their jobs. Pursuant to a report by the Economic Policy Institute, American workers in every state will lose jobs if this bill is passed. Over the next decade, U.S. job losses would total 872,091 with every industry suffering.

In the State of Florida alone, an estimated 22,277 jobs will be lost. If we do not protect the interest of the American worker, then who will? We must not allow ''big business'' to sell out the American worker, nor can I allow small business in my district to be severely impacted by this trade pact.

Most Americans recognize the importance of trade. Most Americans also recognize the importance of decent wages and decent work standards. In the United States, our manufacturing industry served as the lifeblood of millions of Americans for generations. The manufacturing industry and other similar industries served as a vehicle for millions of Americans to lift themselves out of poverty and achieve the American dream. However, in the last 20 years, millions of manufacturing jobs have been lost to low-wage foreign nations producing cheap imports. We can not continue to lose American jobs to cheap labor abroad without substantive protections for the American worker.

Free trade without enforceable labor and environmental protections will promote the growth of child labor, forced labor, poverty-level wages and environmental abuses. Increasingly, American companies are moving their operations abroad in order to take advantage of cheap labor and near non-existent environmental standards. Unfortunately, for many businesses, this is the great attraction of China. PNTR will perpetuate the increasing exploitation of Chinese workers and add to the suffering of thousands of children who toil in filthy hazardous sweatshops. We must not aid in this human tragedy.

Mr. Speaker, human rights is a fundamental principal of American democracy; the ability of the American worker to gain meaningful employment is critical to the prosperity of America; labor standards and worker rights are fundamental rights which should be extended to every worker—across the globe; and exploitation of innocent children is unacceptable. I urge my colleagues to vote against this bill.

The SPEAKER pro tempore (Mr. LAHOOD). All time for debate has expired.

Pursuant to House Resolution 510, the previous question is ordered on the bill, as amended.

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.

MOTION TO RECOMMIT OFFERED BY MR. BONIOR

Mr. BONIOR. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BONIOR. I am, Mr. Speaker, in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. BONIOR moves to recommit the bill, H.R. 4444, to the Committee on Ways and Means and the Committee on International Relations with instructions that those committees report the bill back to the House promptly with the following amendment:

Add at the end of title I the following new section:

SEC. 105. WITHDRAWAL OF NORMAL TRADE RELATIONS.

(a) FINDINGS.—The Congress finds that—

(1) Article XXI of the GATT 1994 (as defined in section 2(1)(B) of the Uruguay Round Agreements Act (19 U.S.C. 3501(1)(B)) allows a member of the World Trade Organization to take ''any action which it considers necessary for the protection of its essential security interests,'' particularly ''in time of war or other emergency in international relations''; and

(2) an attack on, invasion of, or blockade of Taiwan by the People's Republic of China would constitute a threat to the essential security interests of the United States and an emergency in international relations.

(b) WITHDRAWAL OF NORMAL TRADE RELATIONS.—Pursuant to Article XXI of the GATT 1994, nondiscriminatory treatment (normal trade relations treatment) shall be withdrawn from the products of the People's Republic of China if that country attacks, invades, or imposes a blockade on Taiwan.

(c) APPLICABILITY TO EXISTING CONTRACTS.—The President shall have the authority to determine the extent to which the withdrawal under subsection (b) of normal trade relations treatment applies to products imported pursuant to contracts entered into before the date on which the withdrawal of such treatment is announced. The President shall issue regulations to carry out such determination.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. BONIOR) is recognized for 5 minutes on his motion to recommit.

Mr. BONIOR. Mr. Chairman, I yield to the distinguished gentleman from California (Mr. BERMAN).

Mr. BERMAN. Mr. Speaker, the motion to recommit is the exact same language as an amendment that the gentleman from Pennsylvania (Mr. WELDON) and I offered in the Committee on Rules we sought to have incorporated in the base bill or to be offered as an amendment, but we were not allowed to so. It is very simple. It simply says that PNTR is automatically revoked if China attacks, invades, or blockades Taiwan.

Now, when we talk to people in the administration or even outside in the academic world, people who are China experts, they all say, but if China invades, attacks, or blockades Taiwan, of course we would revoke PNTR and much more.

But, over and over again in history, we know that when nations do not tell the consequences for conduct for aggressive actions, other countries misread those consequences.

Having studied what happened prior to the Gulf War for a very long time, I believe if we had made more clear to Saddam Hussein what would have happened should he invade Kuwait, that particular bloody battle could have been avoided.

If all we are going to do is agree to revoke PNTR should this very real threat be implemented, then let us tell the Chinese beforehand.

I agree with the gentleman from Illinois (Speaker HASTERT), reach out to the future. But as we do so, remember the past, give the specific announcement of the consequence for the threat to our national security interests for which we spend billions of dollars in forward deployment in the Western Pacific.

And, by the way, this is GATT pursuant to article 21. Arguments being spread around this Chamber that this somehow is GATT violative are inaccurate, wrong, and improper legal analysis.

Mr. BONIOR. Mr. Speaker, I yield to the distinguished gentleman from Georgia (Mr. NORWOOD).

Mr. NORWOOD. Mr. Speaker, I rise to support this bipartisan motion. Surely we should use our economic leverage with China to deter any Chinese aggression against Taiwan. It is a very simple motion that will do exactly what we need to do to protect our ally.

Mr. BONIOR. Mr. Speaker, I yield to the distinguished gentleman from Virginia (Mr. WOLF), who has been so marvelous on this issue.

Mr. WOLF. Mr. Speaker, there are good people on both sides. I know as a Member that sometimes we want to be with our party and sometimes we want to be with our President.

For me, I want to be with my conscience. My conscience tells me, and I think the American people would agree, that if China attacks, invades, or blockades Taiwan, they should lose PNTR.

Support the motion to recommit. That is where the American people would be.

Mr. BONIOR. Mr. Speaker, I yield to the distinguished gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I think the bottom line question we all need to ask, Mr. Speaker, is, is there anything that the dictatorship in Beijing can do that would lead to a loss of support for PNTR that Beijing so desperately wants? They need

to know, as my friend, the gentleman from California (Mr. BERMAN), said, up front what the consequences will be.

If pervasive torture, religious persecution, Laogai labor, a lack of press freedom, and worker rights and other human rights abuses are not enough, I sincerely hope that war with Taiwan is sufficiently egregious to trigger a loss of support for PNTR.

Mr. BONIOR. Mr. Speaker, I yield to the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I asked only three questions of the CIA when I went in for the briefing. I said, will PNTR, if we pass it, stabilize or destabilize the regime? They said, stabilize. I said, what will it do to buildup of forces on the shoreline and the aggressive forces that are being amassed against Taiwan? They said, it will improve it.

I tell my colleagues now, as I left that meeting, I walked away thinking about the oath of office I took with all of my colleagues here, the oath that said I swear to protect and defend this country.

Think about that oath. Vote for this motion to recommit.

Mr. BONIOR. Mr. Speaker, I yield to the distinguished gentleman from California (Mr. HUNTER).

Mr. HUNTER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I would simply say, if we supplied the American dollars for the missile destroyers, we supplied American dollars for the AWACS and air refueling equipment and for the kilo submarines that China is acquiring, we at least owe the commitment to Taiwan to condition those supplies of American cache with a commitment to have a benign relationship with Taiwan on the part of mainland China.

Mr. DELAY. Mr. Speaker, I rise in opposition to the motion to recommit.

PARLIAMENTARY INQUIRY

Mr. DELAY. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. DELAY. Mr. Speaker, if this motion to recommit passes, it does not instruct the committee to report back forthwith with instructions. Does that mean that if this motion to recommit passes that the bill will have to go back to committee?

1700

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Texas is correct.

Mr. DELAY. Mr. Speaker, what that means is that it will be reported back to committee, and there will be no vote on final passage?

The SPEAKER pro tempore. The gentleman from Texas is correct, the bill would be recommitted to two committees.

PARLIAMENTARY INQUIRY

Mr. BONIOR. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BONIOR. Mr. Speaker, is it not also true that if indeed this motion passed, this bill could be reported back to the two respective committees to which it is designated and that bill could be reported back to the House tomorrow?

The SPEAKER pro tempore. At some subsequent time, the committees could meet and report the bill back to the House.

Mr. DELAY. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Speaker, as a member of the Subcommittee on Defense of the Committee on Appropriations for 22 years and a former member of the Permanent Select Committee on Intelligence, I rise to oppose the motion to recommit. First of all, the Bonior motion to recommit violates GATT provision article 1, because you cannot condition most favored nation status, MFN, or NTR, so this is a killer amendment.

The President, by the way, already has the authority to withdraw at any time MFN or NTR status for the People's Republic of China. Also, under article 21 of GATT, the United States has unilateral authority to exert its national security exception for any reason. Clearly reacting to an attack on Taiwan would meet the security exception.

The U.S. can withdraw MFN or NTR clearly under those circumstances without having to in any way compensate China. And WTO members have wide discretion to invoke its GATT 21 rights. This authority has gone back for many years. We have exerted it against Cuba, we have exerted it against Nicaragua, and it has been sustained in every instance. So this amendment is not necessary, it is a killer amendment, and I hope that the House will reject the motion to recommit.

Mr. DELAY. Mr. Speaker, I rise in strong opposition to this motion to recommit. If Members are for the bill, vote for it. If they are against the bill, vote against it, but do not do it this way. This is a very clear poison pill by opponents of free trade to kill this historic legislation, make no mistake about it. This amendment is a procedural vote that is cleverly drafted to appeal to those of us who support Taiwan. But let us be clear. This is a blatant political move to bring down this bill both on substance and on procedure.

Mr. Speaker, there is no bigger supporter and defender of Taiwan than myself. I have worked with Members on both sides of this aisle and on both sides of this debate on legislation to protect Taiwan and give it the resources it needs to defend itself from Beijing. Most Members voted for the Taiwan Security Enhancement Act. I have been and will continue to be an outspoken opponent against China's Communist leaders.

I share the concerns of my friend the gentleman from California (Mr. BERMAN) about Beijing's constant refusal to renounce the use of force against Taiwan, and I will continue to work with anyone in this Congress who wants to address these issues. But, Mr. Speaker, this amendment does not help Taiwan. It puts them square in the middle of a vicious political fight. Taiwan supporters need to understand this. Taiwan does not support this language. We have spoken to I-jen Chiou, the Deputy Secretary-General of the Taiwan Security Council, and he made it clear that this amendment is not helpful to Taiwan. They support PNTR. They support China getting into the WTO. This amendment puts all of that in jeopardy.

Let me say to my friends on both sides of the aisle, if China attacks Taiwan, I will be the first to come down on this floor to force any administration, whether it be Democrat or Republican, to take action against China. But let us be clear. This language will do nothing to address our concerns with Beijing, it will have no impact on their actions but will permit the Chinese to refuse WTO benefits to American companies.

The USTR has already made it clear that this language will subject us to punishing tariffs once China enters the WTO. And at the same time, it does not give us any new authority. We already have the authority under the WTO to remove PNTR for China for national security reasons. However, singling out China preemptively is a violation of our commitments under the WTO. So, Mr. Speaker, I understand why this language looks appealing, but I urge my colleagues not to use our friends in Taiwan as a political tool.

After all the discussions, after all the commitments that have been made on this issue, Members will not even get to vote on final passage today if this motion to recommit passes. Now, they say it will come back from committee. I have got to tell Members, they do not come back from committee. When motions to recommit like this go back to committee, they are subject to oblivion.

This is it. If you are against it, vote against the bill. If you are for it, vote for the bill but do not play this kind of game. Vote ''no'' on the motion to recommit.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. BONIOR. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 176, noes 258, not voting 1, as follows:

[Roll No. 227]

AYES—176

Abercrombie
Aderholt
Andrews
Baca
Baldacci
Baldwin
Barcia
Barr
Barrett (WI)
Bartlett
Barton
Berkley
Berman
Blagojevich
Bonior
Borski
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Burton
Buyer
Capuano
Chabot
Chenoweth-Hage
Clay
Clement
Clyburn
Coburn
Condit
Conyers
Cook
Costello
Coyne
Crowley
Cummings
Danner
Davis (IL)
DeFazio
Delahunt
DeLauro
Deutsch
Dingell
Doyle
Duncan
Engel
Evans
Farr
Forbes
Frank (MA)
Gejdenson
Gephardt
Gibbons
Gilman
Goode
Gordon
Graham
Green (TX)
Gutierrez
Hall (OH)
Hefley
Hilliard
Hinchey
Hoeffel
Hoekstra
Holden
Holt
Horn
Hostettler
Hunter
Jackson (IL)
Jackson-Lee (TX)
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kennedy
Kildee
Kilpatrick
Kingston
Kleczka
Klink
Kucinich
Lampson
Lantos
Lee
Lewis (GA)
Lipinski
LoBiondo
Luther
Markey
Mascara
McCarthy (NY)
McGovern
McIntyre
McKinney
McNulty
Menendez
Millender-McDonald
Miller, George
Mink
Moakley
Mollohan
Murtha
Nadler
Ney
Norwood
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Payne
Pelosi
Peterson (MN)
Phelps
Pombo
Rahall
Riley
Rivers
Rodriguez
Rogan
Rogers
Rohrabacher
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Saxton
Schaffer
Schakowsky
Sensenbrenner
Shadegg
Sherman
Shows
Sisisky
Slaughter
Smith (MI)
Smith (NJ)
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Strickland
Stupak
Tancredo
Taylor (MS)
Taylor (NC)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Wamp
Waters
Waxman
Weldon (FL)
Wexler
Weygand
Wise
Wolf
Woolsey
Wu
Wynn

NOES—258

Ackerman
Allen
Archer
Armey
Bachus
Baird
Baker
Ballenger
Barrett (NE)
Bass
Bateman
Becerra
Bentsen
Bereuter
Berry
Biggert
Bilbray
Bilirakis
Bishop
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boyd
Brady (TX)
Bryant
Burr
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chambliss
Clayton
Coble
Collins
Combest
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
Davis (FL)
Davis (VA)
Deal
DeGette
DeLay
DeMint
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Doolittle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Eshoo
Etheridge
Everett
Ewing
Fattah
Filner
Fletcher
Foley
Ford
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gonzalez
Goodlatte
Goodling
Goss
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinojosa
Hobson
Hooley
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Inslee
Isakson
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Kelly
Kind (WI)
King (NY)
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Largent
Larson
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Maloney (CT)
Maloney (NY)
Manzullo
Martinez
Matsui
McCarthy (MO)
McCollum
McCrery
McDermott
McHugh
McInnis
McIntosh
McKeon
Meehan
Meek (FL)
Meeks (NY)
Metcalf
Mica
Miller (FL)
Miller, Gary
Minge
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Napolitano
Neal
Nethercutt
Northup
Nussle
Ortiz
Ose
Oxley
Packard
Pastor
Paul
Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Rangel
Regula
Reyes
Reynolds
Roemer
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Sawyer
Scott
Serrano
Sessions
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Skelton
Smith (TX)
Smith (WA)
Snyder
Stenholm
Stump
Sununu
Sweeney
Talent
Tanner
Tauscher
Tauzin
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Tiahrt
Toomey
Turner
Upton
Vitter
Walden
Walsh
Watkins
Watt (NC)
Watts (OK)
Weiner
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Young (AK)
Young (FL)

NOT VOTING—1

Scarborough

1724

Mr. RUSH and Ms. WATERS changed their vote from ''no'' to ''aye.''

So the motion was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the passage of the bill.

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

RECORDED VOTE

Mr. CRANE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 237, noes 197, not voting 1, as follows:

[Roll No. 228]

AYES—237

Ackerman
Allen
Archer
Armey
Bachus
Baird
Baker
Ballenger
Barrett (NE)
Bass
Bateman
Becerra
Bentsen
Bereuter
Berry
Biggert
Bilbray
Bishop
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boyd
Brady (TX)
Bryant
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Combest
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
Davis (FL)
Davis (VA)
DeGette
DeLay
DeMint
Dickey
Dicks
Dixon
Doggett
Dooley
Doolittle
Dreier
Dunn
Edwards
Ehlers
Emerson
English
Eshoo
Etheridge
Everett
Ewing
Fletcher
Foley
Ford
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gonzalez
Goodlatte
Goss
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinojosa
Hobson
Hooley
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Kasich
Kelly
Kind (WI)
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Largent
Latham
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Maloney (NY)
Manzullo
Martinez
Matsui
McCollum
McCrery
McDermott
McHugh
McInnis
McIntosh
McKeon
Meehan
Meeks (NY)
Miller (FL)
Miller, Gary
Minge
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Neal
Nethercutt
Northup
Nussle
Ortiz
Ose
Oxley
Packard
Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Radanovich
Ramstad
Rangel
Regula
Reyes
Reynolds
Roemer
Rogan
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sawyer
Schaffer
Serrano
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (TX)
Smith (WA)
Snyder
Stenholm
Stump
Sununu
Sweeney
Talent
Tanner
Tauscher
Tauzin
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Toomey
Turner
Upton
Vitter
Walden
Walsh
Watkins
Watts (OK)
Waxman
Weiner
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Young (FL)

NOES—197

Abercrombie
Aderholt
Andrews
Baca
Baldacci
Baldwin
Barcia
Barr
Barrett (WI)
Bartlett
Barton
Berkley
Berman
Bilirakis
Blagojevich
Bonior
Borski
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Burr
Burton
Buyer
Capuano
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Condit
Conyers
Cook
Costello
Coyne
Crowley
Cummings
Danner
Davis (IL)
Deal
DeFazio
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dingell
Doyle
Duncan
Ehrlich
Engel
Evans
Farr
Fattah
Filner
Forbes
Frank (MA)
Gejdenson
Gephardt
Gibbons
Gilman
Goode
Goodling
Gordon
Graham
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hayes
Hayworth
Hefley
Hilliard
Hinchey
Hoeffel
Hoekstra
Holden
Holt
Horn
Hostettler
Hunter
Jackson (IL)
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
King (NY)
Kingston
Kleczka
Klink
Kucinich

Lampson	Obey	Slaughter
Lantos	Olver	Smith (NJ)
Larson	Owens	Souder
LaTourette	Pallone	Spence
Lee	Pascrell	Spratt
Lewis (GA)	Pastor	Stabenow
Lipinski	Paul	Stark
LoBiondo	Payne	Stearns
Luther	Pelosi	Strickland
Maloney (CT)	Peterson (MN)	Stupak
Markey	Phelps	Tancredo
Mascara	Pombo	Taylor (MS)
McCarthy (MO)	Quinn	Taylor (NC)
McCarthy (NY)	Rahall	Thompson (MS)
McGovern	Riley	Tierney
McIntyre	Rivers	Towns
McKinney	Rodriguez	Traficant
McNulty	Rogers	Udall (CO)
Meek (FL)	Rohrabacher	Udall (NM)
Menendez	Ros-Lehtinen	Velazquez
Metcalf	Rothman	Vento
Mica	Roybal-Allard	Visclosky
Millender-McDonald	Rush	Wamp
	Sabo	Waters
Miller, George	Sanchez	Watt (NC)
Mink	Sanders	Weldon (FL)
Moakley	Sanford	Wexler
Mollohan	Saxton	Weygand
Murtha	Schakowsky	Wise
Nadler	Scott	Wolf
Napolitano	Sensenbrenner	Woolsey
Ney	Sherman	Wu
Norwood	Shows	Wynn
Oberstar	Sisisky	Young (AK)

NOT VOTING—1

Scarborough

1741

So the bill was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: ''A bill to authorize extension of nondiscriminatory treatment (normal trade relations treatment) to the People's Republic of China, and to establish a framework for relations between the United States and the People's Republic of China.''.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3688

Mr. DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 3688.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Is there objection to the request of the gentleman from Virginia?

There was no objection.

1745

COMMENDING ISRAEL'S REDEPLOYMENT FROM SOUTHERN LEBANON

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that the Committee on International Relations be discharged from further consideration of the concurrent resolution (H. Con. Res. 331) commending Israel's redeployment from southern Lebanon, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 331

Whereas Israel has been actively seeking a comprehensive peace with all of her neighbors to bring about an end to the Arab-Israeli conflict;

Whereas southern Lebanon has for decades been the staging area for attacks against Israeli cities and towns by Hezbollah and by Palestinian terrorists, resulting in the death or wounding of hundreds of Israeli civilians;

Whereas United Nations Security Council Resolution 425 (March 19, 1978) calls upon Israel to withdraw its forces from all Lebanese territory;

Whereas the Government of Israel unanimously agreed to implement Security Council Resolution 425 and has stated its intention of redeploying its forces to the international border by July 7, 2000;

Whereas Security Council Resolution 425 also calls for ''strict respect for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries'' and establishes a United Nations interim force to help restore Lebanese sovereignty; and

Whereas the Government of Syria currently deploys 30,000 Syrian troops in Lebanon: Now, therefore, be it

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

(1) commends Israel for its decision to withdraw its forces from southern Lebanon and for taking risks for peace in the Middle East;

(2) calls upon the United Nations Security Council—

(A) to recognize Israel's fulfillment of its obligations under Security Council Resolution 425 and to provide the necessary resources for the United Nations Interim Force in Lebanon (UNIFIL) to implement its mandate under that resolution; and

(B) insist upon the withdrawal of all foreign forces from Lebanese territory so that Lebanon may exercise sovereignty throughout its territory;

(3) urges UNIFIL, in cooperation with the Lebanese Armed Forces, to gain full control over southern Lebanon, including taking actions to ensure the disarmament of Hezbollah and all other such groups, in order to eliminate all terrorist activity originating from that area;

(4) appeals to the Government of Lebanon to grant clemency and assure the safety and rehabilitation into Lebanese society of all members of the South Lebanon Army and their families;

(5) calls upon the international community to ensure that southern Lebanon does not once again become a staging ground for attacks against Israel and to cooperate in bringing about the reconstruction and reintegration of southern Lebanon;

(6) recognizes Israel's right, enshrined in Chapter 7, Article 51 of the United Nations Charter, to defend itself and its people from attack and reasserts United States support for maintaining Israel's qualitative military edge in order to ensure Israel's long-term security; and

(7) urges all parties to reenter the peace process with the Government of Israel in order to bring peace and stability to all the Middle East.

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

Mr. GILMAN. Mr. Speaker, I yield 30 minutes to the gentleman from Connecticut (Mr. GEJDENSON), the ranking minority member of our committee, for purposes of debate only, pending which I yield myself such time as I may consume.

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

Mr. GILMAN. Mr. Speaker, I rise in strong support of H. Con. Res. 331, introduced by our distinguished majority leader, the gentleman from Texas (Mr. ARMEY), which commends Israel's decision to withdraw its forces from southern Lebanon.

The events of the past few days have indeed been historic. I was pleased to be an original sponsor of this resolution, which calls on the U.N. Security Council to recognize Israel's fulfillment of U.N. Security Council Resolution 425 by withdrawing from Lebanon and to insist that all foreign forces be withdrawn from that country.

The measure we are considering today is a major foreign policy statement of the Congress. It is pro-Israel and pro-Lebanon, sends a strong bipartisan message of peace and stability to the region. As a result of this latest major development, a high priority of the United States must also be to affirm Israel's right as noted in the U.N. charter to defend itself and its civilians from attack.

H. Con. Res. 331, Mr. Speaker, also reasserts U.S. support for maintaining Israel's qualitative military edge in order to ensure Israel's long-term security.

Mr. Speaker, Israel's courageous decision to pull out of Lebanon demonstrates its strong commitment to a peaceful resolution to the conflicts that troubled that region. I hope that Israel's courage is reciprocated by both Syria and Iran in their dealings with Lebanon. This means that the 30,000 Syrian forces now occupying Lebanon should also be removed as required by the Taif Accord. Moreover, Iran must understand that it cannot continue to equip and train Hezbollah and other terrorist groups without bearing the consequences of international public opinion.

As our colleagues know, Israel has been actively seeking a comprehensive peace with all of her neighbors since its miraculous creation in 1948, yet southern Lebanon has for decades been the staging area for attacks against Israeli citizens and towns by Hezbollah and Palestinian terrorists, resulting in the death or wounding of hundreds of Israeli civilians.

H. Con. Res. 331 recognizes the courageous risks for Israel that Israel is taking, as well as confirming the strict respect for the territorial integrity, sovereignty and political independence of Lebanon. It also appeals to the government of Lebanon to grant clemency and ensure the safety and rehabilitation into Lebanese society of all members of the south Lebanon Army and their families.

This measure underscores the congressional desire for the U.N. Security Council to swiftly recognize Israel's

fulfillment of its obligation. The U.N. should also provide the necessary resources for the U.N. interim force in Lebanon, UNIFIL, to implement its mandate under resolution 425. UNIFIL, in cooperation with the Lebanese armed forces, must gain full control over southern Lebanon, including taking actions to ensure the disarmament of Hezbollah and all other such groups.

All terrorist activities originating from southern Lebanon must end and every effort must be taken to ensure that southern Lebanon does not once again become a staging ground for attacks against Israel.

In closing, Mr. Speaker, let me say that progress in the Middle East peace process is frequently measured in inches; yet the events of the past few days emphasize the miles that Israel will go to achieve peaceful co-existence with her neighbors.

Accordingly, I urge all parties to reenter the negotiating process with the government of Israel in order to bring peace and stability to the entire region and reiterate my strongest support for the adoption of H. Con. Res. 331.

Mr. Speaker, I yield such time as he may consume to our distinguished majority leader, the gentleman from Texas (Mr. ARMEY), the sponsor of this resolution.

Mr. ARMEY. Mr. Speaker, I would like to preface my comments today by paying my respects, as old professors are wont to do sometimes, I would say to the gentleman from California (Mr. LANTOS), to a former favored student, Mr. Nami Saba, a young man that had grown up in Lebanon and a young man who loved peace, who loved freedom, who loved learning and became quite a scholar in his own right. He set for me an example of what Lebanese culture, what the Lebanese people could be like and what this nation that we call Lebanon could once again be someday perhaps. So my wish tonight is not only for the people of Israel but for the people of Lebanon, those who, like Nami Saba, wanted only to be free to live in peace and to learn and to study and to share lovingly and graciously what they understood with other people.

Still, at this time, Mr. Speaker, we have a resolution that commends Israel for having the courage to take a risk for peace, and it does take a risk. As anybody watching these events now knows, Israel has again been willing to take that risk. It can only hope, as the resolution also urges, that all foreign forces will now leave Lebanon. There is no reason for the Syrians or anyone else to be there. Lebanon, its problems and its challenges, should be left to the Lebanese.

Mr. Speaker, Israel has faced dangers on its northern border and indeed from all sides, this despite the fact that her people desire only to live in peace. I firmly believe, as this resolution further states, that the United States must help maintain Israel's qualitative military edge. Israel is our best friend in the region, and we must stand with the Israeli people.

Again, I want to commend Israel for taking risks for peace; and if I might dare say again, on a personal note here, for the people of Israel and indeed for my friend, Nami Saba, I wish shalom, shalom.

Mr. GEJDENSON. Mr. Speaker, I yield myself such time as I may consume, and I would ask unanimous consent that the gentleman from Florida (Mr. HASTINGS) be in control of my time at the conclusion of my remarks.

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

There was no objection.

Mr. GEJDENSON. Mr. Speaker, the courage of the head of the Israeli government, Mr. Barak, during the campaign to state with certainty that he would remove Israeli forces from Lebanon was an exhibit of the courage that he has in his commitment to the peace process. As the majority leader pointed out, this did take risks, but with a recognition that things cannot remain as they are in the Middle East. Israel took tremendous risks to remove its forces and pull back from an area that had buffered its people from constant assaults and attack.

This is an opportunity for peace. We would hope that all the countries in the region, that in particular Syria does not make any effort to exploit this movement of Israeli forces back to Israel's territory. All the world watches to see if the countries of the region will help Lebanon, that has suffered so much for so many years, to rebuild itself and gain control of its own territory.

Hezbollah should understand this is an opportunity for them to develop a political presence, not to expand a military presence in the region.

The courageous acts of the Israelis recognizing during the campaign that Israeli presence out of Lebanon was a necessity should now be supported by the U.N. and other countries helping to rebuild Lebanon, helping Lebanon to regain control of its own territory, and helping us move forward in the peace process, with the Palestinians and all the countries of the region. When we look at the Middle East and we see the courage of the new king of Jordan, the leadership of the president of Egypt, we understand there is the capacity for peace. Now we will test all the countries in the region to see if that capacity can be spread and peace can indeed return to the land.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 6 minutes to the gentleman from California (Mr. LANTOS).

Mr. LANTOS. Mr. Speaker, I want to thank my friend, the gentleman from Florida (Mr. HASTINGS), for yielding me this time.

Mr. Speaker, there are four basic points I would like to make. First, I want to join the majority leader and my other colleagues in commending the State of Israel for withdrawing its forces from southern Lebanon. These forces were inserted into southern Lebanon in the first place because there were cross-border raids resulting in the death and mutilation of large numbers of Israelis, adults as well as children. The Israeli forces were in southern Lebanon not as an occupying force. Israel did not covet a single square inch of Lebanese territory. They were there as a buffer to protect the northern communities of the State of Israel from terrorist attacks.

I want to particularly commend Prime Minister Barak, Israel's most highly decorated soldier, for having the courage and taking the initiative in withdrawing these forces. Too, Mr. Speaker, we now have to ask Lebanon to act like a sovereign and independent country. Lebanon has a sizable military. That military now must move to the southern border of Lebanon, as any other country would do, so that the Lebanese military will protect its own territory. It is unacceptable that terrorist groups such as Hezbollah maintain control over the border region. Should that happen, it is easy to predict that a conflagration is just around the corner with incalculable consequences.

So the second thing we in this Congress must call for is for Lebanon to accept its own responsibility as a sovereign nation and to protect its own southern border.

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The third point, Mr. Speaker, I would like to make relates to Syria. Syria has had over 30,000 troops in Lebanon for years. The excuse for the stationing of such a huge Syrian military force in Lebanon was the presence in southern Lebanon of Israeli forces. That presence no longer exists. Let me repeat. That presence no longer exists. There is not a single Israeli soldier left on Lebanese territory.

I call upon President Asad to remove all of his forces from Lebanon. There is no justification in the 21st century for a neighbor to have occupying forces in a sovereign country. Syrian forces must forthwith withdraw from Lebanon if, indeed, a regional peace is to be built.

My final comment, Mr. Speaker, relates to the United Nations. The United Nations has about 4,500 troops in southern Lebanon. Some of these troops have been effective in policing. Some of the United Nations forces have performed their responsibilities well. Others have not. The Secretary General of the United Nations, Mr. Kofi Annan, whom we will welcome here tomorrow for lunch, now has the task of persuading the Security Council to send an additional United Nations force made up of dependable national contingents to assist in the policing of southern Lebanon. If these things happen, Mr. Speaker, we might look forward to the restoration of peace and stability between the state of Israel and the state of Lebanon.

May I say on a personal note, Mr. Speaker, that my first trip to Lebanon

was in 1956. In the 1960s, I was asked to assume the Presidency of the American University in Beirut, Lebanon. Lebanon used to be referred to as the Switzerland of the Middle East and justifiably so.

I hope that the Lebanese government will show the responsibility and the courage to move in this crisis. If they do, a new future will be opened to the Lebanese people who certainly deserve it, and peace between Lebanon and Israel will follow the peace that was established between Egypt and Israel and Jordan and Israel.

Once the Lebanese-Israeli peace is at long last established, President Asad of Syria will recognize that he, too, has this option to make peace with his neighbor Israel so that, at long last, this region can live in peace.

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

Mr. Speaker, this resolution calls for the United Nations Security Council Resolution 425 to be implemented, and it is being done or has been done by Israel in that it has now withdrawn its forces from all Lebanese territory.

Bridges of peace are buttressed by planks of good faith. Israel has acted in good faith by their actions, and they are right in this resolution by my colleagues and those of us that are cosponsors and are commended.

The time is now for all the parties to reenter the peace process. Central to this resolution are two things that I would like to point to. One, it appeals to the government of Lebanon to grant clemency and assure the safety and rehabilitation into Lebanese society of all members of the South Lebanon Army and their families. I wish that they would undertake that portion of the resolution.

In addition, it calls upon the international community to ensure that southern Lebanon does not once again become a staging ground for attacks against Israel and to cooperate in bringing about the reconstruction and reintegration of southern Lebanon. Syria has a role to play in that, the United Nations has a role to play in that, and Hezbollah law has a critical role to play in ensuring that that takes place.

I would like to commend Mr. Barak and his colleagues for their foresightedness with reference to this matter and urge all parties to reenter the negotiations so that there can be peace and stability in the Middle East.

Mr. Speaker, I yield 3 minutes to my distinguished gentleman from Florida (Mr. WEXLER) whose district abuts mine.

Mr. WEXLER. Mr. Speaker, I thank the gentleman from Florida (Mr. HASTINGS) for yielding me this time.

Mr. Speaker, I think that there are two points that need to be made very clearly and could not be more dramatic. First and foremost, from here on in, nobody can say anything other than Israel has, in fact, fulfilled its obligations under the United Nations Security Council Resolution 425.

As a result of Israel's withdrawal from Lebanon, could it also not be said that the ball is now in the court of the Lebanese people, their leadership, as well as the Syrian people and their leadership.

This is an extraordinary opportunity for the Israeli withdrawal from Lebanon to be an impetus for peace. But Israel's actions, as they represent a risk for peace, will only result in peace if they are followed by similar risks by the Lebanese government and the Syrian government.

There can be no more excuses. Those that allege a fight in the name of some kind of redeployment or removal from Israel from Lebanon have no more excuses. It is time for Hezbollah to put down its arms. It is time for the United Nations to ensure peace in southern Lebanon and Israel's northern border.

The world should be put at alarm because, for now, it is the Lebanese people and the Syrian leadership that have the opportunity to create a real and lasting peace.

This resolution first and foremost sends our message, sends our strong will to the Israeli people and, at the same time, sends our great hope to the Lebanese people that they will reassert sovereignty over their country.

Mr. HASTINGS of Florida. Mr. Speaker, I am privileged to yield 3 minutes to the gentleman from New York (Mr. ENGEL), a tireless worker for peace in the Middle East.

Mr. ENGEL. Mr. Speaker, I thank the gentleman from Florida, my mother's congressman, for yielding me this time.

Mr. Speaker, I rise in strong support of H. Con. Res. 331, commending Israel's redeployment from southern Lebanon. Israel has fully complied with UN Resolution 425, removing its troops from Lebanon. Now I think it is fairly obvious that Syria ought to do the same.

There are currently 35,000 Syrian troops in Lebanon, and clearly those troops stop the Lebanese people from being masters of their own destiny. Syria allows Hezbollah, has allowed Hezbollah to stage attacks on the Israeli soldiers who were in southern Lebanon. If Hezbollah attempts to go across the border and attack Israel proper, the blame will surely be and squarely be at Syria's doorstep.

Indeed, when Israel announced that it was withdrawing from southern Lebanon, something that the United Nations and the Syrians and other Nations, the Arab Nations, have all said that they wanted for all these years, it was the Syrians who warned Israel and said they better not do that, they better not leave, which, to me, was simply mind boggling. When Israel said it will remove its troops from Lebanon, the Syrians were the ones who objected.

So it clearly shows that Syria has been using Lebanon and the Lebanese people as bargaining chips and for whatever purposes, other purposes they have for many, many years. Syria should get out of Lebanon now and allow the Lebanese people to control their own destiny.

I commend Prime Minister Barak and the Israeli government and the Israeli people for clearly showing that they want peace. What better way to show peace is at hand than to have Syria pull out as well?

When President Clinton met with Mr. Asad in Europe not long ago trying to help broker a peace between Syria and Israel, it was painfully clear to all that Mr. Asad and the Syrian government was not really interested in a genuine peace. In order to have peace, there has to be give-and-take. There has to be compromise. Both sides need to give in. But Mr. Asad, unfortunately, wanted it to be only a one-sided peace.

So the world really can look now at the Middle East and see which country is prepared to take risks for peace, which country is taking risks for peace, which country wanted to do it together, and not being allowed to do it together is now doing it unilaterally taking risks for peace. That country is Israel. Syria ought to do the same.

We ought to pass this resolution unanimously.

Mr. HASTINGS of Florida. Mr. Speaker, how much time do we have remaining?

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The gentleman from Florida (Mr. HASTINGS) has 15 minutes remaining.

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from New York (Mr. CROWLEY), a new member of the Committee on International Relations who has distinguished himself with his service there.

Mr. CROWLEY. Mr. Speaker, I thank the gentleman from Florida (Mr. HASTINGS) for yielding me this time.

Mr. Speaker, I rise today in strong support of H. Con. Res. 331, commending Israel's redeployment from southern Lebanon.

I would like to thank the gentleman from Texas (Mr. ARMEY), the majority leader; the gentleman from Missouri (Mr. GEPHARDT), the minority leader; the gentleman from New York (Mr. GILMAN), Committee on International Relations chairman; and the gentleman form Connecticut (Mr. GEJDENSON), ranking member, for their leadership on this issue and for bringing this resolution to the floor so quickly.

As a cosponsor of H. Con. Res. 331, I am extremely pleased to see this legislation come before the House this evening.

Israel has shown great courage in unilaterally withdrawing its forces from Lebanon.

Israeli Prime Minister Barak is to be commended for keeping his word to the Israeli people and removing Israeli defense forces from southern Lebanon. This action clearly demonstrates that Prime Minister Barak is firmly committed to moving the peace process

forward, despite the intransigence of the Syrians and the security risks associated with this withdrawal.

I am pleased that the UN just yesterday endorsed a plan for verifying Israel's withdrawal from Lebanon. The UN has also called for all parties to show restraint and cooperate with UN peacekeepers in Lebanon. UN officials must now verify that Israel has returned over the borders that it crossed in 1978. I urge them to do this quickly.

In another positive move, the Lebanese government indicated that it was ready to delay pressing its claim, although tenuous at best, to the land in the Golan Heights. Unfortunately, Hezbollah guerrillas appear committed to continuing the war.

Israel has withdrawn. The UN peacekeepers must now be allowed to do their work in that region. It is my hope that Hezbollah will show some restraint and restrain from attacks against Israel and the Israeli people. But if Hezbollah does not respect Israel's borders, then Israel has every right to defend itself.

Israel has taken an enormous leap of faith to make peace with its neighbors, and I call upon Syria to resume its negotiations with Israel in good faith and broker a lasting peace with Israel.

Finally, I would like to say that I am ready to work with the leadership of this House, the Committee on International Relations, and the government of Israel should assistance in settling the SLA and their families either here or in Israel be needed.

I urge my colleagues to support this important legislation.

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 3 minutes to the gentlewoman from Michigan (Ms. STABENOW), a tireless worker, a person that has worked actively for peace in the Middle East.

Ms. STABENOW. Mr. Speaker, I thank the gentleman from Florida so much for yielding me this time. He has been such a leader.

Mr. Speaker, I rise today in strong support of H. Con. Res. 331. As we know, this resolution commends Israel for its decision to withdraw its troops from southern Lebanon and for taking risks for peace and the Middle East.

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And we should be commending them, all of us together, unanimously hopefully, for the risks that they have taken for peace.

This resolution also calls upon the United Nations Security Council to recognize Israel's fulfillment of its obligations under Security Council Resolution 425 and to provide the necessary resources for the United Nations interim force in Lebanon to implement its mandate under that resolution. It also insists upon the withdrawal of all foreign forces from Lebanon territory so that Lebanon may exercise sovereignty throughout its territory.

It is also important that this resolution calls upon the entire international community to ensure that southern Lebanon does not once again become a staging ground for attacks against Israel, and to cooperate in bringing about the reconstruction and reintegration of southern Lebanon.

It is important that we are here this evening. It is important that we are here recognizing the risks that have been taken for peace, and I hope that we will all join together in supporting Israel's actions, the independence of Lebanon, and a secure Middle East peace.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. MCNULTY), who has worked tirelessly in this effort and others for peace throughout the world.

Mr. MCNULTY. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in strong support of this resolution.

Mr. Speaker, we cannot emphasize too much how big a risk this is for peace. Since the establishment of the State of Israel, a little more than 50 years ago, the people of Israel have had to fight five wars just to survive, and I am proud of the fact that the United States of America has been an ally to Israel all throughout those years. I am proud of the fact that Harry Truman was the first world leader to step forward and recognize the State of Israel.

From time to time I am asked by my constituents why I am such a strong supporter of aid to Israel, and I give them many answers. Two of them are these: Israel is the only democracy in the Middle East, and Israel is the best ally that the United States has at the U.N.

Another thing Harry Truman used to say is, ''Let's look at the record.'' I have looked at the record and Israel is our best ally. Now, some might say, well, we have a lot of other allies around the world. But a lot of time when push comes to shove, they are not there for us, they do not vote with us, they do not act with us.

I remember in the early days of the Reagan administration, when President Ronald Reagan wanted to do a retaliatory strike against Libya for its terrorist activities. We went to one of our traditional allies, which would not exist if it were not for the United States of America and what we did in World War II, and we did not ask for money, we did not ask for any military personnel, and we did not ask for planes. The President said, on our way to do the mission, can we fly through your airspace. And our ally said, no.

I submit to my colleagues that with allies like that, we do not need enemies.

So I stand here before my colleagues today in support of a true ally, who once again takes the risk for peace. And as they step forward and take that risk again, I join with my colleagues in making the point that it is now time for Syria to reciprocate.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. LOWEY), a person who has spent years working for Middle East peace and for peace in this country as well. She is a mentor of mine and one who has no peer on this subject, a person with whom I have had the pleasure of being in Israel with on three different occasions.

Mrs. LOWEY. Mr. Speaker, I stand in strong support of this resolution. And, first, I want to thank my good colleague, the gentleman from Florida (Mr. HASTINGS), for that very gracious introduction.

I remember that trip to Israel, and I remember very well when the gentleman and I and the black caucus visited all the sites, and every one came back committed, understanding the strong relationship between Israel and the United States and the importance of that relationship, and that our support for Israel is in the interest of the United States. I appreciate the gentleman's generosity as a very, very strong supporter, which the gentleman is.

I want to commend Israel, Mr. Speaker, on the completion of its historic withdrawal from southern Lebanon, the latest in one of many risks the government and the people of Israel have taken for peace. This unilateral action is a significant step in the effort to achieve a comprehensive peace in the Middle East.

The people of Israel have had enough. They have seen enough of their sons, their fathers, their husbands die during the last 2 decades. With the implementation of U.N. Security Council Resolution 425, redeployment from southern Lebanon, Israel has taken a very brave step towards achieving peace with their neighbors, a peace that will benefit Israel's children, Lebanon's children, and the whole region for years to come.

This decision has not come without risks. Hezbollah terrorists have consistently staged attacks against cities and towns on Israel's northern border. The withdrawal of Israeli forces have left a vacuum in southern Lebanon, and Syria still harbors 30,000 troops on Lebanese soil. As we stand here, thousands of Israeli citizens have fled their homes in northern Israel to escape violent attacks.

As a champion of Middle East peace, the United States must stand firmly, strongly, and unequivocally with the people of Israel during this difficult time. We must insist on the immediate withdrawal of Syrian forces from Lebanon. We must encourage the United Nations to recognize Israel's brave choice and to help stabilize southern Lebanon and reintegrate it with the rest of the country. Most of all, we must never, ever forget Israel's paramount right to make its own decisions about the security of its people and its border.

I urge all of my colleagues to recognize the courage of the people of Israel, the courage they have shown this week and throughout the Middle East peace

process, and to reaffirm our commitment to the present and future security of one of our very best allies. I urge my colleagues to support this resolution.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise to join in the commendation of the people of Israel and the government of Israel for taking this important step.

It is a courageous step to try to bring some order to the chaos that has been Lebanon. The prime minister of Israel and the government of Israel have taken a very methodical look at what it is going to take to bring peace to that part of the world, and it is clear that the chaos that has been Lebanon has to be brought to order. So the government of Israel, the prime minister of Israel, have unilaterally and courageously taken this step.

We, as friends, deep friends of Israel, must lend our help; and we must call on Syria to follow with full withdrawal from Lebanon so that order can be restored to Lebanon. So I join my friend, the gentleman from Florida (Mr. HASTINGS), and my good friend, the gentleman from New York (Mr. MCNULTY), and the others here today in commending Israel and urging our support, the support of the American people, as they try to bring peace to this part of the world, to the Middle East, which has been wracked with war for far too long.

Through this courageous action, Mr. Speaker, I am hopeful that they will have peace now on the northern border and that this will remove some of the difficulties that Syria has been putting in the way. So we here should lend our support and our commendation to Israel.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume merely to commend the majority leader, the gentleman from Texas (Mr. ARMEY), and the chairman of the Committee on International Relations, the gentleman from New York (Mr. GILMAN), as well as the ranking member of the committee, the gentleman from Connecticut (Mr. GEJDENSON), for their cooperative effort in expediting this resolution in the hope that it will be on the floor for Members to act on tomorrow.

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

GENERAL LEAVE

Mr. KING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the measure now under consideration, H. Con. Res. 331.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Is there objection to the request of the gentleman from New York?

There was no objection.

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

The SPEAKER pro tempore. The question is on the concurrent resolution.

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

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

The yeas and nays were ordered.

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

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. KING). 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 gentlewoman from Florida (Ms. BROWN) is recognized for 5 minutes.

(Ms. BROWN of Florida addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from 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.)

SUDDEN SNIFFING DEATH SYNDROME

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Oregon (Ms. HOOLEY) is recognized for 5 minutes.

Ms. HOOLEY of Oregon. Mr. Speaker, I rise today to share with my colleagues a story that was told to me by a mother in my community. Kathy Abel of Keizer, Oregon, was met at her doorstep by a police officer to inform her that her 18-year-old son was dead.

Kathy's son James did not die in a car accident or a shooting. Kathy's son died at the hands of an everyday household product. Kathy's son died as a result of inhalant abuse.

Kathy's son James was no different than most high school students. He was active in school, popular amongst his classmates, and on his way to starting his life as an adult.

The death of this bright young man should never have happened. The young man that James was with should not know what it feels like to have his friend die in his arms, and James's family should not have known the hopeless, tragic feeling of hearing that their beloved son was dead.

Most of us do not even know what inhalant abuse is, and too often we find out after it is too late. Inhalant abuse is the intentional breathing in of gas and vapors with the goal of getting high. Typical substances that are inhaled include gasoline, paint thinner, nail polish remover, typewriter correction fluid, butane and propane.

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These products are typically household items that we all keep in our homes.

In Oregon, a 1998 study showed that 20 percent of 8th graders have tried inhalants. That is one out of every five students. Scarier yet is the fact that children can often die after inhaling these substances only one time. Inhalants also serve as a gateway drug that can lead young people toward other forms of drug abuse.

Let me explain the way inhalants affect the body. Inhalants produce an effect within seconds that may last from 15 to 45 minutes. They will generally act as central nervous system depressants. After an initial euphoria, a depressed state follows that can be accompanied by drowsiness or sleep. Inhalants lower breathing and heart rates and impair coordination and judgment. Dosages must be repeated to maintain intoxication.

Inhalants can cause severe and permanent damage to the brain, liver, kidneys, and other organs. More than any substance, inhalants can cause sudden death resulting from heart arrhythmia and suffocation. Let me repeat that. More than any other substance, inhalants can cause Sudden Sniffing Death Syndrome. This means users can die the first time, the 10th time, or the 100th time. No one really knows.

Today my colleague the gentleman from Pennsylvania (Mr. WELDON) and I are introducing a bill that will allow grants to go for education programs to combat inhalant abuse. If passed, this legislation will bring much-needed attention to this very serious problem.

It is never too early to teach our children about the dangers of inhalants. Inhalant use starts as early as elementary school. Parents often remain ignorant of inhalant use or do not educate their children until it is too late.

Let me remind my colleagues, inhalants are not drugs. They are poisons and toxins and should be discussed as such.

The Partnership for a Drug-Free America produced this ad in Monday's New York Times. It says, ''Every parent should take a drug test. Learn about inhalants. What you don't know may surprise you.''

Mr. Speaker, I include the article for the RECORD:

[From the New York Times, May 22, 2000]

EVERY PARENT SHOULD TAKE A DRUG TEST

LEARN ABOUT INHALANTS. WHAT YOU DON'T KNOW MAY SURPRISE YOU

An alarming number of children across the country are using household products to get high.

If you're going to protect your kids, you'd better know something about this problem.

Here's a chance to test yourself. The answers are printed below.

1. How many substances found in the average home can make you high if inhaled?
a. 10–15
b. More than 25
c. More than 100
d. More than 500
e. More than 1,000
2. By the eighth grade, how many kids have tried at least one inhalant?
a. One in a hundred
b. One in fifty
c. One in 25
d. One in 5
e. One in 2
3. Which of the following can you use with an inhalant to get high?
a. A soda can
b. A sock
c. A plastic bag
d. A balloon
e. All of the above
4. What is ''huffing?''
a. Sucking on an aerosol can
b. Blowing into a bag, then inhaling the fumes
c. Inhaling a chemical by panting
d. Putting a rag soaked with a chemical to your mouth and inhaling the fumes
e. Pouring a chemical directly into your mouth and breathing the fumes
5. What percentage of inhalants can be toxic?
a. 10–15%
b. 15–20%
c. 25–50%
d. 50–75%
e. All of them
6. A danger of inhaling chemical substances is:
a. Brain damage
b. Liver and Kidney damage
c. Suffocation
d. Death
e. All of the above
7. Of the inhalants that will make you ''high,'' how many can cause permanent brain damage?
a. One or two
b. A dozen or so
c. Almost a hundred
d. Nearly all of them
e. None of them
8. Why do kids abuse inhalants?
a. Products that can be sniffed to get high can be found in every household
b. They're inexpensive
c. They're legal
d. Users don't realize how dangerous they are
e. All of the above
9. What is SSD?
a. Sweet Sniffing Dreams
b. Sudden Sniffing Desire
c. Sudden Sniffing Death
d. Sure Sniffing Damage
e. Shaky Sniffing Dancing
10. The best approach to prevention with kids is:
a. Threaten them—e.g. ''I'll break your neck if I ever catch you using inhalants
b. Talk with them, tell them how you feel about inhalants, and warn them of the dangers
c. Ignore the problem. What your kids don't know can't hurt them
d. Tell your kids you want them to talk with their guidance counselor in school about inhalants
e. Talk with the guidance counselor yourself and get his or her advice

Answers: 1(c); 2(d); 3(e); 4(d); 5(e); 6(e); 7(d); 8(e); 9(c); 10(b) or (e).

You don't need to score 100% before you talk about this problem with your kids.

You simply have to let them know how you feel about the problem and warn them of the dangers.

Don't be put off if your words don't seem to register. What does register is not so much what you say, but the fact you care enough to be concerned. Kids have a name for this kind of parental involvement. Love.

A good first step is simply to clip this test and put it up on your refrigerator.

Your kids may make jokes about it. But they'll get it.

For more information call, 1–800–729–6686.

Many States, including Oregon, have begun a campaign to inform children and their parents about inhalant abuse. We must begin our own fight at the national level. The Senate recently passed identical legislation unanimously. It is time that we give this issue due credit in the House and begin this crusade to educate ourselves and our children about this terrible problem.

MEDALS OF HONOR

The SPEAKER pro tempore (Mr. KING). Under a previous order of the House, the gentleman from Indiana (Mr. BUYER) is recognized for 5 minutes.

Mr. BUYER. Mr. Speaker, I would like to share some good news about well-deserved recognition of three American heroes and the role of the Congress in attaining their highest honor and distinction in our country.

Four years ago, the National Defense Authorization Act for Fiscal Year 1996 created a process to permit Members of Congress to obtain reviews of military decoration recommendations for merit, even though the time limits established in the law would normally preclude such consideration.

Since then, many heroic acts have been properly but belatedly recognized. Many of these heroic acts would have gone unnoticed had it not been for Members of Congress demanding fair hearings of the facts and circumstances.

Mr. Speaker, today I want to focus on three cases of valor which Congress will soon formally recognize by making possible the award of our Nation's highest decoration for bravery and combat, the Medal of Honor.

I will start with the recommendation from my colleague, the gentleman from Illinois (Mr. EWING), that Corporal Andrew J. Smith of the 55th Massachusetts Volunteer Infantry be posthumously awarded the Medal of Honor for his actions on November 30, 1864, at the Civil War Battle of Honey Hill in South Carolina.

Mr. Smith, from Clinton, Illinois, volunteered to serve in the 55th Massachusetts. The battle that day had brought the 55th to a narrow bridge in front of a Confederate stronghold on the hill. The 55th joined another regiment in filing across the bridge in the face of withering enemy fire.

The officers leading the charge were killed immediately. The commander was wounded and trapped under his dead horse.

In a fight that would see one-half the unit's officers and a third of the enlisted men killed or wounded, the regimental colors, that critical symbol that is the heart of any unit, had been put at risk.

The flag bearer had been blown to pieces by an exploding shell. Corporal Smith ignored his own safety and grabbed the regimental colors from the hand of the dead sergeant. He then maneuvered through the heavy grape and canister being fired at close range and carried the colors to safety, thereby leading his men.

His actions are of conspicuous valor and, therefore, worthy of the Medal of Honor.

The next case involves the recommendation from Senator DANIEL AKAKA to award the Medal of Honor posthumously to Technician Fifth Grade James K. Okubo, Medical Detachment, 442 Regimental Combat Team, for his actions on October 28, 29, and November 4 of 1944 near Biffontaine, France.

Technician Fifth Grade Okubo and his compatriots in the highly decorated Japanese-American 442nd Regimental Combat Team had fought through Italy and were engaging German forces in France in the fall of 1944.

During the battle, while subjected to continuous machine gun, mortar, and artillery fire, this soldier coolly and efficiently rendered first aid to 25 wounded soldiers. On two occasions, he crawled 150 yards to points within 40 yards of enemy lines to evacuate wounded comrades.

On November 4, he ran 75 yards through deadly machine gun fire, and while exposed to intense enemy fire directed at him, he evacuated a seriously wounded crewman from a burning tank.

His actions on these days are of conspicuous valor and, therefore, make him worthy of the Medal of Honor.

The third case involves the recommendation by Senator JOHN MCCAIN to award the Medal of Honor to Captain Ed W. Freeman, 229th Assault Helicopter Battalion, 1st Cavalry Division, for his actions on November 14, 1965, at landing zone X-ray during the battle of the IDrang Valley, the Republic of Vietnam.

Captain Freeman was flying resupply missions into the now famous landing zone X-ray, one of the hottest and most embattled LZs of the Vietnam War.

U.S. forces were reporting heavy casualties and a shortage of water and supplies. The Medevac helicopter had tried to land but was driven off by intense enemy fire.

Despite these dangers, Captain Freeman ignored the enemy fire and repeatedly flew into the landing zone X-ray carrying in supplies and lifting out the wounded. He flew a total of 14 missions to a landing zone that was just 100 meters from the defensive perimeter, and he evacuated 30 seriously wounded soldiers from the LZ that would not have otherwise lived. He quit flying that day several hours after dark only after all the wounded had been evacuated.

His actions are of conspicuous valor and, therefore, worthy of the Medal of Honor.

Mr. Speaker, I am proud to say that the legal barriers that have prevented these heroes from being recognized will be lifted in legislation soon to be enacted by Congress.

As a result, these heroic individuals will soon be recipients of the Medal of Honor and we have set the record straight and we have touched for a moment that which is at the heart of our pride in being American.

PRESCRIPTION DRUG COVERAGE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Michigan (Ms. STABENOW) is recognized for 5 minutes.

Ms. STABENOW. Mr. Speaker, I rise once again on the floor of the House of Representatives to call upon this House to pass prescription drug coverage for senior citizens and those who are disabled under Medicare and to work for other strategies to lower the cost of prescription drugs for all family members.

Today in particular, I am rising to read a letter, as I am every week now rising to share a letter from one of my constituents in Michigan. This week I would like to read a letter from a 76-year-old woman who is a breast cancer survivor from Fenton, Michigan. She is the widow of a disabled veteran.

I want to speak more about the fact that we need to be focused on our veterans who do not have prescription drug coverage and are struggling to pay the cost of their medications. Now, as we are approaching Memorial Day, we need to be honoring them by addressing this serious health care issue.

But first let me read the letter.

Dear Mrs. Stabenow, I am writing to you concerning the high cost of prescription drugs, which, I believe, you are on a campaign to cut the cost of for senior citizens who are on a fixed income and need these drugs.

I am the widow of a disabled veteran, who, at the age of 32, was on total disability. I went to work to help out, as we needed the extra money. We had two children. My mother lived with us and took care of the children.

My mother became too ill to take care of them, so I had to quit my job and stay home. It was hard financially, but we managed to get by, living on a strict budget. My husband's disability was a condition that he needed me around him all the time. When the boys got older, I tried to work again, but my husband begged me to stay home with him, which I did.

My husband died when he was 50. I was able to save a little money, which I intended to use to enjoy a little more life than I had been able to.

In 1995, I was diagnosed with breast cancer, which I went through and got on with my life. In December 1999, I had another mastectomy, which I hope I will recover from as well as I did in the case of my first mastectomy.

Since the time I was diagnosed with cancer, the cost of my drugs has spiraled up and up. I live on a fixed income. I also have to pay for health insurance. Believe me, I am not complaining, ''poor little me.'' There are many people worse off than me, and this is why I am writing. Maybe my letter will help others.

I will give you an estimate of what I am paying every month for drugs.

She proceeds through a long list. Her cancer medication is $180 for 31 tablets. Her high blood pressure medication is $21 for a month's supply. Her blood thinner medication is $20 for a month. Nasal spray is $58 for a month. And on and on.

The total for each month for my constituent is $377.85 and it continues to go up and up, as she indicates in her letter.

She indicates here that she hopes that everyone who needs these drugs will be able to afford them and live a healthier life.

Mr. Speaker, today I rise, as we approach Memorial Day, to recognize the fact that not only my constituent from Fenton, Michigan, but four million veterans and four million spouses of veterans in this country have no help for their prescription drug coverage. We are talking about people who were willing to lay their lives on the line.

This Monday we will honor those who gave their lives in service for our Nation. And in light of this and these statistics, I believe we need to call upon all of us to act immediately to address the issue of the high cost of prescription drugs, particularly for our older Americans where we have the opportunity by just simply passing Medicare coverage, by modernizing Medicare, to cover the way health care is provided today with prescription drug coverage.

We can honor our veterans by fulfilling the promise of health care that was made to them. Each one of our servicemen and women, as they come to the service of our country, they sign on the dotted line; and we, in return, indicate to them the promise of health care. Not only are we not fulfilling the health care promise to our veterans as it relates to full funding health care for our veterans, but when we have 4 million of our veterans, 4 million of their spouses that do not have any access to help cover their prescription drug coverage, we need to act. There is something wrong; and we need to take it very, very seriously.

It is not right when someone who has cared for her disabled husband, someone who is a disabled veteran, his wife, who goes on to have health care problems herself, who has saved a little bit in her life now finds herself using all of those little bit of savings in order to pay for her medication and then find herself on a fixed income paying almost $400 a month for medications.

We need to act. It is time now to lower the cost of prescription drugs and to modernize Medicare.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. LAZIO) is recognized for 5 minutes.

(Mr. LAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. REGULA) is recognized for 5 minutes.

(Mr. REGULA addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

COMMITTEE ON RESOURCES PASSES BILL TO PURCHASE BACA RANCH IN NEW MEXICO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. DUNCAN) is recognized for 5 minutes.

Mr. DUNCAN. Mr. Speaker, today the Committee on Resources passed a bill to purchase the Baca Ranch in New Mexico. This is a very bad deal for the taxpayers.

The family that owns this ranch bought it in 1961 for $2.1 million. Now, under the bill passed out of committee today, the Federal Government is going to pay $101 million for this property, almost 50 times the original purchase price.

I would bet almost everyone in this Nation would like to sell their property for 50 times what they paid for it.

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This is a colossal rip-off of the taxpayers. My office yesterday asked the Congressional Research Service to run the numbers for us. According to CRS, there has been a 452 percent inflation since 1961. Adjusted for inflation, this property should be worth $11.7 million, or about 5½ times the original purchase price.

We definitely should not be paying $101 million for property that was bought for $2.1 million, and today adjusted for inflation should be worth $11.7 million. This is welfare for the rich, a windfall for the wealthy.

However, it will be passed by a huge margin, because it has strong bipartisan support in New Mexico. I watched a tape about this property. It is beautiful; however, the most overused word in this Congress is the word pristine. We are constantly told that we have to buy this property or that property, because it is beautiful and pristine, but if the Federal Government tried to buy every beautiful, pristine piece of property in this country, it would bankrupt our government and shatter our economy, besides the Federal Government already owns 37 percent of New Mexico, millions of acres.

The Federal Government certainly does not need any more of New Mexico; it has too much already. Private property is one of the main foundations of our prosperity. It is one of the cornerstones of our freedom. Private property is one of the main things that has set us apart from socialist and Communist nations.

Already the Federal Government owns 30 percent of the land in this Nation. State and local governments and quasigovernmental units own another 20 percent, half the land in some type of public ownership.

Also we keep putting more and more restrictions, limitations, rules, regulations, redtape on the land that does remain in private hands. If we keep doing away with private property, we are going to drive up prices for homes and cause much serious damage to our economy. We will hurt the poor and working people the most and those of middle income.

We should not waste the taxpayers money in this way. We should not rip off the taxpayers in this way. $101 million for property bought for $2.1 million is more than 4,000 percent higher than what it should be when adjusted for inflation. We should not take money from lower- and middle-income Americans to pay a family almost 50 times what they paid for their property.

Mr. Speaker, $101 million for property originally bought for $2.1 million is simply too much. The Baca Ranch purchase will pass this Congress overwhelmingly; but I repeat, Mr. Speaker, this is a colossal rip-off of the taxpayers of this Nation.

FEARS OVER CHANGES IN SOCIAL SECURITY SYSTEM PROPOSED BY GOVERNOR BUSH OF TEXAS

The SPEAKER pro tempore (Mr. KING). Under the Speaker's announced policy of January 6, 1999, the gentleman from New Jersey (Mr. PALLONE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, I do not intend to use the entire hour this evening, but I want to take what time I have to discuss my fears, and I stress fears, this evening over the changes in the Social Security system that have been proposed by Governor Bush of Texas.

Mr. Speaker, Social Security has lifted millions of seniors out of poverty. It is, by far, the most successful economic program ever passed by Congress, and the reasons for the success are simple. It offers a guaranteed, and I stress guaranteed, benefit for every American retiree. More than half of all Americans, especially working families, have no retirement savings beyond Social Security.

Without the guaranteed income provided by Social Security, millions of seniors could fall through the cracks left to live out their lives in poverty. Recently, Governor George Bush proposed a Social Security plan that would undermine Social Security, in my opinion, and simultaneously threaten our thriving economy.

By diverting funds from the Social Security Trust Fund to set up individual retirement accounts, as Bush proposed, the plan would hasten the insolvency of the Social Security Trust Fund. It would also force seniors to question rather than count on their Social Security benefits.

Now, Governor Bush has also proposed a tax cut that would cost an estimated $1.7 trillion. When combined with the cost of his individual retirement accounts that he has mentioned with regard to Social Security, Governor Bush's plan would spend more than three times the projected surplus over the next 10 years. That money would come directly out of the Social Security Trust Fund, weakening the program even further and leaving little room in the budget for other priorities like a prescription drug benefit for Medicare.

No plan that would endanger the guarantees of Social Security, rob the trust fund, and leave other priorities unfunded can possibly be taken seriously, and that is why I refer to the Bush plan as extremely radical. Democrats have pretty much said that we are going to fight this dangerous ill-conceived proposal, and I think we need to fight it every step of the way.

Mr. Speaker, I want to discuss three of my concerns about the Bush Social Security plan in a little more detail this evening. First of all, I would like to express my concern that ultimately Governor Bush's plan would lead to complete privatization of Social Security. Right now the governor is saying only 2 percent of the money would be invested by individuals in retirement accounts.

But in an Associated Press story on May 17, just a week or so ago, Governor Bush said it was possible workers would eventually be allowed to invest their entire Social Security tax, not just a portion of it.

The Houston Chronicle reported on the same day, and I quote, ''Bush on Tuesday said his plan to create private savings accounts could be the first step toward a complete privatization of Social Security.''

And I want to stress this: the Social Security program was began under Franklin Roosevelt. The Republican leadership for many years totally opposed it being started, and I think that this is part of a historical trend essentially that what Governor Bush is saying, I do not like a government program, Social Security is a government program. Ultimately, I think it is best if it is privatized completely.

The second concern I have is this question of whether or not there will be a guaranteed income, because that is what Social Security is about to most seniors. They know that when they retire they will have a guaranteed income every month, and a certain amount over the course of the year.

Well, when asked on May 15 whether or not there would be a guaranteed income, basically Governor Bush said this, and this is from the Dallas Morning News of May 15, ''maybe or maybe not.'' Asked whether he envisions a system in which future beneficiaries would receive no less than they would have under the current system, Mr. Bush said ''maybe, maybe not.''

Well, what he was essentially admitting was that it was conceivable that a worker taking advantage of these private investment accounts would get a lower guaranteed benefit from Social Security, and we know that that obviously is the case, because it would depend how that worker invested the money since it is an individual decision.

The New York Times reported on May 17, and I quote, ''Bush also refused to say how much benefits might be reduced for workers who created private investment accounts. That is all up for discussion,'' Mr. Bush said.

When I say that this is a radical proposal, it is radical because most Americans think that they are going to have a certain guaranteed income from their Social Security. It is clear that with the private investment accounts and the further privatization that Governor Bush has been talking about, there is no guaranteed income.

The third major concern that I have and would like to focus on in a little more detail this evening is what I call the transition costs, the trillion dollars in transition costs that might not be accounted for or that Bush is really not accounting for. Bush acknowledged in this same Associated Press story that I mentioned on May 17 that he has not fully accounted for the cost of moving from the current Social Security system to his proposed one.

Now, Vice President AL GORE says that the cost of that transition could be something like $900 billion, almost $1 trillion. The plan laid out by Governor Bush leaves out the most important factor, and that is the cost. According to a new report published by the Center for Budget and Policy Priorities, Bush's privatization plan would cost $900 billion over the first 10 years. These costs occur because the Social Security system must simultaneously pay out current benefits while privatization drains over 16 percent of the amount of money coming into the system. That is assuming the 2 percent point diversion that Bush has talked about. If we combine this with the cost of Bush's nearly $2 trillion tax cut, the Bush plan will leave multitrillion dollar debts as far as the eye can see. This is basically from the Center for Budget and Policy Priorities.

I want to talk a little further about some of the other impacts that Governor Bush's privatization plan with regard to Social Security would have. Here I would like to raise three issues, three impacts, if you will, from this Bush Social Security privatization plan.

First, it would weaken our economy by eliminating our chance to pay down the debt, which we have started to do ever since the surplus occurred. Second, it would place at risk the secure retirement benefit that Social Security provides. Third, and this is something that I think a lot of people have not

thought about but we have to think about, the Bush Social Security privatization plan would force a massive S&L, savings and loan-style bailout if people's investments failed.

Let me talk, Mr. Speaker, in a little more detail about these three impacts from this privatization plan.

First, let me go back to the fact that the Bush plan will eliminate the chance to pay down the debt. This goes back to this $1 trillion in transition cost that I mentioned before. According to the Center for Budget and Policy Priorities, Bush's privatization plan would cost the $900 billion I mentioned over 10 years. The reason these costs occur is because the Social Security system has to pay out the current benefits, as I mentioned, while the privatization drains this other 16 percent. But the bottom line is that Bush's own aides acknowledge that these transition costs would siphon away the money that could be used to pay down the debt. Less debt reduction would translate into higher interest payments on the debt over the same 10-year period, which in turn would reduce the budget surplus.

If I could talk about this in a little more detail, I would like to contrast it with what Vice President GORE not only has proposed but what he is doing. Under Mr. GORE's plan, all of the Social Security surplus will go to reducing the national debt held by the public. Some of this is already happening. Some of the debt is actually being paid down now. What GORE is saying, that he would take all of the Social Security surplus and use it essentially to reduce the national debt. There would not be that opportunity with Bush's plan. The money simply would not be there to exercise that option.

As I said, not only Vice President GORE but President Clinton and the administration's deficit and debt reduction that they have already done has already helped the economy and families. Seven years ago, the budget deficit was nearly $300 billion and growing; and as a result, interest rates were high and growth was slow. By the year 2012, it was projected that 25 cents on every tax dollar would be needed to pay interest on the debt. Because of this administration, the Clinton-Gore administration's commitment to fiscal discipline, deficits have turned into surpluses and the Nation's debt is already $1.7 trillion lower than it was projected to be this year. Because of the deficit and debt reduction that the Clinton administration has already done, it is estimated the typical family with a home mortgage might be expected to save roughly $2,000 per year in mortgage payments.

Currently, about 13 cents on every Federal dollar is spent on net interest payments. These payments which were once projected to be nearly double that would be eliminated under AL GORE's plan. With the Government no longer draining resources from capital markets, interest rates are lower and businesses have more funds for productive investment. Paying off the debt will continue to help fuel investment and productivity growth.

What I am trying to say, Mr. Speaker, is essentially this. Let us continue the policy of paying down the debt because ultimately that makes the economy grow and it saves money that would be available in the long run for Social Security. Let us not go down this risky, radical plan that Governor Bush has proposed where on the one hand he is spending trillions of dollars on tax cuts and on the other hand his transition costs to this privatization plan would use up a significant portion of the surplus as well.

I talked about why my fear about how Bush's privatization plan places retirement funds at risk, but I would like to talk about that a little more in terms of the second point here on potential impacts of this risky Bush plan. For whatever reason, I guess it is because the stock market has done so well in the last 5, 10 years now that people do not even remember that there was a time when it was not doing that well. But the bottom line is that if you have privatization the way Governor Bush proposes, it puts individual retirement security at the whims of the stock market where people can lose.

Throughout its history, Social Security has stood as a guaranteed secure retirement regardless of the fluctuations of the economy or the stock market. Investing these funds in the market means that some or all of that benefit could be lost. There was a GAO report that shows the risk of stock market investments with Social Security. This is from a statement by the associate director of income security issues for the GAO, April 22, 1998.

The GAO report noted that caution is warranted in counting on future stock returns in designing Social Security reform. The report goes on. However, an average over nearly a century obscures the reality that stock returns fluctuate substantially from year to year. Over the past 70 years or so, stock market returns were negative in nearly 1 out of 4 years. There is no guarantee that investing in the stock market even over 2 or 3 decades will yield the long-term average return. The stock market could drop and stay depressed for a prolonged period of time. Of course it has. We know that historically it has stayed depressed for a long period of time.

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Interestingly enough, in this same GAO report they point out that the Social Security Trust Fund actually outperformed nominal stock returns 35 percent of the time from 1950 to 1996, over a period of 45 or so years. The 10-year moving average of the S&P 500 underperformed the Social Security Trust Fund's treasury returns at times. A long-term average does not reflect fluctuations in year-to-year stock returns. In fact, nominal stock returns were less than the Social Security Trust Fund's annual yield in 17 years from 1950 to 1996, more than 35 percent of the time, from that same GAO report.

Sometimes I wonder why it is necessary to explain why the stock market is a risky business, because I would think that anybody who looks at the history of the market knows that that is the case, but I guess because the market has done so well in the last few years and the last decade there are people, particularly young people, who feel that it will always do well. But that is simply not true. It is not borne out by the historical facts.

Let me mention the third impact that I would like to discuss in a little more detail this evening, and that is that privatization could result in massive government bailouts. The reason for that is simple, that if the people who take these private investment accounts do not succeed and actually lose money or the stock market goes bad, they are going to come back to the Government and ask the Government to bail them out, because everybody does that, the big corporations do, the savings & loan associations did, and obviously the average person is going to do that if they lose all their money and they cannot make ends meet.

Bush and his advisers have indicated that his privatization plan for Social Security will have no downside risk and the Government will guarantee that future Social Security beneficiaries will receive no less than they would have under the current system. Thus, the risky nature of the stock market could force the Government to bail out Social Security during market downturns or for people who make poor investment choices.

The Governor is saying, Don't worry. If you do these investments with your private accounts, don't worry, because we will make it good if you don't do well. How is he going to do that without a massive bailout, and where is the money going to come from? Ultimately the taxpayers. We would have a major problem.

The other thing is that obviously privatization could make Social Security go insolvent a lot earlier. Plans to divert 2 percentage points of the payroll tax, or 16 percent of the money paid into the Social Security system, into private accounts, could make Social Security go insolvent 14 years sooner than it would if no action were taken at all. Under a 2 percentage point plan, Social Security could go bankrupt by 2023, according to a study again from the Center for Budget and Policy Priorities.

Well, that is common sense. If this money is taken out of the system, then this system will go broke sooner; and that is, again, why it makes no sense to move with this very risky Bush privatization plan.

Now, I want to talk a little bit, if I could, about what Vice President GORE

has proposed and why his plan to shore up Social Security is much preferable to Governor Bush's, and certainly not risky, by any means.

Because of the administration's commitment to fiscal discipline, as I have mentioned, the Nation's debt is already $1.7 trillion lower than it was projected to be this year. In fact, when the administration took office, by the year 2012 it was projected that 25 cents of every dollar would go to pay the interest on the national debt. That has not happened, because we are now paying down the national debt with the surplus that has been generated.

Vice President GORE is basically saying that he is going to pay off the national debt and help maintain America's prosperity in a number of ways. But what I want to zero in on is how he would dedicate $2.1 trillion for debt reduction, and this is basically to prepare the Nation for the retiring of the baby-boomers.

He is proposing to use more than 95 percent of the Social Security surplus to pay down the debt, with the idea being, of course, that ultimately that will strengthen the economy and prepare for the fact that so many more senior citizens are going to be retiring as part of this baby-boom generation.

After a decade of debt reduction, GORE transfers the interest savings that come from using the Social Security surplus to buy down the debt to strengthen the solvency of the Social Security program. By 2016, GORE will be adding about $250 billion annually to strengthen Social Security until at least 2050.

He is investing $103 billion, less than 5 percent of the surplus, in strengthening Social Security's benefits for older women, because, as we know, poverty among elderly women is a major national challenge. In 1997, poverty among elderly widows was 1 percent, compared to 5 percent for married women. GORE believes that we can and should strengthen benefits for widows and mothers that were penalized for years spent caring for children as part of the plan to extend the solvency of Social Security.

Now, I could talk in more detail about how the Vice President's plan helps older women, but I just want to mention two things, if I could, about that before I conclude this evening. One point is to eliminate the motherhood penalty. The current Social Security formula is based on average earnings over 35 years of work. Because women take several years raising their children, the typical woman only works 27 years. However, those years raising children do not count towards Social Security earnings, effectively creating this motherhood penalty. GORE says that he would eliminate the motherhood penalty by allowing parents to take credit for up to 5 years of earnings, if they take that time to raise children. This would increase Social Security benefits for those women by about $600 a year.

The second thing that GORE would do to strengthen benefits for women, under current law widows can have their combined benefits cut in half. Living costs such as rent and utilities often do not decrease with the death of a spouse, but then there is a cut in benefits to that widow. In fact, single elderly women are four times as likely to be poor as married women. GORE would fight to raise the widow's benefit to three-quarters of the couple's combined benefit, helping more than 3 million elderly women receive a benefit that reflects their cost of living.

I am not going to go in more detail tonight, but I know over the next few weeks, and certainly after the Memorial Day recess, you are going to see myself and other Democrats come to the floor and constantly talk about our concerns with regard to the Bush privatization Social Security plan, because I really believe it is a radical plan, and I do not think the average American or senior understands what it is all about.

This plan, and this is how I want to conclude this evening, the greatest fault in it is the numbers simply do not add up. I think this goes back, again, to the fact that he has this $1 trillion tax cut, and then he is taking all this money out of the Social Security system.

If you take the money out of the surplus for tax cuts, and then you put in effect this risky Social Security plan, it just has too much of a drain on the Federal budget. Taken together, the tax cut and Bush's privatization plan essentially would swallow the whole surplus for the next 10 years, and also use a significant portion of the surplus that is dedicated to Social Security.

The combination of those two large $1 trillion plans and the impact that they would have on the budget would basically not leave any room for other vital priorities. I think, Mr. Speaker, you know that both the Democrats and the Republicans have talked about a Medicare drug benefit. There is no way that there would be any money left in this surplus to pay for a Medicare drug benefit for seniors if we implemented the Bush plan. The money would simply not be there. It just does not add up.

That is not to mention other priorities. Governor Bush has talked about education. Where is the money going to come from to pay for our education priorities, such as money that goes back to the municipalities to pay for extra teachers to bring class size down, or money that would go back to the towns around the country for school construction and renovation? It just does not add up. The money simply is not going to be there.

So that is why I think it is important for me and Democrats, and hopefully Republicans as well, to bring up the truth about this very risky privatization plan that Governor Bush has proposed, because it would not only have a negative impact on Social Security, but would have a negative impact basically on the economy and the Federal budget, and essentially I think what Americans see today as the reasons for our prosperity.

MANAGED CARE REFORM

The SPEAKER pro tempore (Mr. SOUDER). Under the Speaker's announced policy of January 6, 1999, the gentleman from Iowa (Mr. GANSKE) is recognized for 60 minutes as the designee of the majority leader.

Mr. GANSKE. Mr. Speaker, we are going to discuss managed care reform tonight. It is pertinent that we do this. Back in October this House voted 275 to 151 to pass the Norwood-Dingell-Ganske Patient Protection Act. That is in conference now. Things are going very, very slow.

Mr. Speaker, I remember back at the time of the debate that we had on managed care reform, a lot of our colleagues, primarily on the Republican side of the aisle, but some on the Democratic side of the aisle, said, Well, you know, we ought to just let the free market work this out.

I am happy tonight to have join me in this special order my colleague, the gentleman from California (Mr. CAMPBELL), who has worked so hard on this issue. We are going to discuss in some detail his bill, which will come to the floor tomorrow, the Quality Health Care Coalition Act.

I am going to yield to the gentleman to describe his bill, and then we will talk about various aspects of it.

Mr. CAMPBELL. I appreciate the gentleman yielding.

Mr. Speaker, let me just say, I am so proud to have the support of not only a brilliant man and a great colleague, but a medical doctor in the gentleman from Iowa (Mr. GANSKE). All of us here in the House that have dealt with him know that is the case. When he speaks on issues of patient care, he speaks from knowledge and compassion.

Mr. GANSKE. If the gentleman would yield, since we will be dealing with an issue related to antitrust, I very much appreciate the gentleman's expertise on this issue as a former professor of law at Stanford University and somebody well qualified to talk about the legal aspects of this bill which we are going to be talking about.

Mr. CAMPBELL. Mr. Speaker, I thank the gentleman.

Mr. Speaker, in 1914 the Sherman Act was amended to say that the labor of a human being shall not be an article of commerce. The reason it was amended was to make absolutely clear what I think most people would consider common sense, that cement and steel and petroleum are one thing, but what was quite different was when an individual did not know exactly what it was they needed, they had to go to a professional, and the professional exercised her or his judgment, and, in exercising her or his judgment, really the doctor or the professional was making a decision that the client or the patient

placed in that doctor's hands, and that was not the same thing as cement or steel or petroleum, because the individual did not know what they needed.

The concept of a professional was quite different than the concept of commerce, because the State would regulate the professions and the professions would regulate themselves. They would have a code of ethics. For example, the doctor said that we do not want people advertising cut rate prices, because you run the risk then that some patients will get something that is not the best service because it is cheaper.

Well, that is the concept of a profession, and I respect the concept of a profession. I regret the fact that we lost a sense of that when the antitrust laws were reversed in 1975, not by action of the Congress, but by the Supreme Court in a case, sadly, that came from my profession, the attorneys. In that case the Supreme Court said not only are we going to extent antitrust to attorneys, but we are going to extend antitrust to all the professions.

The height of absurdity, in my judgment, was reached in 1982 when the Supreme Court said that a group of doctors who had band together to keep prices low in Arizona were price fixers and, hence, subject to the per se rules of the antitrust laws.

1915

I really do think that we can date the decline of the profession of medicine from that 1975 original and 1982 subsequent Supreme Court date, because doctors are suddenly treated under the law as though they were the same as commercial enterprises providing steel or autos or cement.

One of the greatest artifacts of being treated the same as any article of commerce, just as an article of commerce, not a profession anymore; no more respect for the fact that a doctor is licensed and in every instance that I know of, and I am sure there is good and bad, but in every instance that I know of are dedicated individuals trying to prevent disease and cure it; one of the artifacts is that when one bargains with an HMO, it is now against the law for one to do something that is as natural as one can imagine; one is treated as though one has to take the contract or leave it.

The HMO comes up to you, and let us say you are an opthalmologist and let us say you perform cataract surgery and the HMO says, you know, we are not going to exactly say you cannot perform a cataract surgery on patients over 70, but the risk is a lot higher, and you may not get reupped next year; you may not be able to get your contract renewed next year if you perform too many cataract surgeries on patients over 70. Get the idea, Dr. Smith, Dr. Jones?

Dr. Smith says well, I am an opthalmologist. I will decide when the patient can benefit from cataract surgery. They say well, take it or leave it, because Dr. Green over here is the other opthalmologist in town, maybe there are three or four, in several small towns in America there is only one; take it or leave it. Take it or leave it. And if Dr. Smith calls up Dr. Green and says, you know what they just gave me, I think it is outrageous, at that moment, Dr. Smith has violated the antitrust laws per se and is subject to treble damage action, indeed although the Justice Department has not yet put any doctor in jail for this, it is actually a criminal offense.

Mr. GANSKE. Mr. Speaker, reclaiming my time for a moment, as the gentleman mentioned, prior to my coming to Congress, I was a reconstructive surgeon. I took care of women who had cancer operations, farmers who had put their hands into machines, children with birth defects. But when I was elected to Congress, I closed my practice, so I no longer practice, except for going overseas to do some charity work.

So I want to say this because I do not have a personal interest in this legislation. My wife is a physician, but my wife is a salaried physician. So she has an exemption to this prohibition that we are going to be talking about, because for instance, as a salaried physician, she could join a union and collectively bargain. But this is what has happened.

Let us say back in 1993 and 1994, when I was still practicing before being elected to Congress, in Des Moines, Iowa, there were probably seven or eight HMOs that were offering services. None of them controlled such a large market share that they could make or break a practice. So, for instance, if any one of them was behaving irresponsibly, not taking care of their patients properly, I could get on the phone, give them a call and say, I think you are not treating this patient right. I hope you change your mind. You could lobby on behalf of your patient. They might actually listen to you at that time. But what has happened since then?

Mr. Speaker, in the last 5 or 6 years, since 1994, there have been 275 mergers and acquisitions of health plans around the country. So, for instance, in Des Moines, Iowa, essentially there are two HMOs. For instance Blue Cross/Blue Shield in Iowa controls the health care of 98 percent of hospitals and 90 percent of doctors. One insurance company controls the access and cost of health care for 60 percent of insured Oregonians.

Market competition in Texas is all but gone. Mr. Speaker, 24 competing companies have been compressed into 4 mega-managed care companies. Sixty percent of the Pittsburgh market is controlled by one plan. Half of the Philadelphia market is controlled by one plan. Each of those plans maintains its dominance by virtue of an agreement not to compete with each other. One insurance company dictates health care to over half of Washington State. In Seattle, the figure is higher. In eastern Washington, 70 percent of the patients are controlled by one plan.

What does this mean? It means, for instance, that an HMO can devise a contract like this one. We define medical necessity as the short test, least expensive or least intense level of treatment as determined by us, the health plan. Then they can give the physicians, let us say we are talking about eastern Washington where this HMO controls 70 percent of the population. They can give that contract to employees; they can also give a contract to the physicians or the nurses, or, for that matter, the pharmacists, and they can say, take it or leave it.

Now, in the old days, and this is where the market competition comes in that my friend who opposed the managed care reform bill said, well just let the market work. Well, in the old days, you could. You could say, I am sorry, I am not going to sign that contract with you when you define medical necessity that way. But today, if they control 70 percent of the patients and they say take it or leave it, one may be left not being able to pay mortgage payments or pay for your daughter's education. That is tough. That is a tough decision. It could break your practice. It could mean you could no longer practice in eastern Oregon, for example.

So you say, well, what is the problem with signing that contract that has that clause in it?

Let me give an example, and then I will yield back to the gentleman. As a reconstructive surgeon I used to take care of, and I still take care of overseas kids that are born with this type of birth defect, a cleft lip and palate. Under that plan's arbitrary definition in their contract, they could say, we are not going to authorize surgical correction of that huge hole in the roof of this baby's mouth; we are just going to authorize you using a little piece of plastic to shove up in there to close the hole, it is called a plastic obturator. They can do that according to the contract. If I came back to them and I said, that is egregiously wrong; that is keeping this child from being able to learn to speak properly. If I then went to some of my medical colleagues and I started to talk to them about that HMO's practices and we mentioned to each other gee, we do not think that we can support or sign up for an HMO that does that kind of practice, my friend from California, what would happen to us?

Mr. CAMPBELL. Mr. Speaker, you would be sued for treble damages by the insurance company that made the offer to you.

Mr. GANSKE. And what effect would that have on the ability of this child to get this?

Mr. CAMPBELL. Mr. Speaker, if I were the gentleman's attorney, I would advise the gentleman not to treat that child, because he would run the risk not only of financial damage, but he also might run the risk of a conviction,

and a conviction even of a misdemeanor is, in many States, sufficient to disqualify one to practice medicine.

Mr. GANSKE. Mr. Speaker, let me continue then about another type of contract provision that HMOs force on providers, and that is what is called gag rules. That is where, for instance, Aetna has said, providers shall not provide or threaten to provide inferior care or imply to members that their care or access to care will be inferior due to source of payment.

In other words, there are some HMOs that say, before you can tell a patient all of their treatment options, you must first get an okay from us. And if you do not do that, we are going to deselect you from our plan. If our plan happens to cover 50 percent of your patients, tough luck.

The point is this: by using their market share, they have a huge amount of leverage on the individual practitioners that can then significantly interfere with the physician in his professional duty of being the advocate for the patient.

Mr. CAMPBELL. Mr. Speaker, if the gentleman would yield, that example is even worse than the first. One's obligation as a physician to advise a patient on what the patient's best choice of treatment should be seems to me paramount and ought to be untouchable. Yet, what we have allowed to develop in this country, through contract, not through any Federal law, but through contract and the force of power of the HMO or the insurance company on the other side of the contract, is that you do not offer that advice. You are gagged. You are subject to the gag rule.

Mr. GANSKE. Mr. Speaker, reclaiming my time, what happens then? The company uses its ability to gag you or deny necessary care, and so you have a baby born with that birth defect that does not get the treatment that they need.

Mr. CAMPBELL. Would the gentleman yield?

Mr. GANSKE. I yield to the gentleman.

Mr. CAMPBELL. Mr. Speaker, it is most galling that this situation persists because the insurance company has an antitrust exemption, and what we are trying to do in the bill that we will vote on tomorrow is to say that a medical doctor ought to be treated no worse than the insurance company on the other side of the bargaining table. What happened is remarkably fascinating to the situation at hand.

Mr. Speaker, the Supreme Court said that insurance was not subject to the antitrust laws for about 50 years, and then in the 1940s, they held that it did apply. Do my colleagues know how long it took before the insurance industry got an exemption from insurance from antitrust through this Congress? It took less than 2 years. And so today, we are left with insurance having an antitrust exemption to the extent that it is regulated by State law, the business of insurance is exempt from antitrust.

Mr. GANSKE. Mr. Speaker, let me get this straight, reclaiming my time. So while the insurance industry is critical of the bill, they, at the same time, have an antitrust exemption. Is that right?

Mr. CAMPBELL. Mr. Speaker, the gentleman is quite right. In fact, they ought to consider emulation is the highest form of flattery. They came to Congress and got an exemption from antitrust for their industry and they begrudge those who they say are exploiting on the other side of the bargaining table.

Mr. Speaker, I go back to the example of take it or leave it. Take it or leave it was something that employers used to say to employees too, and the employees said, I am not taking it. I am joining the union. In 1914, the Clayton Act was passed that created an exemption from antitrust for labor unions for exactly the same reason, that it was not fair for the powerful employer in a particular area to say, take it or leave it. Even worse is the insurance company, because the employer would have market power just by reason of being large; the insurance company has market power in some instances because of the antitrust exemption. So in the case of labor, if a doctor is a member of a labor union, the doctor can say, no, I am not taking it or leaving it, and neither is my brother and neither is my sister.

What we are trying to do in this bill is not force every doctor to join a labor union. Indeed, this bill is quite explicit. It does not touch the question of a doctor being in a labor union; it explicitly says the bill gives no right to any doctor to strike, but it says one very important thing, that the doctor or the medical professional shall be allowed the same degree as though they were in a labor union an exemption from the antitrust laws solely in the context of bargaining, just getting the terms of that contract so that one can treat that child with a cleft palate, so that one can communicate with one's patient and tell her or him all of the options available.

Mr. GANSKE. Mr. Speaker, reclaiming my time, practically speaking, what has happened is this: we have seen a number of HMO abuses around the country. Eighty percent of the public thinks that Congress should do something to fix this problem. Almost everybody knows a friend or a family member or a fellow worker, an employee who has not been treated fairly and gotten the type of treatment that they need. There are two approaches to fixing this.

The first approach is a regulatory approach.

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When Congress took away from the States for employer plans the ability to oversee the quality of those health plans, those insurance plans through the Employee Retirement Income Security Act, it basically left a vacuum. It did not fill in that traditional State oversight by a State insurance commissioner, and so people, most of the people in this country who are working get their insurance from their employer. Most of them are surprised to know that if their State legislature has passed some type of patient protection, it probably does not even apply to them.

So what we did back in October was, we started to fill in the gaps in terms of patients being treated with due process, the regulatory gap at the Federal level. But we had a lot of comment on that. People said, well, you know, maybe we just ought to let the market work better.

Well, what we are talking about tonight is that because of market concentration where we now essentially have six large HMOs in the country, the free market is not working right. I mean, the gentleman could probably give me analogies better to what it was like for a farmer having to deal with a railroad monopoly.

Mr. CAMPBELL. Mr. Speaker, will the gentleman yield?

Mr. GANSKE. I yield to the gentleman from California.

Mr. CAMPBELL. Mr. Speaker, the gentleman makes an excellent point, because this is another example, it is called the Capper-Volstead Act, and the farmers of the United States have an antitrust exemption. And the reason was that Congress was scared, worried, troubled that the great purchasers, the railroad cooperative or the purchaser, I hesitate to use a company name, but let me say in the past what you might have called Cargill or Archer Daniels & Midland, I am not in the slightest alleging that they are engaged in exploitative practices now or that they ever were specifically, but use them as an example, a large purchaser might be able to tell the farmer, hey, we are not buying your crop, go put it back in the ground.

Mr. GANSKE. Reclaiming my time, I believe there have also been some antitrust exemptions for fisherman.

Mr. CAMPBELL. For the same reason, the Fisherman's Cooperative Antitrust Exemption Act, because once you catch the fish, you cannot put them back in the ocean and hope to collect them again. And what is common, whether we are speaking about the labor union or the farmer or the fisherman, is that there is unequal bargaining power, because the other purchaser, the other side of the contract, the purchaser is able to say take it or leave it.

What has been done with Congress in every instance that we have been through here, that we have been explaining, it is fair for the other side to present a united front, whether it is the employee facing the employer in the company town, whether it is the single purchaser of the fish or the large purchaser of the grain, and what is proposed in this bill is to do, even, more

importantly, for an industry that faces an insurer, which as the gentleman has so wisely observed is increasingly concentrated market power in some particular geographic markets. I know the gentleman can give examples that are in the 90 and 95 percent range, but also with an antitrust exemption.

Let me say this is completely in keeping with the other antitrust exemptions that we have created in the context of unequal bargaining power. But it is more narrow than virtually any of them, because it only will extend to the process of bargaining. It does not, for example in insurance, say the business of insurance is hereby exempt to the extent it is regulated by State law. That is a huge exemption.

This bill will only exempt in the context of negotiating the medical professional who joins with another medical professional to tell the HMO we speak as one.

Mr. GANSKE. Reclaiming my time, let us go back to this for a minute. Let us say you have a family practitioner out in a small rural town and he knows of some examples where this HMO has not treated his patients fairly; and he says, you know, I think also possibly through specific contract provisions as they relate to his relationship with the HMO, that, for instance, might gag him from telling the patients about their illnesses, if he says to that large insurer, you know, I think you ought to change that, but 80 percent or 50 percent of his patients are in that, do you think that that large insurer is going to bargain with them, is going to change their contract with him? No. They are going to say, as the gentleman said, take it or leave it.

Mr. CAMPBELL. They will go next door.

Mr. GANSKE. They will go next door, and so what we are looking at is an ability, and I think this is crucial, the gentleman has it in your bill, and we have to repeat this, the gentleman has in his bill a prohibition on strikes.

Mr. CAMPBELL. Absolutely.

Mr. GANSKE. Let us repeat that.

Mr. CAMPBELL. There is a clear statement in the bill that there is no right to strike conferred by this bill.

Mr. GANSKE. So that nobody tomorrow when we debate this can say that doctors, if we pass this bill, the Campbell bill will allow physicians to go on strike; is that right?

Mr. CAMPBELL. That is right, no one can say that truthfully tomorrow.

Mr. GANSKE. That is a good point. Now, what we are talking about then is for a group of physicians, for instance, that have seen abuses by that HMO to be able to get together, possibly to hire somebody to negotiate for them to go to that HMO and correct some of the abuses that they are seeing, and, say, look, as a group now, they have more equality in terms of this bargaining position. We want you to treat patients more fairly when, for instance, they go to the emergency room.

Mr. CAMPBELL. Great example. I say to the gentleman, ought there not be some understanding that the HMO will cover the costs in the emergency room closest to the accident? Ought this not be a minimum sort of situation, and if a doctor insists on that and says I am sorry, we are not going to put that in your contract, take it or leave it, who cares more for the patient, the doctor who is the trained professional committed to a code of conduct regulated sternly by the State and by her or his own colleagues in caring for the patient, or the HMO. And I am not saying that they are all bad; I am not saying that they are most bad. But I am saying that they are differently motivated.

Mr. GANSKE. Reclaiming my time, what we are dealing with is a situation, for instance, where it may not be a matter that is specifically in the contract that the physician has, but he knows that there are provisions in the contract that an employee might have that are preventing the patient from getting the needed care in an emergency.

I will give my colleagues one example here. We have a little boy here who is 6 months old. One night about 3:00 in the morning, he had a temperature of about 104, 105. The mother and father lived south of Atlanta, Georgia. His mother gets on the 1–800 HMO number line, talks to somebody a thousand miles away, says my baby Jimmy has a temperature. He is really sick. He needs to go to the emergency room.

The HMO reviewer, who has never examined the child, says, well, I guess I could authorize you to go to an emergency room, but the only emergency room we are going to authorize is one that is 70 miles away, 70 miles away. And if you go to any other one, then you can pay for it yourself. So Mom and Dad wrap up little Jimmy. They get in the car; they start their drive. 20 miles or 30 miles into the drive, they pass three emergency rooms that they should have been able to stop at, because Jimmy was really sick; but they were not health professionals, they did not know how sick he was.

Before they got to the designated hospital, he has a cardiac arrest. Imagine, Dad's driving this little baby frantically, mother is trying to keep him alive. He is not breathing any more. His heart is not going. They finally screech into an emergency room. Mother leaps out of the car, screaming save my baby, save my baby. A nurse comes running out of the emergency room, gives him mouth to mouth resuscitation.

They start an IV. They start medicines and somehow they get him back to life, but they were not able to save all of this little baby, because he ended up with gangrene in both hands and both feet as a consequence of that HMO's decision. He ends up having to have both hands and both feet amputated.

Now, the point of the gentleman's bill I say to the gentleman is this. Let us say I am the family doctor, and I find out that this HMO has treated my patient this way, and I hear from some other fellow physicians that they have done the same thing; and we say, you know, we are not incorporated together. We are not salaried physicians. We are just individual physicians out there, but we know there is a problem with this HMO, the way they are treating babies like this.

We say to the HMO, unless you change your emergency room policy, we are not going to sign up with you. Under current law, that group of doctors advocating on behalf of their patient could be sued under antitrust. Is that not right?

Mr. CAMPBELL. It is absolutely right. I say to the gentleman, they could be sued by the Federal Trade Commission. They could be sued by the Department of Justice. They could also be sued by the HMO, which would calculate for the year, let us say, how much additional costs the HMO had to pay out over what the contract would have been if they had only access to the emergency room 70 miles away, and multiply that additional cost by three, it is trouble damages in antitrust, plus the HMO would get its attorneys fees, because prevailing plaintiffs, not prevailing defendants, only prevailing plaintiffs get their attorneys fees in antitrust.

Mr. GANSKE. Let us deal with some of the myths about the Campbell bill. Some people say that this would allow price fixing. I wonder if the gentleman would like to address that issue.

Mr. CAMPBELL. Well, indeed, when we are speaking about doctors presenting a united front, it is going to impact the compensation that they get. It just has to. If you are a family physician and you are being forced to accept a per-patient capitated rate, that means you see 20 patients per hour, you are not the same family physician that you wanted to be when you graduated from medical school. And in most instances, you are not really adequately providing health care.

It is impossible, impossible to divide the question of compensation from the question of care. That, however, leaves us open to criticism by the unfair, to create traps for those who would use the trap. It is unavoidable if you are going to get better care that you are going to have to have some payment for the better care. You cannot repeal the law of economics any more than you can repeal the law of physics.

Mr. GANSKE. What the gentleman is saying is that some may try to narrow the law to only deal with nonfiduciary matters, but I believe what the gentleman is saying is that an HMO can set a fee so low as to effectively deny the treatment.

Mr. CAMPBELL. The gentleman is absolutely right. And we anticipate an amendment to this extent being offered tomorrow. And on its first blush, it will sound good. It will say none of this antitrust immunity shall extend to the question of compensation. It is, however, a gutting amendment, a killer

amendment. What it would do is leave virtually nothing, because virtually nothing that we speak about here tonight is unrelated to the question of compensation. So that is a very important point to make clear.

Mr. GANSKE. I go overseas and I do cleft lip and palate operations in Third World countries where the families cannot afford it. But I will tell you what, people are spending an awful lot of money in this country for their health insurance. It ought to mean something when they actually get sick and need it, for instance, a child. And it ought to be covered at a level that would not preclude a person from getting it.

But I want to go back to one thing, and that is that under the gentleman's bill, price fixing or fee setting by physicians is still illegal, and that is because what we are talking about is a group of physicians being able to negotiate with an HMO, but we are not talking about that group of physicians being able to set fees across the board. Is that not correct?

Mr. CAMPBELL. The gentleman is absolutely right. The extent of the immunity is in the context of bargaining. And even today, I heard a related myth, that this will be a wholesale antitrust exemption and would allow doctors to join in a boycott, a boycott of a particular pharmaceutical company, Merck was mentioned because it was in the news, the argument about price fixing, the argument that doctors could get together and agree that no nurse anesthetist would practice.

Those are all false. The exemption is specific to the practice only of bargaining; and to make it even more clear, we added an amendment that even in the context of bargaining it shall not be permitted as an exemption from the antitrust laws to agree to exclude any other professional from their scope of conduct, and we have our colleague from the other side of aisle, the gentleman from New York (Mr. NADLER), to thank for working out that amendment. The Nadler amendment is part of this bill. So price fixing at the patient level, not permitted. Exclusion of other professionals, not permitted. Barring the doctor's right to choose a pharmaceutical of his or her choice, not permitted. And, yet, I suspect in fear, we will hear about those tomorrow.

Indeed, with my colleagues' indulgence, let me say that I woke to a fascinating circumstance yesterday. I heard my name mentioned in an ad on the local radio station in Washington D.C. And I had no idea I was so evil, but the Campbell bill was being described as OPEC for doctors, and this is actually the first thing I heard after waking up. The Campbell bill is OPEC for doctors; call your Congressman and oppose the Campbell bill.

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Well, being Campbell, this did get me out of bed very quickly.

My own view, is that, as I described, OPEC is the scariest cartel because Americans know about price-fixing by petroleum companies. This bill is restricted to the bargaining context. And I am grateful, I suppose, that people are mentioning my name, and hopefully they will spell it right, but I am not running for office in the District of Columbia.

Mr. GANSKE. Reclaiming my time, I have to laugh that they are calling this bill a doctors cartel, because when we look at the oil cartel, we have 11 OPEC countries controlling the cost and access of 40 percent of the world's oil. What we have in this country is we have a managed care cartel where seven giant insurers and the Blues control costs and access of over 50 percent of the U.S. health care market. OPEC nations utilize their oil production policies to control the market, the price and the profit of oil. And that is exactly what the managed care cartel does.

But I think we should also go onto this issue of, well, is the Campbell bill just going to mean that physicians are going to become unionized. I find this the most amazing misunderstanding of the gentleman's bill, because the gentleman's bill, H.R. 1304, would allow physicians and other health care professionals to negotiate with insurers without forming a union.

Let me tell my colleagues on the Republican side of the aisle that if they want to see physicians become a union, then they should vote against the Campbell bill. Because if we take those physicians out there in those small communities where they are just squished in any type of consumer care problems with the HMOs, and the only recourse they have is to join a health group and become salaried physician, then in that circumstance, under the current law, then they can form a union.

If we do not pass the Campbell bill, I will make a prediction. I will predict that we will see an acceleration of physicians into unions. The Campbell bill is a preventive piece of medicine in terms of physicians becoming unionized.

Mr. CAMPBELL. I am pleased that the gentleman made it very clear, particularly for our colleagues on the Republican side. I want to add a word for our colleagues on the Democratic side, however, as well.

I have been very pleased with the support that we have had from several unions who have said, even though this undercuts the attractiveness of a union, we recognize and we are happy to see the benefit of collective bargaining. And we have actually had support from the American Federation of State, County, Municipal Employees Union for that concept. So to make it clear, it actually provides some of the benefits of being in a union and, hence, makes it less attractive to be in a union.

Nevertheless, it is my delight to report that it is supported by over 100 Democrats as well as just under 100 Republicans. We have about 90 Republican cosponsors and about 120 Democrats.

May I say one extra thing, too, at this moment, because it is important. The American Medical Association is supporting the bill. So also is the National Medical Association. And let me just take a moment on that. The National Medical Association was organized as an alternative for medical doctors of the African American race. That was its origin. And there are parts of our history in this area, as in so many others, where there was the practice of discrimination. It has been a source of great pride and support to me that the medical association most connected with increasing the prominence and opportunity for African Americans in our country has endorsed this bill.

Their president has testified in favor of this bill; and he believes, and has said in testimony, that this will yield increased quality of service in those communities that may not get the maximum attention. So on the question of, let me say the traditional issues of importance to all of us, but sometimes more identified on the Democratic side, we are proud of the support that we have.

Would the gentleman indulge me one second.

Mr. GANSKE. I wonder if the gentleman would address the issue, because I am sure we will hear about this tomorrow, the issue of the cost of the gentleman's bill. I know there was an initial Congressional Budget Office analysis of the bill which was incorrect in several of their assumptions, and I will bet the gentleman can fill me in on the details of that.

Mr. CAMPBELL. Well, indeed. What reminds me of this was the radio advertisement that I referred to. The advertisement now running in Washington, D.C., says that one estimate says that this will increase cost 15 percent. No, that is not correct.

The Congressional Budget Office assessment is that the ultimate effect to the patient will be six-tenth's of 1 percent. Six-tenth's of 1 percent. Now, I have good reason to believe that is wrong because they do not measure quality. And if quality is improving, which it surely will under this bill, any measurement of cost-per-unit quality will likely drop.

But let me explain how 15 percent came to be. The Congressional Budget Office said, well, we have to make some assumption as to what the initial increase in compensation to the doctors will be. Let us just assume that the studies of industrial unions, which show that members of industrial unions make roughly 15 percent more than individuals in that same calling who are not members of industrial unions, let us assume 15 percent.

Mr. Speaker, it was done on no more basis than that. But it started there, and then it came down to six-tenth's of 1 percent after figuring the following.

Even assuming that 15 percent increase goes to the medical professional, the next step is the HMO. And the HMO is going to take a hit to its profit. I do not deny that, and I do not apologize for it. And as it does, that eats up some of the proposed increase in cost. Then the HMO has a certain amount it passes along to the employer, and the employer takes a certain amount of that in her or his profit. And then the employer passes along a certain amount of it to the employee. And by the time it gets down to the employee, the Congressional Budget Office estimate was six-tenth's of 1 percent.

Mr. GANSKE. Okay. So they originally said that the cost was going to be how much?

Mr. CAMPBELL. They said that the reimbursement to the physician was 15 percent. But their original estimate of the cost was 2 percent, and I pointed out a couple of errors in their analysis.

Mr. GANSKE. And now the CBO is saying that the cost would be six-tenths of 1 percent.

Mr. CAMPBELL. Six-tenths of 1 percent.

Mr. GANSKE. Six-tenths of 1 percent. And I would point out that that is probably an accurate figure. I think that there would be a very small increase. And the reason why there would be a very small increase is because, quite frankly, when groups of physicians get together to negotiate with those HMOs, especially concerning those consumer practices that affect whether a patient can get the type of treatment that they need, let us say on the medical-necessity issue, then I think there would be a little bit of an increase in cost because, quite frankly, I think a lot of HMOs have been denying appropriate care, and that care is going to cost a little bit more.

But the fact of the matter is that we can, if we treat people appropriately and fairly, and they get the type of treatment that they need at an appropriate time, then, in the long run, I think we can prevent not just additional expenses to the medical system, but we can also prevent disasters like happened to this little boy when he lost his hands and feet. And how do we calculate what his hands and feet are going to be worth to him the rest of his life?

Mr. CAMPBELL. There is one other aspect, if the gentleman will yield, on the question of cost. But I cannot leave the gentleman's previous example without saying he is absolutely right. And for those whose only focus is cost, they will forever be subject to the predatory activities of those who offer a quality that is diminished.

But the other aspect of the cost estimate is the CBO, in coming to the six-tenths of 1 percent, did not include the following consideration: that as dealing with HMOs becomes a little bit fairer and a little bit more enjoyable and a little bit more professional for the medical doctor, we will see doctors staying in HMOs who otherwise would have left them.

It is true that the HMO is a lower cost effect delivery than fee-for-service has been. And so as we have more doctors going into HMOs because it is a more hospitable environment, we will actually have a depressing effect on cost. That I pointed out, but the CBO did not include in its estimate.

So I think we can safely conclude two things: one, that the cost increase to the patient is going to be very, very small. And I will accept the six-tenths of 1 percent, as does the gentleman. But, secondly, that estimate has not considered quality. And there are many points where we simply cannot measure quality in dollars and cents. But taking the most conservative assessments, the quality increase is worth it.

Mr. GANSKE. I wonder if the gentleman would care to comment on the opposition of the Federal Trade Commission and the Department of Justice.

Mr. CAMPBELL. I had the honor to be director of the Bureau of Competition, Federal Trade Commission, during the administration of President Ronald Reagan. As a result, I am an FTC graduate. I used to bring antitrust lawsuits on behalf of the Federal Trade Commission. And the Federal Trade Commission, to my knowledge, has opposed every exemption from the antitrust laws ever proposed. I do not run the risk of being corrected on that.

I remember testifying before Congress, when I was the director of the Bureau of Competition, for a limitation on the antitrust exemption for ocean shipping. In each case, the FTC and the Department of Justice do exactly what we would expect of them, and I do not fault them at all.

Mr. GANSKE. They are protecting their turf.

Mr. CAMPBELL. That might be a doctor's assessment of a lawyer. A lawyer might say defending his jurisdiction. Protecting his turf sounds like the same thing.

Mr. GANSKE. I wonder if the gentleman would care to comment on the fact that the Department of Justice did not challenge a single health care merger in the last decade of all these HMOs, while the 18 largest health plans merged into just six, at least not until one of the health groups pushed the DOJ to look at the issue, and then I think they went ahead and granted the merger anyway. Would the gentleman care to comment on that?

Mr. CAMPBELL. Indeed, I was in charge of the aspects of merger analysis that was applied by the Federal Trade Commission. And, roughly speaking, and this is ballpark but it is about right, up until 40, 50 percent market share is achieved in a merger, the FTC and the Department of Justice will permit the merger.

It is actually more complex than that. It is done under an index called the Herfindahl-Hirschman Index. But the FTC and Justice will oftentimes make an analysis of will there be potential competition. Will another hospital enter if the existing merged entity extracts a higher price. And in so doing, the patients might suffer for a year or two until that new entrant happens. The analysis, in other words, allows a substantial accumulation of market share.

I find myself admiring the analysis that involves economics at the Federal Trade Commission and not admiring the outcomes that, at least in this instance, allowed the accumulation of market power. The theories might have been right; but the practice, as we have seen, did not result in consumer benefit.

Mr. GANSKE. Now, some people say that H.R. 1304 will come under the National Labor Relations Act. Is there anything in the gentleman's bill that has to do with the National Labor Relations Act?

Mr. CAMPBELL. Only the one sentence in the bill that it does not come under the National Labor Relations Act. I explicitly put into the bill a statement that nothing in this bill shall alter in the slightest the application of the National Labor Relations Act or extend to areas which previously it did not extend to. Absolutely false. Not a change.

And I will put to the gentleman something he and all of us in the House know. If there were any such implication, the bill would have been referred to the Committee on Education and the Workforce, which is jealous of its jurisdiction, and it was not. It was kept in Judiciary, dealing strictly with antitrust.

Mr. GANSKE. Now, the gentleman has wide bipartisan support of this bill. How many cosponsors does the gentleman have for this bill?

Mr. CAMPBELL. I am proud to say we have 220 cosponsors. And as everyone here knows, 218 is a majority of the House. Of those 220, as I said, just under 100 are Republicans and the rest, slightly more, are Democrats.

Mr. GANSKE. So it would be the gentleman's contention that since Congress is indicating now that they think that there is a problem, our leadership does too, that there is a problem with HMO abuses, that for those who think, well, let the market do its will, the market has to be able to do its will.

Mr. CAMPBELL. Right. And we cannot have an antitrust exemption on one side and individuals unable even to call each other on the other. And market power with fewer and fewer HMOs on one side, and a doctor who cannot even express her or his revulsion against a gag order to her or his colleague, is not the market.

I suppose if one were a real free market Ricardo economist, they might say, let us go back to the state of nature. Let us get rid of the antitrust exemption for insurance. Incidently, I actually offered that once, and it got one vote in the Committee on the Judiciary in 1989.

2000

Mr. GANSKE. I know that I have many friends who will say, well, you know, maybe we do not need to deal with this issue right now because, after all, the Managed Care Reform Act of 1999 that passed the House is now in conference with the Senate and maybe we just ought to wait and see what happens on that conference.

My personal opinion on this is I think we probably need both. I think we need to see some regulatory oversight in the vacuum that was created by ERISA. I think we would probably need less of that if the Campbell bill passed. I do not see them as exclusive of each other.

Furthermore, I would say this: The managed care industry is very creative. We have no way of knowing how they will change their contracts, how they will change their business practices, and what kind of quality issues will arise out of that in the next few years. And that is why I would say H.R. 1304 would address this issue because it would enable the health care providers who are having to deal with this, who are having to stand up and advocate for their patients at that time to be able to band together and advocate for those patients as new permeations arise within the industry.

Mr. CAMPBELL. Mr. Speaker, I appreciate the point of the gentleman. As I said at the start, I admire his compassion, his knowledge, his medical as well as congressional experience.

I took a slightly different view, as the gentleman knows on the Patients' Bill of Rights. So it is fascinating, here we are with two different positions on the Patients' Bill of Rights.

Mr. GANSKE. Yes, Mr. Speaker, I am supporting the gentleman on his bill. I wish he would have supported me on mine, but he did not. But I understand the commitment of the gentleman when I asked him to support the bill he said I want to approach this from a different aspect, I want to try to make that market work, but in order for a market to work, you have to have fairness in terms of the bargaining positions of the participants.

Mr. CAMPBELL. That is exactly right. And I do have ultimate trust that market solutions are better than Government-imposed solutions. And so, if we pass H.R. 1304 tomorrow and the other body passes it and the President signs it into law, we will have the opportunity to let that private ordering between the insurer and doctor prevail.

My hesitation was the Federal Government seldom gets it right, and having Government put in terms of contracts certainly is offered as an alternative but it is an alternative I would go to as the last one rather than the first.

Might I ask my colleague to yield on one last point, which is the amendment that will be offered by our friend the gentleman from Florida (Mr. STEARNS)?

Mr. GANSKE. Mr. Speaker, I yield to the gentleman.

Mr. CAMPBELL. Mr. Speaker, first of all, the gentleman from Florida (Mr. STEARNS) is a colleague of mine. We entered Congress the same year. So I have high regard for him, but I also have a friendship for him.

The amendment he offers tomorrow, however, is a killing amendment. I just want to draw attention to this. It says that all of this may be well and good, however, the Federal Trade Commission shall have the authority to vitiate any contract reached after such process if in the Federal Trade Commission's opinion that contract does not enhance patient welfare.

If my colleague sees my point, it is directly against the principle I just announced. Here is a Federal Government agency, which does not want this bill, which has been hostile to the concept that medicine should be a perceived as a profession rather than the subject of antitrust to be given the power to vitiate any contract upon its own determination that the particular contract, and here the judgment is not an economic one but a social one, does not enhance patient welfare.

It is a killer amendment. In fact, it goes much farther than an amendment which was offered by our friend from Indiana in the committee, which said they have got to get approval from the FTC first. The theory there was let the FTC sign on or not and give them the yes or no in any particular case.

Well, once again, we know pretty much what the FTC did. Here is the power to vitiate any contract the FTC chooses to decide that it does not benefit health care in its own essentially unreviewable discretion.

So I say to my colleagues who might be listening or to their constituents who might wish to advise them, if they feel this bill is not good, of course vote against it, but it would be disappointing to vote in favor of the amendment being offered by our friend from Florida (Mr. STEARNS) thinking it is improving the bill when in reality it is killing the bill. Vote up or down on the merits. Do not kill by subtle amendment.

Mr. GANSKE. Let me just go back to the nitty-gritty of the bill, and that is that physicians cannot sue under this bill.

The most recent cost estimates by the Congressional Budget Office are six-tenths of one percent. What we are talking about is a group of physicians who do not join a labor union but are concerned about HMO practices who want to get together and tell that HMO, you know, the contract that you are giving those employees for that company where it says ''medical necessity'' means the shortest, least expensive, or least intense level of care is just not right and, together as a group, we will not sign onto a health plan where you are treating one of your subscribers in that way or, for instance, when you have provisions in your contract that says first we have to phone you before we can even tell a patient about their treatment options.

I mean, this affects real-life people and the ability of a physician to be an advocate for your patient.

This is a lady who was profiled in Time Magazine. She had received a recommendation for treatment. She lived in California, the home State of my colleague. She had received a recommendation for treatment from her HMO. The HMO referred her to a medical center, which I will not name, and then put undue pressure on that medical center to deny her the treatment and not tell her all of her treatment options.

She died because of that practice. This little girl and that little boy and her husband now no longer have a mother or a wife because of that. But we have a situation now where if a group of physicians or nurses or pharmacists or other health care providers, professionals, wanted to get together to try to effect changes and to negotiate with an HMO to stop those kinds of practices, unless they were salaried, then they could be brought to court for an antitrust violation.

I just find that that is terribly, terribly wrong. And I know that this happens. I know from practice that physicians are very, very careful about sharing information of misadventures of other HMOs for exactly this reason. Because if they get together and start talking about it sort of as a group, even if it is done on an individual basis, they decide, I am not going to renew that contract, then they could get hit with a big antitrust.

But the fact of the matter is that now they are not even given that choice in many examples anymore because of the concentration in the industry, it may very well mean that they have just lost half of their patients without being able to effect any negotiations with any reasonable chance of success on that; and that may mean, in effect, that they can no longer practice in that community.

Mr. CAMPBELL. I have just received a signal that we have only 2 minutes left. So I simply want to say in about 10 seconds that the whole purpose behind H.R. 1304 is to allow medical professionals to practice their profession so that they can help their patients and that what has happened is that decision has in large part been taken away from them and that is what we wish to correct.

I thank the gentleman for sharing his hour with me.

Mr. GANSKE. Mr. Speaker, I appreciate very much the gentleman from California (Mr. CAMPBELL) joining me in this discussion on his bill, which will reach the floor tomorrow morning at about 9 o'clock. We will have a couple hours of debate on it.

I will encourage all of our colleagues who have cosponsored this legislation to vote against any weakening amendments and to vote for the bill, as my colleagues have indicated they would in cosponsoring this legislation.

REVISIONS TO ALLOCATION FOR HOUSE COMMITTEE ON APPROPRIATIONS

The SPEAKER pro tempore (Mr. SOUDER). Under a previous order of the House, the gentleman from Ohio (Mr. KASICH) is recognized for 5 minutes.

Mr. KASICH. Mr. Speaker, in accordance with section 218 of H. Con. Res. 290, I hereby submit for printing in the CONGRESSIONAL RECORD adjustments to the 302(a) allocation for the House Committee on Armed Services, set forth in H. Rept. 106–577, to reflect $28 million in additional new budget authority and outlays for fiscal year 2001 and $184 million in new budget authority and outlays for the period of fiscal years 2001 through 2005.

Section 218 of H. Con. Res. 290 authorizes the Chairman of the House Budget Committee to increase the 302(a) allocation of the Committee on Armed Services of the House for Department of Defense Authorization legislation by the amount of budget authority provided by that bill (and any resulting outlays) for improvements to health care programs for military retirees and their dependents. The maximum adjustment is $50 million in fiscal year 2001 and $400 million for the period of fiscal years 2001 through 2005.

As reported to the House, H.R. 4205, the Department of Defense Authorization Act of 2000, provides for various initiatives related to the improvement in military health, $28 million in budget authority (and in the resulting outlays) in fiscal year 2001 and $184 million in budget authority (and in resulting outlays) for the period of fiscal years 2001 through 2005.

These adjustments shall apply while the legislation is under consideration and shall take effect upon final enactment of the legislation. Questions may be directed to Dan Kowalski or Jim Bates at 6–7270.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 8 o'clock and 10 minutes p.m.), the House stood in recess subject to the call of the Chair.

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AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DREIER) at 10 o'clock and 41 minutes p.m.

CONFERENCE REPORT ON H.R. 2559, AGRICULTURAL RISK PROTECTION ACT OF 2000

Mr. COMBEST submitted the following conference report and statement on the bill (H.R. 2559) to amend the Federal Crop Insurance Act to strengthen the safety net for agricultural producers by providing greater access to more affordable risk management tools and improved protection from production and income loss, to improve the efficiency and integrity of the Federal crop insurance program, and for other purposes.

CONFERENCE REPORT (H. REPT. 106–639)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2559), to amend the Federal Crop Insurance Act to strengthen the safety net for agricultural producers by providing greater access to more affordable risk management tools and improved protection from production and income loss, to improve the efficiency and integrity of the Federal crop insurance program, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Agricultural Risk Protection Act of 2000''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

TITLE I—CROP INSURANCE COVERAGE

Subtitle A—Crop Insurance Coverage

Sec. 101. Premium schedule for additional coverage.
Sec. 102. Premium schedule for other plans of insurance.
Sec. 103. Catastrophic risk protection.
Sec. 104. Administrative fee for additional coverage.
Sec. 105. Assigned yields and actual production history adjustments.
Sec. 106. Review and adjustment in rating methodologies.
Sec. 107. Quality adjustment.
Sec. 108. Double insurance and prevented planting.
Sec. 109. Noninsured crop disaster assistance program.

Subtitle B—Improving Program Integrity

Sec. 121. Improving program compliance and integrity.
Sec. 122. Protection of confidential information.
Sec. 123. Good farming practices.
Sec. 124. Records and reporting.

Subtitle C—Research and Pilot Programs

Sec. 131. Research and development.
Sec. 132. Pilot programs.
Sec. 133. Education and risk management assistance.
Sec. 134. Options pilot program.

Subtitle D—Administration

Sec. 141. Relation to other laws.
Sec. 142. Management of Corporation.
Sec. 143. Contracting for rating of plans of insurance.
Sec. 144. Electronic availability of crop insurance information.
Sec. 145. Adequate coverage for States.
Sec. 146. Submission of policies and materials to Board.
Sec. 147. Funding.
Sec. 148. Standard Reinsurance Agreement.

Subtitle E—Miscellaneous

Sec. 161. Limitation on revenue coverage for potatoes.
Sec. 162. Crop insurance coverage for cotton and rice.
Sec. 163. Indemnity payments for certain producers.
Sec. 164. Sense of Congress regarding the Federal crop insurance program.
Sec. 165. Sense of Congress on rural America, including minority and limited-resource farmers.

Subtitle F—Effective Dates and Implementation

Sec. 171. Effective dates.
Sec. 172. Regulations.
Sec. 173. Savings clause.

TITLE II—AGRICULTURAL ASSISTANCE

Subtitle A—Market Loss Assistance

Sec. 201. Market loss assistance.
Sec. 202. Oilseeds.
Sec. 203. Specialty crops.
Sec. 204. Other commodities.
Sec. 205. Payments in lieu of loan deficiency payments.
Sec. 206. Expansion of producers eligible for loan deficiency payments.

Subtitle B—Conservation

Sec. 211. Conservation assistance.
Sec. 212. Condition on development of Little Darby National Wildlife Refuge, Ohio.

Subtitle C—Research

Sec. 221. Carbon cycle research.
Sec. 222. Tobacco research for medicinal purposes.
Sec. 223. Research on soil science and forest health management.
Sec. 224. Research on waste streams from livestock production.
Sec. 225. Improved storage and management of livestock and poultry waste.
Sec. 226. Ethanol research pilot plant.
Sec. 227. Bioinformatics Institute for Model Plant Species.

Subtitle D—Agricultural Marketing

Sec. 231. Value-added agricultural product market development grants.

Subtitle E—Nutrition Programs

Sec. 241. Calculation of minimum amount of commodities for school lunch requirements.
Sec. 242. School lunch data.
Sec. 243. Child and adult care food program integrity.
Sec. 244. Adjustments to WIC program.

Subtitle F—Other Programs

Sec. 251. Authority to provide loan in connection with boll weevil eradication.
Sec. 252. Animal disease control.
Sec. 253. Emergency loans for seed producers.
Sec. 254. Temporary suspension of authority to combine certain offices.
Sec. 255. Farm operating loan eligibility.
Sec. 256. Water systems for rural and Native villages in Alaska.
Sec. 257. Crop and pasture flood compensation program.
Sec. 258. Flood mitigation near Pierre, South Dakota.
Sec. 259. Restoration of eligibility for crop loss assistance.

Subtitle G—Administration

Sec. 261. Funding.
Sec. 262. Obligation period.
Sec. 263. Regulations.
Sec. 264. Paygo adjustment.
Sec. 265. Commodity Credit Corporation reimbursement.

TITLE III—BIOMASS RESEARCH AND DEVELOPMENT ACT OF 2000

Sec. 301. Short title.
Sec. 302. Findings.
Sec. 303. Definitions.
Sec. 304. Cooperation and coordination in biomass research and development.
Sec. 305. Biomass Research and Development Board.
Sec. 306. Biomass Research and Development Technical Advisory Committee.
Sec. 307. Biomass Research And Development Initiative.
Sec. 308. Administrative support and funds.
Sec. 309. Reports.
Sec. 310. Termination of authority.

TITLE IV—PLANT PROTECTION ACT

Sec. 401. Short title.
Sec. 402. Findings.
Sec. 403. Definitions.

Subtitle A—Plant Protection

Sec. 411. Regulation of movement of plant pests.
Sec. 412. Regulation of movement of plants, plant products, biological control organisms, noxious weeds, articles, and means of conveyance.
Sec. 413. Notification and holding requirements upon arrival.
Sec. 414. General remedial measures for new plant pests and noxious weeds.
Sec. 415. Declaration of extraordinary emergency and resulting authorities.
Sec. 416. Recovery of compensation for unauthorized activities.
Sec. 417. Control of grasshoppers and mormon crickets.
Sec. 418. Certification for exports.

Subtitle B—Inspection and Enforcement

Sec. 421. Inspections, seizures, and warrants.
Sec. 422. Collection of information.
Sec. 423. Subpoena authority.
Sec. 424. Penalties for violation.
Sec. 425. Enforcement actions of attorney general.
Sec. 426. Court jurisdiction.

Subtitle C—Miscellaneous Provisions

Sec. 431. Cooperation.
Sec. 432. Buildings, land, people, claims, and agreements.
Sec. 433. Reimbursable agreements.
Sec. 434. Regulations and orders.
Sec. 435. Protection for mail handlers.
Sec. 436. Preemption.
Sec. 437. Severability.
Sec. 438. Repeal of superseded laws.

Subtitle D—Authorization of Appropriations

Sec. 441. Authorization of appropriations.
Sec. 442. Transfer authority.

TITLE V—INSPECTION ANIMALS

Sec. 501. Civil penalty.
Sec. 502. Subpoena authority.

TITLE I—CROP INSURANCE

Subtitle A—Crop Insurance Coverage

SEC. 101. PREMIUM SCHEDULE FOR ADDITIONAL COVERAGE.

(a) EXPECTED MARKET PRICE.—Section 508(c) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)) is amended by striking paragraph (5) and inserting the following:

''(5) EXPECTED MARKET PRICE.—

''(A) ESTABLISHMENT OR APPROVAL.—For the purposes of this title, the Corporation shall establish or approve the price level (referred to in this title as the 'expected market price') of each agricultural commodity for which insurance is offered.

''(B) GENERAL RULE.—Except as otherwise provided in subparagraph (C), the expected market price of an agricultural commodity shall be not less than the projected market price of the agricultural commodity, as determined by the Corporation.

''(C) OTHER AUTHORIZED APPROACHES.—The expected market price of an agricultural commodity—

''(i) may be based on the actual market price of the agricultural commodity at the time of harvest, as determined by the Corporation;

''(ii) in the case of revenue and other similar plans of insurance, may be the actual market price of the agricultural commodity, as determined by the Corporation;

''(iii) in the case of cost of production or similar plans of insurance, shall be the projected cost of producing the agricultural commodity, as determined by the Corporation; or

''(iv) in the case of other plans of insurance, may be an appropriate amount, as determined by the Corporation.''.

(b) PREMIUM AMOUNTS.—Section 508(d) of the Federal Crop Insurance Act (7 U.S.C. 1508(d)) is amended—

(1) in paragraph (2), by striking subparagraphs (B) and (C) and inserting the following:

''(B) In the case of additional coverage equal to or greater than 50 percent of the recorded or appraised average yield indemnified at not greater than 100 percent of the expected market price, or a comparable coverage for a policy or plan of insurance that is not based on individual yield, the amount of the premium shall—

''(i) be sufficient to cover anticipated losses and a reasonable reserve; and

''(ii) include an amount for operating and administrative expenses, as determined by the Corporation, on an industry-wide basis as a percentage of the amount of the premium used to define loss ratio.''; and

(2) by adding at the end the following:

''(3) PERFORMANCE-BASED DISCOUNT.—The Corporation may provide a performance-based premium discount for a producer of an agricultural commodity who has good insurance or production experience relative to other producers of that agricultural commodity in the same area, as determined by the Corporation.''.

(c) PAYMENT SCHEDULE.—Section 508(e)(2) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(2)) is amended—

(1) in the matter preceding the subparagraphs, by striking ''The amount'' and inserting ''Subject to paragraph (4), the amount''; and

(2) by striking subparagraphs (B) and (C) and inserting the following:

''(B) In the case of additional coverage equal to or greater than 50 percent, but less than 55 percent, of the recorded or appraised average yield indemnified at not greater than 100 percent of the expected market price, or a comparable coverage for a policy or plan of insurance that is not based on individual yield, the amount shall be equal to the sum of—

''(i) 67 percent of the amount of the premium established under subsection (d)(2)(B)(i) for the coverage level selected; and

''(ii) the amount determined under subsection (d)(2)(B)(ii) for the coverage level selected to cover operating and administrative expenses.

''(C) In the case of additional coverage equal to or greater than 55 percent, but less than 65 percent, of the recorded or appraised average yield indemnified at not greater than 100 percent of the expected market price, or a comparable coverage for a policy or plan of insurance that is not based on individual yield, the amount shall be equal to the sum of—

''(i) 64 percent of the amount of the premium established under subsection (d)(2)(B)(i) for the coverage level selected; and

''(ii) the amount determined under subsection (d)(2)(B)(ii) for the coverage level selected to cover operating and administrative expenses.

''(D) In the case of additional coverage equal to or greater than 65 percent, but less than 75 percent, of the recorded or appraised average yield indemnified at not greater than 100 percent of the expected market price, or a comparable coverage for a policy or plan of insurance that is not based on individual yield, the amount shall be equal to the sum of—

''(i) 59 percent of the amount of the premium established under subsection (d)(2)(B)(i) for the coverage level selected; and

''(ii) the amount determined under subsection (d)(2)(B)(ii) for the coverage level selected to cover operating and administrative expenses.

''(E) In the case of additional coverage equal to or greater than 75 percent, but less than 80 percent, of the recorded or appraised average yield indemnified at not greater than 100 percent of the expected market price, or a comparable coverage for a policy or plan of insurance that is not based on individual yield, the amount shall be equal to the sum of—

''(i) 55 percent of the amount of the premium established under subsection (d)(2)(B)(i) for the coverage level selected; and

''(ii) the amount determined under subsection (d)(2)(B)(ii) for the coverage level selected to cover operating and administrative expenses.

''(F) In the case of additional coverage equal to or greater than 80 percent, but less than 85 percent, of the recorded or appraised average yield indemnified at not greater than 100 percent of the expected market price, or a comparable coverage for a policy or plan of insurance that is not based on individual yield, the amount shall be equal to the sum of—

''(i) 48 percent of the amount of the premium established under subsection (d)(2)(B)(i) for the coverage level selected; and

''(ii) the amount determined under subsection (d)(2)(B)(ii) for the coverage level selected to cover operating and administrative expenses.

''(G) Subject to subsection (c)(4), in the case of additional coverage equal to or greater than 85 percent of the recorded or appraised average yield indemnified at not greater than 100 percent of the expected market price, or a comparable coverage for a policy or plan of insurance that is not based on individual yield, the amount shall be equal to the sum of—

''(i) 38 percent of the amount of the premium established under subsection (d)(2)(B)(i) for the coverage level selected; and

''(ii) the amount determined under subsection (d)(2)(B)(ii) for the coverage level selected to cover operating and administrative expenses.''.

(d) TEMPORARY PROHIBITION ON CONTINUOUS COVERAGE.—Section 508(e) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)) is amended by striking paragraph (4) and inserting the following:

''(4) TEMPORARY PROHIBITION ON CONTINUOUS COVERAGE.—Notwithstanding paragraph (2), during each of the 2001 through 2005 reinsurance years, additional coverage under subsection (c) shall be available only in 5 percent increments beginning at 50 percent of the recorded or appraised average yield.''.

(e) PREMIUM PAYMENT DISCLOSURE.—Section 508(e) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)) is amended by adding at the end the following:

''(5) PREMIUM PAYMENT DISCLOSURE.—Each policy or plan of insurance under this title shall prominently indicate the dollar amount of the portion of the premium paid by the Corporation.''.

(f) CONFORMING AMENDMENT.—Section 508(g)(2)(D) of the Federal Crop Insurance Act (7 U.S.C. 1508(g)(2)(D)) is amended by striking ''(as provided in subsection (e)(4))''.

SEC. 102. PREMIUM SCHEDULE FOR OTHER PLANS OF INSURANCE.

(a) PREMIUM SCHEDULE.—Section 508(h) of the Federal Crop Insurance Act (7 U.S.C. 1508(h)) is amended—

(1) in paragraph (2), by striking the second sentence; and

(2) by striking paragraph (5) and inserting the following:

''(5) PREMIUM SCHEDULE.—

''(A) PAYMENT BY CORPORATION.—In the case of a policy or plan of insurance developed and approved under this subsection or section 522, or conducted under section 523 (other than a policy or plan of insurance applicable to livestock), the Corporation shall pay a portion of the premium of the policy or plan of insurance that is equal to—

''(i) the percentage, specified in subsection (e) for a similar level of coverage, of the total amount of the premium used to define loss ratio; and

''(ii) an amount for administrative and operating expenses determined in accordance with subsection (k)(4).

''(B) TRANSITIONAL SCHEDULE.—Effective only during the 2001 reinsurance year, in the case of a policy or plan of insurance developed and approved under this subsection or section 522, or conducted under section 523 (other than a policy or plan of insurance applicable to livestock), and first approved by the Board after the date of enactment of this subparagraph, the payment by the Corporation of a portion of the premium of the policy may not exceed the dollar amount that would otherwise be authorized under subsection (e) (consistent with subsection (c)(5), as in effect on the day before the date of enactment of this subparagraph).''.

(b) REIMBURSEMENT RATE.—Section 508(k)(4) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(4)) is amended by adding at the end the following:

''(C) OTHER REDUCTIONS.—Beginning with the 2002 reinsurance year, in the case of a policy or plan of insurance approved by the Board that was not reinsured during the 1998 reinsurance year but, had it been reinsured, would have received a reduced rate of reimbursement during the 1998 reinsurance year, the rate of reimbursement for administrative and operating costs established for the policy or plan of insurance shall take into account the factors used to determine the rate of reimbursement for administrative and operating costs during the 1998 reinsurance year, including the expected difference in premium and actual administrative and operating costs of the policy or plan of insurance relative to an individual yield policy or plan of insurance and other appropriate factors, as determined by the Corporation.''.

SEC. 103. CATASTROPHIC RISK PROTECTION.

(a) ALTERNATIVE COVERAGE.—Section 508(b) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)) is amended by striking paragraph (3) and inserting the following:

''(3) ALTERNATIVE CATASTROPHIC COVERAGE.—Beginning with the 2001 crop year, the Corporation shall offer producers of an agricultural commodity the option of selecting either of the following:

''(A) The catastrophic risk protection coverage available under paragraph (2)(A).

''(B) An alternative catastrophic risk protection coverage that—

''(i) indemnifies the producer on an area yield and loss basis if such a policy or plan of insurance is offered for the agricultural commodity in the county in which the farm is located;

''(ii) provides, on a uniform national basis, a higher combination of yield and price protection than the coverage available under paragraph (2)(A); and

''(iii) the Corporation determines is comparable to the coverage available under paragraph (2)(A) for purposes of subsection (e)(2)(A).''.

(b) ADMINISTRATIVE FEE.—

(1) REVISED FEE.—Section 508(b)(5) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)(5)) is amended—

(A) in subparagraph (A), by striking ''$50'' and inserting ''$100'';

(B) by striking subparagraph (B); and

(C) in subparagraph (C), by striking ''amounts required under subparagraphs (A) and (B)'' and inserting ''administrative fee required by this paragraph''.

(2) CONFORMING AMENDMENT.—Section 748 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (as contained in section 101(a) of division A of Public Law 105–277; 7 U.S.C. 1508 note), is amended by striking ''$50'' and inserting ''$100''.

(c) PAYMENT OF ADMINISTRATIVE FEE ON BEHALF OF PRODUCERS.—Section 508(b)(5) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)(5)), as amended by subsection (b)(1)(B), is amended by inserting after subparagraph (A) the following:

''(B) PAYMENT ON BEHALF OF PRODUCERS.—

''(i) PAYMENT AUTHORIZED.—If State law permits a licensing fee or other payment to be paid by an insurance provider to a cooperative association or trade association and rebated to a producer with catastrophic risk protection or additional coverage, a cooperative association or trade association located in that State may pay, on behalf of a member of the association in that State or a contiguous State who consents to be insured under such an arrangement, all or a portion of the administrative fee required by this paragraph for catastrophic risk protection.

''(ii) TREATMENT OF LICENSING FEES.—A licensing fee or other payment made by an insurance provider to the cooperative association or trade association in connection with the issuance of catastrophic risk protection or additional coverage to members of the cooperative association or trade association shall be subject to the laws regarding rebates of the State in which the fee or other payment is made.

''(iii) SELECTION OF PROVIDER.—Nothing in this subparagraph limits the option of a producer to select the licensed insurance agent or other approved insurance provider from whom the producer will purchase a policy or plan of insurance or to refuse coverage for which a payment is offered to be made under clause (i).

''(iv) DELIVERY OF INSURANCE.—A policy or plan of insurance for which a payment is made under clause (i) shall be delivered by a licensed insurance agent or other approved insurance provider.

''(v) ADDITIONAL COVERAGE ENCOURAGED.—A cooperative association or trade association, and any approved insurance provider with whom a licensing fee or other arrangement under this subparagraph is made, shall encourage producer members to purchase appropriate levels of additional coverage in order to meet the risk management needs of the member producers.

''(vi) REPORT.—Not later than April 1, 2002, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that evaluates—

''(I) the operation of this subparagraph; and

''(II) the impact of this subparagraph on participation in the Federal crop insurance program, including the impact on levels of coverage purchased.''.

(d) REIMBURSEMENT RATE CHANGE.—Section 508(b)(11) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)(11)) is amended by striking ''11 percent'' and inserting ''8 percent''.

SEC. 104. ADMINISTRATIVE FEE FOR ADDITIONAL COVERAGE.

Section 508(c) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)) is amended by striking paragraph (10) and inserting the following:

''(10) ADMINISTRATIVE FEE.—

''(A) FEE REQUIRED.—If a producer elects to purchase coverage for a crop at a level in excess of catastrophic risk protection, the producer shall pay an administrative fee for the additional coverage of $30 per crop per county.

''(B) USE OF FEES; WAIVER.—Subparagraphs (D) and (E) of subsection (b)(5) shall apply with respect to the collection and use of administrative fees under this paragraph.''.

SEC. 105. ASSIGNED YIELDS AND ACTUAL PRODUCTION HISTORY ADJUSTMENTS.

(a) ASSIGNED YIELDS.—Section 508(g)(2)(B) of the Federal Crop Insurance Act (7 U.S.C. 1508(g)(2)(B)) is amended—

(1) by striking ''assigned a yield'' and inserting ''assigned—

''(i) a yield'';

(2) by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(ii) a yield determined by the Corporation, in the case of—

''(I) a producer that has not had a share of the production of the insured crop for more than 2 crop years, as determined by the Secretary;

''(II) a producer that produces an agricultural commodity on land that has not been farmed by the producer; or

''(III) a producer that rotates a crop produced on a farm to a crop that has not been produced on the farm.''.

(b) ACTUAL PRODUCTION HISTORY ADJUSTMENTS.—Section 508(g) of the Federal Crop Insurance Act (7 U.S.C. 1508(g)) is amended by adding at the end the following:

''(4) ADJUSTMENT IN ACTUAL PRODUCTION HISTORY TO ESTABLISH INSURABLE YIELDS.—

''(A) APPLICATION.—This paragraph shall apply whenever the Corporation uses the actual production records of the producer to establish the producer's actual production history for an agricultural commodity for any of the 2001 and subsequent crop years.

''(B) ELECTION TO USE PERCENTAGE OF TRANSITIONAL YIELD.—If, for 1 or more of the crop years used to establish the producer's actual production history of an agricultural commodity, the producer's recorded or appraised yield of the commodity was less than 60 percent of the applicable transitional yield, as determined by the Corporation, the Corporation shall, at the election of the producer—

''(i) exclude any of such recorded or appraised yield; and

''(ii) replace each excluded yield with a yield equal to 60 percent of the applicable transitional yield.

''(C) PREMIUM ADJUSTMENT.—In the case of a producer that makes an election under subparagraph (B), the Corporation shall adjust the premium to reflect the risk associated with the adjustment made in the actual production history of the producer.

''(5) ADJUSTMENT TO REFLECT INCREASED YIELDS FROM SUCCESSFUL PEST CONTROL EFFORTS.—

''(A) SITUATIONS JUSTIFYING ADJUSTMENT.—The Corporation shall develop a methodology for adjusting the actual production history of a producer when each of the following apply:

''(i) The producer's farm is located in an area where systematic, area-wide efforts have been undertaken using certain operations or measures, or the producer's farm is a location at which certain operations or measures have been undertaken, to detect, eradicate, suppress, or control, or at least to prevent or retard the spread of, a plant disease or plant pest, including a plant pest (as defined in section 102 of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 147a)).

''(ii) The presence of the plant disease or plant pest has been found to adversely affect the yield of the agricultural commodity for which the producer is applying for insurance.

''(iii) The efforts described in clause (i) have been effective.

''(B) ADJUSTMENT AMOUNT.—The amount by which the Corporation adjusts the actual production history of a producer of an agricultural commodity shall reflect the degree to which the success of the systematic, area-wide efforts described in subparagraph (A), on average, increases the yield of the commodity on the producer's farm, as determined by the Corporation.''.

SEC. 106. REVIEW AND ADJUSTMENT IN RATING METHODOLOGIES.

Section 508(i) of the Federal Crop Insurance Act (7 U.S.C. 1508(i)) is amended—

(1) by striking ''The Corporation'' and inserting the following:

''(1) IN GENERAL.—The Corporation''; and

(2) by adding at the end the following:

''(2) REVIEW OF RATING METHODOLOGIES.—To maximize participation in the Federal crop insurance program and to ensure equity for producers, the Corporation shall periodically review the methodologies employed for rating plans of insurance under this title consistent with section 507(c)(2).

''(3) ANALYSIS OF RATING AND LOSS HISTORY.—The Corporation shall analyze the rating and loss history of approved policies and plans of insurance for agricultural commodities by area.

''(4) PREMIUM ADJUSTMENT.—If the Corporation makes a determination that premium rates are excessive for an agricultural commodity in an area relative to the requirements of subsection (d)(2) for that area, then, for the 2002 crop year (and as necessary thereafter), the Corporation shall make appropriate adjustments in the premium rates for that area for that agricultural commodity.''.

SEC. 107. QUALITY ADJUSTMENT.

Section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) is amended by striking subsection (m) and inserting the following:

''(m) QUALITY LOSS ADJUSTMENT COVERAGE.—

''(1) EFFECT OF COVERAGE.—If a policy or plan of insurance offered under this title includes quality loss adjustment coverage, the coverage shall provide for a reduction in the quantity of production of the agricultural commodity considered produced during a crop year, or a similar adjustment, as a result of the agricultural commodity not meeting the quality standards established in the policy or plan of insurance.

''(2) ADDITIONAL QUALITY LOSS ADJUSTMENT.—

''(A) PRODUCER OPTION.—Notwithstanding any other provision of law, in addition to the quality loss adjustment coverage available under paragraph (1), the Corporation shall offer producers the option of purchasing quality loss adjustment coverage on a basis that is smaller than a unit with respect to an agricultural commodity that satisfies each of the following:

''(i) The agricultural commodity is sold on an identity-preserved basis.

''(ii) All quality determinations are made solely by the Federal agency designated to grade or classify the agricultural commodity.

''(iii) All quality determinations are made in accordance with standards published by the Federal agency in the Federal Register.

''(iv) The discount schedules that reflect the reduction in quality of the agricultural commodity are established by the Secretary.

''(B) BASIS FOR ADJUSTMENT.—Under this paragraph, the Corporation shall set the quality standards below which quality losses will be paid based on the variability of the grade of the agricultural commodity from the base quality for the agricultural commodity.

''(3) REVIEW OF CRITERIA AND PROCEDURES.—The Corporation shall contract with a qualified person to review the quality loss adjustment procedures of the Corporation so that the procedures more accurately reflect local quality discounts that are applied to agricultural commodities insured under this title. Based on the review, the Corporation shall make adjustments in the procedures, taking into consideration the actuarial soundness of the adjustment and the prevention of fraud, waste, and abuse.''.

SEC. 108. DOUBLE INSURANCE AND PREVENTED PLANTING.

The Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) is amended by inserting after section 508 (7 U.S.C. 1508) the following:

''SEC. 508A. DOUBLE INSURANCE AND PREVENTED PLANTING.

''(a) DEFINITIONS.—In this section:

''(1) FIRST CROP.—The term 'first crop' means the first crop of the first agricultural commodity planted for harvest, or prevented from being planted, on specific acreage during a crop year and insured under this title.

''(2) SECOND CROP.—The term 'second crop' means a second crop of the same agricultural commodity as the first crop, or a crop of a different agricultural commodity following the first crop, planted on the same acreage as the first crop for harvest in the same crop year, except the term does not include a replanted crop.

''(3) REPLANTED CROP.—The term 'replanted crop' means any agricultural commodity replanted on the same acreage as the first crop for harvest in the same crop year if the replanting is required by the terms of the policy of insurance covering the first crop.

''(b) DOUBLE INSURANCE.—

''(1) OPTIONS ON LOSS TO FIRST CROP.—Except as provided in subsections (d) and (e), if a first crop insured under this title in a crop year has a total or partial insurable loss, the producer of the first crop may elect 1 of the following options:

''(A) NO SECOND CROP PLANTED.—The producer may—

''(i) elect to not plant a second crop on the same acreage for harvest in the same crop year; and

''(ii) collect an indemnity payment that is equal to 100 percent of the insurable loss for the first crop.

''(B) SECOND CROP PLANTED.—The producer may—

''(i) plant a second crop on the same acreage for harvest in the same crop year; and

''(ii) collect an indemnity payment established by the Corporation for the first crop, but not to exceed 35 percent of the insurable loss for the first crop.

''(2) EFFECT OF NO LOSS TO SECOND CROP.—If a producer makes an election under paragraph (1)(B) and the producer does not suffer an insurable loss to the second crop, the producer may collect an indemnity payment for the first crop that is equal to—

''(A) 100 percent of the insurable loss for the first crop; less

''(B) the amount previously collected under paragraph (1)(B)(ii).

''(3) PREMIUM FOR FIRST CROP IF SECOND CROP PLANTED.—

''(A) INITIAL PREMIUM.—If a producer makes an election under paragraph (1)(B), the producer shall be responsible for a premium for the first crop that is commensurate with the indemnity paid under paragraph (1)(B)(ii). The Corporation shall adjust the total premium for the first crop to reflect the reduced indemnity.

''(B) EFFECT OF NO LOSS TO SECOND CROP.—If the producer makes an election under paragraph (1)(B) and the producer does not suffer an insurable loss to the second crop, the producer shall be responsible for a premium for the first crop that is equal to—

''(i) the full premium owed by the producer for the first crop; less

''(ii) the amount of premium previously paid under subparagraph (A).

''(c) PREVENTED PLANTING COVERAGE.—

''(1) OPTIONS ON LOSS TO FIRST CROP.—Except as provided in subsections (d) and (e), if a first crop insured under this title in a crop year is prevented from being planted, the producer of the first crop may elect 1 of the following options:

''(A) NO SECOND CROP PLANTED.—The producer may—

''(i) elect to not plant a second crop on the same acreage for harvest in the same crop year; and

''(ii) subject to paragraph (4), collect an indemnity payment that is equal to 100 percent of the prevented planting guarantee for the acreage for the first crop.

''(B) SECOND CROP PLANTED.—The producer may—

''(i) plant a second crop on the same acreage for harvest in the same crop year; and

''(ii) subject to paragraphs (4) and (5), collect an indemnity payment established by the Corporation for the first crop, but not to exceed 35 percent of the prevented planting guarantee for the acreage for the first crop.

''(2) PREMIUM FOR FIRST CROP IF SECOND PLANTED.—If the producer makes an election under paragraph (1)(B), the producer shall pay a premium for the first crop that is commensurate with the indemnity paid under paragraph (1)(B)(ii). The Corporation shall adjust the total premium for the first crop to reflect the reduced indemnity.

''(3) EFFECT ON ACTUAL PRODUCTION HISTORY.—Except in the case of double cropping described in subsection (d), if a producer make an election under paragraph (1)(B) for a crop year, the Corporation shall assign the producer a recorded yield for that crop year for the first crop equal to 60 percent of the producer's actual production history for the agricultural commodity involved, for purposes of determining the producer's actual production history for subsequent crop years.

''(4) AREA CONDITIONS REQUIRED FOR PAYMENT.—The Corporation shall limit prevented planting payments for producers to those situations in which other producers, in the area where a first crop is prevented from being planted is located, are also generally affected by the conditions that prevented the first crop from being planted.

''(5) PLANTING DATE.—If a producer plants the second crop before the latest planting date established by the Corporation for the first crop, the Corporation shall not make a prevented planting payment with regard to the first crop.

''(d) EXCEPTION FOR ESTABLISHED DOUBLE CROPPING PRACTICES.—A producer may receive full indemnity payments on 2 or more crops planted for harvest in the same crop year and insured under this title if each of the following conditions are met:

''(1) There is an established practice of planting 2 or more crops for harvest in the same crop year in the area, as determined by the Corporation.

''(2) An additional coverage policy or plan of insurance is offered with respect to the agricultural commodities planted on the same acreage for harvest in the same crop year in the area.

''(3) The producer has a history of planting 2 or more crops for harvest in the same crop year or the applicable acreage has historically had 2 or more crops planted for harvest in the same crop year.

''(4) The second or more crops are customarily planted after the first crop for harvest on the same acreage in the same year in the area.

''(e) SUBSEQUENT CROPS.—Except in the case of double cropping described in subsection (d), if a producer elects to plant a crop (other than a replanted crop) subsequent to a second crop on the same acreage as the first crop and second crop for harvest in the same crop year, the producer shall not be eligible for insurance under this title, or noninsured crop assistance under section 196 of the Agricultural Market Transition Act (7 U.S.C. 7333), for the subsequent crop.''.

SEC. 109. NONINSURED CROP DISASTER ASSISTANCE PROGRAM.

(a) OPERATION AND ADMINISTRATION OF PROGRAM.—Section 196(a)(2) of the Agricultural Market Transition Act (7 U.S.C. 7333(a)(2)) is amended by adding at the end the following:

''(C) COMBINATION OF SIMILAR TYPES OR VARIETIES.—At the option of the Secretary, all types or varieties of a crop or commodity, described in subparagraphs (A) and (B), may be considered to be a single eligible crop under this section.''.

(b) TIMELY APPLICATION.—Section 196(b)(1) of the Agricultural Market Transition Act (7 U.S.C. 7333(b)(1)) is amended in the second sentence by striking ''at such time as the Secretary may require'' and inserting ''not later than 30 days before the beginning of the coverage period, as determined by the Secretary''.

(c) RECORDS AND REPORTS.—Section 196(b) of the Agricultural Market Transition Act (7 U.S.C. 7333(b)) is amended—

(1) by striking paragraph (2) and inserting the following:

''(2) RECORDS.—To be eligible for assistance under this section, a producer shall provide annually to the Secretary records of crop acreage, acreage yields, and production for each crop, as required by the Secretary.''; and

(2) in paragraph (3), by inserting ''annual'' after ''shall provide''.

(d) LOSS REQUIREMENTS.—Section 196 of the Agricultural Market Transition Act (7 U.S.C. 7333) is amended by striking subsection (c) and inserting the following:

''(c) LOSS REQUIREMENTS.—

''(1) CAUSE.—To be eligible for assistance under this section, a producer of an eligible crop shall have suffered a loss of a noninsured commodity as the result of a cause described in subsection (a)(3).

''(2) ASSISTANCE.—On making a determination described in subsection (a)(3), the Secretary shall provide assistance under this section to producers of an eligible crop that have suffered a loss as a result of the cause described in subsection (a)(3).

''(3) PREVENTED PLANTING.—Subject to paragraph (1), the Secretary shall make a prevented planting noninsured crop disaster assistance payment if the producer is prevented from

planting more than 35 percent of the acreage intended for the eligible crop because of drought, flood, or other natural disaster, as determined by the Secretary.

''(4) AREA TRIGGER.—The Secretary shall provide assistance to individual producers without any requirement of an area loss.''.

(e) SERVICE FEE.—Section 196 of the Agricultural Market Transition Act (7 U.S.C. 7333) is amended by adding at the end the following:

''(k) SERVICE FEE.—

''(1) IN GENERAL.—To be eligible to receive assistance for an eligible crop for a crop year under this section, a producer shall pay to the Secretary (at the time at which the producer submits the application under subsection (b)(1)) a service fee for the eligible crop in an amount that is equal to the lesser of—

''(A) $100 per crop per county; or

''(B) $300 per producer per county, but not to exceed a total of $900 per producer.

''(2) WAIVER.—The Secretary shall waive the service fee required under paragraph (1) in the case of a limited resource farmer, as defined by the Secretary.

''(3) USE.—The Secretary shall deposit service fees collected under this subsection in the Commodity Credit Corporation Fund.''.

Subtitle B—Improving Program Integrity

SEC. 121. IMPROVING PROGRAM COMPLIANCE AND INTEGRITY.

(a) ADDITIONAL METHODS OF ENSURING PROGRAM COMPLIANCE AND INTEGRITY.—Section 515 of the Federal Crop Insurance Act (7 U.S.C. 1514) is amended to read as follows:

''SEC. 515. PROGRAM COMPLIANCE AND INTEGRITY.

''(a) PURPOSE.—

''(1) IN GENERAL.—The purpose of this section is to improve compliance with, and the integrity of, the Federal crop insurance program.

''(2) ROLE OF INSURANCE PROVIDERS.—The Corporation shall work actively with approved insurance providers to address program compliance and integrity issues as such issues develop.

''(b) NOTIFICATION OF COMPLIANCE PROBLEMS.—

''(1) NOTIFICATION OF ERRORS, OMISSIONS, AND FAILURES.—The Corporation shall notify in writing an approved insurance provider of any error, omission, or failure to follow Corporation regulations or procedures for which the approved insurance provider may be responsible and which may result in a debt owed the Corporation.

''(2) TIME FOR NOTIFICATION.—Notice under paragraph (1) shall be given within 3 years after the end of the insurance period during which the error, omission, or failure is alleged to have occurred, except that this time limitation shall not apply with respect to an error, omission, or procedural violation that is willful or intentional.

''(3) EFFECT OF FAILURE TO TIMELY NOTIFY.—Except as provided in paragraph (2), the failure to timely provide the notice required under this subsection shall relieve the approved insurance provider from the debt owed the Corporation.

''(c) RECONCILING PRODUCER INFORMATION.—The Secretary shall develop and implement a coordinated plan for the Corporation and the Farm Service Agency to reconcile all relevant information received by the Corporation or the Farm Service Agency from a producer who obtains crop insurance coverage under this title. Beginning with the 2001 crop year, the Secretary shall require that the Corporation and the Farm Service Agency reconcile such producer-derived information on at least an annual basis in order to identify and address any discrepancies.

''(d) IDENTIFICATION AND ELIMINATION OF FRAUD, WASTE, AND ABUSE.—

''(1) FSA MONITORING PROGRAM.—The Secretary shall develop and implement a coordinated plan for the Farm Service Agency to assist the Corporation in the ongoing monitoring of programs carried out under this title, including—

''(A) at the request of the Corporation or, subject to paragraph (2), on its own initiative if the Farm Service Agency has reason to suspect the existence of program fraud, waste, or abuse, conducting fact finding relative to allegations of program fraud, waste, or abuse;

''(B) reporting to the Corporation, in writing in a timely manner, the results of any fact finding conducted pursuant to subparagraph (A), any allegation of fraud, waste, or abuse, and any identified program vulnerabilities; and

''(C) assisting the Corporation and approved insurance providers in auditing a statistically appropriate number of claims made under any policy or plan of insurance under this title.

''(2) FSA INQUIRY.—If, within 5 calendar days after receiving a report submitted under paragraph (1)(B), the Corporation does not provide a written response that describes the intended actions of the Corporation, the Farm Service Agency may conduct its own inquiry into the alleged program fraud, waste, or abuse on approval from the State director of the Farm Service Agency of the State in which the alleged fraud, waste, or abuse occurred. If as a result of the inquiry, the Farm Service Agency concludes further investigation is warranted, but the Corporation declines to proceed with the investigation, the Farm Service Agency may refer the matter to the Inspector General of the Department of Agriculture.

''(3) USE OF FIELD INFRASTRUCTURE.—The plan required by paragraph (1) shall provide for the use of the field infrastructure of the Farm Service Agency. The Secretary shall ensure that relevant Farm Service Agency personnel are appropriately trained for any responsibilities assigned to the personnel under the plan. At a minimum, the personnel shall receive the same level of training and pass the same basic competency tests as required of loss adjusters of approved insurance providers.

''(4) MAINTENANCE OF PROVIDER EFFORT.—

''(A) IN GENERAL.—The activities of the Farm Service Agency under this subsection do not affect the responsibility of approved insurance providers to conduct any audits of claims or other program reviews required by the Corporation.

''(B) NOTIFICATION OF PROVIDERS.—The Corporation shall notify the appropriate approved insurance provider of a report from the Farm Service Agency regarding alleged program fraud, waste, or abuse, unless the provider is suspected to be included in, or a party to, the alleged fraud, waste, or abuse.

''(C) RESPONSE.—An approved insurance provider that receives a notice under subparagraph (B) shall submit a report to the Corporation, within an appropriate time period determined by the Secretary, describing the actions taken by the provider to investigate the allegations of program fraud, waste, or abuse contained in the notice.

''(5) CORPORATION RESPONSE TO PROVIDER REPORTS.—

''(A) PROMPT RESPONSE.—If an approved insurance provider reports to the Corporation that the approved insurance provider suspects intentional misrepresentation, fraud, waste, or abuse, the Corporation shall make a determination and provide, within 90 calendar days after receiving the report, a written response that describes the intended actions of the Corporation.

''(B) COOPERATIVE EFFORT.—The approved insurance provider and the Corporation shall take coordinated action in any case where misrepresentation, fraud, waste, or abuse is alleged.

''(C) FAILURE TO TIMELY RESPOND.—If the Corporation fails to respond as required by subparagraph (A), an approved insurance provider may request the Farm Service Agency to assist the provider in an inquiry into the alleged program fraud, waste, or abuse.

''(e) CONSULTATION WITH STATE FSA COMMITTEES.—The Secretary shall establish procedures under which the Corporation shall consult with the State committee of the Farm Service Agency for a State with respect to policies, plans of insurance, and material related to such policies or plans of insurance (including applicable sales closing dates, assigned yields, and transitional yields) offered in that State under this title.

''(f) DETECTION OF DISPARATE PERFORMANCE.—

''(1) COVERED ACTIVITIES.—The Secretary shall establish procedures under which the Corporation will be able to identify the following:

''(A) Any agent engaged in the sale of coverage offered under this title where the loss claims associated with such sales by the agent are equal to or greater than 150 percent (or an appropriate percentage specified by the Corporation) of the mean for all loss claims associated with such sales by all other agents operating in the same area, as determined by the Corporation.

''(B) Any person performing loss adjustment services relative to coverage offered under this title where such loss adjustments performed by the person result in accepted or denied claims equal to or greater than 150 percent (or an appropriate percentage specified by the Corporation) of the mean for accepted or denied claims (as applicable) for all other persons performing loss adjustment services in the same area, as determined by the Corporation.

''(2) REVIEW.—

''(A) REVIEW REQUIRED.—The Corporation shall conduct a review of any agent identified pursuant to paragraph (1)(A), and any person identified pursuant to paragraph (1)(B), to determine whether the higher loss claims associated with the agent or the higher number of accepted or denied claims (as applicable) associated with the person are the result of fraud, waste, or abuse.

''(B) REMEDIAL ACTION.—The Corporation shall take appropriate remedial action with respect to any occurrence of fraud, waste, or abuse identified in a review conducted under this paragraph.

''(3) OVERSIGHT OF AGENTS AND LOSS ADJUSTERS.—The Corporation shall develop procedures to require an annual review by an approved insurance provider of the performance of each agent and loss adjuster used by the approved insurance provider. The Corporation shall oversee the conduct of annual reviews and may consult with an approved insurance provider regarding any remedial action that is determined to be necessary as a result of the annual review of an agent or loss adjuster.

''(g) SUBMISSION OF INFORMATION TO CORPORATION TO SUPPORT COMPLIANCE EFFORTS.—

''(1) TYPES OF INFORMATION REQUIRED.—The Secretary shall establish procedures under which approved insurance providers shall submit to the Corporation the following information with respect to each policy or plan of insurance offered under this title:

''(A) The name and identification number of the insured.

''(B) The agricultural commodity to be insured.

''(C) The elected coverage level, including the price election, of the insured.

''(2) TIME FOR SUBMISSION.—The information required by paragraph (1) with respect to a policy or plan of insurance shall be submitted so as to ensure receipt by the Corporation not later than the Saturday of the week containing the calendar day that is 30 days after the applicable sales closing date for the crop to be insured.

''(h) SANCTIONS FOR PROGRAM NONCOMPLIANCE AND FRAUD.—

''(1) FALSE INFORMATION.—A producer, agent, loss adjuster, approved insurance provider, or other person that willfully and intentionally provides any false or inaccurate information to the Corporation or to an approved insurance provider with respect to a policy or plan of insurance under this title may, after notice and an opportunity for a hearing on the record, be subject to 1 or more of the sanctions described in paragraph (3).

''(2) COMPLIANCE.—A person may, after notice and an opportunity for a hearing on the record, be subject to 1 or more of the sanctions described in paragraph (3) if the person is a producer, agent, loss adjuster, approved insurance provider, or other person that willfully and intentionally fails to comply with a requirement of the Corporation.

''(3) AUTHORIZED SANCTIONS.—If the Secretary determines that a person covered by this subsection has committed a material violation under paragraph (1) or (2), the following sanctions may be imposed:

''(A) CIVIL FINES.—A civil fine may be imposed for each violation in an amount not to exceed the greater of—

''(i) the amount of the pecuniary gain obtained as a result of the false or inaccurate information provided or the noncompliance with a requirement of this title; or

''(ii) $10,000.

''(B) PRODUCER DISQUALIFICATION.—In the case of a violation committed by a producer, the producer may be disqualified for a period of up to 5 years from receiving any monetary or nonmonetary benefit provided under each of the following:

''(i) This title.

''(ii) The Agricultural Market Transition Act (7 U.S.C. 7201 et seq.), including the noninsured crop disaster assistance program under section 196 of that Act (7 U.S.C. 7333).

''(iii) The Agricultural Act of 1949 (7 U.S.C. 1421 et seq.).

''(iv) The Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.).

''(v) The Agricultural Adjustment Act of 1938 (7 U.S.C. 1281 et seq.).

''(vi) Title XII of the Food Security Act of 1985 (16 U.S.C. 3801 et seq.).

''(vii) The Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.).

''(viii) Any law that provides assistance to a producer of an agricultural commodity affected by a crop loss or a decline in the prices of agricultural commodities.

''(C) DISQUALIFICATION OF OTHER PERSONS.—In the case of a violation committed by an agent, loss adjuster, approved insurance provider, or other person (other than a producer), the violator may be disqualified for a period of up to 5 years from participating in any program, or receiving any benefit, under this title.

''(4) ASSESSMENT OF SANCTION.—The Secretary shall consider the gravity of the violation of the person covered by this subsection in determining—

''(A) whether to impose a sanction under this subsection; and

''(B) the type and amount of the sanction to be imposed.

''(5) DISCLOSURE OF SANCTIONS.—Each policy or plan of insurance under this title shall provide notice describing the sanctions prescribed under paragraph (3) for willfully and intentionally—

''(A) providing false or inaccurate information to the Corporation or to an approved insurance provider; or

''(B) failing to comply with a requirement of the Corporation.

''(6) INSURANCE FUND.—Any funds collected under this subsection shall be deposited into the insurance fund established under section 516(c).

''(i) ANNUAL REPORT ON PROGRAM COMPLIANCE AND INTEGRITY EFFORTS.—

''(1) REPORT REQUIRED.—The Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate an annual report describing the operation of this section during the preceding year and efforts undertaken by the Secretary and the Corporation to carry out this section.

''(2) INFORMATION REGARDING FRAUD, WASTE, AND ABUSE.—The report shall identify specific occurrences of waste, fraud, or abuse and contain an outline of actions that have been or are being taken to eliminate the identified waste, fraud, or abuse.

''(j) INFORMATION MANAGEMENT.—

''(1) SYSTEMS UPGRADES.—The Secretary shall upgrade the information management systems of the Corporation used in the administration and enforcement and this title. In upgrading the systems, the Secretary shall ensure that new hardware and software are compatible with the hardware and software used by other agencies of the Department to maximize data sharing and promote the purpose of this section.

''(2) USE OF AVAILABLE INFORMATION TECHNOLOGIES.—The Secretary shall use the information technologies known as data mining and data warehousing and other available information technologies to administer and enforce this title.

''(3) USE OF PRIVATE SECTOR.—The Secretary may enter into contracts to use private sector expertise and technological resources in implementing this subsection.

''(k) FUNDING.—

''(1) AVAILABLE FUNDS.—To carry out this section and sections 502(c), 506(h), 508(a)(3)(B), and 508(f)(3)(A), the Corporation may use, from amounts made available from the insurance fund established under section 516(c), not more than $23,000,000 during the period of fiscal years 2001 through 2005, of which not more than $9,000,000 shall be available for fiscal year 2001.

''(2) PROHIBITION.—None of the funds made available under paragraph (1) may be used to pay the salaries of employees of the Corporation.''.

(b) CONFORMING AMENDMENT.—Section 506 of the Federal Crop Insurance Act (7 U.S.C. 1506) is amended—

(1) by striking subsection (q); and

(2) by redesignating subsections (r) and (s) as subsections (q) and (r), respectively.

SEC. 122. PROTECTION OF CONFIDENTIAL INFORMATION.

Section 502 of the Federal Crop Insurance Act (7 U.S.C. 1502) is amended by adding at the end the following:

''(c) PROTECTION OF CONFIDENTIAL INFORMATION.—

''(1) GENERAL PROHIBITION AGAINST DISCLOSURE.—Except as provided in paragraph (2), the Secretary, any other officer or employee of the Department or an agency thereof, an approved insurance provider and its employees and contractors, and any other person may not disclose to the public information furnished by a producer under this title.

''(2) AUTHORIZED DISCLOSURE.—

''(A) DISCLOSURE IN STATISTICAL OR AGGREGATE FORM.—Information described in paragraph (1) may be disclosed to the public if the information has been transformed into a statistical or aggregate form that does not allow the identification of the person who supplied particular information.

''(B) CONSENT OF PRODUCER.—A producer may consent to the disclosure of information described in paragraph (1). The participation of the producer in, and the receipt of any benefit by the producer under, this title or any other program administered by the Secretary may not be conditioned on the producer providing consent under this paragraph.

''(3) VIOLATIONS; PENALTIES.—Section 1770(c) of the Food Security Act of 1985 (7 U.S.C. 2276(c)) shall apply with respect to the release of information collected in any manner or for any purpose prohibited by this subsection.''.

SEC. 123. GOOD FARMING PRACTICES.

Section 508(a) of the Federal Crop Insurance Act (7 U.S.C. 1508(a)) is amended by striking paragraph (3) and inserting the following:

''(3) EXCLUSION OF LOSSES DUE TO CERTAIN ACTIONS OF PRODUCER.—

''(A) EXCLUSIONS.—Insurance provided under this subsection shall not cover losses due to—

''(i) the neglect or malfeasance of the producer;

''(ii) the failure of the producer to reseed to the same crop in such areas and under such circumstances as it is customary to reseed; or

''(iii) the failure of the producer to follow good farming practices, including scientifically sound sustainable and organic farming practices.

''(B) GOOD FARMING PRACTICES.—

''(i) INFORMAL ADMINISTRATIVE PROCESS.—A producer shall have the right to a review of a determination regarding good farming practices made under subparagraph (A)(iii) in accordance with an informal administrative process to be established by the Corporation.

''(ii) ADMINISTRATIVE REVIEW.—

''(I) NO ADVERSE DECISION.—The determination shall not be considered an adverse decision for purposes of subtitle H of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6991 et seq.).

''(II) REVERSAL OR MODIFICATION.—Except as provided in clause (i), the determination may not be reversed or modified as the result of a subsequent administrative review.

''(iii) JUDICIAL REVIEW.—

''(I) RIGHT TO REVIEW.—A producer shall have the right to judicial review of the determination without exhausting any right to a review under clause (i).

''(II) REVERSAL OR MODIFICATION.—The determination may not be reversed or modified as the result of judicial review unless the determination is found to be arbitrary or capricious.''.

SEC. 124. RECORDS AND REPORTING.

(a) CONDITION OF OBTAINING COVERAGE.—Section 508(f)(3) of the Federal Crop Insurance Act (7 U.S.C. 1508(f)(3)) is amended by striking subparagraph (A) and inserting the following:

''(A) provide annually records acceptable to the Secretary regarding crop acreage, acreage yields, and production for each agricultural commodity insured under this title or accept a yield determined by the Corporation; and''.

(b) ADDITIONAL GENERAL POWER.—Section 506 of the Federal Crop Insurance Act (7 U.S.C. 1506) is amended by striking subsection (h) and inserting the following:

''(h) COLLECTION AND SHARING OF INFORMATION.—

''(1) SURVEYS AND INVESTIGATIONS.—The Corporation may conduct surveys and investigations relating to crop insurance, agriculture-related risks and losses, and other issues related to carrying out this title.

''(2) DATA COLLECTION.—The Corporation shall assemble data for the purpose of establishing sound actuarial bases for insurance on agricultural commodities.

''(3) SHARING OF RECORDS.—Notwithstanding section 502(c), records submitted in accordance with this title and section 196 of the Agricultural Market Transition Act (7 U.S.C. 7333) shall be available to agencies and local offices of the Department, appropriate State and Federal agencies and divisions, and approved insurance providers for use in carrying out this title, such section 196, and other agricultural programs.''.

Subtitle C—Research and Pilot Programs

SEC. 131. RESEARCH AND DEVELOPMENT.

The Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) is amended by adding at the end the following:

''SEC. 522. RESEARCH AND DEVELOPMENT.

''(a) DEFINITION OF POLICY.—In this section, the term 'policy' means a policy, plan of insurance, provision of a policy or plan of insurance, and related materials.

''(b) REIMBURSEMENT OF RESEARCH, DEVELOPMENT, AND MAINTENANCE COSTS.—

''(1) RESEARCH AND DEVELOPMENT REIMBURSEMENT.—The Corporation shall provide a payment to reimburse an applicant for research and development costs directly related to a policy that is—

''(A) submitted to the Board and approved by the Board under section 508(h) for reinsurance; and

''(B) if applicable, offered for sale to producers.

''(2) EXISTING PLANS.—The Corporation shall reimburse costs associated with research and development costs directly related to a policy that was approved by the Board prior to the date of enactment of this section.

''(3) MARKETABILITY.—The Corporation shall approve a reimbursement under paragraph (1) or (2) only after determining that the policy is marketable based on a reasonable marketing plan, as determined by the Board.

''(4) MAINTENANCE PAYMENTS.—

''(A) REQUIREMENT.—The Corporation shall reimburse maintenance costs associated with the annual cost of underwriting for a policy described in paragraphs (1) and (2).

''(B) DURATION.—Payments with respect to maintenance costs may be provided for a period of not more than 4 reinsurance years subsequent to Board approval for payment under this subsection.

''(C) OPTIONS FOR MAINTENANCE.—On the expiration of the 4-year period described in subparagraph (B), the approved insurance provider responsible for maintenance of the policy may—

''(i) maintain the policy and charge a fee to approved insurance providers that elect to sell the policy under this subsection; or

''(ii) transfer responsibility for maintenance of the policy to the Corporation.

''(D) FEE.—

''(i) AMOUNT.—Subject to approval by the Board, the amount of the fee that is payable by an approved insurance provider that elects to sell the policy shall be an amount that is determined by the approved insurance provider maintaining the policy.

''(ii) APPROVAL.—The Board shall approve the amount of a fee determined under clause (i) for maintenance of the policy unless the Board determines that the amount of the fee—

''(I) is unreasonable in relation to the maintenance costs associated with the policy; or

''(II) unnecessarily inhibits the use of the policy.

''(5) TREATMENT OF PAYMENT.—Payments made under this subsection for a policy shall be considered as payment in full by the Corporation for the research and development conducted with regard to the policy and any property rights to the policy.

''(6) REIMBURSEMENT AMOUNT.—The Corporation shall determine the amount of the payment under this subsection for an approved policy based on the complexity of the policy and the size of the area in which the policy or material is expected to be sold.

''(c) RESEARCH AND DEVELOPMENT CONTRACTING AUTHORITY.—

''(1) AUTHORITY.—The Corporation may enter into contracts to carry out research and development to—

''(A) increase participation in States in which the Corporation determines that—

''(i) there is traditionally, and continues to be, a low level of Federal crop insurance participation and availability; and

''(ii) the State is underserved by the Federal crop insurance program;

''(B) increase participation in areas that are underserved by the Federal crop insurance program; and

''(C) increase participation by producers of underserved agricultural commodities, including specialty crops.

''(2) UNDERSERVED AGRICULTURAL COMMODITIES AND AREAS.—

''(A) AUTHORITY.—The Corporation may enter into contracts under procedures prescribed by the Corporation with qualified persons to carry out research and development for policies that promote the purposes of paragraph (1).

''(B) CONSULTATION.—Before entering into a contract under subparagraph (A), the Corporation shall consult with groups representing producers of agricultural commodities that would be served by the policies that are the subject of the research and development.

''(3) QUALIFIED PERSONS.—A person with experience in crop insurance or farm or ranch risk management (including a college or university, an approved insurance provider, and a trade or research organization), as determined by the Corporation, shall be eligible to enter into a contract with the Corporation under this subsection.

''(4) TYPES OF CONTRACTS.—A contract under this subsection may provide for research and development regarding new or expanded policies, including policies based on adjusted gross income, cost-of-production, quality losses, and an intermediate base program with a higher coverage and cost than catastrophic risk protection.

''(5) USE OF RESULTING POLICIES.—The Corporation may offer any policy developed under this subsection that is approved by the Board.

''(6) RESEARCH AND DEVELOPMENT PRIORITIES.—The Corporation shall establish as 1 of the highest research and development priorities of the Corporation the development of a pasture, range, and forage program.

''(7) STUDY OF MULTIYEAR COVERAGE.—

''(A) IN GENERAL.—The Corporation shall contract with a qualified person to conduct a study to determine whether offering policies that provide coverage for multiple years would reduce fraud, waste, and abuse by persons that participate in the Federal crop insurance program.

''(B) REPORT.—Not later than 1 year after the date of enactment of this section, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subparagraph (A).

''(8) CONTRACT FOR REVENUE COVERAGE PLANS.—The Corporation shall enter into a contract for research and development regarding 1 or more revenue coverage plans that are designed to enable producers to take maximum advantage of fluctuations in market prices and thereby maximize revenue realized from the sale of an agricultural commodity. A revenue coverage plan may include the use of existing market instruments or the development of new market instruments. Not later than 15 months after the date of the enactment of this section, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the contract entered into under this paragraph.

''(9) CONTRACT FOR COST OF PRODUCTION POLICY.—

''(A) AUTHORITY.—The Corporation shall enter into a contract for research and development regarding a cost of production policy.

''(B) RESEARCH AND DEVELOPMENT.—The research and development shall—

''(i) take into consideration the differences in the cost of production on a county-by-county basis; and

''(ii) cover as many commodities as is practicable.

''(10) RELATION TO LIMITATIONS.—A policy developed under this subsection may be prepared without regard to the limitations of this title, including—

''(A) the requirement concerning the levels of coverage and rates; and

''(B) the requirement that the price level for each insured agricultural commodity must equal the expected market price for the agricultural commodity, as established by the Board.

''(d) PARTNERSHIPS FOR RISK MANAGEMENT DEVELOPMENT AND IMPLEMENTATION.—

''(1) PURPOSE.—The purpose of this subsection is to authorize the Corporation to enter into partnerships with public and private entities for the purpose of increasing the availability of loss mitigation, financial, and other risk management tools for producers, with a priority given to risk management tools for producers of agricultural commodities covered by section 196 of the Agricultural Market Transition Act (7 U.S.C. 7333), specialty crops, and underserved agricultural commodities.

''(2) AUTHORITY.—The Corporation may enter into partnerships with the Cooperative State Research, Education, and Extension Service, the Agricultural Research Service, the National Oceanic Atmospheric Administration, and other appropriate public and private entities with demonstrated capabilities in developing and implementing risk management and marketing options for producers of specialty crops and underserved agricultural commodities.

''(3) OBJECTIVES.—The Corporation may enter into a partnership under paragraph (2)—

''(A) to enhance the notice and timeliness of notice of weather conditions that could negatively affect crop yields, quality, and final product use in order to allow producers to take preventive actions to increase end product profitability and marketability and to reduce the possibility of crop insurance claims;

''(B) to develop a multifaceted approach to pest management and fertilization to decrease inputs, decrease environmental exposure, and increase application efficiency;

''(C) to develop or improve techniques for planning, breeding, planting, growing, maintaining, harvesting, storing, shipping, and marketing that will address quality and quantity challenges associated with year-to-year and regional variations;

''(D) to clarify labor requirements and assist producers in complying with requirements to better meet the physically intense and time-compressed planting, tending, and harvesting requirements associated with the production of specialty crops and underserved agricultural commodities;

''(E) to provide assistance to State foresters or equivalent officials for the prescribed use of burning on private forest land for the prevention, control, and suppression of fire;

''(F) to provide producers with training and informational opportunities so that the producers will be better able to use financial management, crop insurance, marketing contracts, and other existing and emerging risk management tools; and

''(G) to develop other risk management tools to further increase economic and production stability.

''(e) FUNDING.—

''(1) REIMBURSEMENTS.—Of the amounts made available from the insurance fund established under section 516(c), the Corporation may use to provide reimbursements under subsection (b) not more than $10,000,000 for each of fiscal years 2001 and 2002 and not more than $15,000,000 for fiscal year 2003 and each subsequent fiscal year.

''(2) CONTRACTING.—

''(A) AUTHORITY.—Of the amounts made available from the insurance fund established under section 516(c), the Corporation may use to carry out contracting and partnerships under subsections (c) and (d) not more than $20,000,000 for each of fiscal years 2001 through 2003 and not more than $25,000,000 for fiscal year 2004 and each subsequent fiscal year.

''(B) UNDERSERVED STATES.—Of the amount made available under subparagraph (A) for a fiscal year, the Corporation shall use not more than $5,000,000 for the fiscal year to carry out contracting for research and development to carry out the purpose described in subsection (c)(1)(A).

''(3) UNUSED FUNDING.—If the Corporation determines that the amount available to provide either reimbursement payments or contract payments under this section for a fiscal year is not needed for such purposes, the Corporation may use the excess amount to carry out another function authorized under this section.

''(4) PROHIBITED RESEARCH AND DEVELOPMENT BY CORPORATION.—

''(A) NEW POLICIES.—Notwithstanding subsection (d), on and after October 1, 2000, the

Corporation shall not conduct research and development for any new policy for an agricultural commodity offered under this title.

''(B) EXISTING POLICIES.—Any policy developed by the Corporation under this title before that date may continue to be offered for sale to producers.''.

SEC. 132. PILOT PROGRAMS.

(a) AUTHORITY.—The Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), as amended by section 131, is amended by adding at the end the following:

''SEC. 523. PILOT PROGRAMS.

''(a) GENERAL PROVISIONS.—

''(1) AUTHORITY.—Except as otherwise provided in this section, the Corporation may conduct a pilot program submitted to and approved by the Board under section 508(h), or that is developed under subsection (b) or section 522, to evaluate whether a proposal or new risk management tool tested by the pilot program is suitable for the marketplace and addresses the needs of producers of agricultural commodities.

''(2) PRIVATE COVERAGE.—Under this section, the Corporation shall not conduct any pilot program that provides insurance protection against a risk if insurance protection against the risk is generally available from private companies.

''(3) COVERED ACTIVITIES.—The pilot programs described in paragraph (1) may include pilot programs providing insurance protection against losses involving—

''(A) reduced forage on rangeland caused by drought or insect infestation;

''(B) livestock poisoning and disease;

''(C) destruction of bees due to the use of pesticides;

''(D) unique special risks related to fruits, nuts, vegetables, and specialty crops in general, aquacultural species, and forest industry needs (including appreciation);

''(E) after October 1, 2001, wild salmon, except that—

''(i) any pilot program with regard to wild salmon may be carried out without regard to the limitations of this title; and

''(ii) the Corporation shall conduct all wild salmon programs under this title so that, to the maximum extent practicable, all costs associated with conducting the programs are not expected to exceed $1,000,000 for fiscal year 2002 and each subsequent fiscal year.

''(4) SCOPE OF PILOT PROGRAMS.—The Corporation may—

''(A) approve a pilot program under this section to be conducted on a regional, State, or national basis after considering the interests of affected producers and the interests of, and risks to, the Corporation;

''(B) operate the pilot program, including any modifications of the pilot program, for a period of up to 4 years;

''(C) extend the time period for the pilot program for additional periods, as determined appropriate by the Corporation; and

''(D) provide pilot programs that would allow producers—

''(i) to receive a reduced premium for using whole farm units or single crop units of insurance; and

''(ii) to cross State and county boundaries to form insurable units.

''(5) EVALUATION.—

''(A) REQUIREMENT.—After the completion of any pilot program under this section, the Corporation shall evaluate the pilot program and submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the operations of the pilot program.

''(B) EVALUATION AND RECOMMENDATIONS.—The report shall include an evaluation by the Corporation of the pilot program and the recommendations of the Corporation with respect to implementing the program on a national basis.

''(b) LIVESTOCK PILOT PROGRAMS.—

''(1) DEFINITION OF LIVESTOCK.—In this subsection, the term 'livestock' includes, but is not limited to, cattle, sheep, swine, goats, and poultry.

''(2) PROGRAMS REQUIRED.—Subject to paragraph (7), the Corporation shall conduct 2 or more pilot programs to evaluate the effectiveness of risk management tools for livestock producers, including the use of futures and options contracts and policies and plans of insurance that protect the interests of livestock producers and that provide—

''(A) livestock producers with reasonable protection from the financial risks of price or income fluctuations inherent in the production and marketing of livestock; or

''(B) protection for production losses.

''(3) PURPOSE OF PROGRAMS.—To the maximum extent practicable, the Corporation shall evaluate the greatest number and variety of pilot programs described in paragraph (2) to determine which of the offered risk management tools are best suited to protect livestock producers from the financial risks associated with the production and marketing of livestock.

''(4) TIMING.—The Corporation shall begin conducting livestock pilot programs under this subsection during fiscal year 2001.

''(5) RELATION TO OTHER LIMITATIONS.—Any policy or plan of insurance offered under this subsection may be prepared without regard to the limitations of this title.

''(6) ASSISTANCE.—As part of a pilot program under this subsection, the Corporation may provide reinsurance for policies or plans of insurance and subsidize the purchase of futures and options contracts or policies and plans of insurance offered under the pilot program.

''(7) PRIVATE INSURANCE.—No action may be undertaken with respect to a risk under this subsection if the Corporation determines that insurance protection for livestock producers against the risk is generally available from private companies.

''(8) LOCATION.—The Corporation shall conduct the livestock pilot programs under this subsection in a number of counties that is determined by the Corporation to be adequate to provide a comprehensive evaluation of the feasibility, effectiveness, and demand among producers for the risk management tools evaluated in the pilot programs.

''(9) ELIGIBLE PRODUCERS.—Any producer of a type of livestock covered by a pilot program under this subsection that owns or operates a farm or ranch in a county selected as a location for that pilot program shall be eligible to participate in that pilot program.

''(10) LIMITATION ON EXPENDITURES.—The Corporation shall conduct all livestock programs under this title so that, to the maximum extent practicable, all costs associated with conducting the livestock programs (other than research and development costs covered by section 522) are not expected to exceed the following:

''(A) $10,000,000 for each of fiscal years 2001 and 2002.

''(B) $15,000,000 for fiscal year 2003.

''(C) $20,000,000 for fiscal year 2004 and each subsequent fiscal year.

''(c) REVENUE INSURANCE PILOT PROGRAM.—

''(1) IN GENERAL.—Subject to section 522(e)(4), the Secretary shall carry out a pilot program in a limited number of counties, as determined by the Secretary, for crop years 1997 through 2001, under which a producer of wheat, feed grains, soybeans, or such other commodity as the Secretary considers appropriate may elect to receive insurance against loss of revenue, as determined by the Secretary.

''(2) ADMINISTRATION.—Revenue insurance under this subsection shall—

''(A) be offered through reinsurance arrangements with private insurance companies;

''(B) offer at least a minimum level of coverage that is an alternative to catastrophic crop insurance;

''(C) be actuarially sound; and

''(D) require the payment of premiums and administrative fees by an insured producer.

''(d) PREMIUM RATE REDUCTION PILOT PROGRAM.—

''(1) PURPOSE.—The purpose of the pilot program established under this subsection is to determine whether approved insurance providers will compete to market policies or plans of insurance with reduced rates of premium, in a manner that maintains the financial soundness of approved insurance providers and is consistent with the integrity of the Federal crop insurance program.

''(2) ESTABLISHMENT.—

''(A) IN GENERAL.—Beginning with the 2002 crop year, the Corporation shall establish a pilot program under which approved insurance providers may propose for approval by the Board policies or plans of insurance with reduced rates of premium—

''(i) for 1 or more agricultural commodities; and

''(ii) within a limited geographic area, as proposed by the approved insurance provider and approved by the Board.

''(B) DETERMINATION BY BOARD.—The Board shall approve a policy or plan of insurance proposed under this subsection that involves a premium reduction if the Board determines that—

''(i) the interests of producers are adequately protected within the pilot area;

''(ii) rates of premium are actuarially appropriate, as determined by the Board;

''(iii) the size of the proposed pilot area is adequate;

''(iv) the proposed policy or plan of insurance would not unfairly discriminate among producers within the proposed pilot area;

''(v) if the proposed policy or plan of insurance were available in a geographic area larger than the proposed pilot area, the proposed policy or plan of insurance would—

''(I) not have a significant adverse impact on the crop insurance delivery system;

''(II) not result in a reduction of program integrity;

''(III) be actuarially appropriate; and

''(IV) not place an additional financial burden on the Federal Government; and

''(vi) the proposed policy or plan of insurance meets other requirements of this title determined appropriate by the Board.

''(C) TIME LIMITATIONS AND PROCEDURES.—The time limitations and procedures of the Board established under section 508(h) shall apply to a proposal submitted under this subsection.''.

(b) CONFORMING AMENDMENTS.—Section 518 of the Federal Crop Insurance Act (7 U.S.C. 1518) is amended—

(1) by striking ''livestock and'' after ''commodity, excluding''; and

(2) by striking ''under subsection (a) or (m) of section 508 of this title''.

SEC. 133. EDUCATION AND RISK MANAGEMENT ASSISTANCE.

The Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), as amended by section 132(a), is amended by adding at the end the following:

''SEC. 524. EDUCATION AND RISK MANAGEMENT ASSISTANCE.

''(a) EDUCATION ASSISTANCE.—

''(1) IN GENERAL.—Subject to the amounts made available under paragraph (4)—

''(A) the Corporation shall carry out the program established under paragraph (2); and

''(B) the Secretary, acting through the Cooperative State Research, Education, and Extension Service, shall carry out the program established under paragraph (3).

''(2) EDUCATION AND INFORMATION.—The Corporation shall establish a program under which crop insurance education and information is provided to producers in States in which (as determined by the Secretary)—

''(A) there is traditionally, and continues to be, a low level of Federal crop insurance participation and availability; and

''(B) producers are underserved by the Federal crop insurance program.

''(3) PARTNERSHIPS FOR RISK MANAGEMENT EDUCATION.—

''(A) AUTHORITY.—The Secretary, acting through the Cooperative State Research, Education, and Extension Service, shall establish a program under which competitive grants are made to qualified public and private entities (including land grant colleges, cooperative extension services, and colleges or universities), as determined by the Secretary, for the purpose of educating agricultural producers about the full range of risk management activities, including futures, options, agricultural trade options, crop insurance, cash forward contracting, debt reduction, production diversification, farm resources risk reduction, and other risk management strategies.

''(B) BASIS FOR GRANTS.—A grant under this paragraph shall be awarded on the basis of merit and shall be subject to peer or merit review.

''(C) OBLIGATION PERIOD.—Funds for a grant under this paragraph shall be available to the Secretary for obligation for a 2-year period.

''(D) ADMINISTRATIVE COSTS.—The Secretary may use not more than 4 percent of the funds made available for grants under this paragraph for administrative costs incurred by the Secretary in carrying out this paragraph.

''(4) FUNDING.—From the insurance fund established under section 516(c), there is transferred—

''(A) for the education and information program established under paragraph (2), $5,000,000 for fiscal year 2001 and each subsequent fiscal year; and

''(B) for the partnerships for risk management education program established under paragraph (3), $5,000,000 for fiscal year 2001 and each subsequent fiscal year.

''(b) AGRICULTURAL MANAGEMENT ASSISTANCE.—

''(1) AUTHORITY.—The Secretary shall provide cost share assistance to producers, in a manner determined by the Secretary, in not less than 10, nor more than 15, States in which participation in the Federal crop insurance program is historically low, as determined by the Secretary.

''(2) USES.—A producer may use cost share assistance provided under this subsection to—

''(A) construct or improve—

''(i) watershed management structures; or

''(ii) irrigation structures;

''(B) plant trees to form windbreaks or to improve water quality;

''(C) mitigate financial risk through production diversification or resource conservation practices, including—

''(i) soil erosion control;

''(ii) integrated pest management; or

''(iii) transition to organic farming;

''(D) enter into futures, hedging, or options contracts in a manner designed to help reduce production, price, or revenue risk;

''(E) enter into agricultural trade options as a hedging transaction to reduce production, price, or revenue risk; or

''(F) conduct any other activity related to the activities described in subparagraphs (A) through (E), as determined by the Secretary.

''(2) PAYMENT LIMITATION.—The total amount of payments made to a person (as defined in section 1001(5) of the Food Security Act (7 U.S.C. 1308(5))) under this subsection for any year may not exceed $50,000.

''(3) COMMODITY CREDIT CORPORATION.—

''(A) IN GENERAL.—The Secretary shall carry out this subsection through the Commodity Credit Corporation.

''(B) FUNDING.—The Commodity Credit Corporation shall make available to carry out this subsection $10,000,000 for fiscal year 2001 and each subsequent fiscal year.''.

SEC. 134. OPTIONS PILOT PROGRAM.

Section 191 of the Agricultural Market Transition Act (7 U.S.C. 7331) is amended—

(1) in the first sentence of subsection (b), by striking ''100 counties, except that not more than 6'' and inserting ''300 counties, except that not more than 25'';

(2) in subsection (c)(2), by inserting before the semicolon the following: ''during any calendar year in which a county in which the farm of the producer is located is included in the pilot program''; and

(3) in the first sentence of subsection (h), by inserting before the period at the end the following: '', except that the amount of Commodity Credit Corporation funds used to carry out this section shall not exceed, to the maximum extent practicable, $9,000,000 for fiscal year 2001, $15,000,000 for fiscal year 2002, and $2,000,000 for fiscal year 2003''.

Subtitle D—Administration

SEC. 141. RELATION TO OTHER LAWS.

Section 502 of the Federal Crop Insurance Act (7 U.S.C. 1502), as amended by section 122, is amended by adding at the end the following:

''(d) RELATION TO OTHER LAWS.—

''(1) TERMS AND CONDITIONS OF POLICIES AND PLANS.—The terms and conditions of any policy or plan of insurance offered under this title that is reinsured by the Corporation shall not—

''(A) be subject to the jurisdiction of the Commodity Futures Trading Commission or the Securities and Exchange Commission; or

''(B) be considered to be accounts, agreements (including any transaction that is of the character of, or is commonly known to the trade as, an 'option', 'privilege', 'indemnity', 'bid', 'offer', 'put', 'call', 'advance guaranty', or 'decline guaranty'), or transactions involving contracts of sale of a commodity for future delivery, traded or executed on a contract market for the purposes of the Commodity Exchange Act (7 U.S.C. 1 et seq.).

''(2) EFFECT ON CFTC AND COMMODITY EXCHANGE ACT.—Nothing in this title affects the jurisdiction of the Commodity Futures Trading Commission or the applicability of the Commodity Exchange Act (7 U.S.C. 1 et seq.) to any transaction conducted on a contract market under that Act by an approved insurance provider to offset the approved insurance provider's risk under a plan or policy of insurance under this title.''.

SEC. 142. MANAGEMENT OF CORPORATION.

(a) BOARD OF DIRECTORS OF CORPORATION.—

(1) CHANGE IN COMPOSITION.—Section 505 of the Federal Crop Insurance Act (7 U.S.C. 1505) is amended by striking the section heading, ''SEC. 505.'', and subsection (a) and inserting the following:

''SEC. 505. MANAGEMENT OF CORPORATION.

''(a) BOARD OF DIRECTORS.—

''(1) ESTABLISHMENT.—The management of the Corporation shall be vested in a Board of Directors subject to the general supervision of the Secretary.

''(2) COMPOSITION.—The Board shall consist of only the following members:

''(A) The manager of the Corporation, who shall serve as a nonvoting ex officio member.

''(B) The Under Secretary of Agriculture responsible for the Federal crop insurance program.

''(C) 1 additional Under Secretary of Agriculture (as designated by the Secretary).

''(D) The Chief Economist of the Department of Agriculture.

''(E) 1 person experienced in the crop insurance business.

''(F) 1 person experienced in reinsurance or the regulation of insurance.

''(G) 4 active producers who are policy holders, are from different geographic areas of the United States, and represent a cross-section of agricultural commodities grown in the United States, including at least 1 specialty crop producer.

''(3) APPOINTMENT OF PRIVATE SECTOR MEMBERS.—The members of the Board described in subparagraphs (E), (F), and (G) of paragraph (2)—

''(A) shall be appointed by, and hold office at the pleasure of, the Secretary;

''(B) shall not be otherwise employed by the Federal Government;

''(C) shall be appointed to staggered 4-year terms, as determined by the Secretary; and

''(D) shall serve not more than 2 consecutive terms.

''(4) CHAIRPERSON.—The Board shall select a member of the Board to serve as Chairperson.''.

(2) IMPLEMENTATION.—The initial members of the Board of Directors of the Federal Crop Insurance Corporation required to be appointed under section 505(a)(3) of the Federal Crop Insurance Act (as amended by paragraph (1)) shall be appointed during the period beginning February 1, 2001, and ending April 1, 2001.

(3) EFFECT ON EXISTING BOARD.—A member of the Board of Directors of the Federal Crop Insurance Corporation on the date of enactment of this Act may continue to serve as a member of the Board until the members referred to in paragraph (2) are first appointed.

(b) EXPERT REVIEW OF POLICIES, PLANS OF INSURANCE, AND RELATED MATERIAL.—Section 505 of the Federal Crop Insurance Act (7 U.S.C. 1505) is amended by adding at the end the following:

''(e) EXPERT REVIEW OF POLICIES, PLANS OF INSURANCE, AND RELATED MATERIAL.—

''(1) REVIEW BY EXPERTS.—The Board shall establish procedures under which any policy or plan of insurance, as well as any related material or modification of such a policy or plan of insurance, to be offered under this title shall be subject to independent reviews by persons experienced as actuaries and in underwriting, as determined by the Board.

''(2) REVIEW OF CORPORATION POLICIES AND PLANS.—Except as provided in paragraph (3), the Board shall contract with at least 5 persons to each conduct a review of the policy or plan of insurance, of whom—

''(A) not more than 1 person may be employed by the Federal Government; and

''(B) at least 1 person must be designated by approved insurance providers pursuant to procedures determined by the Board.

''(3) REVIEW OF PRIVATE SUBMISSIONS.—If the reviews under paragraph (1) cover a policy or plan of insurance, or any related material or modification of a policy or plan of insurance, submitted under section 508(h)—

''(A) the Board shall contract with at least 5 persons to each conduct a review of the policy or plan of insurance, of whom—

''(i) not more than 1 person may be employed by the Federal Government; and

''(ii) none may be employed by an approved insurance provider; and

''(B) each review must be completed and submitted to the Board not later than 30 days prior to the end of the 120-day period described in section 508(h)(4)(D).

''(4) CONSIDERATION OF REVIEWS.—The Board shall include reviews conducted under this subsection as part of the consideration of any policy or plan or insurance, or any related material or modification of a policy or plan of insurance, proposed to be offered under this title.

''(5) FUNDING OF REVIEWS.—Each contract to conduct a review under this subsection shall be funded from amounts made available under section 516(b)(2)(A)(ii).

''(6) RELATION TO OTHER AUTHORITY.—The contract authority provided in this subsection is in addition to any other contracting authority that may be exercised by the Board under section 506(l).''.

SEC. 143. CONTRACTING FOR RATING OF PLANS OF INSURANCE.

Section 507(c)(2) of the Federal Crop Insurance Act (7 U.S.C. 1507(c)(2)) is amended—

(1) by striking ''actuarial, loss adjustment,'' and inserting ''actuarial services, services relating to loss adjustment and rating plans of insurance,''; and

(2) by inserting after ''private sector'' the following: ''and to enable the Corporation to concentrate on regulating the provision of insurance under this title and evaluating new products and materials submitted under section 508(h) or 523''.

SEC. 144. ELECTRONIC AVAILABILITY OF CROP INSURANCE INFORMATION.

Section 508(a)(5) of the Federal Crop Insurance Act (7 U.S.C. 1508(a)(5)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and moving such clauses 2 ems to the right;

(2) by striking ''The Corporation'' and inserting the following:

''(A) AVAILABLE INFORMATION.—The Corporation''; and

(3) by adding at the end the following:

''(B) USE OF ELECTRONIC METHODS.—

''(i) DISSEMINATION BY CORPORATION.—The Corporation shall make the information described in subparagraph (A) available electronically to producers and approved insurance providers.

''(ii) SUBMISSION TO CORPORATION.—To the maximum extent practicable, the Corporation shall allow producers and approved insurance providers to use electronic methods to submit information required by the Corporation.''.

SEC. 145. ADEQUATE COVERAGE FOR STATES.

Section 508(a) of the Federal Crop Insurance Act (7 U.S.C. 1508(a)) is amended by adding at the end the following:

''(7) ADEQUATE COVERAGE FOR STATES.—

''(A) DEFINITION OF ADEQUATELY SERVED.—In this paragraph, the term 'adequately served' means having a participation rate that is at least 50 percent of the national average participation rate.

''(B) REVIEW.—The Board shall review the policies and plans of insurance that are offered by approved insurance providers under this title to determine if each State is adequately served by the policies and plans of insurance.

''(C) REPORT.—

''(i) IN GENERAL.—Not later than 30 days after completion of the review under subparagraph (B), the Board shall submit to Congress a report on the results of the review.

''(ii) RECOMMENDATIONS.—The report shall include recommendations to increase participation in States that are not adequately served by the policies and plans of insurance.''.

SEC. 146. SUBMISSION OF POLICIES AND MATERIALS TO BOARD.

(a) PERSONS AUTHORIZED TO SUBMIT.—Section 508(h)(1) of the Federal Crop Insurance Act (7 U.S.C. 1508(h)(1)) is amended by inserting after ''a person'' the following: ''(including an approved insurance provider, a college or university, a cooperative or trade association, or any other person)''.

(b) SALE BY APPROVED INSURANCE PROVIDERS.—Section 508(h)(3) of the Federal Crop Insurance Act (7 U.S.C. 1508(h)(3)) is amended in the first sentence by inserting after ''for sale'' the following: ''by approved insurance providers''.

(c) GUIDELINES FOR SUBMISSION AND REVIEW.—Section 508(h)(4) of the Federal Crop Insurance Act (7 U.S.C. 1508(h)(4)) is amended—

(1) by striking subparagraph (A) and inserting the following:

''(A) CONFIDENTIALITY.—

''(i) IN GENERAL.—A proposal submitted to the Board under this subsection (including any information generated from the proposal) shall be considered to be confidential commercial or financial information for the purposes of section 552(b)(4) of title 5, United States Code.

''(ii) STANDARD OF CONFIDENTIALITY.—If information concerning a proposal could be withheld by the Secretary under the standard for privileged or confidential information pertaining to trade secrets and commercial or financial information under section 552(b)(4) of title 5, United States Code, the information shall not be released to the public.

''(iii) APPLICATION.—This subparagraph shall apply with respect to a proposal only during the period preceding any approval of the proposal by the Board.'';

(2) in subparagraph (B), by inserting ''PERSONAL PRESENTATION.—'' before ''The''; and

(3) by striking subparagraphs (C) and (D) and inserting the following:

''(C) NOTIFICATION OF INTENT TO DISAPPROVE.—

''(i) TIME PERIOD.—The Board shall provide an applicant with notification of intent to disapprove a proposal not later than 30 days prior to making the disapproval.

''(ii) MODIFICATION OF APPLICATION.—

''(I) AUTHORITY.—An applicant that receives the notification may modify the application, and such application, as modified, shall be considered by the Board in the manner provided in subparagraph (D) within the 30-day period beginning on the date the modified application is submitted.

''(II) TIME PERIOD.—Clause (i) shall not apply to the Board's consideration of the modified application.

''(iii) EXPLANATION.—Any notification of intent to disapprove a policy or other material submitted under this subsection shall be accompanied by a complete explanation as to the reasons for the Board's intention to deny approval.

''(D) DETERMINATION TO APPROVE OR DISAPPROVE POLICIES OR MATERIALS.—

''(i) TIME PERIOD.—Not later than 120 days after a policy or other material is submitted under this subsection, the Board shall make a determination to approve or disapprove the policy or material.

''(ii) EXPLANATION.—Any determination by the Board to disapprove any policy or other material shall be accompanied by a complete explanation of the reasons for the Board's decision to deny approval.

''(iii) FAILURE TO MEET DEADLINE.—Notwithstanding any other provision of this title, if the Board fails to make a determination within the prescribed time period, the submitted policy or other material shall be deemed approved by the Board for the initial reinsurance year designated for the policy or material, unless the Board and the applicant agree to an extension.''.

(d) TECHNICAL AMENDMENTS.—Section 508(h) of the Federal Crop Insurance Act (7 U.S.C. 1508(h)) is amended—

(1) by striking paragraphs (6), (8), (9), and (10); and

(2) by redesignating paragraph (7) as paragraph (6).

SEC. 147. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 516(a)(2) of the Federal Crop Insurance Act (7 U.S.C. 1516(a)(2)) is amended—

(1) by striking ''years—'' and inserting ''years the following:'';

(2) by capitalizing the first letter of the first word of each subparagraph;

(3) by striking ''; and'' at the end of subparagraph (A) and inserting a period; and

(4) by adding at the end the following:

''(C) Costs associated with the conduct of livestock and wild salmon pilot programs carried out under section 523, subject to the limitations in subsections (a)(3)(E)(ii) and (b)(10) of section 523.

''(D) Costs associated with the reimbursement, contracting, and partnerships for research and development under section 522.''.

(b) PAYMENT OF GENERAL CORPORATION EXPENSES FROM INSURANCE FUND.—Section 516(b)(1) of the Federal Crop Insurance Act (7 U.S.C. 1516(b)(1)) is amended—

(1) by striking ''including—'' and inserting ''including the following:'';

(2) by capitalizing the first letter of the first word of each subparagraph;

(3) by striking the semicolon at the end of subparagraph (A) and inserting a period;

(4) by striking ''; and'' at the end of subparagraph (B) and inserting a period; and

(5) by adding at the end the following:

''(D) Costs associated with the conduct of livestock and wild salmon pilot programs carried out under section 523, subject to the limitations in subsections (a)(3)(E)(ii) and (b)(10) of section 523.

''(E) Costs associated with the reimbursement, contracting, and partnerships for research and development under section 522.''.

(c) EXPEDITED CONSIDERATION AND IMPLEMENTATION OF POLICIES, PLANS OF INSURANCE, AND RELATED MATERIALS.—Section 516(b)(2) of the Federal Crop Insurance Act (7 U.S.C. 1516(b)(2)) is amended—

(1) by striking ''RESEARCH AND DEVELOPMENT EXPENSES.—'' and inserting ''POLICY CONSIDERATION AND IMPLEMENTATION.—'';

(2) in subparagraph (A)—

(A) by striking ''may pay from'' and inserting ''may use'';

(B) by striking ''research and development expenses of the Corporation''; and

(C) by striking the period at the end and inserting the following: '', to pay the following:

''(i) Costs associated with the consideration and implementation of policies, plans of insurance, and related materials submitted under section 508(h) or developed under section 522 or 523.

''(ii) Costs to contract for the review of policies, plans of insurance, and related materials under section 505(e) and to contract for other assistance in considering policies, plans of insurance, and related materials.''; and

(3) in subparagraph (B), by striking ''research and development''.

(d) DEPOSITS TO INSURANCE FUND.—Section 516(c)(1) of the Federal Crop Insurance Act (7 U.S.C. 1516(c)(1)) is amended—

(1) by striking ''income and'' and inserting ''income,''; and

(2) by inserting '', and civil fines collected under section 515(h)'' after ''(a)(2)''.

SEC. 148. STANDARD REINSURANCE AGREEMENT.

Notwithstanding section 536 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 1506 note; Public Law 105–185), the Federal Crop Insurance Corporation may renegotiate the Standard Reinsurance Agreement once during the 2001 through 2005 reinsurance years.

Subtitle E—Miscellaneous

CHAPTER 1—OTHER PROVISIONS

SEC. 161. LIMITATION ON REVENUE COVERAGE FOR POTATOES.

Section 508(a)(3) of the Federal Crop Insurance Act (7 U.S.C. 1508(a)(3)), as amended by section 123, is amended by adding at the end the following:

''(C) LIMITATION ON REVENUE COVERAGE FOR POTATOES.—No policy or plan of insurance provided under this title (including a policy or plan of insurance approved by the Board under subsection (h)) shall cover losses due to a reduction in revenue for potatoes except as covered under a whole farm policy or plan of insurance, as determined by the Corporation.''.

SEC. 162. CROP INSURANCE COVERAGE FOR COTTON AND RICE.

Section 508(a) of the Federal Crop Insurance Act (7 U.S.C. 1508(a)), as amended by 145, is amended by adding at the end the following:

''(8) SPECIAL PROVISIONS FOR COTTON AND RICE.—Notwithstanding any other provision of this title, beginning with the 2001 crops of upland cotton, extra long staple cotton, and rice, the Corporation shall offer plans of insurance, including prevented planting coverage and replanting coverage, under this title that cover losses of upland cotton, extra long staple cotton, and rice resulting from failure of irrigation water supplies due to drought and saltwater intrusion.''.

SEC. 163. INDEMNITY PAYMENTS FOR CERTAIN PRODUCERS.

(a) IN GENERAL.—Except as otherwise provided in this section, notwithstanding section

508(c)(5) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)(5)), a producer that purchased a 1999 Crop Revenue Coverage policy for a commodity covered by Bulletin MGR–99–004 (as in effect before being voided by subsection (d)) by the sales closing date prescribed in the actuarial documents in the county where the policy was sold shall receive an indemnity payment in accordance with the policy.

(b) BASE AND HARVEST PRICES.—The base price and harvest price under the policy for a commodity described in subsection (a) shall be determined in accordance with the Commodity Exchange Endorsement published by the Federal Crop Insurance Corporation on July 14, 1998 (63 Fed. Reg. 37829).

(c) REINSURANCE.—Subject to subsection (b), notwithstanding section 508(c)(5) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)(5)), the Corporation shall provide reinsurance with respect to the policy in accordance with the Standard Reinsurance Agreement.

(d) VOIDING OF BULLETIN.—Bulletin MGR–99–004, issued by the Administrator of the Risk Management Agency of the Department of Agriculture, is void.

(e) EFFECTIVE DATE.—This section takes effect on October 1, 2000.

SEC. 164. SENSE OF CONGRESS REGARDING THE FEDERAL CROP INSURANCE PROGRAM.

It is the sense of Congress that—

(1) farmer-owned cooperatives play a valuable role in achieving the purposes of the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) by—

(A) encouraging producer participation in the Federal crop insurance program;

(B) improving the delivery system for crop insurance; and

(C) helping to develop new and improved insurance products;

(2) the Risk Management Agency, through its regulatory activities, should encourage efforts by farmer-owned cooperatives to promote appropriate risk management strategies among their membership;

(3) partnerships between approved insurance providers and farmer-owned cooperatives provide opportunity for agricultural producers to obtain needed insurance coverage on a more competitive basis and at a lower cost;

(4) the Risk Management Agency is following an appropriate regulatory process to ensure the continued participation by farmer-owned cooperatives in the delivery of crop insurance;

(5) efforts by the Risk Management Agency to finalize regulations that would incorporate the currently approved business practices of cooperatives participating in the Federal crop insurance program should be commended; and

(6) not later than 180 days after the date of enactment of this Act, the Federal Crop Insurance Corporation should complete promulgation of the proposed rule entitled ''General Administrative Regulations; Premium Reductions; Payment of Rebates, Dividends, and Patronage Refunds; and Payments to Insured-Owned and Record-Controlling Entities'', published by the Federal Crop Insurance Corporation on May 12, 1999 (64 Fed. Reg. 25464), in a manner that—

(A) effectively responds to comments received from the public during the rulemaking process;

(B) provides an effective opportunity for farmer-owned cooperatives to assist the members of the cooperatives to obtain crop insurance and participate most effectively in the Federal crop insurance program;

(C) incorporates the currently approved business practices of farmer-owned cooperatives participating in the Federal crop insurance program; and

(D) protects the interests of agricultural producers.

SEC. 165. SENSE OF CONGRESS ON RURAL AMERICA, INCLUDING MINORITY AND LIMITED-RESOURCE FARMERS.

It is the sense of Congress that—

(1) rural America, including minority and limited resource farmers, has not experienced this recent period of economic prosperity;

(2) as a result of sustained low commodity prices, they face significant challenges, including—

(A) a depressed farm economy;

(B) a loss of business and jobs on rural main streets;

(C) a reduction of capital investment; and

(D) a loss of independent farmers;

(3) Congress applauds American farmers and rural advocates, including the organizers of the Rally for Rural America, for their efforts in calling this situation to the public's attention; and

(4) Congress is committed to responding to the concerns of rural America and pledges to devote full attention to making necessary changes to Federal agricultural programs in a manner that will—

(A) alleviate the agricultural price crisis;

(B) ensure competitive markets by empowering farm families;

(C) ensure that all farmers, including minority and limited-resource farmers, participate fully in the benefits of those programs;

(D) invest in rural education and health;

(E) increase resources for outreach and technical farming assistance;

(F) conserve our natural resources for future generations; and

(G) ensure a safe and secure food supply for all.

Subtitle F—Effective Dates and Implementation

SEC. 171. EFFECTIVE DATES.

(a) IN GENERAL.—Except as provided in subsection (b), this Act and the amendments made by this Act take effect on the date of enactment of this Act.

(b) EXCEPTIONS.—

(1) 2001 FISCAL YEAR.—The following provisions and the amendments made by the provisions take effect on October 1, 2000:

(A) Subtitle C.

(B) Section 146.

(C) Section 163.

(2) 2001 CROP YEAR.—The amendments made by the following provisions apply beginning with the 2001 crop of an agricultural commodity:

(A) Subsections (a), (b), and (c) of section 101.

(B) Section 102(a).

(C) Subsections (a), (b), and (c) of section 103.

(D) Section 104.

(E) Section 105(b).

(F) Section 108.

(G) Section 109.

(H) Section 162.

(3) 2001 REINSURANCE YEAR.—The amendments made by the following provisions apply beginning with the 2001 reinsurance year:

(A) Section 101(d).

(B) Section 102(b).

(C) Section 103(d).

SEC. 172. REGULATIONS.

Not later than 120 days after the date of enactment of this Act, the Secretary of Agriculture shall promulgate regulations to carry out this Act and the amendments made by this Act.

SEC. 173. SAVINGS CLAUSE.

The Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) and section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333), as in effect on day before the date of the enactment of this Act, shall—

(1) continue to apply with respect to the 1999 crop year; and

(2) apply with respect to the 2000 crop year, to the extent the application of an amendment made by this Act is delayed under section 171(b) or by the terms of the amendment.

TITLE II—AGRICULTURAL ASSISTANCE

Subtitle A—Market Loss Assistance

SEC. 201. MARKET LOSS ASSISTANCE.

(a) IN GENERAL.—The Secretary of Agriculture (referred to in this title as the ''Secretary'') shall use funds of the Commodity Credit Corporation to provide assistance in the form of a market loss assistance payment to owners and producers on a farm that are eligible for a final payment for fiscal year 2000 under a production flexibility contract for the farm under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.).

(b) AMOUNT AND MANNER.—In providing payments under this section, the Secretary shall—

(1) use the same contract payment rates as are used under section 802(b) of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2000 (7 U.S.C. 1421 note; Public Law 106–78); and

(2) provide the payments in a manner that is consistent with section 802(c) of that Act.

(c) TIMING.—The Secretary shall make the payments required by this section not earlier than September 1, 2000, and not later than September 30, 2000.

SEC. 202. OILSEEDS.

(a) IN GENERAL.—The Secretary shall use $500,000,000 of funds of the Commodity Credit Corporation to make payments to producers of the 2000 crop of oilseeds that are eligible to obtain a marketing assistance loan under section 131 of the Agricultural Market Transition Act (7 U.S.C. 7231).

(b) COMPUTATION.—A payment to producers on a farm under this section for an oilseed shall be equal to the product obtained by multiplying—

(1) a payment rate determined by the Secretary;

(2) the acreage of the producers on the farm for the oilseed, as determined under subsection (c); and

(3) the yield of the producers on the farm for the oilseed, as determined under subsection (d).

(c) ACREAGE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the acreage of the producers on the farm for an oilseed under subsection (b)(2) shall be equal to the number of acres planted to the oilseed by the producers on the farm during the 1997, 1998, or 1999 crop year, whichever is greatest, as reported by the producers on the farm to the Secretary (including any acreage reports that are filed late).

(2) NEW PRODUCERS.—In the case of producers on a farm that planted acreage to an oilseed during the 2000 crop year but not the 1997, 1998, or 1999 crop year, the acreage of the producers for the oilseed under subsection (b)(2) shall be equal to the number of acres planted to the oilseed by the producers on the farm during the 2000 crop year, as reported by the producers on the farm to the Secretary (including any acreage reports that are filed late).

(d) YIELD.—

(1) SOYBEANS.—Except as provided in paragraph (3), in the case of soybeans, the yield of the producers on a farm under subsection (b)(3) shall be equal to the greatest of—

(A) the average county yield per harvested acre for each of the 1995 through 1999 crop years, excluding the crop year with the highest yield per harvested acre and the crop year with the lowest yield per harvested acre; or

(B) the actual yield of the producers on the farm for the 1997, 1998, or 1999 crop year.

(2) OTHER OILSEEDS.—Except as provided in paragraph (3), in the case of oilseeds other than soybeans, the yield of the producers on a farm under subsection (b)(3) shall be equal to the greatest of—

(A) the average national yield per harvested acre for each of the 1995 through 1999 crop years, excluding the crop year with the highest yield per harvested acre and the crop year with the lowest yield per harvested acre; or

(B) the actual yield of the producers on the farm for the 1997, 1998, or 1999 crop year.

(3) NEW PRODUCERS.—In the case of producers on a farm that planted acreage to an oilseed during the 2000 crop year but not the 1997, 1998, or 1999 crop year, the yield of the producers on a farm under subsection (b)(3) shall be equal to the greater of—

(A) the average county yield per harvested acre for each of the 1995 through 1999 crop years, excluding the crop year with the highest yield per harvested acre and the crop year with the lowest yield per harvested acre; or

(B) the actual yield of the producers on the farm for the 2000 crop.

(4) DATA SOURCE.—To the maximum extent available, the Secretary shall use data provided by the National Agricultural Statistics Service to carry out this subsection.

SEC. 203. SPECIALTY CROPS.

(a) REPLENISHMENT OF PERISHABLE AGRICULTURAL COMMODITIES ACT FUND.—Of the amount made available under section 261(a)(2), $30,450,000 shall—

(1) be deposited in the Perishable Agricultural Commodities Act Fund established by section 3(b)(5) of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499c(b)(5));

(2) be merged with other amounts in the Perishable Agricultural Commodities Act Fund; and

(3) be available for the same purposes and for the same time period as other amounts in the Perishable Agricultural Commodities Act Fund.

(b) REPLENISHMENT OF TRUST FUNDS FOR SERVICES UNDER AGRICULTURAL MARKETING ACT OF 1946.—Of the amount made available under section 261(a)(2), $29,000,000 shall—

(1) be deposited in the trust fund account established to cover the cost of inspection, certification, and identification services provided under section 203(h) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1622(h));

(2) be merged with other amounts in the trust fund account; and

(3) be available for the same purposes and for the same time period as other amounts in the trust fund account.

(c) INSPECTION SERVICES IMPROVEMENTS.—Of the amount made available under section 261(a)(2), $11,550,000 shall be used by the Secretary to improve the infrastructure and system used for inspecting fruits and vegetables, including improving—

(1) the program used to train inspectors, including the establishment of an inspector training center;

(2) the technological resources used by inspectors;

(3) the use of digital imaging by inspectors; and

(4) the office space and grading tables used by inspectors.

(d) SURPLUS CROP PURCHASES.—

(1) PURCHASES.—Of the amount made available under section 261(a)(2), $200,000,000 shall be used by the Secretary to purchase specialty crops that have experienced low prices during the 1998 or 1999 crop years, including apples, black-eyed peas, cherries, citrus, cranberries, onions, melons, peaches, and potatoes.

(2) DISPLACEMENT.—The Secretary shall ensure that purchases of specialty crops under this subsection will not displace purchases by the Secretary under any other law.

(e) GROWER COMPENSATION.—

(1) COMPENSATION.—Of the amount made available under section 261(a)(2), $25,000,000 shall be used by the Secretary to compensate—

(A) growers covered by the Secretary's Declaration of Extraordinary Emergency published on March 2, 2000 (65 Fed. Reg. 11280), regarding the plum pox virus;

(B) growers for losses due to Pierce's disease; and

(C) commercial producers for losses due to citrus canker.

(2) REPORT.—Not later than July 19, 2000, the Secretary, in coordination with the Inspector General of the Department of Agriculture, shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that analyzes—

(A) the economic losses to the produce industry as a result of allegations of false inspection certificates prepared by graders of the Department of Agriculture at Hunts Point Terminal Market, Bronx, New York; and

(B) the restitution by the Secretary for persons damaged as a result of losses described in subparagraph (A).

(f) APPLE LOANS.—

(1) REQUIREMENT.—The Secretary, acting through the Farm Service Agency, shall use funds of the Commodity Credit Corporation to make loans to producers of apples that are suffering economic loss as the result of low prices for apples.

(2) TERM.—The term of a loan made under this subsection shall be not more than 3 years.

(3) INTEREST RATE.—The interest rate for a loan made under this subsection shall be at a rate equal to the then current cost of money to the Government of the United States for loans of similar maturity.

(4) SECURITY.—The Secretary may require a loan made under this subsection to be secured by real property or such other collateral as the Secretary considers appropriate and protects the interests of the Federal Government.

(5) LIMITATION.—The cost of all loans made under this subsection shall not exceed $5,000,000.

SEC. 204. OTHER COMMODITIES.

(a) PEANUTS.—

(1) IN GENERAL.—The Secretary shall use funds of the Commodity Credit Corporation to provide payments to producers of quota peanuts or additional peanuts to partially compensate the producers for continuing low commodity prices, and increasing costs of production, for the 2000 crop year.

(2) AMOUNT.—The amount of a payment made to producers on a farm of quota peanuts or additional peanuts under paragraph (1) shall be equal to the product obtained by multiplying—

(A) the quantity of quota peanuts or additional peanuts produced or considered produced by the producers; and

(B) a payment rate equal to—

(i) in the case of quota peanuts, $30.50 per ton; and

(ii) in the case of additional peanuts, $16.00 per ton.

(b) TOBACCO.—

(1) DEFINITIONS.—In this subsection:

(A) ELIGIBLE PERSON.—The term ''eligible person'' means a person that owns or operates, or produces eligible tobacco on, a farm—

(i) for which the quantity of quota of eligible tobacco allotted to the farm under part I of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1311 et seq.) was reduced from the 1999 crop year to the 2000 crop year; and

(ii) that is used for the production of eligible tobacco during the 2000 crop year.

(B) ELIGIBLE TOBACCO.—The term ''eligible tobacco'' means each of the following kinds of tobacco:

(i) Flue-cured tobacco, comprising types 11, 12, 13, and 14.

(ii) Fire-cured tobacco, comprising type 21.

(iii) Burley tobacco, comprising type 31.

(iv) Cigar-filler and cigar-binder tobacco, comprising types 42, 43, 44, 54, and 55.

(2) PAYMENTS.—Effective beginning October 1, 2000, the Secretary shall use $340,000,000 of funds of the Commodity Credit Corporation to make payments to eligible persons.

(3) ALLOCATION OF FUNDS AMONG STATES.—The funds made available for eligible persons under paragraph (2) shall be allocated among States in the following dollar amounts:

Alabama	*$100,000*
Arkansas	*1,000*
Florida	*2,500,000*
Georgia	*13,000,000*
Indiana	*5,400,000*
Kansas	*23,000*
Kentucky	*140,000,000*
Missouri	*2,000,000*
North Carolina	*100,000,000*
Ohio	*6,000,000*
Oklahoma	*1,000*
South Carolina	*15,000,000*
Tennessee	*35,000,000*
Virginia	*19,000,000*
Wisconsin	*675,000*
West Virginia	*1,300,000.*

(4) ALLOCATION OF FUNDS AMONG FARMS IN A STATE.—The Secretary shall divide the amount allocated to a State under paragraph (3) among farms in the State based on the quota of eligible tobacco available to each farm of an eligible person for the 2000 crop year.

(5) DIVISION OF FARM PAYMENTS AMONG ELIGIBLE PERSONS IN A STATE.—Not later than October 20, 2000, the Secretary shall divide amounts made available to farms in a State under paragraph (4) among eligible persons who are quota owners, quota lessees, and tobacco producers on farms in the State, and make payments to the eligible persons, on the basis of—

(A) in the case of a State that is a party to the National Tobacco Grower Settlement Trust, the formula in the Trust used to allocate funds among quota owners, quota lessees, and tobacco producers on farms in the State, with such adjustments as the Secretary determines are necessary to enable the payments to be made by October 20, 2000; or

(B) in the case of a State that is not a party to the National Tobacco Grower Settlement Trust, a formula established by the Secretary.

(6) PAYMENTS TO ELIGIBLE PERSONS IN GEORGIA.—The Secretary shall use the amount allocated to the State of Georgia under paragraph (3) to make payments to eligible persons in Georgia only if the State of Georgia agrees to use an equal amount (not to exceed $13,000,000) to make payments at the same time, or subsequently, to the same eligible persons in the same manner as provided for the Federal payment under paragraphs (4) and (5).

(7) USE FOR ADMINISTRATIVE COSTS.—None of the funds made available under paragraphs (1) through (7) may be used to pay administrative costs incurred in carrying out those paragraphs.

(8) TRANSFER OF ALLOTMENTS.—Section 318 of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1314d) is amended by striking subsection (g) and inserting the following:

''(g) TRANSFER OF ALLOTMENTS.—Under this section, the total acreage allotted to any farm after any transfer shall not exceed 50 percent of the acreage of cropland on the farm.''.

(9) BURLEY TOBACCO INVENTORIES OF PRODUCER ASSOCIATIONS.—Section 319(c)(3) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1314e(c)(3)) is amended—

(A) in subparagraph (B), by striking ''In'' and inserting ''Except as provided in subparagraph (D), in''; and

(B) by adding at the end the following:

''(D) NONAPPLICABILITY OF DOWNWARD ADJUSTMENT.—If the Secretary determines for any of the 2001 or subsequent crop years that noncommitted pool stocks of Burley tobacco are equal to or less than the reserve stock level established under this paragraph, subparagraph (B) shall not apply to the crop year for which the determination is made and all subsequent crop years.''.

(10) LIMITATIONS ON BURLEY TOBACCO QUOTA ADJUSTMENTS.—

(A) CARRY FORWARD ADJUSTMENT.—Section 319(e) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1314e(e)) is amended in the fifth sentence—

(i) by striking '': Provided, That'' and inserting '', except that (1)''; and

(ii) by inserting before the period at the end the following: '', and (2) the aggregate of such increases for all farms for any crop year may not exceed 10 percent of the national basic quota for the preceding crop year''.

(B) LEASE AND TRANSFER OF QUOTA DUE TO NATURAL DISASTERS.—Section 319(k) of the Agricultural Adjustment Act of 1938 (7 U.S.C.

1314e(k)) is amended by adding at the end the following:

''(3) LIMITATION.—The total quantity of quota leased or transferred to a farm during a crop year under this subsection may not exceed 15 percent of the quota on the farm that existed prior to any such lease or transfer for the crop year.''.

(11) LEASE AND TRANSFER OF BURLEY TOBACCO QUOTA.—Section 319 of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1314e) is amended by striking subsection (l) and inserting the following:

''(l) LEASE AND TRANSFER OF BURLEY TOBACCO QUOTA.—

''(1) APPROVAL BY PRODUCERS.—Notwithstanding any other provision of this section, the Secretary may permit the lease and transfer of a burley tobacco quota from 1 farm in a State to any other farm in the State if, in a statewide referendum conducted by the Secretary, a majority of the active burley tobacco producers voting in the referendum approve the use of that type of lease and transfer.

''(2) APPLICATION.—This subsection shall apply only to the States of Tennessee, Ohio, Indiana, Kentucky, and Virginia.''.

(12) RECORDKEEPING AND SALE OF BURLEY TOBACCO QUOTA AND ACREAGE.—Section 319 of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1314e) is amended by adding at the end the following:

''(m) COMPUTERIZED RECORDKEEPING SYSTEM FOR BURLEY TOBACCO QUOTA AND ACREAGE.—

''(1) PRODUCER REPORTS.—Each person that owns a farm for which a Burley tobacco marketing quota is established under this Act shall annually file with the Secretary a report describing the acreage planted to Burley tobacco on the farm.

''(2) COMPUTERIZED RECORDKEEPING SYSTEM.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall establish a computerized recordkeeping system that contains all information reported under paragraph (1) and related records, as determined by the Secretary.

''(n) SALE OF BURLEY TOBACCO QUOTA.—Notwithstanding any other provision of this section, if a person that owns a farm for which a Burley tobacco marketing quota is established under this Act sells all or part of the acreage on the farm to a buyer, the Secretary shall permit the seller and buyer of the acreage to determine the percentage of the quota that is transferred with the acreage sold.''.

(c) HONEY.—

(1) IN GENERAL.—The Secretary shall use funds of the Commodity Credit Corporation to make available recourse loans to producers of the 2000 crop of honey on fair and reasonable terms and conditions, as determined by the Secretary.

(2) LOAN RATE.—The loan rate for a loan under paragraph (1) shall be equal to 85 percent of the average price of honey during the 5-crop year period preceding the 2000 crop year, excluding the crop year in which the average price of honey was the highest and the crop year in which the average price of honey was the lowest in the period.

(d) WOOL AND MOHAIR.—

(1) IN GENERAL.—The Secretary shall use funds of the Commodity Credit Corporation to make payments to producers of wool, and producers of mohair, for the 1999 marketing year

(2) PAYMENT RATE.—The payment rate for payments made to producers under paragraph (1) shall be equal to—

(A) in the case of wool, 20 cents per pound; and

(B) in the case of mohair, 40 cents per pound.

(e) COTTONSEED.—The Secretary shall use $100,000,000 of funds of the Commodity Credit Corporation to provide assistance to producers and first-handlers of the 2000 crop of cottonseed.

SEC. 205. PAYMENTS IN LIEU OF LOAN DEFICIENCY PAYMENTS.

(a) ELIGIBLE PRODUCERS.—Effective for the 2001 crop year, in the case of a producer that would be eligible for a loan deficiency payment under section 135 of the Agricultural Market Transition Act (7 U.S.C. 7235) for wheat, barley, or oats, but that elects to use acreage planted to the wheat, barley, or oats for the grazing of livestock, the Secretary shall make a payment to the producer under this section if the producer enters into an agreement with the Secretary to forgo any other harvesting of the wheat, barley, or oats on that acreage.

(b) PAYMENT AMOUNT.—The amount of a payment made to a producer on a farm under this section shall be equal to the amount determined by multiplying—

(1) the loan deficiency payment rate determined under section 135(c) of the Agricultural Market Transition Act (7 U.S.C. 7235(c)) in effect, as of the date of the agreement, for the county in which the farm is located; by

(2) the payment quantity determined by multiplying—

(A) the quantity of the grazed acreage on the farm with respect to which the producer elects to forgo harvesting of wheat, barley, or oats; and

(B) the greater of—

(i) the established yield for the crop on the farm; or

(ii) the average county yield per harvested acre of the crop, as determined by the Secretary.

(c) TIME, MANNER, AND AVAILABILITY OF PAYMENT.—

(1) TIME AND MANNER.—A payment under this section shall be made at the same time and in the same manner as loan deficiency payments are made under section 135 of the Agricultural Market Transition Act (7 U.S.C. 7235), except that the payment shall be made not later than September 30, 2001.

(2) AVAILABILITY.—The Secretary shall establish an availability period for the payment authorized by this section that is consistent with the availability period for wheat, barley, and oats established by the Secretary for marketing assistance loans authorized by subtitle C of the Agricultural Market Transition Act (7 U.S.C. 7231 et seq.).

(d) REGULATIONS.—The Secretary shall promulgate under section 263 such regulations as are necessary to administer the payments authorized by this section in a fair and equitable manner with respect to producers of wheat and feed grains that do not receive a payment under this section.

(e) FUNDING.—The Secretary shall use funds of the Commodity Credit Corporation to carry out this section.

SEC. 206. EXPANSION OF PRODUCERS ELIGIBLE FOR LOAN DEFICIENCY PAYMENTS.

(a) ELIGIBLE PRODUCERS.—Section 135(a) of the Agricultural Market Transition Act (7 U.S.C. 7235(a)) is amended—

(1) by striking ''to producers'' and inserting ''to—

''(1) producers'';

(2) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(2) effective only for the 2000 crop year, producers that, although not eligible to obtain such a marketing assistance loan under section 131, produce a contract commodity.''.

(b) CALCULATION.—Section 135(b)(2) of the Agricultural Market Transition Act (7 U.S.C. 7235(b)(2)) is amended by striking ''that the producers'' and all that follows through the period at the end and inserting the following: ''produced by the eligible producers, excluding any quantity for which the producers obtain a loan under section 131.''.

(c) TRANSITION; BENEFICIAL INTEREST.—Section 135 of the Agricultural Market Transition Act (7 U.S.C. 7235) is amended by adding at the end the following:

''(e) TRANSITION.—A payment to a producer eligible for a payment under subsection (a)(2) that harvested a commodity on or before the date that is 30 days after the promulgation of the regulations implementing subsection (a)(2) shall be determined as the date the producer lost beneficial interest in the commodity, as determined by the Secretary.

''(f) BENEFICIAL INTEREST.—Subject to subsection (e), a producer shall be eligible for a payment under this section only if the producer has a beneficial interest in the commodity, as determined by the Secretary.''.

Subtitle B—Conservation

SEC. 211. CONSERVATION ASSISTANCE.

(a) FARMLAND PROTECTION.—For the purposes described in section 388 of the Federal Agriculture Improvement and Reform Act of 1996 (16 U.S.C. 3830 note; Public Law 104–127), the Secretary shall use $10,000,000 of funds of the Commodity Credit Corporation to make payments to—

(1) any agency of any State or local government, or federally recognized Indian tribe, including farmland protection boards and land resource councils established under State law; and

(2) any organization that—

(A) is organized for, and at all times since the formation of the organization has been operated principally for, 1 or more of the conservation purposes specified in clause (i), (ii), or (iii) of section 170(h)(4)(A) of the Internal Revenue Code of 1986;

(B) is an organization described in section 501(c)(3) of that Code that is exempt from taxation under section 501(a) of that Code;

(C) is described in section 509(a)(2) of that Code; or

(D) is described in section 509(a)(3) of that Code and is controlled by an organization described in section 509(a)(2) of that Code.

(b) SOIL AND WATER CONSERVATION ASSISTANCE.—

(1) ESTABLISHMENT.—The Secretary shall use $40,000,000 of funds of the Commodity Credit Corporation to provide financial assistance to farmers and ranchers to—

(A) address threats to soil, water, and related natural resources, including grazing land, wetland, and wildlife habitat;

(B) comply with Federal and State environmental laws; and

(C) make beneficial, cost-effective changes to cropping systems, grazing management, manure, nutrient, pest, or irrigation management, land uses, or other measures needed to conserve and improve soil, water, and related natural resources.

(2) TYPE OF ASSISTANCE.—Assistance under this subsection may be made in the form of cost share payments or incentive payments, as determined by the Secretary.

(3) AREAS.—The Secretary shall provide assistance under this subsection to areas that are not designated under section 1230(c) of the Food Security Act of 1985 (16 U.S.C. 3830(c)).

SEC. 212. CONDITION ON DEVELOPMENT OF LITTLE DARBY NATIONAL WILDLIFE REFUGE, OHIO.

The Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, shall prepare an environmental impact statement pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) before proceeding with any further development of the Little Darby National Wildlife Refuge in Madison and Union Counties, Ohio.

Subtitle C—Research

SEC. 221. CARBON CYCLE RESEARCH.

(a) IN GENERAL.—Of the amount made available under section 261(a)(2), the Secretary shall use $15,000,000 to provide a grant to the Consortium for Agricultural Soils Mitigation of Greenhouse Gases, acting through Kansas State University, to develop, analyze, and implement, through the land grant universities described in subsection (b), carbon cycle research at the national, regional, and local levels.

(b) LAND GRANT UNIVERSITIES.—The land grant universities referred to in subsection (a) are the following:

(1) Colorado State University.
(2) Iowa State University.
(3) Kansas State University.
(4) Michigan State University.
(5) Montana State University.
(6) Purdue University.
(7) Ohio State University.
(8) Texas A & M University.
(9) University of Nebraska.

(c) USE.—Land grant universities described in subsection (b) shall use funds made available under this section—

(1) to conduct research to improve the scientific basis of using land management practices to increase soil carbon sequestration, including research on the use of new technologies to increase carbon cycle effectiveness, such as biotechnology and nanotechnology;

(2) to enter into partnerships to identify, develop, and evaluate agricultural best practices, including partnerships between—

(A) Federal, State, or private entities; and

(B) the Department of Agriculture;

(3) to develop necessary computer models to predict and assess the carbon cycle;

(4) to estimate and develop mechanisms to measure carbon levels made available as a result of—

(A) voluntary Federal conservation programs;

(B) private and Federal forests; and

(C) other land uses;

(5) to develop outreach programs, in coordination with Extension Services, to share information on carbon cycle and agricultural best practices that is useful to agricultural producers; and

(6) to collaborate with the Great Plains Regional Earth Science Application Center to develop a space-based carbon cycle remote sensing technology program to—

(A) provide, on a near-continual basis, a real-time and comprehensive view of vegetation conditions;

(B) assess and model agricultural carbon sequestration; and

(C) develop commercial products.

(d) ADMINISTRATIVE COSTS.—Not more than 3 percent of the funds made available under subsection (a) may be used by the Secretary to pay administrative costs incurred in carrying out this section.

SEC. 222. TOBACCO RESEARCH FOR MEDICINAL PURPOSES.

(a) ASSISTANCE.—Of the amount made available under section 261(a)(2), the Secretary, acting through the Cooperative State Research, Education, and Extension Service, shall use $3,000,000 to provide a grant jointly to Georgetown University and North Carolina State University to conduct research regarding the extraction and purification of proteins from genetically altered tobacco that may be used as a vaccine for cervical cancer.

(b) RELATION TO OTHER LAW.—The Secretary may make the grant described in subsection (a) notwithstanding any general prohibition on the use of appropriated funds to carry out research related to the production, processing, or marketing of tobacco or tobacco products.

SEC. 223. RESEARCH ON SOIL SCIENCE AND FOREST HEALTH MANAGEMENT.

Of the amount made available under section 261(a)(2), the Secretary shall use $10,000,000 to provide a grant to the University of Nebraska in Lincoln, Nebraska, for laboratories and equipment for research on soil science and forest health and management.

SEC. 224. RESEARCH ON WASTE STREAMS FROM LIVESTOCK PRODUCTION.

Of the amount made available under section 261(a)(2), the Secretary shall use $3,500,000 to expand current research related to technologies for—

(1) reducing, modifying, recycling, and using waste streams from livestock production; and

(2) eliminating associated air, water, and soil quality problems.

SEC. 225. IMPROVED STORAGE AND MANAGEMENT OF LIVESTOCK AND POULTRY WASTE.

(a) ASSISTANCE.—Of the amount made available under section 261(a)(2), the Secretary shall use $5,000,000—

(1) to review and assess the actual or potential failure of waste storage and handling systems used in livestock or poultry production and the environmental damages associated with the failure of the systems; and

(2) to study and demonstrate appropriate market-oriented mechanisms to assist livestock producers and poultry producers to prevent the failure of the systems and rectify environmental damages associated with the failure of the systems.

(b) IMPLEMENTATION.—The Secretary shall carry out this section through grants, contracts, and cooperative agreements with livestock producers, poultry producers, associations of such producers, and foundations supported by such producers.

SEC. 226. ETHANOL RESEARCH PILOT PLANT.

Of the amount made available under section 261(a)(2), the Secretary shall use $14,000,000 to provide a grant to the State of Illinois to complete the construction of a corn-based ethanol research pilot plant (agreement #59-3601-7-078) at Southern Illinois University, Edwardsville, Illinois.

SEC. 227. BIOINFORMATICS INSTITUTE FOR MODEL PLANT SPECIES.

(a) ESTABLISHMENT AND PURPOSE.—The Secretary, acting through the Agricultural Research Service, may enter into a cooperative agreement with the National Center for Genome Resources in Santa Fe, New Mexico, New Mexico State University, and Iowa State University, for the establishment and operation of an institute (to be known as the ''Bioinformatics Institute for Model Plant Species'') in Santa Fe, New Mexico, for the purpose of enhancing the accessibility and utility of genomic information for plant genetic research.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

(1) $3,000,000 for the purpose of establishing the Institute under subsection (a); and

(2) such sums as may be necessary for each fiscal year to carry out the cooperative agreement authorized by subsection (a).

Subtitle D—Agricultural Marketing

SEC. 231. VALUE-ADDED AGRICULTURAL PRODUCT MARKET DEVELOPMENT GRANTS.

(a) GRANT PROGRAM.—

(1) ESTABLISHMENT AND PURPOSES.—Of the amount made available under section 261(a)(2), $15,000,000 shall be used by the Secretary to award competitive grants to eligible independent producers (as determined by the Secretary) of value-added agricultural commodities and products of agricultural commodities to assist an eligible producer—

(A) to develop a business plan for viable marketing opportunities for a value-added agricultural commodity or product of an agricultural commodity; or

(B) to develop strategies for the ventures that are intended to create marketing opportunities for the producers.

(2) AMOUNT OF GRANT.—The total amount provided under this subsection to a grant recipient may not exceed $500,000.

(3) PRODUCER STRATEGIES.—A producer that receives a grant under paragraph (1) shall use the grant—

(A) to develop a business plan or perform a feasibility study to establish a viable marketing opportunity for a value-added agricultural commodity or product of an agricultural commodity; or

(B) to provide capital to establish alliances or business ventures that allow the producer to better compete in domestic or international markets.

(b) AGRICULTURAL MARKETING RESOURCE CENTER PILOT PROJECT.—

(1) ESTABLISHMENT.—Notwithstanding the limitation on grants in subsection (a)(2), the Secretary shall not use more than $5,000,000 of the funds made available under subsection (a) to establish a pilot project (to be known as the ''Agricultural Marketing Resource Center'') at an eligible institution described in paragraph (2) that will—

(A) develop a resource center with electronic capabilities to coordinate and provide to independent producers and processors (as determined by the Secretary) of value-added agricultural commodities and products of agricultural commodities information regarding research, business, legal, financial, or logistical assistance; and

(B) develop a strategy to establish a nationwide market information and coordination system.

(2) ELIGIBLE INSTITUTION.—To be eligible to receive funding to establish the Agricultural Marketing Resource Center, an applicant shall demonstrate to the Secretary—

(A) the capacity and technical expertise to provide the services described in paragraph (1)(A);

(B) an established plan outlining support of the applicant in the agricultural community; and

(C) the availability of resources (in cash or in kind) of definite value to sustain the Center following establishment.

(c) MATCHING FUNDS.—A recipient of funds under subsection (a) or (b) shall contribute an amount of non-Federal funds that is at least equal to the amount of Federal funds received.

(d) LIMITATION.—Funds provided under this section may not be used for—

(1) planning, repair, rehabilitation, acquisition, or construction of a building or facility (including a processing facility); or

(2) the purchase, rental, or installation of fixed equipment.

Subtitle E—Nutrition Programs

SEC. 241. CALCULATION OF MINIMUM AMOUNT OF COMMODITIES FOR SCHOOL LUNCH REQUIREMENTS.

(a) FISCAL YEAR 2000.—Notwithstanding any other provision of law, in addition to any assistance provided under any other provision of law, of the amount made available under section 261(a)(1), the Secretary shall use $34,000,000 in fiscal year 2000 to purchase commodities of the type provided under section 6 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1755) for distribution to schools participating in the school lunch program established under that Act (42 U.S.C. 1751 et seq.).

(b) FISCAL YEAR 2001.—Section 6(e)(1)(B) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1755(e)(1)(B)) is amended by striking ''2000'' and inserting ''2001''.

(c) ADDITIONAL COMMODITIES IN FISCAL YEAR 2001.—Notwithstanding any other provision of law, in addition to any assistance provided under any other provision of law (including the amendment made by subsection (b)), of the amount made available under section 261(a)(2), the Secretary shall use $21,000,000 in fiscal year 2001 to purchase commodities of the type provided under section 6 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1755) for distribution to schools participating in the school lunch program established under that Act (42 U.S.C. 1751 et seq.).

(d) DISTRIBUTION TO SCHOOLS.—The commodities purchased under subsections (a) and (c) shall, to the maximum extent practicable, be distributed in the same manner as commodities are distributed under section 6 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1755).

SEC. 242. SCHOOL LUNCH DATA.

(a) LIMITED WAIVER OF CONFIDENTIALITY REQUIREMENT.—

(1) IN GENERAL.—Section 9(b)(2)(C)(iii) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(b)(2)(C)(iii)) is amended—

(A) in subclause (II), by striking ''and'' at the end;

(B) in subclause (III), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(IV) a person directly connected with the administration of the State medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) or the State children's health insurance program under title XXI of that Act (42 U.S.C. 1397aa et seq.) solely for the purpose of identifying children eligible for benefits under, and enrolling children in, such programs, except that this subclause shall apply only to the extent that the State and the school food authority so elect.''.

(2) CERTIFICATION AND NOTIFICATION.—Section 9(b)(2)(C) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(b)(2)(C)) is amended by adding at the end the following:

''(vi) REQUIREMENTS FOR WAIVER OF CONFIDENTIALITY.—A State that elects to exercise the option described in clause (iii)(IV) shall ensure that any school food authority acting in accordance with that option—

''(I) has a written agreement with the State or local agency or agencies administering health insurance programs for children under titles XIX and XXI of the Social Security Act (42 U.S.C. 1396 et seq., 1397aa et seq.) that requires the health agencies to use the information obtained under clause (iii) to seek to enroll children in those health insurance programs; and

''(II)(aa) notifies each household, the information of which shall be disclosed under clause (iii), that the information disclosed will be used only to enroll children in health programs referred to in clause (iii)(IV); and

''(bb) provides each parent or guardian of a child in the household with an opportunity to elect not to have the information disclosed.

''(vii) USE OF DISCLOSED INFORMATION.—A person to which information is disclosed under clause (iii)(IV) shall use or disclose the information only as necessary for the purpose of enrolling children in health programs referred to in clause (iii)(IV).''.

(b) DEMONSTRATION PROJECT.—

(1) IN GENERAL.—Section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786) is amended by adding at the end the following:

''(r) DEMONSTRATION PROJECT RELATING TO USE OF THE WIC PROGRAM FOR IDENTIFICATION AND ENROLLMENT OF CHILDREN IN CERTAIN HEALTH PROGRAMS.—

''(1) IN GENERAL.—In accordance with paragraph (2), the Secretary shall establish a demonstration project in at least 20 local agencies in 1 State under which costs of nutrition services and administration (as defined in subsection (b)(4)) shall include the costs of identification of children eligible for benefits under, and the provision of enrollment assistance for children in—

''(A) the State medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.); and

''(B) the State children's health insurance program under title XXI of that Act (42 U.S.C. 1397aa et seq.).

''(2) STATE-RELATED REQUIREMENTS.—The State in which a demonstration project is established under paragraph (1)—

''(A) shall operate not fewer than 20 pilot site locations;

''(B) as of the date of establishment of the demonstration project—

''(i) with respect to the programs referred to in subparagraphs (A) and (B) of paragraph (1)—

''(I) shall have in use a simplified application form with a length of not more than 2 pages;

''(II) shall accept mail-in applications; and

''(III) shall permit enrollment in the program in a variety of locations; and

''(ii) shall have served as an original pilot site for the program under this section; and

''(C) as of December 31, 1998, shall have had—

''(i) an infant mortality rate that is above the national average; and

''(ii) an overall rate of age-appropriate immunizations against vaccine-preventable diseases that is below 80 percent.

''(3) TERMINATION OF AUTHORITY.—The authority provided by this subsection terminates September 30, 2003.''.

(2) TECHNICAL AMENDMENTS.—Section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786) is amended—

(A) in subsection (b)(4), by striking ''(4)'' and all that follows through ''means'' and inserting ''(4) 'Costs of nutrition services and administration' or 'nutrition services and administration' means''; and

(B) in subsection (h)(1)(A), by striking ''costs incurred by State and local agencies for nutrition services and administration'' and inserting ''costs of nutrition services and administration incurred by State and local agencies''.

(3) GRANT FOR DEMONSTRATION PROJECT.—Section 12 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760) is amended by adding at the end the following:

''(p) GRANT FOR DEMONSTRATION PROJECT.—

''(1) USE OF FUNDS FOR WIC DEMONSTRATION PROJECT.—

''(A) IN GENERAL.—The Secretary shall make grants of funds under this subsection to a State—

''(i) for purposes that include carrying out the demonstration project under section 17(r) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(r)); and

''(ii) for the purpose described in clause (i), in amounts not to exceed $10,000 for each fiscal year for each site in the State.

''(B) APPORTIONMENT.—A State that receives a grant under subparagraph (A) shall apportion the funds received to ensure that each site in the State receives not more than $10,000 for any fiscal year.

''(2) EVALUATIONS OF DEMONSTRATION PROJECT.—The Secretary shall conduct an evaluation of the demonstration project and grant program for identification and enrollment efforts funded under this subsection that include a determination of—

''(A) the number of children enrolled as a result of the enactment of this subsection;

''(B) the income levels of the families of enrolled children;

''(C) the cost of identification and enrollment assistance services provided under the project or grant program;

''(D) the effect on the caseloads of local agencies that carry out the special supplemental nutrition program for woman, infants, and children established under section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786); and

''(E) such other factors as the Secretary determines to be appropriate.

''(3) FUNDING.—

''(A) IN GENERAL.—Out of any moneys in the Treasury not otherwise appropriated, the Secretary of the Treasury shall provide to the Secretary to carry out this subsection $1,000,000 for the period of fiscal years 2001 through 2004, to remain available until expended but not later than September 30, 2004.

''(B) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive the funds and shall accept the funds provided under subparagraph (A), without further appropriation.''.

(c) EFFECTIVE DATE.—The amendments made by this section take effect on October 1, 2000.

SEC. 243. CHILD AND ADULT CARE FOOD PROGRAM INTEGRITY.

(a) DEFINITION OF INSTITUTION; EXCLUSION OF SERIOUSLY DEFICIENT INSTITUTIONS.—Section 17(a) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(a)) is amended—

(1) by striking ''(a) The Secretary'' and inserting the following:

''(a) GRANT AUTHORITY AND INSTITUTION ELIGIBILITY.—

''(1) GRANT AUTHORITY.—The Secretary'';

(2) by striking the second and third sentences and inserting the following:

''(2) DEFINITION OF INSTITUTION.—In this section, the term 'institution' means—

''(A) any public or private nonprofit organization providing nonresidential child care or day care outside school hours for school children, including any child care center, settlement house, recreational center, Head Start center, and institution providing child care facilities for children with disabilities;

''(B) any other private organization providing nonresidential child care or day care outside school hours for school children for which the organization receives compensation from amounts granted to the States under title XX of the Social Security Act (42 U.S.C. 1397 et seq.) (but only if the organization receives compensation under that title for at least 25 percent of its enrolled children or 25 percent of its licensed capacity, whichever is less);

''(C) any public or private nonprofit organization acting as a sponsoring organization for 1 or more of the organizations described in subparagraph (A) or (B) or for an adult day care center (as defined in subsection (o)(2));

''(D) any other private organization acting as a sponsoring organization for, and that is part of the same legal entity as, 1 or more organizations that are—

''(i) described in subparagraph (B); or

''(ii) proprietary title XIX or title XX centers (as defined in subsection (o)(2));

''(E) any public or private nonprofit organization acting as a sponsoring organization for 1 or more family or group day care homes; and

''(F) any emergency shelter (as defined in subsection (t)).'';

(3) by striking ''Except as provided in subsection (r),'' and inserting the following:

''(3) AGE LIMIT.—Except as provided in subsection (r),'';

(4) by striking ''The Secretary may establish separate guidelines'' and inserting the following:

''(4) ADDITIONAL GUIDELINES.—The Secretary may establish separate guidelines'';

(5) by striking ''For purposes of determining'' and all that follows through ''an institution'' and inserting the following:

''(5) LICENSING.—In order to be eligible, an institution''; and

(6) by striking ''standards; and'' and inserting ''standards.'';

(7) by striking ''(2) no institution'' and inserting the following:

''(6) ELIGIBILITY CRITERIA.—No institution''; and

(8) in paragraph (6) (as so designated)—

(A) in subparagraph (B), by inserting '', or has not been determined to be ineligible to participate in any other publicly funded program by reason of violation of the requirements of the program'' before '', for a period'';

(B) in subparagraph (C)—

(i) by inserting ''(i)'' after ''(C)''; and

(ii) by adding at the end the following:

''(ii) in the case of a sponsoring organization, the organization shall employ an appropriate number of monitoring personnel based on the number and characteristics of child care centers and family or group day care homes sponsored by the organization, as approved by the State (in accordance with regulations promulgated by the Secretary), to ensure effective oversight of the operations of the child care centers and family or group day care homes; and'';

(C) in subparagraph (D), by striking the period and inserting a semicolon; and

(D) by adding at the end the following:

''(E) in the case of a sponsoring organization, the organization has in effect a policy that restricts other employment by employees that interferes with the responsibilities and duties of the employees of the organization with respect to the program; and

''(F) in the case of a sponsoring organization that applies for initial participation in the program on or after the date of the enactment of

this subparagraph and that operates in a State that requires such institutions to be bonded under State law, regulation, or policy, the institution is bonded in accordance with such law, regulation, or policy.''.

(b) INSTITUTION APPROVAL AND APPLICATIONS.—

(1) IN GENERAL.—Section 17(d) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(d)) is amended by striking the subsection designation and all that follows through the end of paragraph (1) and inserting the following:

''(d) INSTITUTION APPROVAL AND APPLICATIONS.—

''(1) INSTITUTION APPROVAL.—

''(A) ADMINISTRATIVE CAPABILITY.—Subject to subparagraph (B) and except as provided in subparagraph (C), the State agency shall approve an institution that meets the requirements of this section for participation in the child and adult care food program if the State agency determines that the institution—

''(i) is financially viable;

''(ii) is administratively capable of operating the program (including whether the sponsoring organization has business experience and management plans appropriate to operate the program) described in the application of the institution; and

''(iii) has internal controls in effect to ensure program accountability.

''(B) APPROVAL OF PRIVATE INSTITUTIONS.—

''(i) IN GENERAL.—In addition to the requirements established by subparagraph (A) and subject to clause (ii), the State agency shall approve a private institution that meets the requirements of this section for participation in the child and adult care food program only if—

''(I) the State agency conducts a satisfactory visit to the institution before approving the participation of the institution in the program; and

''(II) the institution—

''(aa) has tax exempt status under the Internal Revenue Code of 1986;

''(bb) is operating a Federal program requiring nonprofit status to participate in the program; or

''(cc) is described in subsection (a)(2)(B).

''(ii) EXCEPTION FOR FAMILY OR GROUP DAY CARE HOMES.—Clause (i) shall not apply to a family or group day care home.

''(C) EXCEPTION FOR CERTAIN SPONSORING ORGANIZATIONS.—

''(i) IN GENERAL.—The State agency may approve an eligible institution acting as a sponsoring organization for 1 or more family or group day care homes or centers that, at the time of application, is not participating in the child and adult care food program only if the State agency determines that—

''(I) the institution meets the requirements established by subparagraphs (A) and (B); and

''(II) the participation of the institution will help to ensure the delivery of benefits to otherwise unserved family or group day care homes or centers or to unserved children in an area.

''(ii) CRITERIA FOR SELECTION.—The State agency shall establish criteria for approving an eligible institution acting as a sponsoring organization for 1 or more family or group day care homes or centers that, at the time of application, is not participating in the child and adult care food program for the purpose of determining if the participation of the institution will help ensure the delivery of benefits to otherwise unserved family or group day care homes or centers or to unserved children in an area.

''(D) NOTIFICATION TO APPLICANTS.—Not later than 30 days after the date on which an applicant institution files a completed application with the State agency, the State agency shall notify the applicant institution whether the institution has been approved or disapproved to participate in the child and adult care food program.''.

(2) SITE VISITS.—Section 17(d)(2)(A) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(d)(2)(A)) is amended—

(A) in clause (i), by striking ''; and'' and inserting a semicolon;

(B) by redesignating clause (ii) as clause (iii); and

(C) by inserting after clause (i) the following:

''(ii)(I) requires periodic unannounced site visits at not less than 3-year intervals to sponsored child care centers and family or group day care homes to identify and prevent management deficiencies and fraud and abuse under the program;

''(II) requires at least 1 scheduled site visit each year to sponsored child care centers and family or group day care homes to identify and prevent management deficiencies and fraud and abuse under the program and to improve program operations; and

''(III) requires at least 1 scheduled site visit at not less than 3-year intervals to sponsoring organizations and nonsponsored child care centers to identify and prevent management deficiencies and fraud and abuse under the program and to improve program operations; and''.

(3) CONFORMING AMENDMENT.—Section 17(d)(2)(B) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(d)(2)(B)) is amended by striking ''subsection (a)(1)'' and inserting ''subsection (a)(5)''.

(4) PROGRAM INFORMATION.—

(A) IN GENERAL.—Section 17(d) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(d)) is amended by adding at the end the following:

''(3) PROGRAM INFORMATION.—

''(A) IN GENERAL.—On enrollment of a child in a sponsored child care center or family or group day care home participating in the program, the center or home (or its sponsoring organization) shall provide to the child's parents or guardians—

''(i) information that describes the program and its benefits; and

''(ii) the name and telephone number of the sponsoring organization of the center or home and the State agency involved in the operation of the program.

''(B) FORM.—The information described in subparagraph (A) shall be in a form and, to the maximum extent practicable, language easily understandable by the child's parents or guardians.''.

(B) EFFECTIVE DATE.—In the case of a child that is enrolled in a sponsored child care center or family or group day care home participating in the child and adult care food program under section 17 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766) before the date of the enactment of this Act, the center or home shall provide information to the child's parents or guardians pursuant to section 17(d)(3) of that Act, as added by subparagraph (A), not later than 90 days after the date of the enactment of this Act.

(5) ALLOWABLE ADMINISTRATIVE EXPENSES FOR SPONSORING ORGANIZATIONS.—Section 17(d) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(d)), as amended by paragraph (4)(A), is amended by adding at the end the following:

''(4) ALLOWABLE ADMINISTRATIVE EXPENSES FOR SPONSORING ORGANIZATIONS.—In consultation with State agencies and sponsoring organizations, the Secretary shall develop, and provide for the dissemination to State agencies and sponsoring organizations of, a list of allowable reimbursable administrative expenses for sponsoring organizations under the program.''.

(c) TERMINATION OR SUSPENSION OF PARTICIPATING ORGANIZATIONS.—Section 17(d) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(d)), as amended by subsection (b)(5), is amended by adding at the end the following:

''(5) TERMINATION OR SUSPENSION OF PARTICIPATING ORGANIZATIONS.—

''(A) IN GENERAL.—The Secretary shall establish procedures for the termination of participation by institutions and family or group day care homes under the program.

''(B) STANDARDS.—Procedures established pursuant to subparagraph (A) shall include standards for terminating the participation of an institution or family or group day care home that—

''(i) engages in unlawful practices, falsifies information provided to the State agency, or conceals a criminal background; or

''(ii) substantially fails to fulfill the terms of its agreement with the State agency.

''(C) CORRECTIVE ACTION.—Procedures established pursuant to subparagraph (A)—

''(i) shall require an entity described in subparagraph (B) to undertake corrective action; and

''(ii) may require the immediate suspension of operation of the program by an entity described in subparagraph (B), without the opportunity for corrective action, if the State agency determines that there is imminent threat to the health or safety of a participant at the entity or the entity engages in any activity that poses a threat to public health or safety.

''(D) HEARING.—An institution or family or group day care home shall be provided a fair hearing in accordance with subsection (e)(1) prior to any determination to terminate participation by the institution or family or group day care home under the program.

''(E) LIST OF DISQUALIFIED INSTITUTIONS AND INDIVIDUALS.—

''(i) IN GENERAL.—The Secretary shall maintain a list of institutions, sponsored family or group day care homes, and individuals that have been terminated or otherwise disqualified from participation in the program.

''(ii) AVAILABILITY.—The Secretary shall make the list available to State agencies for use in approving or renewing applications by institutions, sponsored family or group day care homes, and individuals for participation in the program.''.

(d) RECOVERY OF AMOUNTS FROM INSTITUTIONS.—Section 17(f)(1) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(f)(1)) is amended—

(1) by striking ''(f)(1) Funds paid'' and inserting the following:

''(f) STATE DISBURSEMENTS TO INSTITUTIONS.—

''(1) IN GENERAL.—

''(A) REQUIREMENT.—Funds paid''; and

(2) by adding at the end the following:

''(B) FRAUD OR ABUSE.—

''(i) IN GENERAL.—The State may recover funds disbursed under subparagraph (A) to an institution if the State determines that the institution has engaged in fraud or abuse with respect to the program or has submitted an invalid claim for reimbursement.

''(ii) PAYMENT.—Amounts recovered under clause (i)—

''(I) may be paid by the institution to the State over a period of 1 or more years; and

''(II) shall not be paid from funds used to provide meals and supplements.

''(iii) HEARING.—An institution shall be provided a fair hearing in accordance with subsection (e)(1) prior to any determination to recover funds under this subparagraph.''.

(e) LIMITATION ON ADMINISTRATIVE EXPENSES FOR CERTAIN SPONSORING ORGANIZATIONS.—Section 17(f)(2) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(f)(2)) is amended by adding at the end the following:

''(C) LIMITATION ON ADMINISTRATIVE EXPENSES FOR CERTAIN SPONSORING ORGANIZATIONS.—

''(i) IN GENERAL.—Except as provided in clause (ii), a sponsoring organization of a day care center may reserve not more than 15 percent of the funds provided under paragraph (1) for the administrative expenses of the organization.

''(ii) WAIVER.—A State may waive the requirement in clause (i) with respect to a sponsoring organization if the organization provides justification to the State that the organization requires funds in excess of 15 percent of the funds provided under paragraph (1) to pay the administrative expenses of the organization.''.

(f) LIMITATIONS ON ABILITY OF FAMILY OR GROUP DAY CARE HOMES TO TRANSFER SPONSORING ORGANIZATIONS.—Section 17(f)(3) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(f)(3)) is amended by striking subparagraph (D) and inserting the following:

''(D) LIMITATIONS ON ABILITY OF FAMILY OR GROUP DAY CARE HOMES TO TRANSFER SPONSORING ORGANIZATIONS.—

''(i) IN GENERAL.—Subject to clause (ii), a State agency shall limit the ability of a family or group day care home to transfer from a sponsoring organization to another sponsoring organization more frequently than once a year

''(ii) GOOD CAUSE.—The State agency may permit or require a family or group day care home to transfer from a sponsoring organization to another sponsoring organization more frequently than once a year for good cause (as determined by the State agency), including circumstances in which the sponsoring organization of the family or group day care home ceases to participate in the child and adult care food program.''.

(g) STATEWIDE DEMONSTRATION PROJECTS INVOLVING PRIVATE FOR-PROFIT ORGANIZATIONS THAT PROVIDE NONRESIDENTIAL DAY CARE SERVICES.—

(1) IN GENERAL.—Section 17(p) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(p)) is amended—

(A) in the first sentence of paragraph (1), by striking ''2 statewide demonstration projects'' and inserting ''statewide demonstration projects in 3 States''; and

(B) in paragraph (3)—

(i) by inserting ''in'' after ''subsection'';

(ii) in subparagraph (A), by striking ''and'' at the end;

(iii) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(C) 1 other State—

''(i) with fewer than 60,000 children below 5 years of age;

''(ii) that serves more than the national average proportion of children potentially eligible for assistance provided under the Child Care and Development Fund (as indicated in data published by the Department of Health and Human Services in October 1999);

''(iii) that exempts all families from cost sharing requirements under programs funded by the Child Care and Development Fund; and

''(iv) in which State spending represents more than 50 percent of total expenditures made under the Child Care and Development Fund.''.

(2) EFFECTIVE DATE.—The Secretary may carry out demonstration projects in the State described in section 17(p)(3)(C) of the Richard B. Russell National School Lunch Act, as added by paragraph (1)(B)(iv), beginning not earlier than October 1, 2001.

(h) TECHNICAL AND TRAINING ASSISTANCE FOR IDENTIFICATION AND PREVENTION OF FRAUD AND ABUSE.—Section 17(q) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(q)) is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following:

''(2) TECHNICAL AND TRAINING ASSISTANCE FOR IDENTIFICATION AND PREVENTION OF FRAUD AND ABUSE.—As part of training and technical assistance provided under paragraph (1), the Secretary shall provide training on a continuous basis to State agencies, and shall ensure that such training is provided to sponsoring organizations, for the identification and prevention of fraud and abuse under the program and to improve management of the program.''.

(i) PROGRAM FOR AT-RISK SCHOOL CHILDREN.—Section 17(r) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(r)) is amended—

(1) in paragraph (2), by inserting ''meals or'' before ''supplements'';

(2) in paragraph (4)—

(A) in the heading, by striking ''SUPPLEMENT'' and inserting ''MEAL AND SUPPLEMENT'';

(B) in subparagraph (A)—

(i) by striking ''only for'' and all that follows through ''(i) a supplement'' and inserting ''only for 1 meal per child per day and 1 supplement per child per day'';

(ii) by striking ''; and'' and inserting a period; and

(iii) by striking clause (ii);

(C) in subparagraph (B), by striking ''RATE.—A supplement'' and inserting the following: ''RATES.—

''(i) MEALS.—A meal shall be reimbursed under this subsection at the rate established for free meals under subsection (c).

''(ii) SUPPLEMENTS.—A supplement''; and

(D) in subparagraph (C), by inserting ''meal or'' before ''supplement''; and

(3) by adding at the end the following:

''(5) LIMITATION.—The Secretary shall limit reimbursement under this subsection for meals served under a program to institutions located in 6 States, of which 4 States shall be Pennsylvania, Missouri, Delaware, and Michigan and 2 States shall be approved by the Secretary through a competitive application process.''.

(j) WITHHOLDING OF FUNDS FOR FAILURE TO PROVIDE SUFFICIENT TRAINING, TECHNICAL ASSISTANCE, AND MONITORING.—Section 7(a)(9)(A) of the Child Nutrition Act of 1966 (42 U.S.C. 1776(a)(9)(A)) is amended by inserting after ''the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.)'' the following: ''(including any requirement to provide sufficient training, technical assistance, and monitoring of the child and adult care food program under section 17 of that Act (42 U.S.C. 1766))''.

SEC. 244. ADJUSTMENTS TO WIC PROGRAM.

(a) DEFINITION.—Section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)) is amended by adding at the end the following:

''(21) REMOTE INDIAN OR NATIVE VILLAGE.—The term 'remote Indian or Native village' means an Indian or Native village that—

''(A) is located in a rural area;

''(B) has a population of less than 5,000 inhabitants; and

''(C) is not accessible year-around by means of a public road (as defined in section 101 of title 23, United States Code).''.

(b) COST-OF-LIVING ALLOWANCES FOR MEMBERS OF UNIFORMED SERVICES.—Section 17(d)(2)(B) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(d)(2)(B)) is amended—

(1) by striking ''income any'' and inserting ''income—

''(i) any'';

(2) by striking ''quarters'' and inserting ''housing'';

(3) by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(ii) any cost-of-living allowance provided under section 405 of title 37, United States Code, to a member of a uniformed service who is on duty outside the continental United States.''.

(c) PROOF OF RESIDENCY.—Section 17(d)(3) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(d)(3)) is amended by adding at the end the following:

''(F) PROOF OF RESIDENCY.—An individual residing in a remote Indian or Native village or an individual served by an Indian tribal organization and residing on a reservation or pueblo may, under standards established by the Secretary, establish proof of residency under this section by providing to the State agency the mailing address of the individual and the name of the remote Indian or Native village.''.

(d) ADJUSTMENT OF GRANT.—Section 17(h)(1)(B) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(1)(B)) is amended—

(1) in clause (i), by striking ''the fiscal year 1987'' and inserting ''the preceding fiscal year''; and

(2) in clause (ii)—

(A) by striking ''the fiscal year 1987'' and inserting ''the preceding fiscal year''; and

(B) by striking subclause (I) and inserting the following:

''(I) the value of the index for State and local government purchases, as published by the Bureau of Economic Analysis of the Department of Commerce, for the 12-month period ending June 30 of the second preceding fiscal year; and''.

(e) ALLOCATION OF FUNDS.—Section 17(h)(5) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(5)) is amended by adding at the end the following:

''(D) REMOTE INDIAN OR NATIVE VILLAGES.—For noncontiguous States containing a significant number of remote Indian or Native villages, a State agency may convert amounts allocated for food benefits for a fiscal year to the costs of nutrition services and administration to the extent that the conversion is necessary to cover expenditures incurred in providing services (including the full cost of air transportation and other transportation) to remote Indian or Native villages and to provide breastfeeding support in remote Indian or Native villages.''.

(f) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section take effect on the date of enactment of this Act.

(2) ALLOCATION OF FUNDS.—The amendments made by subsections (d) and (e) take effect on October 1, 2000.

Subtitle F—Other Programs

SEC. 251. AUTHORITY TO PROVIDE LOAN IN CONNECTION WITH BOLL WEEVIL ERADICATION.

(a) LOAN AUTHORITY.—Notwithstanding any other provision of law, the Secretary, acting through the Farm Service Agency, shall use $10,000,000 of funds of the Commodity Credit Corporation to make a loan to the Texas Boll Weevil Eradication Foundation, Inc., to enable the Foundation to retire certain debt associated with boll weevil eradication zones which have ended their participation, in whole or in part, in the federally funded boll weevil eradication program.

(b) REPAYMENT TERMS AND CONDITIONS.—The loan provided under subsection (a) shall be subject to the following terms and conditions:

(1) Repayment shall be scheduled to begin on January 1 of the year following the first year during which the boll weevil eradication zone, or any part thereof, responsible for the debt retired using the loan resumes participation in any federally funded boll weevil eradication program.

(2) No interest shall be charged.

(c) LIMITATION.—The cost of the loan made under this section shall not exceed the loan subsidy sufficient to make the loan.

SEC. 252. ANIMAL DISEASE CONTROL.

(a) PSEUDORABIES.—Of the amount made available under section 261(a)(2), the Secretary shall use $7,000,000 to cover pseudorabies vaccination costs incurred by pork producers.

(b) BOVINE TUBERCULOSIS.—Of the amount made available under section 261(a)(2), the Secretary shall use $6,000,000 to respond to bovine tuberculosis in the State of Michigan. The funds shall be available for the following purposes:

(1) The surveillance and testing of cattle and wildlife.

(2) Research regarding bovine tuberculosis, to be conducted by the Agricultural Research Service and Michigan State University.

(3) The provision of increased indemnity payments to encourage the depopulation of infected herds.

(4) The performance of diagnostic testing and treatment of humans affected by bovine tuberculosis.

(5) Slaughter surveillance.

(6) The control and prevention of the exposure of livestock to infected wildlife, including the installation of fencing to minimize contact between livestock and wildlife.

(7) The distribution of information regarding the risk and control of bovine tuberculosis, including technological improvements to enhance communication.

SEC. 253. EMERGENCY LOANS FOR SEED PRODUCERS.

(a) IN GENERAL.—Of the amount made available under section 261(a)(2), the Secretary shall use $35,000,000, plus $200,000 for payment of administrative costs, to make no-interest loans to producers of the 1999 crop of grass, forage, vegetable, and sorghum seed that have not received payments from AgriBiotech for the seed as a result of bankruptcy proceedings involving AgriBiotech (referred to in this section as the ''bankruptcy proceedings'').

(b) LOANS.—

(1) IN GENERAL.—The amount of the loan made to a seed producer under this section shall be not more than 65 percent of the amount owed by AgriBiotech to the seed producer for the 1999 seed crop, as determined by the Secretary.

(2) ELIGIBILITY.—To be eligible for a loan under this section, the claim of a seed producer in the bankruptcy proceedings must have arisen from a contract to grow seeds in the United States.

(3) CONTROL.—In determining the amount owed by AgriBiotech to a seed producer under paragraph (1), the Secretary shall consider whether the seed producer has relinquished control of the seed to AgriBiotech or has the seed in inventory waiting to be sold.

(4) SECURITY.—A loan to a seed producer under this section shall be secured in part by the claim of the seed producer in the bankruptcy proceedings.

(5) REPAYMENT.—Each seed producer shall repay to the Secretary, for deposit in the Treasury, the amount of the loan made to the seed producer on the earlier of—

(A) the date of settlement of, completion of, or final distribution of assets in the bankruptcy proceedings involving AgriBiotech; or

(B) the date that is 18 months after the date on which the loan was made to the seed producer.

(c) ADDITIONAL TERMS.—

(1) SHORTFALL IN AMOUNT RECEIVED FROM BANKRUPTCY PROCEEDINGS.—If the amount that the seed producer receives as a result of the proceedings described in subsection (b)(5)(A) is less than the amount of the loan made to the seed producer under subsection (b)(1), the seed producer shall be eligible to have the balance of the loan converted, but not refinanced, to a loan that has the same terms and conditions as an operating loan under subtitle B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1941 et seq.).

(2) LENGTHY BANKRUPTCY PROCEEDINGS.—If a seed producer is required to repay a loan under subsection (b)(5)(B), the seed producer shall be eligible to have the balance of the loan converted, but not refinanced, to a loan that has the same terms and conditions as an operating loan under subtitle B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1941 et seq.).

(d) LIMITATION.—The cost of all loans made under this section shall not exceed $15,000,000.

SEC. 254. TEMPORARY SUSPENSION OF AUTHORITY TO COMBINE CERTAIN OFFICES.

(a) SUSPENSION.—During the period beginning on the date of enactment of this Act and ending on June 1, 2001, the Secretary may not combine or take any action to combine, at the State level, offices of the agencies specified in subsection (b) unless the offices are located in the same county as of the date of enactment of this Act.

(b) COVERED OFFICES.—Subsection (a) applies to an office of any of the following agencies:

(1) The Farm Service Agency.

(2) The Natural Resources Conservation Service.

(3) The Rural Utilities Service.

(4) The Rural Housing Service.

(5) The Rural Business-Cooperative Service.

(c) REPORT.—Not later than April 1, 2001, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing any proposed combination of offices specified in subsection (b) that includes a certification that the proposed combination would result in the lowest cost to the Federal Government over the long term.

SEC. 255. FARM OPERATING LOAN ELIGIBILITY.

During the period beginning on the date of enactment of this Act and ending on December 31, 2002—

(1) sections 311(c) and 319 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1941(c), 1949) shall have no force or effect; and

(2) in making direct loans under subtitle B of that Act (7 U.S.C. 1941 et seq.), the Secretary shall give priority to a qualified beginning farmer or rancher who has not operated a farm or ranch, or who has operated a farm or ranch for not more than 5 years.

SEC. 256. WATER SYSTEMS FOR RURAL AND NATIVE VILLAGES IN ALASKA.

Section 306D of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926d) is amended by striking subsection (d) and inserting the following:

''(d) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated to carry out this section $30,000,000 for each of fiscal years 2001 and 2002.

''(2) TRAINING AND TECHNICAL ASSISTANCE.—Not more than 2 percent of the amount made available under paragraph (1) for a fiscal year may be used by the State of Alaska for training and technical assistance programs relating to the operation and management of water and waste disposal services in rural and Native villages.

''(3) AVAILABILITY.—Funds appropriated pursuant to the authorization of appropriations in paragraph (1) shall be available until expended.''.

SEC. 257. CROP AND PASTURE FLOOD COMPENSATION PROGRAM.

(a) DEFINITION OF COVERED LAND.—In this section:

(1) IN GENERAL.—The term ''covered land'' means land that—

(A) was unusable for agricultural production during the 2000 crop year as the result of flooding;

(B) was used for agricultural production during at least 1 of the 1992 through 1999 crop years;

(C) is a contiguous parcel of land of at least 1 acre; and

(D) is located in a county in which producers were eligible for assistance under the 1998 Flood Compensation Program established under part 1439 of title 7, Code of Federal Regulations.

(2) EXCLUSIONS.—The term ''covered land'' excludes any land for which a producer is insured, enrolled, or assisted during the 2000 crop year under—

(A) a policy or plan of insurance authorized under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.);

(B) the noninsured crop assistance program operated under section 196 of the Agricultural Market Transition Act (7 U.S.C. 7333);

(C) any crop disaster program established for the 2000 crop year;

(D) the conservation reserve program established under subchapter B of chapter 1 of subtitle D of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.);

(E) the wetlands reserve program established under subchapter C of chapter 1 of subtitle D of the Food Security Act of 1985 (16 U.S.C. 3837 et seq.);

(F) any emergency watershed protection program or Federal easement program that prohibits crop production or grazing; or

(G) any other Federal or State water storage program, as determined by the Secretary.

(b) COMPENSATION.—The Secretary shall use not more than $24,000,000 of funds of the Commodity Credit Corporation to compensate producers with covered land described with respect to losses from long-term flooding.

(c) PAYMENT RATE.—The payment rate for compensation provided to a producer under this section shall equal the average county cash rental rate per acre established by the National Agricultural Statistics Service for the 2000 crop year.

(d) PAYMENT LIMITATION.—The total amount of payments made to a person (as defined in section 1001(5) of the Food Security Act (7 U.S.C. 1308(5))) under this section may not exceed $40,000.

(e) CONFORMING AMENDMENT.—H.R. 3425 of the 106th Congress (as enacted into law by section 1000(a)(5) of Public Law 106–113 (113 Stat. 1535) and included as Appendix E of that Public Law (113 Stat. 1501A–289)) is amended in section 207 (113 Stat. 1501A–294) by inserting ''or Lake'' after ''Harney''.

SEC. 258. FLOOD MITIGATION NEAR PIERRE, SOUTH DAKOTA.

(a) REQUIREMENT.—Subject to subsection (b), as soon as practicable after the date of enactment of this Act, with respect to land and property described in the Flood Mitigation Study and Project Implementation Plan for the Missouri River near Pierre, South Dakota, prepared by the Omaha District Corps of Engineers, dated August 12, 1999, the Secretary of the Army shall—

(1) acquire the land and property from willing sellers; and

(2)(A) floodproof the land;

(B) relocate individuals located on the land;

(C) improve infrastructure on the land; or

(D) take other measures determined by the Secretary.

(b) RELEASES.—

(1) IN GENERAL.—The Secretary shall not proceed with full wintertime Oahe Powerplant releases until the Secretary amends the economic analysis in effect on the date of enactment of this Act to include an assumption that the Federal Government is responsible for mitigating any existing ground water flooding to the land and property described in subsection (a).

(2) REDUCTION.—To the extent the Secretary identifies benefits of mitigating any existing ground water flooding, full wintertime Oahe Powerplant releases shall be reduced consistent with the economic analysis described in paragraph (1).

(3) MINIMUM LEVEL.—This subsection shall not permit Oahe Powerplant releases to be reduced below existing operational levels.

SEC. 259. RESTORATION OF ELIGIBILITY FOR CROP LOSS ASSISTANCE.

(a) EFFECT OF CHANGE IN LEGAL STRUCTURE.—In the case of an individual or entity that was not eligible for a payment pursuant to subsection (c) of section 1102 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (as contained in section 101(a) of division A of Public Law 105–277; 7 U.S.C. 1421 note), solely because the individual or entity changed the legal structure of the individual's or entity's farming operation, the individual or entity shall be eligible for the payment the individual or entity would have received pursuant to that subsection had the individual or entity not changed the legal structure, less the amount of any payment received by the individual or entity pursuant to subsection (b) of that section.

(b) MULTIPLE FARMING OPERATIONS.—

(1) ELIGIBLE INDIVIDUALS.—In the case of an individual not described in subsection (a) that farmed acreage as a producer as a part of more than one farming operation, none of which received a payment pursuant to subsection (c) of

section 1102 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999, the individual shall be eligible for a payment pursuant to that subsection for losses that the Secretary determines would have been eligible for compensation with respect to that acreage based on the individual's interest in the production from that acreage.

(2) REDUCTION.—A payment made pursuant to paragraph (1) to an individual shall be reduced by the amount of a payment made pursuant to subsection (b) of that section 1102 attributed directly or indirectly to the individual with respect to the acreage described in paragraph (1).

Subtitle G—Administration

SEC. 261. FUNDING.

(a) PAYMENT.—Out of any moneys in the Treasury not otherwise appropriated, the Secretary of the Treasury shall provide to the Secretary the following:

(1) $34,000,000 for fiscal year 2000 to carry out section 241(a).

(2) $465,500,000 for fiscal year 2001 to carry out the following:

(A) Section 203 (other than subsection (f)).

(B) Subtitle C.

(C) Section 231.

(D) Section 241 (other than subsection (a)).

(E) Sections 252 and 253.

(b) ACCEPTANCE.—The Secretary shall be entitled to receive the funds and shall accept the funds, without further appropriation.

SEC. 262. OBLIGATION PERIOD.

Except as otherwise provided in this title, the Secretary and the Commodity Credit Corporation shall obligate and expend—

(1) funds made available under section 261(a)(1) only during fiscal year 2000; and

(2) funds made available under section 261(a)(2), and funds of the Commodity Credit Corporation made available under this title, only during fiscal year 2001.

SEC. 263. REGULATIONS.

(a) PROMULGATION.—As soon as practicable after the date of enactment of this Act, the Secretary and the Commodity Credit Corporation, as appropriate, shall promulgate such regulations as are necessary to implement this title and the amendments made by this title. The promulgation of the regulations and administration of this title shall be made without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act'').

(b) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

SEC. 264. PAYGO ADJUSTMENT.

The Director of the Office of Management and Budget shall not make any estimates of changes in direct spending outlays and receipts under section 252(d) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902(d)) resulting from enactment of this title.

SEC. 265. COMMODITY CREDIT CORPORATION REIMBURSEMENT.

Out of any moneys in the Treasury not otherwise appropriated, the Secretary of the Treasury shall use such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, under this title.

TITLE III—BIOMASS RESEARCH AND DEVELOPMENT ACT OF 2000

SEC. 301. SHORT TITLE.

This title may be cited as the ''Biomass Research and Development Act of 2000''.

SEC. 302. FINDINGS.

Congress finds that—

(1) conversion of biomass into biobased industrial products offers outstanding potential for benefit to the national interest through—

(A) improved strategic security and balance of payments;

(B) healthier rural economies;

(C) improved environmental quality;

(D) near-zero net greenhouse gas emissions;

(E) technology export; and

(F) sustainable resource supply;

(2) the key technical challenges to be overcome in order for biobased industrial products to be cost-competitive are finding new technology and reducing the cost of technology for converting biomass into desired biobased industrial products;

(3) biobased fuels, such as ethanol, have the clear potential to be sustainable, low cost, and high performance fuels that are compatible with both current and future transportation systems and provide near-zero net greenhouse gas emissions;

(4) biobased chemicals have the clear potential for environmentally benign product life cycles;

(5) biobased power can—

(A) provide environmental benefits;

(B) promote rural economic development; and

(C) diversify energy resource options;

(6) many biomass feedstocks suitable for industrial processing show the clear potential for sustainable production, in some cases resulting in improved soil fertility and carbon sequestration;

(7)(A) grain processing mills are biorefineries that produce a diversity of useful food, chemical, feed, and fuel products; and

(B) technologies that result in further diversification of the range of value-added biobased industrial products can meet a key need for the grain processing industry;

(8)(A) cellulosic feedstocks are attractive because of their low cost and widespread availability; and

(B) research resulting in cost-effective technology to overcome the recalcitrance of cellulosic biomass would allow biorefineries to produce fuels and bulk chemicals on a very large scale, with a commensurately large realization of the benefit described in paragraph (1);

(9) research into the fundamentals to understand important mechanisms of biomass conversion can be expected to accelerate the application and advancement of biomass processing technology by—

(A) increasing the confidence and speed with which new technologies can be scaled up; and

(B) giving rise to processing innovations based on new knowledge;

(10) the added utility of biobased industrial products developed through improvements in processing technology would encourage the design of feedstocks that would meet future needs more effectively;

(11) the creation of value-added biobased industrial products would create new jobs in construction, manufacturing, and distribution, as well as new higher-valued exports of products and technology;

(12)(A) because of the relatively short-term time horizon characteristic of private sector investments, and because many benefits of biomass processing are in the national interest, it is appropriate for the Federal Government to provide precommercial investment in fundamental research and research-driven innovation in the biomass processing area; and

(B) such an investment would provide a valuable complement to ongoing and past governmental support in the biomass processing area; and

(13) several prominent studies, including studies by the President's Committee of Advisors on Science and Technology and the National Research Council—

(A) support the potential for large research-driven advances in technologies for production of biobased industrial products as well as associated benefits; and

(B) document the need for a focused, integrated, and innovation-driven research effort to provide the appropriate progress in a timely manner.

SEC. 303. DEFINITIONS.

In this title:

(1) ADVISORY COMMITTEE.—The term ''Advisory Committee'' means the Biomass Research and Development Technical Advisory Committee established by section 306.

(2) BIOBASED INDUSTRIAL PRODUCT.—The term ''biobased industrial product'' means fuels, chemicals, building materials, or electric power or heat produced from biomass.

(3) BIOMASS.—The term ''biomass'' means any organic matter that is available on a renewable or recurring basis, including agricultural crops and trees, wood and wood wastes and residues, plants (including aquatic plants), grasses, residues, fibers, and animal wastes, municipal wastes, and other waste materials.

(4) BOARD.—The term ''Board'' means the Biomass Research and Development Board established by section 305.

(5) INITIATIVE.—The term ''Initiative'' means the Biomass Research and Development Initiative established under section 307.

(6) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given the term in section 102(a) of the Higher Education Act of 1965 (20 U.S.C. 1002(a)).

(7) NATIONAL LABORATORY.—The term ''national laboratory'' has the meaning given the term ''laboratory'' in section 12(d) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)).

(8) POINT OF CONTACT.—The term ''point of contact'' means a point of contact designated under section 304(d).

(9) PROCESSING.—The term ''processing'' means the derivation of biobased industrial products from biomass, including—

(A) feedstock production;

(B) harvest and handling;

(C) pretreatment or thermochemical processing;

(D) fermentation;

(E) catalytic processing;

(F) product recovery; and

(G) coproduct production.

(10) RESEARCH AND DEVELOPMENT.—The term ''research and development'' means research, development, and demonstration.

SEC. 304. COOPERATION AND COORDINATION IN BIOMASS RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—The Secretary of Agriculture and the Secretary of Energy shall cooperate with respect to, and coordinate, policies and procedures that promote research and development leading to the production of biobased industrial products.

(b) PURPOSES.—The purposes of the cooperation and coordination shall be—

(1) to understand the key mechanisms underlying the recalcitrance of biomass for conversion into biobased industrial products;

(2) to develop new and cost-effective technologies that would result in large-scale commercial production of low cost and sustainable biobased industrial products;

(3) to ensure that biobased industrial products are developed in a manner that enhances their economic, energy security, and environmental benefits; and

(4) to promote the development and use of agricultural and energy crops for conversion into biobased industrial products.

(c) AREAS.—In carrying out this title, the Secretary of Agriculture and the Secretary of Energy, in consultation with heads of appropriate departments and agencies, shall promote research and development—

(1) to advance the availability and widespread use of energy efficient, economically competitive, and environmentally sound biobased industrial products in a manner that is consistent

with the goals of the United States relating to sustainable and secure supplies of food, chemicals, and fuel;

(2) to ensure full consideration of Federal land and land management programs as potential feedstock resources for biobased industrial products; and

(3) to assess the environmental, economic, and social impact of production of biobased industrial products from biomass on a large scale.

(d) POINTS OF CONTACT.—

(1) IN GENERAL.—To coordinate research and development programs and activities relating to biobased industrial products that are carried out by their respective Departments—

(A) the Secretary of Agriculture shall designate, as the point of contact for the Department of Agriculture, an officer of the Department of Agriculture appointed by the President to a position in the Department before the date of the designation, by and with the advice and consent of the Senate; and

(B) the Secretary of Energy shall designate, as the point of contact for the Department of Energy, an officer of the Department of Energy appointed by the President to a position in the Department before the date of the designation, by and with the advice and consent of the Senate.

(2) DUTIES.—The points of contact shall jointly—

(A) assist in arranging interlaboratory and site-specific supplemental agreements for research and development projects relating to biobased industrial products;

(B) serve as cochairpersons of the Board;

(C) administer the Initiative; and

(D) respond in writing to each recommendation of the Advisory Committee made under section 306(c).

SEC. 305. BIOMASS RESEARCH AND DEVELOPMENT BOARD.

(a) ESTABLISHMENT.—There is established the Biomass Research and Development Board, which shall supersede the Interagency Council on Biobased Products and Bioenergy established by Executive Order 13134, to coordinate programs within and among departments and agencies of the Federal Government for the purpose of promoting the use of biobased industrial products by—

(1) maximizing the benefits deriving from Federal grants and assistance; and

(2) bringing coherence to Federal strategic planning.

(b) MEMBERSHIP.—The Board shall consist of—

(1) the point of contact of the Department of Energy designated under section 304(d)(1)(B), who shall serve as cochairperson of the Board;

(2) the point of contact of the Department of Agriculture designated under section 304(d)(1)(A), who shall serve as cochairperson of the Board;

(3) a senior officer of each of the Department of the Interior, the Environmental Protection Agency, the National Science Foundation, and the Office of Science and Technology Policy, each of whom shall—

(A) be appointed by the head of the respective agency; and

(B) have a rank that is equivalent to the rank of the points of contact; and

(4) at the option of the Secretary of Agriculture and the Secretary of Energy, other members appointed by the Secretaries (after consultation with the members described in paragraphs (1) through (3)).

(c) DUTIES.—The Board shall—

(1) coordinate research and development activities relating to biobased industrial products—

(A) between the Department of Agriculture and the Department of Energy; and

(B) with other departments and agencies of the Federal Government; and

(2) provide recommendations to the points of contact concerning administration of this title.

(d) FUNDING.—Each agency represented on the Board is encouraged to provide funds for any purpose under this title.

(e) MEETINGS.—The Board shall meet at least quarterly to enable the Board to carry out the duties of the Board under subsection (c).

SEC. 306. BIOMASS RESEARCH AND DEVELOPMENT TECHNICAL ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—There is established the Biomass Research and Development Technical Advisory Committee, which shall supersede the Advisory Committee on Biobased Products and Bioenergy established by Executive Order 13134—

(1) to advise the Secretary of Energy, the Secretary of Agriculture, and the points of contact concerning—

(A) the technical focus and direction of requests for proposals issued under the Initiative; and

(B) procedures for reviewing and evaluating the proposals;

(2) to facilitate consultations and partnerships among Federal and State agencies, agricultural producers, industry, consumers, the research community, and other interested groups to carry out program activities relating to the Initiative; and

(3) to evaluate and perform strategic planning on program activities relating to the Initiative.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Advisory Committee shall consist of—

(A) an individual affiliated with the biobased industrial products industry;

(B) an individual affiliated with an institution of higher education who has expertise in biobased industrial products;

(C) 2 prominent engineers or scientists from government or academia who have expertise in biobased industrial products;

(D) an individual affiliated with a commodity trade association;

(E) an individual affiliated with an environmental or conservation organization;

(F) an individual associated with State government who has expertise in biobased industrial products;

(G) an individual with expertise in energy analysis;

(H) an individual with expertise in the economics of biobased industrial products;

(I) an individual with expertise in agricultural economics; and

(J) at the option of the points of contact, other members.

(2) APPOINTMENT.—The members of the Advisory Committee shall be appointed by the points of contact.

(c) DUTIES.—The Advisory Committee shall—

(1) advise the points of contact with respect to the Initiative; and

(2) evaluate whether, and make recommendations in writing to the Board to ensure that—

(A) funds authorized for the Initiative are distributed and used in a manner that is consistent with the goals of the Initiative;

(B) the points of contact are funding proposals under this title that are selected on the basis of merit, as determined by an independent panel of scientific and technical peers; and

(C) activities under this title are carried out in accordance with this title.

(d) COORDINATION.—To avoid duplication of effort, the Advisory Committee shall coordinate its activities with those of other Federal advisory committees working in related areas.

(e) MEETINGS.—The Advisory Committee shall meet at least quarterly to enable the Advisory Committee to carry out the duties of the Advisory Committee under subsection (c).

(f) TERMS.—Members of the Advisory Committee shall be appointed for a term of 3 years, except that—

(1) ⅓ of the members initially appointed shall be appointed for a term of 1 year; and

(2) ⅓ of the members initially appointed shall be appointed for a term of 2 years.

SEC. 307. BIOMASS RESEARCH AND DEVELOPMENT INITIATIVE.

(a) IN GENERAL.—The Secretary of Agriculture and the Secretary of Energy, acting through their respective points of contact and in consultation with the Board, shall establish and carry out a Biomass Research and Development Initiative under which competitively awarded grants, contracts, and financial assistance are provided to, or entered into with, eligible entities to carry out research on biobased industrial products.

(b) PURPOSES.—The purposes of grants, contracts, and assistance under this section shall be—

(1) to stimulate collaborative activities by a diverse range of experts in all aspects of biomass processing for the purpose of conducting fundamental and innovation-targeted research and technology development;

(2) to enhance creative and imaginative approaches toward biomass processing that will serve to develop the next generation of advanced technologies making possible low cost and sustainable biobased industrial products;

(3) to strengthen the intellectual resources of the United States through the training and education of future scientists, engineers, managers, and business leaders in the field of biomass processing; and

(4) to promote integrated research partnerships among colleges, universities, national laboratories, Federal and State research agencies, and the private sector as the best means of overcoming technical challenges that span multiple research and engineering disciplines and of gaining better leverage from limited Federal research funds.

(c) ELIGIBLE ENTITIES.—

(1) IN GENERAL.—To be eligible for a grant, contract, or assistance under this section, an applicant shall be—

(A) an institution of higher education;

(B) a national laboratory;

(C) a Federal research agency;

(D) a State research agency;

(E) a private sector entity;

(F) a nonprofit organization; or

(G) a consortium of 2 or more entities described in subparagraphs (A) through (F).

(2) ADMINISTRATION.—After consultation with the Board, the points of contact shall—

(A) publish annually 1 or more joint requests for proposals for grants, contracts, and assistance under this section;

(B) establish a priority in grants, contracts, and assistance under this section for research that—

(i) demonstrates potential for significant advances in biomass processing;

(ii) demonstrates potential to substantially further scale-sensitive national objectives such as—

(I) sustainable resource supply;

(II) reduced greenhouse gas emissions;

(III) healthier rural economies; and

(IV) improved strategic security and trade balances; and

(iii) would improve knowledge of important biomass processing systems that demonstrate potential for commercial applications;

(C) require that grants, contracts, and assistance under this section be awarded competitively, on the basis of merit, after the establishment of procedures that provide for scientific peer review by an independent panel of scientific and technical peers; and

(D) give preference to applications that—

(i) involve a consortia of experts from multiple institutions; and

(ii) encourage the integration of disciplines and application of the best technical resources.

(d) USES OF GRANTS, CONTRACTS, AND ASSISTANCE.—A grant, contract, or assistance under this section may be used to conduct—

(1) research on process technology for overcoming the recalcitrance of biomass, including research on key mechanisms, advanced technologies, and demonstration test beds for—

(A) feedstock pretreatment and hydrolysis of cellulose and hemicellulose, including new technologies for—

(i) enhanced sugar yields;

(ii) lower overall chemical use;

(iii) less costly materials; and

(iv) cost reduction;

(B) development of novel organisms and other approaches to substantially lower the cost of cellulase enzymes and enzymatic hydrolysis, including dedicated cellulase production and consolidated bioprocessing strategies; and

(C) approaches other than enzymatic hydrolysis for overcoming the recalcitrance of cellulosic biomass;

(2) research on technologies for diversifying the range of products that can be efficiently and cost-competitively produced from biomass, including research on—

(A) metabolic engineering of biological systems (including the safe use of genetically modified crops) to produce novel products, especially commodity products, or to increase product selectivity and tolerance, with a research priority for the development of biobased industrial products that can compete in performance and cost with fossil-based products;

(B) catalytic processing to convert intermediates of biomass processing into products of interest;

(C) separation technologies for cost-effective product recovery and purification;

(D) approaches other than metabolic engineering and catalytic conversion of intermediates of biomass processing;

(E) advanced biomass gasification technologies, including coproduction of power and heat as an integrated component of biomass processing, with the possibility of generating excess electricity for sale; and

(F) related research in advanced turbine and stationary fuel cell technology for production of electricity from biomass; and

(3) research aimed at ensuring the environmental performance and economic viability of biobased industrial products and their raw material input of biomass when considered as an integrated system, including research on—

(A) the analysis of, and strategies to enhance, the environmental performance and sustainability of biobased industrial products, including research on—

(i) accurate measurement and analysis of greenhouse gas emissions, carbon sequestration, and carbon cycling in relation to the life cycle of biobased industrial products and feedstocks with respect to other alternatives;

(ii) evaluation of current and future biomass resource availability;

(iii) development and analysis of land management practices and alternative biomass cropping systems that ensure the environmental performance and sustainability of biomass production and harvesting;

(iv) the land, air, water, and biodiversity impacts of large-scale biomass production, processing, and use of biobased industrial products relative to other alternatives; and

(v) biomass gasification and combustion to produce electricity;

(B) the analysis of, and strategies to enhance, the economic viability of biobased industrial products, including research on—

(i) the cost of the required process technology;

(ii) the impact of coproducts, including food, animal feed, and fiber, on biobased industrial product price and large-scale economic viability; and

(iii) interactions between an emergent biomass refining industry and the petrochemical refining infrastructure; and

(C) the field and laboratory research related to feedstock production with the interrelated goals of enhancing the sustainability, increasing productivity, and decreasing the cost of biomass processing, including research on—

(i) altering biomass to make biomass easier and less expensive to process;

(ii) existing and new agricultural and energy crops that provide a sustainable resource for conversion to biobased industrial products while simultaneously serving as a source for coproducts such as food, animal feed, and fiber;

(iii) improved technologies for harvest, collection, transport, storage, and handling of crop and residue feedstocks; and

(iv) development of economically viable cropping systems that improve the conservation and restoration of marginal land; or

(4) any research and development in technologies or processes determined by the Secretary of Agriculture and the Secretary of Energy, acting through their respective points of contact and in consultation with the Board, to be consistent with the purposes described in subsection (b) and the priority described in subsection (c)(2)(B).

(e) TECHNOLOGY AND INFORMATION TRANSFER TO AGRICULTURAL USERS.—

(1) IN GENERAL.—The Administrator of the Cooperative State Research, Education, and Extension Service and the Chief of the Natural Resources Conservation Service shall ensure that applicable research results and technologies from the Initiative are adapted, made available, and disseminated through their respective services, as appropriate.

(2) REPORT.—Not later than 5 years after the date of enactment of this Act, the Administrator of the Cooperative State Research, Education, and Extension Service and the Chief of the Natural Resources Conservation Service shall submit to the committees of Congress with jurisdiction over the Initiative a report on the activities conducted by the services under this subsection.

(f) AUTHORIZATION OF APPROPRIATIONS.—In addition to funds appropriated for biomass research and development under the general authority of the Secretary of Energy to conduct research and development programs (which may also be used to carry out this title), there are authorized to be appropriated to the Department of Agriculture to carry out this title $49,000,000 for each of fiscal years 2000 through 2005.

SEC. 308. ADMINISTRATIVE SUPPORT AND FUNDS.

(a) IN GENERAL.—To the extent administrative support and funds are not provided by other agencies under subsection (b), the Secretary of Energy and the Secretary of Agriculture may provide such administrative support and funds of the Department of Energy and the Department of Agriculture to the Board and the Advisory Committee as are necessary to enable the Board and the Advisory Committee to carry out their duties under this title.

(b) OTHER AGENCIES.—The heads of the agencies referred to in section 305(b)(3), and the other members appointed under section 305(b)(4), may, and are encouraged to, provide administrative support and funds of their respective agencies to the Board and the Advisory Committee.

(c) LIMITATION.—Not more than 4 percent of the amount appropriated for each fiscal year under section 307(f) may be used to pay the administrative costs of carrying out this title.

SEC. 309. REPORTS.

(a) INITIAL REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of Energy and the Secretary of Agriculture shall jointly submit to Congress a report that—

(1) identifies the points of contact, the members of the Board, and the members of the Advisory Committee;

(2) describes the status of current biobased industrial product research and development efforts in both the Federal Government and private sector;

(3) includes a section prepared by the Board that establishes a set of criteria to assess the potential of biobased industrial products, which shall include for both biomass production and transformation into biobased industrial products—

(A) an energy accounting;

(B) an environmental impact assessment; and

(C) an economic assessment; and

(4) describes the research and development goals of the Initiative, including how funds will be allocated in order to accomplish those goals.

(b) ANNUAL REPORTS.—For each fiscal year for which funds are made available to carry out this title, the Secretary of Energy and the Secretary of Agriculture shall jointly submit to Congress a detailed report on—

(1) the status and progress of the Initiative, including a report from the Advisory Committee on whether funds appropriated for the Initiative have been distributed and used in a manner that—

(A) is consistent with the purposes described in section 307(b);

(B) uses the set of criteria established under subsection (a)(3); and

(C) takes into account any recommendations that have been made by the Advisory Committee;

(2) the general status of cooperation and research and development efforts carried out at each agency with respect to biobased industrial products, including a report from the Advisory Committee on whether the points of contact are funding proposals that are selected under section 307(c)(2)(C); and

(3) the plans of the Secretary of Energy and the Secretary of Agriculture for addressing concerns raised in the report, including concerns raised by the Advisory Committee.

SEC. 310. TERMINATION OF AUTHORITY.

The authority provided under this title shall terminate on December 31, 2005.

TITLE IV—PLANT PROTECTION ACT

SEC. 401. SHORT TITLE.

This title may be cited as the ''Plant Protection Act''.

SEC. 402. FINDINGS.

Congress finds that—

(1) the detection, control, eradication, suppression, prevention, or retardation of the spread of plant pests or noxious weeds is necessary for the protection of the agriculture, environment, and economy of the United States;

(2) biological control is often a desirable, low-risk means of ridding crops and other plants of plant pests and noxious weeds, and its use should be facilitated by the Department of Agriculture, other Federal agencies, and States whenever feasible;

(3) it is the responsibility of the Secretary to facilitate exports, imports, and interstate commerce in agricultural products and other commodities that pose a risk of harboring plant pests or noxious weeds in ways that will reduce, to the extent practicable, as determined by the Secretary, the risk of dissemination of plant pests or noxious weeds;

(4) decisions affecting imports, exports, and interstate movement of products regulated under this title shall be based on sound science;

(5) the smooth movement of enterable plants, plant products, biological control organisms, or other articles into, out of, or within the United States is vital to the United State's economy and should be facilitated to the extent possible;

(6) export markets could be severely impacted by the introduction or spread of plant pests or noxious weeds into or within the United States;

(7) the unregulated movement of plant pests, noxious weeds, plants, certain biological control organisms, plant products, and articles capable of harboring plant pests or noxious weeds could present an unacceptable risk of introducing or spreading plant pests or noxious weeds;

(8) the existence on any premises in the United States of a plant pest or noxious weed new to or not known to be widely prevalent in or distributed within and throughout the United States could constitute a threat to crops and other plants or plant products of the United States and burden interstate commerce or foreign commerce; and

(9) all plant pests, noxious weeds, plants, plant products, articles capable of harboring plant pests or noxious weeds regulated under

this title are in or affect interstate commerce or foreign commerce.

SEC. 403. DEFINITIONS.

In this title:

(1) ARTICLE.—The term ''article'' means any material or tangible object that could harbor plant pests or noxious weeds.

(2) BIOLOGICAL CONTROL ORGANISM.—The term ''biological control organism'' means any enemy, antagonist, or competitor used to control a plant pest or noxious weed.

(3) ENTER AND ENTRY.—The terms ''enter'' and ''entry'' mean to move into, or the act of movement into, the commerce of the United States.

(4) EXPORT AND EXPORTATION.—The terms ''export'' and ''exportation'' mean to move from, or the act of movement from, the United States to any place outside the United States.

(5) IMPORT AND IMPORTATION.—The terms ''import'' and ''importation'' mean to move into, or the act of movement into, the territorial limits of the United States.

(6) INTERSTATE.—The term ''interstate'' means—

(A) from one State into or through any other State; or

(B) within the District of Columbia, Guam, the Virgin Islands of the United States, or any other territory or possession of the United States.

(7) INTERSTATE COMMERCE.—The term ''interstate commerce'' means trade, traffic, or other commerce—

(A) between a place in a State and a point in another State, or between points within the same State but through any place outside that State; or

(B) within the District of Columbia, Guam, the Virgin Islands of the United States, or any other territory or possession of the United States.

(8) MEANS OF CONVEYANCE.—The term ''means of conveyance'' means any personal property used for or intended for use for the movement of any other personal property.

(9) MOVE AND RELATED TERMS.—The terms ''move'', ''moving'', and ''movement'' mean—

(A) to carry, enter, import, mail, ship, or transport;

(B) to aid, abet, cause, or induce the carrying, entering, importing, mailing, shipping, or transporting;

(C) to offer to carry, enter, import, mail, ship, or transport;

(D) to receive to carry, enter, import, mail, ship, or transport;

(E) to release into the environment; or

(F) to allow any of the activities described in a preceding subparagraph.

(10) NOXIOUS WEED.—The term ''noxious weed'' means any plant or plant product that can directly or indirectly injure or cause damage to crops (including nursery stock or plant products), livestock, poultry, or other interests of agriculture, irrigation, navigation, the natural resources of the United States, the public health, or the environment.

(11) PERMIT.—The term ''permit'' means a written or oral authorization, including by electronic methods, by the Secretary to move plants, plant products, biological control organisms, plant pests, noxious weeds, or articles under conditions prescribed by the Secretary.

(12) PERSON.—The term ''person'' means any individual, partnership, corporation, association, joint venture, or other legal entity.

(13) PLANT.—The term ''plant'' means any plant (including any plant part) for or capable of propagation, including a tree, a tissue culture, a plantlet culture, pollen, a shrub, a vine, a cutting, a graft, a scion, a bud, a bulb, a root, and a seed.

(14) PLANT PEST.—The term ''plant pest'' means any living stage of any of the following that can directly or indirectly injure, cause damage to, or cause disease in any plant or plant product:

(A) A protozoan.

(B) A nonhuman animal.

(C) A parasitic plant.

(D) A bacterium.

(E) A fungus.

(F) A virus or viroid.

(G) An infectious agent or other pathogen.

(H) Any article similar to or allied with any of the articles specified in the preceding subparagraphs.

(15) PLANT PRODUCT.—The term ''plant product'' means—

(A) any flower, fruit, vegetable, root, bulb, seed, or other plant part that is not included in the definition of plant; or

(B) any manufactured or processed plant or plant part.

(16) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(17) STATE.—The term ''State'' means any of the several States of the United States, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, the District of Columbia, Guam, the Virgin Islands of the United States, or any other territory or possession of the United States.

(18) SYSTEMS APPROACH.—For the purposes of section 412(e), the term ''systems approach'' means a defined set of phytosanitary procedures, at least 2 of which have an independent effect in mitigating pest risk associated with the movement of commodities.

(19) THIS TITLE.—Except when used in this section, the term ''this title'' includes any regulation or order issued by the Secretary under the authority of this title.

(20) UNITED STATES.—The term ''United States'' means all of the States.

Subtitle A—Plant Protection

SEC. 411. REGULATION OF MOVEMENT OF PLANT PESTS.

(a) PROHIBITION OF UNAUTHORIZED MOVEMENT OF PLANT PESTS.—Except as provided in subsection (c), no person shall import, enter, export, or move in interstate commerce any plant pest, unless the importation, entry, exportation, or movement is authorized under general or specific permit and is in accordance with such regulations as the Secretary may issue to prevent the introduction of plant pests into the United States or the dissemination of plant pests within the United States.

(b) REQUIREMENTS FOR PROCESSES.—The Secretary shall ensure that the processes used in developing regulations under subsection (a) governing consideration of import requests are based on sound science and are transparent and accessible.

(c) AUTHORIZATION OF MOVEMENT OF PLANT PESTS BY REGULATION.—

(1) EXCEPTION TO PERMIT REQUIREMENT.—The Secretary may issue regulations to allow the importation, entry, exportation, or movement in interstate commerce of specified plant pests without further restriction if the Secretary finds that a permit under subsection (a) is not necessary.

(2) PETITION TO ADD OR REMOVE PLANT PESTS FROM REGULATION.—Any person may petition the Secretary to add a plant pest to, or remove a plant pest from, the regulations issued by the Secretary under paragraph (1).

(3) RESPONSE TO PETITION BY THE SECRETARY.—In the case of a petition submitted under paragraph (2), the Secretary shall act on the petition within a reasonable time and notify the petitioner of the final action the Secretary takes on the petition. The Secretary's determination on the petition shall be based on sound science.

(d) PROHIBITION OF UNAUTHORIZED MAILING OF PLANT PESTS.—

(1) IN GENERAL.—Any letter, parcel, box, or other package containing any plant pest, whether sealed as letter-rate postal matter or not, is nonmailable and shall not knowingly be conveyed in the mail or delivered from any post office or by any mail carrier, unless the letter, parcel, box, or other package is mailed in compliance with such regulations as the Secretary may issue to prevent the dissemination of plant pests into the United States or interstate.

(2) APPLICATION OF POSTAL LAWS AND REGULATIONS.—Nothing in this subsection authorizes any person to open any mailed letter or other mailed sealed matter except in accordance with the postal laws and regulations.

(e) REGULATIONS.—Regulations issued by the Secretary to implement subsections (a), (c), and (d) may include provisions requiring that any plant pest imported, entered, to be exported, moved in interstate commerce, mailed, or delivered from any post office—

(1) be accompanied by a permit issued by the Secretary prior to the importation, entry, exportation, movement in interstate commerce, mailing, or delivery of the plant pest;

(2) be accompanied by a certificate of inspection issued (in a manner and form required by the Secretary) by appropriate officials of the country or State from which the plant pest is to be moved;

(3) be raised under post-entry quarantine conditions by or under the supervision of the Secretary for the purposes of determining whether the plant pest—

(A) may be infested with other plant pests;

(B) may pose a significant risk of causing injury to, damage to, or disease in any plant or plant product; or

(C) may be a noxious weed; and

(4) be subject to remedial measures the Secretary determines to be necessary to prevent the spread of plant pests.

SEC. 412. REGULATION OF MOVEMENT OF PLANTS, PLANT PRODUCTS, BIOLOGICAL CONTROL ORGANISMS, NOXIOUS WEEDS, ARTICLES, AND MEANS OF CONVEYANCE.

(a) IN GENERAL.—The Secretary may prohibit or restrict the importation, entry, exportation, or movement in interstate commerce of any plant, plant product, biological control organism, noxious weed, article, or means of conveyance, if the Secretary determines that the prohibition or restriction is necessary to prevent the introduction into the United States or the dissemination of a plant pest or noxious weed within the United States.

(b) POLICY.—The Secretary shall ensure that processes used in developing regulations under this section governing consideration of import requests are based on sound science and are transparent and accessible.

(c) REGULATIONS.—The Secretary may issue regulations to implement subsection (a), including regulations requiring that any plant, plant product, biological control organism, noxious weed, article, or means of conveyance imported, entered, to be exported, or moved in interstate commerce—

(1) be accompanied by a permit issued by the Secretary prior to the importation, entry, exportation, or movement in interstate commerce;

(2) be accompanied by a certificate of inspection issued (in a manner and form required by the Secretary) by appropriate officials of the country or State from which the plant, plant product, biological control organism, noxious weed, article, or means of conveyance is to be moved;

(3) be subject to remedial measures the Secretary determines to be necessary to prevent the spread of plant pests or noxious weeds; and

(4) with respect to plants or biological control organisms, be grown or handled under post-entry quarantine conditions by or under the supervision of the Secretary for the purposes of determining whether the plant or biological control organism may be infested with plant pests or may be a plant pest or noxious weed.

(d) NOTICE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall publish for public comment a notice describing the procedures and standards that govern the consideration of import requests. The notice shall—

(1) specify how public input will be sought in advance of and during the process of promulgating regulations necessitating a risk assessment in order to ensure a fully transparent and publicly accessible process; and

(2) include consideration of the following:

(A) Public announcement of import requests that will necessitate a risk assessment.

(B) A process for assigning major/nonroutine or minor/routine status to such requests based on current state of supporting scientific information.

(C) A process for assigning priority to requests.

(D) Guidelines for seeking relevant scientific and economic information in advance of initiating informal rulemaking.

(E) Guidelines for ensuring availability and transparency of assumptions and uncertainties in the risk assessment process including applicable risk mitigation measures relied upon individually or as components of a system of mitigative measures proposed consistent with the purposes of this title.

(e) STUDY AND REPORT ON SYSTEMS APPROACH.—

(1) STUDY.—The Secretary shall conduct a study of the role for and application of systems approaches designed to guard against the introduction of plant pathogens into the United States associated with proposals to import plants or plant products into the United States.

(2) PARTICIPATION BY SCIENTISTS.—In conducting the study the Secretary shall ensure participation by scientists from State departments of agriculture, colleges and universities, the private sector, and the Agricultural Research Service.

(3) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit a report on the results of the study conducted under this section to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives.

(f) NOXIOUS WEEDS.—

(1) REGULATIONS.—In the case of noxious weeds, the Secretary may publish, by regulation, a list of noxious weeds that are prohibited or restricted from entering the United States or that are subject to restrictions on interstate movement within the United States.

(2) PETITION TO ADD OR REMOVE PLANTS FROM REGULATION.—Any person may petition the Secretary to add a plant species to, or remove a plant species from, the regulations issued by the Secretary under this subsection.

(3) DUTIES OF THE SECRETARY.—In the case of a petition submitted under paragraph (2), the Secretary shall act on the petition within a reasonable time and notify the petitioner of the final action the Secretary takes on the petition. The Secretary's determination on the petition shall be based on sound science.

(g) BIOLOGICAL CONTROL ORGANISMS.—

(1) REGULATIONS.—In the case of biological control organisms, the Secretary may publish, by regulation, a list of organisms whose movement in interstate commerce is not prohibited or restricted. Any listing may take into account distinctions between organisms such as indigenous, nonindigenous, newly introduced, or commercially raised.

(2) PETITION TO ADD OR REMOVE BIOLOGICAL CONTROL ORGANISMS FROM THE REGULATIONS.—Any person may petition the Secretary to add a biological control organism to, or remove a biological control organism from, the regulations issued by the Secretary under this subsection.

(3) DUTIES OF THE SECRETARY.—In the case of a petition submitted under paragraph (2), the Secretary shall act on the petition within a reasonable time and notify the petitioner of the final action the Secretary takes on the petition. The Secretary's determination on the petition shall be based on sound science.

SEC. 413. NOTIFICATION AND HOLDING REQUIREMENTS UPON ARRIVAL.

(a) DUTY OF SECRETARY OF THE TREASURY.—

(1) NOTIFICATION.—The Secretary of the Treasury shall promptly notify the Secretary of Agriculture of the arrival of any plant, plant product, biological control organism, plant pest, or noxious weed at a port of entry.

(2) HOLDING.—The Secretary of the Treasury shall hold a plant, plant product, biological control organism, plant pest, or noxious weed for which notification is made under paragraph (1) at the port of entry until the plant, plant product, biological control organism, plant pest, or noxious weed—

(A) is inspected and authorized for entry into or transit movement through the United States; or

(B) is otherwise released by the Secretary of Agriculture.

(3) EXCEPTIONS.—Paragraphs (1) and (2) shall not apply to any plant, plant product, biological control organism, plant pest, or noxious weed that is imported from a country or region of a country designated by the Secretary of Agriculture, pursuant to regulations, as exempt from the requirements of such paragraphs.

(b) DUTY OF RESPONSIBLE PARTIES.—

(1) NOTIFICATION.—The person responsible for any plant, plant product, biological control organism, plant pest, noxious weed, article, or means of conveyance required to have a permit under section 411 or 412 shall provide the notification described in paragraph (3) as soon as possible after the arrival of the plant, plant product, biological control organism, plant pest, noxious weed, article, or means of conveyance at a port of entry and before the plant, plant product, biological control organism, plant pest, noxious weed, article, or means of conveyance is moved from the port of entry.

(2) SUBMISSION.—The notification shall be provided to the Secretary, or, at the Secretary's direction, to the proper official of the State to which the plant, plant product, biological control organism, plant pest, noxious weed, article, or means of conveyance is destined, or both, as the Secretary may prescribe.

(3) ELEMENTS OF NOTIFICATION.—The notification shall consist of the following:

(A) The name and address of the consignee.

(B) The nature and quantity of the plant, plant product, biological control organism, plant pest, noxious weed, article, or means of conveyance proposed to be moved.

(C) The country and locality where the plant, plant product, biological control organism, plant pest, noxious weed, article, or means of conveyance was grown, produced, or located.

(c) PROHIBITION ON MOVEMENT OF ITEMS WITHOUT AUTHORIZATION.—No person shall move from a port of entry or interstate any imported plant, plant product, biological control organism, plant pest, noxious weed, article, or means of conveyance unless the imported plant, plant product, biological control organism, plant pest, noxious weed, article, or means of conveyance—

(1) is inspected and authorized for entry into or transit movement through the United States; or

(2) is otherwise released by the Secretary.

SEC. 414. GENERAL REMEDIAL MEASURES FOR NEW PLANT PESTS AND NOXIOUS WEEDS.

(a) AUTHORITY TO HOLD, TREAT, OR DESTROY ITEMS.—If the Secretary considers it necessary in order to prevent the dissemination of a plant pest or noxious weed that is new to or not known to be widely prevalent or distributed within and throughout the United States, the Secretary may hold, seize, quarantine, treat, apply other remedial measures to, destroy, or otherwise dispose of any plant, plant pest, noxious weed, biological control organism, plant product, article, or means of conveyance that—

(1) is moving into or through the United States or interstate, or has moved into or through the United States or interstate, and—

(A) the Secretary has reason to believe is a plant pest or noxious weed or is infested with a plant pest or noxious weed at the time of the movement; or

(B) is or has been otherwise in violation of this title;

(2) has not been maintained in compliance with a post-entry quarantine requirement; or

(3) is the progeny of any plant, biological control organism, plant product, plant pest, or noxious weed that is moving into or through the United States or interstate, or has moved into the United States or interstate, in violation of this title.

(b) AUTHORITY TO ORDER AN OWNER TO TREAT OR DESTROY.—

(1) IN GENERAL.—The Secretary may order the owner of any plant, biological control organism, plant product, plant pest, noxious weed, article, or means of conveyance subject to action under subsection (a), or the owner's agent, to treat, apply other remedial measures to, destroy, or otherwise dispose of the plant, biological control organism, plant product, plant pest, noxious weed, article, or means of conveyance, without cost to the Federal Government and in the manner the Secretary considers appropriate.

(2) FAILURE TO COMPLY.—If the owner or agent of the owner fails to comply with the Secretary's order under this subsection, the Secretary may take an action authorized by subsection (a) and recover from the owner or agent of the owner the costs of any care, handling, application of remedial measures, or disposal incurred by the Secretary in connection with actions taken under subsection (a).

(c) CLASSIFICATION SYSTEM.—

(1) DEVELOPMENT REQUIRED.—To facilitate control of noxious weeds, the Secretary may develop a classification system to describe the status and action levels for noxious weeds. The classification system may include the current geographic distribution, relative threat, and actions initiated to prevent introduction or distribution.

(2) MANAGEMENT PLANS.—In conjunction with the classification system, the Secretary may develop integrated management plans for noxious weeds for the geographic region or ecological range where the noxious weed is found in the United States.

(d) APPLICATION OF LEAST DRASTIC ACTION.—No plant, biological control organism, plant product, plant pest, noxious weed, article, or means of conveyance shall be destroyed, exported, or returned to the shipping point of origin, or ordered to be destroyed, exported, or returned to the shipping point of origin under this section unless, in the opinion of the Secretary, there is no less drastic action that is feasible and that would be adequate to prevent the dissemination of any plant pest or noxious weed new to or not known to be widely prevalent or distributed within and throughout the United States.

SEC. 415. DECLARATION OF EXTRAORDINARY EMERGENCY AND RESULTING AUTHORITIES.

(a) AUTHORITY TO DECLARE.—If the Secretary determines that an extraordinary emergency exists because of the presence of a plant pest or noxious weed that is new to or not known to be widely prevalent in or distributed within and throughout the United States and that the presence of the plant pest or noxious weed threatens plants or plant products of the United States, the Secretary may—

(1) hold, seize, quarantine, treat, apply other remedial measures to, destroy, or otherwise dispose of, any plant, biological control organism, plant product, article, or means of conveyance that the Secretary has reason to believe is infested with the plant pest or noxious weed;

(2) quarantine, treat, or apply other remedial measures to any premises, including any plants, biological control organisms, plant products, articles, or means of conveyance on the premises, that the Secretary has reason to believe is infested with the plant pest or noxious weed;

(3) quarantine any State or portion of a State in which the Secretary finds the plant pest or

noxious weed or any plant, biological control organism, plant product, article, or means of conveyance that the Secretary has reason to believe is infested with the plant pest or noxious weed; and

(4) prohibit or restrict the movement within a State of any plant, biological control organism, plant product, article, or means of conveyance when the Secretary determines that the prohibition or restriction is necessary to prevent the dissemination of the plant pest or noxious weed or to eradicate the plant pest or noxious weed.

(b) REQUIRED FINDING OF EMERGENCY.—The Secretary may take action under this section only upon finding, after review and consultation with the Governor or other appropriate official of the State affected, that the measures being taken by the State are inadequate to eradicate the plant pest or noxious weed.

(c) NOTIFICATION PROCEDURES.—

(1) IN GENERAL.—Except as provided in paragraph (2), before any action is taken in any State under this section, the Secretary shall notify the Governor or other appropriate official of the State affected, issue a public announcement, and file for publication in the Federal Register a statement of—

(A) the Secretary's findings;

(B) the action the Secretary intends to take;

(C) the reasons for the intended action; and

(D) where practicable, an estimate of the anticipated duration of the extraordinary emergency.

(2) TIME SENSITIVE ACTIONS.—If it is not possible to file for publication in the Federal Register prior to taking action, the filing shall be made within a reasonable time, not to exceed 10 business days, after commencement of the action.

(d) APPLICATION OF LEAST DRASTIC ACTION.—No plant, biological control organism, plant product, plant pest, noxious weed, article, or means of conveyance shall be destroyed, exported, or returned to the shipping point of origin, or ordered to be destroyed, exported, or returned to the shipping point of origin under this section unless, in the opinion of the Secretary, there is no less drastic action that is feasible and that would be adequate to prevent the dissemination of any plant pest or noxious weed new to or not known to be widely prevalent or distributed within and throughout the United States.

(e) PAYMENT OF COMPENSATION.—The Secretary may pay compensation to any person for economic losses incurred by the person as a result of action taken by the Secretary under this section. The determination by the Secretary of the amount of any compensation to be paid under this subsection shall be final and shall not be subject to judicial review.

SEC. 416. RECOVERY OF COMPENSATION FOR UNAUTHORIZED ACTIVITIES.

(a) RECOVERY ACTION.—The owner of any plant, plant biological control organism, plant product, plant pest, noxious weed, article, or means of conveyance destroyed or otherwise disposed of by the Secretary under section 414 or 415 may bring an action against the United States to recover just compensation for the destruction or disposal of the plant, plant biological control organism, plant product, plant pest, noxious weed, article, or means of conveyance (not including compensation for loss due to delays incident to determining eligibility for importation, entry, exportation, movement in interstate commerce, or release into the environment), but only if the owner establishes that the destruction or disposal was not authorized under this title.

(b) TIME FOR ACTION; LOCATION.—An action under this section shall be brought not later than 1 year after the destruction or disposal of the plant, plant biological control organism, plant product, plant pest, noxious weed, article, or means of conveyance involved. The action may be brought in any United States district court where the owner is found, resides, transacts business, is licensed to do business, or is incorporated.

SEC. 417. CONTROL OF GRASSHOPPERS AND MORMON CRICKETS.

(a) IN GENERAL.—Subject to the availability of funds pursuant to this section, the Secretary shall carry out a program to control grasshoppers and Mormon crickets on all Federal lands to protect rangeland.

(b) TRANSFER AUTHORITY.—

(1) IN GENERAL.—Subject to paragraph (3), upon the request of the Secretary of Agriculture, the Secretary of the Interior shall transfer to the Secretary of Agriculture, from any no-year appropriations, funds for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on Federal lands under the jurisdiction of the Secretary of the Interior. The transferred funds shall be available only for the payment of obligations incurred on such Federal lands.

(2) TRANSFER REQUESTS.—Requests for the transfer of funds pursuant to this subsection shall be made as promptly as possible by the Secretary.

(3) LIMITATION.—Funds transferred pursuant to this subsection may not be used by the Secretary until funds specifically appropriated to the Secretary for grasshopper control have been exhausted.

(4) REPLENISHMENT OF TRANSFERRED FUNDS.—Funds transferred pursuant to this subsection shall be replenished by supplemental or regular appropriations, which shall be requested as promptly as possible.

(c) TREATMENT FOR GRASSHOPPERS AND MORMON CRICKETS—

(1) IN GENERAL.—Subject to the availability of funds pursuant to this section, on request of the administering agency or the agriculture department of an affected State, the Secretary, to protect rangeland, shall immediately treat Federal, State, or private lands that are infested with grasshoppers or Mormon crickets at levels of economic infestation, unless the Secretary determines that delaying treatment will not cause greater economic damage to adjacent owners of rangeland.

(2) OTHER PROGRAMS.—In carrying out this section, the Secretary shall work in conjunction with other Federal, State, and private prevention, control, or suppression efforts to protect rangeland.

(d) FEDERAL COST SHARE OF TREATMENT.—

(1) CONTROL ON FEDERAL LANDS.—Out of funds made available or transferred under this section, the Secretary shall pay 100 percent of the cost of grasshopper or Mormon cricket control on Federal lands to protect rangeland.

(2) CONTROL ON STATE LANDS.—Out of funds made available under this section, the Secretary shall pay 50 percent of the cost of grasshopper or Mormon cricket control on State lands.

(3) CONTROL ON PRIVATE LANDS.—Out of funds made available under this section, the Secretary shall pay 33.3 percent of the cost of grasshopper or Mormon cricket control on private lands.

(e) TRAINING.—From appropriated funds made available or transferred by the Secretary of the Interior to the Secretary of Agriculture for such purposes, the Secretary of Agriculture shall provide adequate funding for a program to train personnel to accomplish effectively the objective of this section.

SEC. 418. CERTIFICATION FOR EXPORTS.

The Secretary may certify as to the freedom of plants, plant products, or biological control organisms from plant pests or noxious weeds, or the exposure of plants, plant products, or biological control organisms to plant pests or noxious weeds, according to the phytosanitary or other requirements of the countries to which the plants, plant products, or biological control organisms may be exported.

Subtitle B—Inspection and Enforcement

SEC. 421. INSPECTIONS, SEIZURES, AND WARRANTS.

(a) ROLE OF ATTORNEY GENERAL.—The activities authorized by this section shall be carried out consistent with guidelines approved by the Attorney General.

(b) WARRANTLESS INSPECTIONS.—The Secretary may stop and inspect, without a warrant, any person or means of conveyance moving—

(1) into the United States to determine whether the person or means of conveyance is carrying any plant, plant product, biological control organism, plant pest, noxious weed, or article subject to this title;

(2) in interstate commerce, upon probable cause to believe that the person or means of conveyance is carrying any plant, plant product, biological control organism, plant pest, noxious weed, or article subject to this title; and

(3) in intrastate commerce from or within any State, portion of a State, or premises quarantined as part of a extraordinary emergency declared under section 415 upon probable cause to believe that the person or means of conveyance is carrying any plant, plant product, biological control organism, plant pest, noxious weed, or article regulated under that section or is moving subject to that section.

(c) INSPECTIONS WITH A WARRANT.—

(1) GENERAL AUTHORITY.—The Secretary may enter, with a warrant, any premises in the United States for the purpose of conducting investigations or making inspections and seizures under this title.

(2) APPLICATION AND ISSUANCE OF A WARRANT.—Upon proper oath or affirmation showing probable cause to believe that there is on certain premises any plant, plant product, biological control organism, plant pest, noxious weed, article, facility, or means of conveyance regulated under this title, a United States judge, a judge of a court of record in the United States, or a United States magistrate judge may, within the judge's or magistrate's jurisdiction, issue a warrant for the entry upon the premises to conduct any investigation or make any inspection or seizure under this title. The warrant may be applied for and executed by the Secretary or any United States Marshal.

SEC. 422. COLLECTION OF INFORMATION.

The Secretary may gather and compile information and conduct any investigations the Secretary considers necessary for the administration and enforcement of this title.

SEC. 423. SUBPOENA AUTHORITY.

(a) AUTHORITY TO ISSUE.—The Secretary shall have power to subpoena the attendance and testimony of any witness, and the production of all documentary evidence relating to the administration or enforcement of this title or any matter under investigation in connection with this title.

(b) LOCATION OF PRODUCTION.—The attendance of any witness and production of documentary evidence may be required from any place in the United States at any designated place of hearing.

(c) ENFORCEMENT OF SUBPOENA.—In the case of disobedience to a subpoena by any person, the Secretary may request the Attorney General to invoke the aid of any court of the United States within the jurisdiction in which the investigation is conducted, or where the person resides, is found, transacts business, is licensed to do business, or is incorporated, in requiring the attendance and testimony of any witness and the production of documentary evidence. In case of a refusal to obey a subpoena issued to any person, a court may order the person to appear before the Secretary and give evidence concerning the matter in question or to produce documentary evidence. Any failure to obey the court's order may be punished by the court as a contempt of the court.

(d) COMPENSATION.—Witnesses summoned by the Secretary shall be paid the same fees and mileage that are paid to witnesses in courts of the United States, and witnesses whose depositions are taken and the persons taking the depositions shall be entitled to the same fees that are paid for similar services in the courts of the United States.

(e) PROCEDURES.—The Secretary shall publish procedures for the issuance of subpoenas under this section. Such procedures shall include a requirement that subpoenas be reviewed for legal sufficiency and signed by the Secretary. If the authority to sign a subpoena is delegated, the agency receiving the delegation shall seek review for legal sufficiency outside that agency.

(f) SCOPE OF SUBPOENA.—Subpoenas for witnesses to attend court in any judicial district or to testify or produce evidence at an administrative hearing in any judicial district in any action or proceeding arising under this title may run to any other judicial district.

SEC. 424. PENALTIES FOR VIOLATION.

(a) CRIMINAL PENALTIES.—Any person that knowingly violates this title, or that knowingly forges, counterfeits, or, without authority from the Secretary, uses, alters, defaces, or destroys any certificate, permit, or other document provided for in this title shall be guilty of a misdemeanor, and, upon conviction, shall be fined in accordance with title 18, United States Code, imprisoned for a period not exceeding 1 year, or both.

(b) CIVIL PENALTIES.—

(1) IN GENERAL.—Any person that violates this title, or that forges, counterfeits, or, without authority from the Secretary, uses, alters, defaces, or destroys any certificate, permit, or other document provided for in this title may, after notice and opportunity for a hearing on the record, be assessed a civil penalty by the Secretary that does not exceed the greater of—

(A) $50,000 in the case of any individual (except that the civil penalty may not exceed $1,000 in the case of an initial violation of this title by an individual moving regulated articles not for monetary gain), $250,000 in the case of any other person for each violation, and $500,000 for all violations adjudicated in a single proceeding; or

(B) twice the gross gain or gross loss for any violation, forgery, counterfeiting, unauthorized use, defacing, or destruction of a certificate, permit, or other document provided for in this title that results in the person deriving pecuniary gain or causing pecuniary loss to another.

(2) FACTORS IN DETERMINING CIVIL PENALTY.—In determining the amount of a civil penalty, the Secretary shall take into account the nature, circumstance, extent, and gravity of the violation or violations and the Secretary may consider, with respect to the violator—

(A) ability to pay;

(B) effect on ability to continue to do business;

(C) any history of prior violations;

(D) the degree of culpability; and

(E) any other factors the Secretary considers appropriate.

(3) SETTLEMENT OF CIVIL PENALTIES.—The Secretary may compromise, modify, or remit, with or without conditions, any civil penalty that may be assessed under this subsection.(4) FINALITY OF ORDERS.—The order of the Secretary assessing a civil penalty shall be treated as a final order reviewable under chapter 158 of title 28, United States Code. The validity of the Secretary's order may not be reviewed in an action to collect the civil penalty. Any civil penalty not paid in full when due under an order assessing the civil penalty shall thereafter accrue interest until paid at the rate of interest applicable to civil judgments of the courts of the United States.

(c) LIABILITY FOR ACTS OF AN AGENT.—When construing and enforcing this title, the act, omission, or failure of any officer, agent, or person acting for or employed by any other person within the scope of his or her employment or office, shall be deemed also to be the act, omission, or failure of the other person.

(d) GUIDELINES FOR CIVIL PENALTIES.—The Secretary shall coordinate with the Attorney General to establish guidelines to determine under what circumstances the Secretary may issue a civil penalty or suitable notice of warning in lieu of prosecution by the Attorney General of a violation of this title.

SEC. 425. ENFORCEMENT ACTIONS OF ATTORNEY GENERAL.

The Attorney General may—

(1) prosecute, in the name of the United States, all criminal violations of this title that are referred to the Attorney General by the Secretary or are brought to the notice of the Attorney General by any person;

(2) bring an action to enjoin the violation of or to compel compliance with this title, or to enjoin any interference by any person with the Secretary in carrying out this title, whenever the Secretary has reason to believe that the person has violated, or is about to violate this title, or has interfered, or is about to interfere, with the Secretary; and

(3) bring an action for the recovery of any unpaid civil penalty, funds under reimbursable agreements, late payment penalty, or interest assessed under this title.

SEC. 426. COURT JURISDICTION.

(a) IN GENERAL.—The United States district courts, the District Court of Guam, the District Court of the Virgin Islands, the highest court of American Samoa, and the United States courts of other territories and possessions are vested with jurisdiction in all cases arising under this title. Any action arising under this title may be brought, and process may be served, in the judicial district where a violation or interference occurred or is about to occur, or where the person charged with the violation, interference, impending violation, impending interference, or failure to pay resides, is found, transacts business, is licensed to do business, or is incorporated.

(b) EXCEPTION.—This section does not apply to the imposition of civil penalties under section 424(b).

Subtitle C—Miscellaneous Provisions

SEC. 431. COOPERATION.

(a) IN GENERAL.—The Secretary may cooperate with other Federal agencies or entities, States or political subdivisions of States, national governments, local governments of other nations, domestic or international organizations, domestic or international associations, and other persons to carry out this title.

(b) RESPONSIBILITY.—The individual or entity cooperating with the Secretary under subsection (a) shall be responsible for—

(1) the authority necessary to conduct the operations or take measures on all land and properties within the foreign country or State, other than those owned or controlled by the United States; and

(2) other facilities and means as the Secretary determines necessary.

(c) TRANSFER OF BIOLOGICAL CONTROL METHODS.—The Secretary may transfer to a State, Federal agency, or other person biological control methods using biological control organisms against plant pests or noxious weeds.

(d) COOPERATION IN PROGRAM ADMINISTRATION.—The Secretary may cooperate with State authorities or other persons in the administration of programs for the improvement of plants, plant products, and biological control organisms.

(e) PHYTOSANITARY ISSUES.—The Secretary shall ensure that phytosanitary issues involving imports and exports are addressed based on sound science and consistent with applicable international agreements. To accomplish these goals, the Secretary may—

(1) conduct direct negotiations with plant health officials or other appropriate officials of other countries;

(2) provide technical assistance, training, and guidance to any country requesting such assistance in the development of agricultural health protection systems and import/export systems; and

(3) maintain plant health and quarantine expertise in other countries—

(A) to facilitate the establishment of phytosanitary systems and the resolution of phytosanitary issues;

(B) to assist those countries with agricultural health protection activities; and

(C) to provide general liaison on agricultural health issues with the plant health or other appropriate officials of the country.

SEC. 432. BUILDINGS, LAND, PEOPLE, CLAIMS, AND AGREEMENTS.

(a) IN GENERAL.—To the extent necessary to carry out this title, the Secretary may acquire and maintain all real or personal property for special purposes and employ any persons, make grants, and enter into any contracts, cooperative agreements, memoranda of understanding, or other agreements.

(b) TORT CLAIMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary may pay tort claims in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when the claims arise outside the United States in connection with activities that are authorized under this title.

(2) REQUIREMENTS OF CLAIM.—A claim may not be allowed under this subsection unless the claim is presented in writing to the Secretary within 2 years after the date on which the claim accrues.

SEC. 433. REIMBURSABLE AGREEMENTS.

(a) AUTHORITY TO ENTER INTO AGREEMENTS.—The Secretary may enter into reimbursable fee agreements with persons for preclearance of plants, plant products, biological control organisms, and articles at locations outside the United States for movement into the United States.

(b) FUNDS COLLECTED FOR PRECLEARANCE.—Funds collected for preclearance shall be credited to accounts which may be established by the Secretary for this purpose and shall remain available until expended for the preclearance activities without fiscal year limitation.

(c) PAYMENT OF EMPLOYEES.—

(1) IN GENERAL.—Notwithstanding any other law, the Secretary may pay employees of the Department of Agriculture performing services relating to imports into and exports from the United States, for all overtime, night, or holiday work performed by them, at rates of pay established by the Secretary.

(2) REIMBURSEMENT OF THE SECRETARY.—

(A) IN GENERAL.—The Secretary may require persons for whom the services are performed to reimburse the Secretary for any sums of money paid by the Secretary for the services.

(B) USE OF FUNDS.—All funds collected under this paragraph shall be credited to the account that incurs the costs and shall remain available until expended without fiscal year limitation.

(d) LATE PAYMENT PENALTIES.—

(1) COLLECTION.—Upon failure to reimburse the Secretary in accordance with this section, the Secretary may assess a late payment penalty, and the overdue funds shall accrue interest, as required by section 3717 of title 31, United States Code.

(2) USE OF FUNDS.—Any late payment penalty and any accrued interest shall be credited to the account that incurs the costs and shall remain available until expended without fiscal year limitation.

SEC. 434. REGULATIONS AND ORDERS.

The Secretary may issue such regulations and orders as the Secretary considers necessary to carry out this title.

SEC. 435. PROTECTION FOR MAIL HANDLERS.

This title shall not apply to any employee of the United States in the performance of the duties of the employee in handling the mail.

SEC. 436. PREEMPTION.

(a) REGULATION OF FOREIGN COMMERCE.—No State or political subdivision of a State may regulate in foreign commerce any article, means of

conveyance, plant, biological control organism, plant pest, noxious weed, or plant product in order—

(1) to control a plant pest or noxious weed;

(2) to eradicate a plant pest or noxious weed; or

(3) prevent the introduction or dissemination of a biological control organism, plant pest, or noxious weed.

(b) REGULATION OF INTERSTATE COMMERCE.—

(1) IN GENERAL.—Except as provided in paragraph (2), no State or political subdivision of a State may regulate the movement in interstate commerce of any article, means of conveyance, plant, biological control organism, plant pest, noxious weed, or plant product in order to control a plant pest or noxious weed, eradicate a plant pest or noxious weed, or prevent the introduction or dissemination of a biological control organism, plant pest, or noxious weed, if the Secretary has issued a regulation or order to prevent the dissemination of the biological control organism, plant pest, or noxious weed within the United States.

(2) EXCEPTIONS.—

(A) REGULATIONS CONSISTENT WITH FEDERAL REGULATIONS.—A State or a political subdivision of a State may impose prohibitions or restrictions upon the movement in interstate commerce of articles, means of conveyance, plants, biological control organisms, plant pests, noxious weeds, or plant products that are consistent with and do not exceed the regulations or orders issued by the Secretary.

(B) SPECIAL NEED.—A State or political subdivision of a State may impose prohibitions or restrictions upon the movement in interstate commerce of articles, means of conveyance, plants, plant products, biological control organisms, plant pests, or noxious weeds that are in addition to the prohibitions or restrictions imposed by the Secretary, if the State or political subdivision of a State demonstrates to the Secretary and the Secretary finds that there is a special need for additional prohibitions or restrictions based on sound scientific data or a thorough risk assessment.

SEC. 437. SEVERABILITY.

If any provision of this title or application of any provision of this title to any person or circumstances is held invalid, the remainder of this title and the application of the provision to other persons and circumstances shall not be affected by the invalidity.

SEC. 438. REPEAL OF SUPERSEDED LAWS.

(a) REPEAL.—The following provisions of law are repealed:

(1) The Act of August 20, 1912 (commonly known as the ''Plant Quarantine Act'')(7 U.S.C. 151–164a, 167).

(2) The Federal Plant Pest Act (7 U.S.C. 150aa et seq., 7 U.S.C. 147a note).

(3) Subsections (a) through (e) of section 102 of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 147a).

(4) The Federal Noxious Weed Act of 1974 (7 U.S.C. 2801 et seq.), except the first section and section 15 of that Act (7 U.S.C. 2801 note; 7 U.S.C. 2814).

(5) The Act of January 31, 1942 (commonly known as the ''Mexican Border Act'')(7 U.S.C. 149).

(6) The Joint Resolution of April 6, 1937 (commonly known as the ''Insect Control Act'')(7 U.S.C. 148 et seq.).

(7) The Halogeton Glomeratus Act (7 U.S.C. 1651 et seq.).

(8) The Golden Nematode Act (7 U.S.C. 150 et seq.).

(9) Section 1773 of the Food Security Act of 1985 (Public Law 99–198; 7 U.S.C. 148f).

(b) EMERGENCY TRANSFER AUTHORITY REGARDING PLANT PESTS.—The first section of Public Law 97–46 (7 U.S.C. 147b) is amended—

(1) by striking ''plant pests or''; and

(2) by striking ''section 102 of the Act of September 21, 1944, as amended (7 U.S.C. 147a), and''.

(c) EFFECT ON REGULATIONS.—Regulations issued under the authority of a provision of law repealed by subsection (a) shall remain in effect until such time as the Secretary issues a regulation under section 434 that supersedes the earlier regulation.

Subtitle D—Authorization of Appropriations

SEC. 441. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such amounts as may be necessary to carry out this title. Except as specifically authorized by law, no part of the money appropriated under this section shall be used to pay indemnities for property injured or destroyed by or at the direction of the Secretary.

SEC. 442. TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER CERTAIN FUNDS.—In connection with an emergency in which a plant pest or noxious weed threatens any segment of the agricultural production of the United States, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department of Agriculture such amounts as the Secretary considers necessary to be available in the emergency for the arrest, control, eradication, and prevention of the spread of the plant pest or noxious weed and for related expenses.

(b) AVAILABILITY.—Any funds transferred under this section shall remain available for such purposes without fiscal year limitation.

TITLE V—INSPECTION ANIMALS

SEC. 501. CIVIL PENALTY.

(a) IN GENERAL.—Any person that causes harm to, or interferes with, an animal used for the purposes of official inspections by the Department of Agriculture, may, after notice and opportunity for a hearing on the record, be assessed a civil penalty by the Secretary of Agriculture not to exceed $10,000.

(b) FACTORS IN DETERMINING CIVIL PENALTY.—In determining the amount of a civil penalty, the Secretary shall take into account the nature, circumstance, extent, and gravity of the offense.

(c) SETTLEMENT OF CIVIL PENALTIES.—The Secretary may compromise, modify, or remit, with or without conditions, any civil penalty that may be assessed under this section.

(d) FINALITY OF ORDERS.—

(1) IN GENERAL.—The order of the Secretary assessing a civil penalty shall be treated as a final order reviewable under chapter 158 of title 28, United States Code. The validity of the order of the Secretary may not be reviewed in an action to collect the civil penalty.

(2) INTEREST.—Any civil penalty not paid in full when due under an order assessing the civil penalty shall thereafter accrue interest until paid at the rate of interest applicable to civil judgments of the courts of the United States.

SEC. 502. SUBPOENA AUTHORITY.

(a) IN GENERAL.—The Secretary shall have power to subpoena the attendance and testimony of any witness, and the production of all documentary evidence relating to the enforcement of section 501 or any matter under investigation in connection with this title.

(b) LOCATION OF PRODUCTION.—The attendance of any witness and the production of documentary evidence may be required from any place in the United States at any designated place of hearing.

(c) ENFORCEMENT OF SUBPOENA.—In the case of disobedience to a subpoena by any person, the Secretary may request the Attorney General to invoke the aid of any court of the United States within the jurisdiction in which the investigation is conducted, or where the person resides, is found, transacts business, is licensed to do business, or is incorporated, in requiring the attendance and testimony of any witness and the production of documentary evidence. In case of a refusal to obey a subpoena issued to any person, a court may order the person to appear before the Secretary and give evidence concerning the matter in question or to produce documentary evidence. Any failure to obey the court's order may be punished by the court as a contempt of the court.

(d) COMPENSATION.—Witnesses summoned by the Secretary shall be paid the same fees and mileage that are paid to witnesses in courts of the United States, and witnesses whose depositions are taken, and the persons taking the depositions shall be entitled to the same fees that are paid for similar services in the courts of the United States.

(e) PROCEDURES.—The Secretary shall publish procedures for the issuance of subpoenas under this section. Such procedures shall include a requirement that subpoenas be reviewed for legal sufficiency and signed by the Secretary. If the authority to sign a subpoena is delegated, the agency receiving the delegation shall seek review for legal sufficiency outside that agency.

(f) SCOPE OF SUBPOENA.—Subpoenas for witnesses to attend court in any judicial district or testify or produce evidence at an administrative hearing in any judicial district in any action or proceeding arising under section 501 may run to any other judicial district.

And the Senate agree to the same.

LARRY COMBEST,
BILL BARRETT,
JOHN BOEHNER,
THOMAS W. EWING,
RICHARD POMBO,
CHARLIE STENHOLM,
GARY CONDIT,
COLLIN C. PETERSON,
CAL DOOLEY,
Managers on the Part of the House.

RICHARD G. LUGAR,
JESSE HELMS,
THAD COCHRAN,
PAUL COVERDELL,
PAT ROBERTS,
TOM HARKIN,
PATRICK LEAHY,
KENT CONRAD,
BOB KERREY,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The Managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2559), to amend the Federal Crop Insurance Act to strengthen the safety net for agricultural producers by providing greater access to more affordable risk management tools and improved protection from production and income loss, to improve the efficiency and integrity of the Federal crop insurance program, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The Senate amendment struck out all of the House bill after the enacting clause and inserted a substitute text.

The House recedes from its disagreement to the amendment of the Senate with an amendment which is a substitute for the House bill and the Senate amendment. The differences between the House bill, the Senate amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clarifying changes.[1] In the case where a provision of the House bill or the Senate amendment is adopted under the Conference substitute, report language appurtenant to such provision

[1] In general, the Statement of Managers is arranged in order by title of the conference substitute, and by the House bill within the title.

of the House bill or Senate amendment, respectively, stands.

Short title

The House bill provides that this Act may be cited as the ''Agricultural Risk Protection Act of 1999.'' (Section 1)

The Senate amendment provides that this Act may be cited as the ''Risk Management for the 21st Century Act.'' (Section 1)

The Conference substitute adopts the House provision providing that the Act be cited as the ''Agricultural Risk Protection Act of 2000.'' (Section 1)

TITLE I—CROP INSURANCE COVERAGE

Subtitle A—Crop Insurance Coverage

Premium schedule for additional coverage

The House bill amends section 508(d)(2) by striking subparagraphs (B) and (C) and inserts a new subparagraph (B).

Paragraph (B) requires that the premium for insurance coverage equal to or greater than 50/100 (or an equivalent coverage) be sufficient to cover anticipated losses and a reasonable reserve and include operating and administrative expenses, as determined by FCIC based on an industry-wide percentage of the amount of premium used to define loss ratio.

Amends section 508(e)(2) by striking paragraphs (B) and (C) that provide the amount of premium to be paid by FCIC for coverage of less than 65/100 but greater than 50/100, and for coverage greater than 65/100, respectively.

Adds new paragraphs (B) through (G) that provide for the new amount to be paid by FCIC for coverage levels ranging from 50 percent coverage to 85 percent coverage.

Provides that the amount to be paid by FCIC for each coverage level (or equivalent coverage) is the sum of the percent of premium provided below (plus an amount of administrative and operating expenses determined under another section).

50–54% coverage = 67%
55–59% coverage = 64%
60–64% coverage = 64%
65–69% coverage = 59%
70–74% coverage = 59%
75–79% coverage = 54%
80–84% coverage = 40.6%
85% coverage = 30.6%

(Producers may choose any price election up to 100 percent of the price election, and coverage in 1 percent increments is authorized as under current law.)

Provides that each policy or plan of insurance contain a disclosure of the portion of premium paid by FCIC.

The House bill amends section 508(d) by adding a new paragraph (3) to authorize FCIC to provide performance-based discounts to producers with good production or insurance experience.

Authorizes a 20 percent premium discount for the 2000 crop year for certain producers of specific crops that received a discounted price due to Scab or Vomitoxin damage.

The House bill amends section 508(c)(5) to provide that in the case of a cost of production or similar plan of insurance, the expected market price (price election) is the projected cost of producing the crop. (Section 101, 106 and 107)

The Senate amendment amends section 508(d)(2) by striking subparagraph (C) and inserting a new (C) and (D) establishing premium amounts.

Paragraph (C) requires that the premium for insurance coverage equal to or greater than 65/100 but less than 75/100 (or a comparable coverage for a plan of insurance not based on yield) be sufficient to cover anticipated losses and a reasonable reserve and include operating and administrative expenses, as determined by FCIC based on an industry-wide percentage of the amount of premium used to define loss ratio.

Paragraph (D) requires that the premium for insurance coverage equal to 75/100, 80/100, and 85/100 (or a comparable coverage for a plan of insurance not based on yield) is established at a level as indicated under paragraph (C).

Amends section 508(e) by striking paragraph (1) providing that FCIC pay a portion of premium and inserts a new paragraph relative to the same.

Provides under paragraph (1)(A) that FCIC pay a portion of the premium as established in section 508(e)(2).

Amends section 508(e)(2) by striking paragraphs (B) and (C) that provide for the amount of premium to be paid by FCIC for coverage of less than 65/100 but greater than 50/100, and for coverage greater than 65/100, respectively.

Adds new paragraphs (B) through (G) that provide for the new amount to be paid by FCIC for coverage levels ranging from 50/100 to 85/100.

Provides that the amount to be paid by FCIC for each coverage level (or comparable coverage for a plan of insurance not based on yield) is the sum of the percent of premium provided below (plus an amount of administrative and operating expenses determined under another section).

50/100% coverage = 60%
55/100% coverage = 45%
60/100% coverage = 45%
65/100% coverage = 50%
70/100% coverage = 50%
75/100% coverage = 55%
80/100% coverage = 38%
85/100% coverage = 28%

(Producers must choose 100 percent price election to receive correlating percentage of assistance, and availability of coverage is limited to 5 percent increments).

Provides under new paragraph (H) that paragraphs (A) through (G) are applicable for the 2001 through 2004 fiscal years.

Amends section 508(a) by striking paragraph (3) relative to exclusions for coverage and inserting a new paragraph (3) relative to the same.

Provides conforming amendments amending section 508(e) by striking paragraph (4) requiring individual and area crop insurance coverage and by striking reference to such authority under section 508(g)(2)(D).

The Senate amendment amends section 508(c) by striking paragraph (5) relative to price levels and inserts a new paragraph relative to price elections.

Requires FCIC to establish or approve a price level, or expected market price, for each commodity insured.

Provides that the expected market price (1) not be less than the projected market price of the crop; (2) may be based on the actual market price of the crop at the time of harvest; (3) in the case of revenue or similar policies be the actual market price of the crop; or (4) in the case of cost of production or similar policies be the cost of producing the crop. (Section 103)

The Conference substitute adopts the Senate provision relative to the expected market price with minor changes to clarify intent. The Conference substitute adopts the House provisions relative to premium amounts, performance-based discounts, payment schedule, and premium payment disclosure with certain changes. Language with respect to premium amounts and payment schedule has been modified to clarify intent. The provision providing discounts for producers of crops damaged by scab is omitted. Premium assistance at the 75, 80, and 85 percent coverage levels are increased to 55 percent, 48 percent, and 38 percent, respectively, of the amount of premium used to define loss ratio. Current statutory authority to offer coverage in one percent increments is temporarily suspended. (Section 101)

Premium schedule for other plans of insurance

The House bill amends section 508(h)(2) by striking the second sentence limiting the portion of premium FCIC may pay for innovative policies and by creating paragraphs (A) and (B).

Subparagraph (B) requires that in the case of a policy submitted under section 508(h) (except paragraph (10) or subsection (m)(4)), FCIC shall pay a portion of the premium equal to the percentage, prescribed under section 508(e) for a similar level of coverage, of the total amount of the premium used to define loss ratio, and the dollar amount of the administrative and operating expenses that would be paid by FCIC under section 508(e) for a similar level of coverage. (Section 102)

The Senate amendment amends section 508(e) by striking paragraph (1) relative to requiring FCIC to pay a portion of premiums and inserts a new paragraph (1) related to the same.

Provides under the new paragraph (1)(B) that FCIC may pay a portion of the premium as established in 508(e)(2) for innovative plans of insurance approved by FCIC under section 508(h). (Section 103)

The Conference substitute adopts the House provision relative to premium assistance for all policies or plans of insurance developed and approved under section 508(h) or 522 or conducted under section 523 (except livestock pilot programs) with certain changes. The administrative and operating costs associated with all such policies or plans of insurance must comply with section 508(k)(4), including any proportional reductions that may apply. Section 508(k)(4), including any proportional reductions, applies to all such policies or plans of insurance whether developed and approved on, before, or after the date of enactment of this Act. However, the effective date of the amendments made by section 102 are delayed until after the reinsurance year 2001 with respect to policies or plans of insurance developed and approved subsequent to the date of enactment. During the reinsurance year 2001, the portion of the premium paid by the Corporation for such policies or plans of insurance developed and approved subsequent to the date of enactment may not exceed the dollar amount authorized under the new payment schedule for multiple peril crop insurance. Administrative and operating costs associated with such policies during the reinsurance year 2001 are adjusted accordingly, subject to section 508(k)(4), including any proportional reductions that may apply. (Section 102)

Catastrophic risk protection

The House bill amends section 508(b) by striking paragraph (3) relative to yield and loss basis and inserts a new paragraph (3) relative to the same.

Provides that, beginning with the 2000 crop year, FCIC must offer producers a choice between the current CAT coverage and an alternative CAT coverage that indemnifies the producer on an area yield and loss basis, provides a higher combination of yield and price election, and that FCIC determines is comparable to ''CAT.''

The House bill amends section 508(b)(5) by adding a new subparagraph (F) relative to payment of fees on behalf of producers. Authorizes a cooperative association or nonprofit trade association to pay ''CAT'' fees on behalf of consenting producers.

Provides that licensing fees or other payments made by approved insurance providers to a cooperative association or nonprofit trade association in connection with the sale of ''CAT'' or ''buy-up'' insurance shall not be

construed as a rebate providing the producer receives prior notice of the fee.

Provides that nothing in the subparagraph limits the ability of a producer to choose an agent or an insurance provider or refuse ''CAT'' coverage purchased pursuant to this subparagraph. Further requires that ''CAT'' policies sold under such an arrangement must be through a licensed agent or approved insurance provider.

Requires that participating cooperative associations, nonprofit trade associations, and approved insurance providers that operate under this subparagraph to encourage producer members to purchase appropriate coverage.

The House bill amends section 508(b)(11) reducing loss adjustment expense reimbursements relative to CAT policies to approved insurance providers from 11 percent of imputed premium to 8 percent of the same.

Amends section 508(k)(4)(A)(ii) by reducing administrative and operating expense reimbursements to approved insurance providers from 24.5 percent of premium used to define loss ratio to 24 percent of the same.

Provides that amendments are applicable with respect to the 2001 and subsequent reinsurance years. (Sections 108, 109 and 310(a)(1))

The Senate amendment requires any person that sells or solicits the purchase of a policy or adjusts losses under the FCIA in any state must be licensed and qualified to do business in that state, and must comply with all state regulations (including commission and anti-rebating regulations) as required under state law. (Section 313)

The Conference substitute adopts the House provisions relative to the provision of alternative catastrophic risk protection and the reimbursement rate change for loss adjustments associated with catastrophic risk protection. The reduction in administration and operating cost reimbursement is omitted. The Conference substitute further adopts the House provision relative to the payment of catastrophic risk protection fees by associations on behalf of member producers, and the treatment of licensing fees received by associations in connection with the issuance of insurance with changes. Rebating in connection with the issuance of crop insurance coverage is subject to the State laws in which the rebate is made. If a cooperative association or trade association is located in a State that permits rebating in connection with the issuance of crop insurance coverage, the association may pay catastrophic risk protection (CAT) fees on behalf of members in that State or in a contiguous State. A report to Congress on the operation and impact of this provision is required. Finally, the Conference substitute increases the fees associated with catastrophic risk protection from $60 to $100 per crop per county. (Section 103)

Administrative fee for additional coverage

The Conference substitute provides for an administrative fee of $30 per crop per county to be paid by producers electing coverage in excess of catastrophic risk protection. (Section 104)

Assigned yields and actual production history adjustments

The House bill amends section 508(g) by adding paragraph (4) relative to adjustment in actual production history to establish insurable yields.

Provides that this paragraph shall apply when FCIC uses the APH of a producer to establish insurable yields for a crop for the 2001 and subsequent crop years.

Provides that, if, for one or more of the crop years used by a producer to establish APH, the producer's yield is less than 60 percent of the applicable ''T'' yield, the producer may exclude each of such crop years and replace the excluded yield with a yield equal to 60 percent of ''T''. This section applies retroactively to already recorded yields and prospectively to future yields.

Amends section 508(g) by adding paragraph (5) relative to APH adjustment to reflect participation in major pest control efforts.

Requires FCIC to develop a methodology for adjusting the APH of a producer's crop when the producer's farm is located in an area where efforts have been undertaken to eradicate or retard plant pests and disease, where the presence of the pest or disease has been found to reduce applicable crop yields, and where the efforts undertaken have been effective. Requires APH adjustments to reflect the success of the effort undertaken. (Section 103)

The Senate amendment amends section 508(g)(2)(B) by requiring FCIC to assign a producer a yield for a crop where the producer has not had a share of the production of the crop for more than 2 years; has not before farmed the land; or rotates to a crop that has not before been produced on the farm.

The Senate amendment amends section 508(g) by adding paragraph (4) relative to transitional adjustments for disasters.

Defines ''a producer that has suffered a multiyear disaster'' as a producer or successor entity that has suffered a natural disaster during at least 3 of the immediately preceding 5 crop years that resulted in a cumulative reduction of at least 25 percent in APH of a crop.

Provides that, beginning with the 2001 crop year, a producer of an insured crop that has suffered a multiyear disaster may exclude 1 year of the crop's production history for each 5 years included in the crop's APH.

Requires FCIC to pay for any increased premiums, indemnities, and administrative and operating expenses that result from the exercise of a producer to exclude 1 year of a crop's production history.

Prohibits FCIC from limiting any increase in a producer's APH due to the producer's actual production of the crop in succeeding years until such time that the producer's APH has recovered to the level obtained in the year before the first year of multiyear disaster.

Rescinds FCIC authority allowing eligible producers to exclude any 1 crop year in the first crop year where a policy is available to adequately address natural disasters occurring in multiple crop years.

Makes the paragraph applicable for the 2001 through 2004 reinsurance years. (Sections 104 & 105)

The Conference substitute adopts the Senate provision relative to assigned yields and the House provision relative to adjustments to actual production history with minor changes to clarify intent. (Section 105)

Review and adjustment in rating methodologies

The House bill amends section 508(a) by adding a new paragraph (7) relative to the review and adjustment in rating methodologies.

Requires FCIC to periodically review the methodologies employed for rating plans of insurance consistent with section 507(c)(2) relative to contracting for such services. Requires FCIC to analyze the rating and loss history of policies and plans of insurance for crops by area and make appropriate adjustments for the 2000 crop year or as soon as possible where premium rates are found to be excessive. (Section 104)

The Senate amendment requires FCIC to contract for the study and development of alternative rating methodologies for rating plans of insurance for ''CAT'' and ''buy-up'' coverage, taking into account producers not electing to participate in crop insurance and those electing only ''CAT'' coverage.

Requires that, with respect to such rating studies, a priority be given to crops with the largest average acreage nationwide but lowest percentage of producer participation at buy-up coverage levels.

Requires FCIC to provide funding for rating studies from the account established under section 516(b)(2)(A) of the FCIA, and specifically authorizes $1 million for fiscal years 2001 and 2002 and $250,000 in fiscal years 2003 and 2004.

Provides that the paragraph relative to funding be applicable for the fiscal years 2001 through 2004. (Section 202)

The Conference substitute adopts the House provision relative to review and adjustment in rating methodologies with a change to require such adjustments take place in the 2002 crop year and thereafter, rather than in the 2000 crop year and thereafter. (Section 106)

The Managers urge the Corporation to complete the process of developing alternative rating methodologies for all insurable crops. The Managers also urge the Corporation to base Multi-Peril Crop Insurance (MPCI) cotton rates in Texas on the results of the analysis prepared on their behalf by researchers at Montana State University and to adopt these rates beginning with the 2001 crop year on the same basis as the Corporation implemented revised MPCI Premium rates in the Mid-South and Far West regions.

Quality adjustment

The House bill amends section 508(a) by adding a new paragraph (9) relative to quality grade loss adjustment.

Requires that, consistent with subsection (m)(4) relative to contracting for research requirements, FCIC enter into a contract by the 2000 crop year to analyze quality loss adjustment procedures and make adjustments necessary to more accurately reflect local quality discounts, taking into account actuarial soundness requirements and prevention of fraud, waste, and abuse. (Section 112)

The Senate amendment strikes 508(a)(6) requiring guidelines, reports, studies, and pilot programs relative to the addition of new and specialty crops, and inserts a new paragraph (6) relative to quality adjustment.

Requires FCIC to offer coverage that permits a reduction in production for purposes of determining a loss to reflect any production not meeting quality standards.

Allows producers to opt-out of quality adjustment coverage and receive a reduction in premium equal to the cost of the coverage.

Requires FCIC to contract for the study of quality loss adjustment procedures and, based on the study, to adjust the coverage to better reflect local quality discounts, taking into consideration actuarial soundness and the prevention of fraud, waste, and abuse. (Section 101)

The Conference substitute adopts the Senate provision relative to quality adjustments with certain changes. Language to permit producers to opt-out of such coverage and receive a premium reduction is omitted. Language is included to permit producers to elect such coverage, under limited circumstances, on a basis smaller than a unit, and a provision relative to the manner in which the Corporation sets quality standards is also included. (Section 107)

Double insurance and prevented planting

The House bill amends section 508(a) by adding a new paragraph (8) relative to prevented planting.

Allows producers to opt-out of prevented planting coverage and receive a reduction in premium equal to the cost of the prevented planting coverage.

Requires FCIC to provide an equal percentage level of prevented planting coverage for each crop.

Limits prevented planting payments to producers prevented from planting due to conditions generally affecting the area in which the producer farms.

Authorizes a producer who received a prevented planting payment to plant a second crop other than the crop prevented from being planted on the same acreage, except that the second crop is not eligible for NAP or crop insurance coverage.

Provides that a producer who elects to plant a second crop which is not insurable or NAP eligible still qualifies for AMTA loans and payments, CRP, and guaranteed and direct loans and other benefits under the ConAct.

Requires FCIC to assign a producer who receives a prevented planting payment and who elects to plant a second crop a yield for the prevented crop for that year equal to 60 percent of the producer's actual production history for purposes of future APH.

Denies a prevented planting payment to a producer who plants a second crop before the latest planting date for the crop prevented from being planted.

The House bill amends section 508(a) by adding a new paragraph (10) relative to limitations on double insurance.

Prohibits a policy or plan of insurance for more than one crop planted on the same acreage in the same crop year unless the coverage for the additional crop is ''CAT'' coverage.

Provides an exception to the limitation on double insurance where both crops are normally harvested within the same crop year on the same acreage; there is an established practice of double-cropping in the area and the additional crop is customarily double-cropped in the area with the first crop; a policy of insurance is offered for both crops; and the additional crop is planted on or before the final or late planting date for that crop. (Sections 110 and 201)

The Senate amendment is substantially the same as the H.R. 2559 except the following additional provisions.

Makes the prevented planting paragraph applicable for the 2001 through 2004 crop years.

Requires that changes made to prevented planting coverage be reflected in the rates for coverage not later than the 2001 reinsurance year. (Section 102)

The Senate amendment amends section 508(m) (subsection (n) designated as (m) under section 207 of Senate amendments.

Requires that FCIC may only offer insurance or reinsurance on 1 crop produced on specific acreage during a crop year, unless there is an established practice of double-cropping in an area, the additional insurance is offered to a crop that is customarily double-cropped in the area, and the producer has a history of double-cropping or the acreage has historically been double-cropped. (Section 308)

The Conference substitute provides limitations with respect to double insurance and prevented planting coverage. The Conference substitute establishes a new Section 508A for both double insurance and prevented planting and provides the following definitions:

''First Crop'' means the first crop of the first agricultural commodity insured and planted for harvest, or prevented from being planted, on specific acreage during a crop year.

''Second Crop'' means a second crop of the same or different agricultural commodity following the first crop that is planted for harvest on the same acreage as the first crop in the same crop year. However, the term does not include a replanted crop.

''Replanted Crop'' means the second planting of the first crop on the same acreage in the same crop year, if the replanting is required by the terms of the policy of insurance on the first crop.

In the case of double insurance, the Conference substitute provides a producer with two options if a first crop has a total or partial insurable loss. If the producer chooses not to plant a second crop, then the producer is entitled to 100 percent of the indemnity payment for the first crop.

If the producer plants a second crop, then the producer will receive an initial indemnity payment up to 35 percent of the total calculated indemnity payment for the first crop. The Managers intend that the Secretary adjust the percentage paid as necessary to prevent abuse of the program. If the producer is not paid an indemnity on the second crop, then the producer will receive an additional indemnity payment equal to the total calculated indemnity on the first crop less the initial indemnity payment. If an indemnity is paid with respect to the second crop, then the producer is not entitled to receive the additional indemnity payment with respect to the first crop.

In the case of a producer who chooses to plant a second crop, the premium owed for insurance on the first crop will be reduced commensurate with any reduction in indemnity payment received on the first crop. If no indemnity is paid on the second crop, then the producer owes the full premium for insurance on the first crop.

With regard to prevented planting, the Conference substitute provides a producer with two options if a first crop is prevented from being planted. If the producer chooses not to plant a second crop, then the producer may collect 100 percent of the prevented planting guarantee for the first crop.

If the producer plants a second crop, then the producer will receive up to 35 percent of the prevented planting guarantee for the first crop. The Managers intend that the Secretary adjust the percentage paid as necessary to prevent abuse of the program. In addition, except for producers who double crop in a double cropping area, a producer who plants a second crop will be assigned a recorded yield of 60 percent of the producer's actual production history for the crop on which a prevented planting guarantee payment is received. This will be used in determining a producer's actual production history for subsequent crop years for the first crop. The Corporation may only pay the prevented planting guarantee to a producer if the conditions that prevented the first crop from being planted have also generally affected other producers in the area. In addition, the Corporation may not make a prevented planting guarantee payment for the first crop in the case of any producer who plants a second crop before the latest planting date for the first crop.

In the case of a producer who chooses to plant a second crop, the producer's premium for the first crop will be reduced commensurate with any reduction in indemnity payment received on the first crop.

The Conference substitute provides that, notwithstanding the restrictions placed on double insurance and prevented planting, a producer will receive full indemnity payments and prevented planting guarantees on 2 or more crops in a double cropping area. There must be an established practice of planting 2 or more crops for harvest in the same crop year in the area, as determined by the Corporation, and an additional coverage policy or plan of insurance must be offered with respect to the commodities planted on the same acreage in the same crop year. In addition, the producer must have a history of planting 2 or more crops in the same year; the applicable acreage must have historically been planted to 2 or more crops in the same year; and the second or subsequent crops must be customarily planted after the first crop on the same acreage in the same year. The Managers intend that in determining when an agricultural commodity is customarily double cropped in a double cropping area, that the Corporation consider the farming and irrigation practices applicable to the crops in the area. (Section 108)

Noninsured crop disaster assistance program

The House bill amends section 196(i) of the AMTA in paragraph (1) by striking ''gross revenues'' wherever it appears and inserting ''gross income'' and by striking paragraph (4) and adding a new paragraph (4).

Paragraph (4) provides that a person with a qualifying adjusted gross income of greater than $2 million during the taxable year is ineligible to receive NAP assistance.

The House bill also amends section 196(b) of the FAIR Act of 1996 to require that to be eligible for NAP, producers must provide annually to the Secretary, acting through the agency, records of crop acreage, acreage yields, and production for each eligible crop. (Sections 111 and 205)

The Senate amendment amends section 196(a)(2) of AMTA by adding a new subparagraph (C) allowing the Secretary to consider all varieties of a crop eligible for NAP as a single eligible crop for program purposes.

Amends section 196(b)(1) relative to when a producer must apply for NAP assistance, striking discretionary authority for the Secretary to determine the application deadline and inserting the requirement that producers apply not later than March 15.

Strikes paragraph 196(b)(2) providing the Secretary discretionary authority pertaining to what production records a producer must submit, and inserting a requirement that, to be eligible for NAP, producers must annually submit crop acreage, acreage yields, and production for each crop.

Amends paragraph 196(b)(3) to require annual reporting of acreage planted or prevented from being planted.

Strikes section 196(c) relating to loss requirements and inserts a new subsection (c) relative to the same.

Provides that a producer of an eligible crop must have suffered a loss of a noninsured crop as a result of drought, flood, or other natural disaster as determined by the Secretary.

Authorizes the Secretary to make payments under NAP once a drought, flood, or other natural disaster determination is made.

Changes the prevented planting payment trigger for eligible crops from a 35 percent acreage threshold to a 15 percent acreage threshold.

Authorizes the Secretary to make a NAP payment irrespective of any area loss trigger.

Amends section 196 by inserting a new subsection (j) and (k) relative to new eligible crops and service fees, respectively, and designating the current subsection (j) as subsection (l).

Provides under section 196(j)(1) that the NAP payment to a producer of an eligible crop that is new to an area will be equal to 35 percent of the established yield for the first year the crop is produced.

Provides that the NAP payment to a producer of an eligible crop that is new to an area will be equal to 45 percent of the established yield for the second through fourth years the crop is produced, except where a NAP payment was made in the first year in which case the payment is 35 percent.

Makes a producer of an eligible crop ineligible for a NAP payment where the producer collects a NAP payment in the first 2 crop years, until such time that the crop is produced for 3 consecutive crop years with no reported losses.

Provides for a service fee for NAP eligibility under section 196(k), requiring producers to pay the Secretary an amount equal to the fee for a CAT policy ($60 per crop per county) or $200 per producer per county, not to exceed $600 per producer. Provides for the waiver of NAP fees for limited resource producers.

Provides that NAP fees collected by the Secretary be deposited in the CCC Fund. Makes amendments under this section applicable for the 2001 through 2004 crop years. (Section 106)

The Conference substitute adopts the Senate provision relative to the Noninsured Crop Disaster Assistance Program with changes. Producers are required to make an application for NAP eligibility not later than 30 days before the beginning of the coverage period. Changes relative to prevented planting and yields for new NAP eligible crops provided under the Senate amendment are omitted. The NAP fee provided in the Senate amendment is modified to require producers to pay the lesser of $100 per crop per county or $300 per producer per county, but not to exceed $900 per producer. (Section 109)

Subtitle B—Improving Program Integrity

Improving program compliance and integrity

The House bill amends section 506(q) by designating paragraphs (1) and (2) as (2) and (3), creating paragraph (1) relative to purposes, and creating new paragraphs (4) through (7) relative to certain compliance requirements.

Paragraph (4) requires the Secretary to develop and implement a coordinated plan for FCIC and FSA to reconcile information received from producers and, beginning with the 2000 crop year, requires FCIC and FSA to annually conduct such reconciliation to identify and address any discrepancies.

Paragraph (5) requires the Secretary to develop and implement a coordinated plan for FSA to assist FCIC in ongoing monitoring of FCIA programs, including conducting fact findings relative to allegations of fraud, waste or abuse at the request of FCIC or on its own initiative after consultation with FCIC; reporting fraud, waste, abuse, and program vulnerabilities to FCIC; assisting FCIC in auditing a statistically appropriate number of claims. Also provides that the Secretary ensure that FSA personnel are appropriately trained and, at minimum, receive the same training and testing as loss adjusters.

Requires maintenance of effort on the part of approved insurance providers in conducting audits of claims, requires FCIC to respond within 90 days of receiving notice by approved insurance providers of intentional violations, and requires a coordinated response to violations by FCIC and approved insurance providers.

Paragraph (6) requires the Secretary to establish a mechanism under which state FSA committees are consulted concerning policies and plans of insurance offered in the state.

Paragraph (7) requires the Secretary to submit an annual report to the House and Senate Agriculture Committees containing findings relative to the efforts undertaken in paragraphs (4) and (5), identifying specific incidences of fraud, waste, and abuse along with actions taken to eliminate the same.

The House bill amends section 506(n) by striking ''penalties'' where it occurs and inserting ''sanctions'' and redesignating paragraph (2) as paragraph (3).

Strikes paragraph (1) relative to false information and inserts new paragraph (1) relating to the same.

Provides that a producer, agent, loss, adjuster, approved insurance provider, or other person that intentionally provides false or inaccurate information to FCIC or to an approved insurance provider with respect to a policy may, after notice and opportunity for a hearing, be subject to sanctions.

Provides that sanctions include a civil fine not to exceed the greater of the amount of the pecuniary gain obtained by the violator or $10,000; debarment of a producer from specified farm programs for up to 5 years; and debarment of other persons from benefits under the FCIA for up to 5 years. Also provides that FCIC may require the producer to forfeit any premium owed notwithstanding denial of a claim or collection of overpayment if the violation is material.

Requires sanctions be disclosed on each policy. (Sections 202 and 203)

The Senate amendment strikes section 506(n), relative to penalties for false information, and provides a new subsection (n) relative to sanctions for program noncompliance and fraud.

Provides that a producer, agent, loss, adjuster, approved insurance provider, or other person that intentionally provides false or inaccurate information to FCIC or to an approved insurance provider with respect to a policy may, after notice and opportunity for a hearing, be subject to a sanction under this subsection.

Provides that a producer, agent, loss adjuster, approved insurance provider, or other person that intentionally fails to comply with an FCIC requirement is subject to sanctions, and that any such person (other than a producer) intentionally failing to comply with an SRA is also subject to sanctions.

Provides sanctions for material violations relative to providing false information and compliance failure. Sanctions include a civil fine not to exceed the greater of the amount of the pecuniary gain obtained by the violator or $10,000; debarment of a producer from all farm programs for up to 5 years; and debarment of other persons from benefits under the FCIA for up to 5 years.

Requires the Secretary to consider the gravity of the violation in determining whether to impose a sanction and the amount or degree of any sanction imposed. Also requires disclosure of sanctions on each policy of insurance.

Requires that funds collected under this subsection be deposited into the insurance fund provided under section 516(c)(1) of the FCIA (general FCIA insurance fund). Amends section 516(c)(1) of the FCIA by striking paragraph (1) and inserting a new paragraph (1) providing that, along with premium income and amounts under section 516(a)(2), sanctions fees are to be deposited in this fund.

The Senate amendment amends section 506(q) of the FCIA, relative to program compliance, by adding at the end paragraphs (3) and (4).

Paragraph (3) requires FCIC to develop procedures for an annual review of each agent and loss adjuster by approved insurance providers, oversee such review, and consult with approved insurance providers relative to any remedial action required.

Requires FCIC to file a report with the House and Senate Agriculture Committees by the end of each fiscal year relative to compliance, along with recommendations for any necessary legislative or administrative changes. (Sections 303 and 304)

The Conference substitute adopts the House provisions relative to improving compliance and integrity with modifications. Procedures with respect to FSA inquiries into fraud, waste, and abuse as well as notice and response requirements concerning allegations of fraud, waste, and abuse are clarified. The Secretary is required to establish procedures by which the Corporation will be able to identify agents and loss adjusters with disparate performance records in order to conduct a review and take remedial action where appropriate. Certain information, including the name and identification number of each insured and the crop to be insured, the elected coverage level, and price election selected must be received by the Corporation approximately 30 days subsequent to the sales closing date. The Conference substitute also adopts the Senate provision relative to sanctions for program noncompliance and fraud, with a minor change to exclude the failure to comply with a Standard Reinsurance Agreement from the class of activities that would trigger the imposition of sanctions enumerated under this section. The Conference substitute further adopts the Senate provision to require the Corporation to develop procedures for approved insurance providers to review the performance of agents and loss adjusters. Finally, the Conference substitute adopts provisions to require the Secretary to upgrade information management systems and use data mining and data warehousing technologies, including contracting with private entities with expertise in this area, in implementing compliance provisions. Limited funding is authorized for fiscal years 2001 through 2005 to carry out these compliance activities, excluding salaries. (Section 121)

In an effort to combat fraud and abuse in the crop insurance program, the Managers direct the Secretary to develop and implement a coordinated plan for the Farm Service Agency to assist the Corporation in monitoring and reporting on crop insurance program activity at the local field level. In addition, the Corporation must establish a working relationship with insurance providers in order that information regarding fraud, waste, and abuse may be reported to the Corporation without fear of legal reprisal to the insurance providers. The Managers expect the Secretary to ensure that each of the agency roles are clearly defined with the Corporation responsible for implementing all rules and regulations relating to the insurance program.

The Managers expect that the Corporation will make full use of the capabilities of information management systems, specifically data warehousing and data mining technologies, both within or outside of the Federal government, to fulfill the requirements of this section to improve the compliance and integrity of the Federal crop insurance program. The Managers expect the Corporation to use funds made available by this Act, or otherwise available, to contract with the Center for Agribusiness Excellence at Tarleton State University and the Center for Agribusiness and Agrotechnologies at Bradley University for management and development of a system to implement the requirements of this section.

The Managers direct the Corporation to place the highest financial priority and emphasis on the interactive computer operations to ensure that participating insurance companies are able to accurately transmit financial data back to the agency.

Protection of confidential information

The House bill amends section 502 by adding a new subsection (c) relative to the protection of confidential information.

Prohibits the Secretary, any other officer, employee, or agency of USDA, an approved insurance provider and its employees and contractors, and any other person from disclosing producer-derived information to the public unless it is transformed into a statistical or aggregate form that does not reveal the producer's identity.

Provides for penalties consistent with section 1770(c) of the Food Security Act of 1985,

including fines up to $10,000 and or imprisonment for up to 1 year. (Section 204)

The Senate amendment has no comparable provision.

The Conference substitute adopts the House provision protecting producer confidentiality with a minor change to allow producers to consent to the release of otherwise protected information as long as program eligibility is not conditioned upon the release. (Section 122)

Good farming practices

The House bill amends section 508(a)(3)(C) relative to losses excluded from coverage by clarifying that scientifically sound sustainable and organic farming practices are good farming practices. (Section 309)

The Senate amendment is substantially the same as the House bill.

The Conference substitute adopts the Senate provision relative to the inclusion of scientifically sound sustainable and organic farming practices as good farming practices for purposes of what constitutes an insurable loss under the Federal Crop Insurance Act. The Conference substitute further requires that producers be provided with an informal administrative review of a determination regarding good farming practices but proscribes any such review pursuant to the National Appeals Division. Producers have a right to judicial review relative to a determination regarding good farming practices without having to exhaust any informal administrative review. However, any determination regarding good farming practices may not be reversed under a judicial review unless it is found to be arbitrary or capricious. (Section 123)

The Managers understand that producers of organic cotton who destroy their crop when it has been exposed to chemicals used in boll weevil eradication are currently being penalized relative to their actual production history despite the fact that they do not qualify for a crop insurance indemnity. The Managers expect the Corporation to immediately rectify this inequity with respect to any producer of an organic crop who must destroy that crop in order to maintain organic certification. To the extent that no indemnity is received for a lost crop under these circumstances, no penalty relative to actual production history should obtain.

Records and reporting

The House bill amends section 508(f)(3)(A) of the FCIA relative to producer reporting requirements.

Requires producers participating in the crop insurance program to annually report records acceptable to the Secretary regarding crop acreage, acreage yields, and production for each crop insured.

Amends section 506(h) of the FCIA by requiring the coordination of records kept under the FCIA and under the NAP program to avoid duplication, to streamline submission procedures, and to enhance accuracy.

Provides that such records collected under NAP and the FCIA be made available to appropriate state and federal agencies to carry out these programs and other agricultural programs and related responsibilities.

Amends section 196(b) of the FAIR Act of 1996 to require that to be eligible for NAP, producers must provide annually to the Secretary, acting through the agency, records of crop acreage, acreage yields, and production for each eligible crop. (Section 205)

The Senate amendment amends section 508(f)(3)(A) of the FCIA relative to producer reporting requirements.

Requires producers participating in the crop insurance program to annually report records acceptable to the Secretary regarding crop acreage, acreage yields, and production for each crop insured.

Amends section 506(h) of the FCIA by requiring the coordination of records kept under the FCIA and under the NAP program to avoid duplication, to streamline submission procedures, and to enhance accuracy.

Provides that such records collected under NAP and the FCIA be made available to appropriate state and federal agencies to carry out these programs and other agricultural programs and related responsibilities.

The Senate amendment also strikes paragraph 196(b)(2) providing the Secretary discretionary authority pertaining to what production records a producer must submit, and inserting a requirement that, to be eligible for NAP, producers must annually submit crop acreage, acreage yields, and production for each crop. Amends paragraph 196(b)(3) to require annual reporting of acreage planted or prevented from being planted. (Sections 306 and 106)

The Conference substitute adopts the House provision with changes to omit provisions dealt with elsewhere in the Act. (Section 124)

Subtitle C—Research and Pilot Programs

Research and development

The House bill amends section 508(h) by adding a new paragraph (6) relative to reimbursement of research, development, and maintenance costs.

Requires FCIC to reimburse an applicant for research, development, and maintenance costs directly related to a policy submitted to and approved by the Board and, if applicable, sold to producers.

Authorizes payments to applicants beginning with fiscal year 2001 and limits reimbursement for maintenance to no more than 4 reinsurance years from approval, after which FCIC assumes maintenance of successful policies.

Provides that payments under this paragraph be considered payment in full for research and development and any property rights.

Requires FCIC to determine the amount of reimbursement based upon the complexity of the policy or material and the size of the area to be served. Requires FCIC to issue final regulations not later than October 1, 2000.

The House bill also authorizes $55 million for each fiscal year for reimbursement and direct contracting for research and development of new policies.

The House bill amends section 508(m) by adding a new paragraph (4).

Paragraph (4) requires FCIC to make full use of the reimbursement provisions of section 508(h) to encourage and promote private research and development of new policies and plans of insurance.

Provides that where FCIC determines that a crop, including a specialty crop, is not adequately served by crop insurance, FCIC may enter into contracts directly with any person or entity with experience in crop insurance or farm or ranch risk management, including universities, approved insurance providers, and trade and research organizations, to conduct research and development, without regard to the limitations contained in the FCIA.

Provides that the authority of FCIC to contract for the research and development of policies, includes research and development for policies based on adjusted gross income, cost of production, quality losses, and an intermediate base program with a higher coverage and cost than ''CAT''.

Delays effective date of contracting authority until October 1, 2000.

Provides that FCIC may offer any policy developed under this subparagraph that is approved by the Board.

Requires FCIC to contract for research and development regarding one or more revenue coverage plans involving current or new market instruments. Requires FCIC to report the results of the contract within 15 months from enactment of this paragraph.

Amends section 508(m)(2) relative to the prohibition of FCIC research with respect to risk protection generally available from the private sector, to prohibit FCIC from conducting its own research and development of new policies on or after October 1, 2000. Provides that FCIC may continue to offer any policies developed by FCIC before that date.

Amends section 508(m) by adding a new paragraph (5), relative to partnerships for risk management development and implementation.

Authorizes FCIC to enter into partnerships with public and private entities to increase the availability of loss mitigation, financial, and risk management tools for producers of crops covered under NAP and other underserved and specialty crop producers.

Authorizes FCIC to enter into partnerships with CSREES, ARS, NOAA, and other appropriate public and private entities with demonstrated ability in developing and implementing risk management and marketing options for specialty and under-served crops.

Provides a list of objectives to be obtained as a result of any partnerships.

Provides that funds not used for reimbursements or for direct contracting for specialty and under-served crops may be used by FCIC to enter into such partnerships.

Provides that funding for partnerships during fiscal years 2001 through 2004 are available where amounts used for reimbursements and direct contracting are less than $44 million, $47 million, $50 million, and $52 million for fiscal years 2001 through 2004, respectively, and where the amount for partnerships does not exceed the difference between the amounts provided above and the amount actually spent thereon.

This paragraph is applicable beginning on October 1, 2000.

The House bill amends section 508(h)(6) by adding a new subparagraph (E) relative to expenditures on reimbursements and direct contracting for research and development.

Provides that of the amounts made available for reimbursements and direct contracting for research and development, $25 million shall be reserved for direct contracting for specialty and under-served crops. Provides that any unused portions of the reserved amount may be used for reimbursements, with priority for under-served crops. Also provides that of the amounts made available for reimbursements and direct contracting for research and development, more than $25 million may be used for contracting for specialty and under-served crops where necessary.

Authorizes $55 million for each fiscal year for reimbursement and direct contracting for research and development of new policies.

Amends section 516(a)(2) by adding a new subparagraph (D) authorizing appropriations for costs associated with research, development, and maintenance costs.

Amends section 516(b)(1) by adding a new subparagraph (E) authorizing reimbursements, research, and development costs to be paid by the FCIA Fund. (Section 302, 303 and 304)

The Senate amendment provides that with respect to research and analysis concerning any crop insurance issue, including outreach, education, pilot programs, or the development of new plans of insurance, FCIC is limited to the authority provided under the newly created section 522 and the funds made available under section 516(b)(2)(A) of the FCIA when contracting or reimbursing research costs related to policy development or modification. Newly created section 523 relative to specialty crops is exempted from this limitation.

Requires that FCIC establish the development of a pasture, range, and forage program to promote land stewardship as ''1 of the highest research and development priorities.''

Requires FCIC to contract for a study to determine whether the development of a plan of insurance providing coverage for multiple years would curb fraud and abuse, and requires a report on findings to the House and Senate Agriculture Committee within 1 year of enactment.

The Senate amendment also amends the FCIA by adding at the end section 523, relative to specialty crops.

Authorizes the Specialty Crops Coordinator to make grants or enter into contract for research and development of policies to serve under-served specialty crops and reimburse costs associated with such research and development.

Authorizes the Specialty Crops Coordinator to enter into partnerships with public and private entities to increase the availability of risk management tools for specialty crop producers.

Authorizes $20 million in funding from section 516(c)(1) (FCIA Fund) for each of fiscal years 2001 through 2004 to enter into cooperative agreements with public and private entities to develop and implement risk management tools for specialty crop producers. Provides that such amounts may not come from section 516(b)(2)(A).

Provides a list of objectives to be obtained as a result of any partnerships.

Prohibits FCIC from establishing a sales closing date for specialty crops that is before the end of the 120–day period beginning on the date of the final release of materials for policies from RMA and the Specialty Crops Coordinator.

Allows producers of specialty crops to purchase new coverage or increase coverage levels at any time during the insurance period, subject to a 30–day waiting period and an inspection by FCIC to verify acceptability of the approved insurance provider, provided FCIC is able to adequately rate the risk.

Requires FCIC and the Specialty Crop Coordinator to jointly conduct feasibility studies for developing new policies for specialty crops, and requires a progress report to Congress not later than 1 year from the date of enactment.

The authority for the Specialty Crops Coordinator to enter into partnerships and the extension of the sales closing date and time for purchase of coverage is applicable for the 2001 through 2004 fiscal years.

Requires that not later than 180 days after enactment, the Secretary must submit a report to the President and the House and Senate Agriculture Committees assessing USDA's progress in expanding coverage to specialty crops and USDA's plans to continue that progress.

Also requires that the report include an assessment of whether ''CAT'' has resulted in uniform quality of protection for all regions of the country and fulfilled the goal of increased participation, especially in states with traditionally low participation rates and high proportion of specialty crops. The report should also address the question of whether USDA should resume offering CAT and performing loss adjustments.

The Senate amendment strikes subsection (m) providing FCIC its current authority to conduct research, surveys, pilot programs, and investigations relating to crop insurance and agriculture-related risks and losses. Subsection (n) is designated as subsection (m).

Amends section 516(b)(2)(A) to increase mandatory funding for research and development expenses from not to exceed $3.5 million for each fiscal year to $4.5 million in fiscal years 2001 and 2002, $3.75 million in fiscal years 2003 and 2004, and returning to $3.5 million for each subsequent fiscal year.

Provides a conforming amendment relative to section references in section 518, defining agricultural commodity. (Section 202, 207 and 309)

The Conference substitute adopts the House provisions relative to reimbursements, contracting, and partnership for policy research and development with certain changes. The provision includes authority to reimburse research and development costs associated with policies developed before enactment. Reimbursement for research and development costs is limited to policies that are determined to be marketable. Reimbursement for maintenance is limited to 4 reinsurance years from the date of Board approval after which the provider responsible for maintenance has three options. The provider may transfer maintenance responsibility to the Corporation, charge a Board-approved fee to be paid by other providers electing to offer the policy, or continue to maintain the policy and absorb the appurtenant costs. The provision authorizes the Corporation to enter into contracts for research and development on policies in order to (1) increase participation in States where the Corporation determines there is low crop insurance participation or availability, and the State is under-served by the program; (2) increase participation in areas that are under-served by the program; and (3) increase participation by producers of under-served agricultural commodities, including specialty crops. The provision requires the Corporation to consult with groups representing producers that would be served by a policy that is the subject of the research and development before entering into a contract. The Conference substitute adopts the Senate provisions to require the Corporation to establish the development of a pasture, range, and forage program as one of the highest priorities and to require the Corporation to contract for a study relative to offering coverage for multiple years to reduce fraud, waste, and abuse. Provisions are included to make partnership authority under this section eligible for funding for contracting, and to reserve $5 million of such funding for contracting for policy development to increase participation in States where the Corporation determines there is low crop insurance participation or availability and the State is under-served by the program. The Managers consider it a high priority to develop policies that work for producers and products in these low participation states. The provision also requires the Corporation to contract for research and development relative to a cost of production policy. Finally, funding for reimbursements and contracting are limited to new levels. (Section 131)

The Managers recognize that it is difficult to predict the range of new and innovative approaches to the private development of insurance products under the new environment created under this bill. There is no reason to believe all policies will necessarily fit under the current structure of yield-based or revenue-based products; some may focus on a narrower array of perils than are now included in available coverage. These could include plans to protect against the uncontrollable risks associated with the use of certain conservation techniques such as integrated pest management, best management practices, or conservation tillage systems. The Corporation should take such factors into account when considering approval of such proposals.

The Managers expect the Corporation to study the feasibility of offering a vine and tree replacement program as an option for growers of grapes, citrus, tree fruit, nut, kiwi, blueberries, and other high-value, permanent crops.

Pilot program

The House bill amends section 508(h) by repealing obsolete pilot programs contained in paragraphs (6) and (8) relative to cost of production and assigned yields, respectively.

Authorizes FCIC to offer pilot programs on a regional, state, or national basis after considering the interests of producers and the interests and risks of FCIC, and to operate the pilot program, including any modifications, for up to 3 years with authority to extend for additional periods.

Amends section 508(h)(4) to require FCIC to promulgate regulations within 180 days of enactment to establish guidelines for the submission and Board review of policies submitted under section 508(h), including streamlined guidelines governing the submission and Board review of pilot programs that the Board determines are limited in scope and duration and involve a reduced level of liability to the government and an increased level of liability to the approved insurance provider.

Provides that FCIC must notify the applicant of its intent to disapprove a low risk pilot program within 60 days of the submission.

Requires FCIC to approve or not approve a low risk pilot program within 90 days of submission, and requires a detailed explanation for any disapproval.

Provides that where FCIC fails to make a timely determination with respect to a low risk pilot program, the pilot is approved for the initial reinsurance year unless an extension is agreed to.

Amends section 508(h) by striking paragraph (10) relative to time limits for submission of new policies and inserts a new paragraph (10) relative to livestock pilot programs.

Requires FCIC to conduct 1 or more livestock pilot programs to evaluate risk management tools, including futures and options contracts and policies and plans of insurance, including protection for environmental liability, and requires that the greatest number and variety of programs be evaluated.

Requires FCIC to begin the conduct of livestock pilot programs during the 2001 fiscal year and without regard to the limitations in the FCIA, except that no coverage may be offered where that coverage is generally available from private insurance.

Requires FCIC to conduct the livestock pilot programs in a number of counties that will facilitate comprehensive evaluation, and provides that any producer of eligible livestock owning a farm or ranch in a selected county is eligible to participate.

Defines livestock as cattle, sheep, swine, goats, and poultry.

Requires FCIC to operate all livestock pilot programs so that, to the maximum extent practicable, associated costs (other than for research and development) are not expected to exceed $20 million for fiscal year 2001, $30 million for fiscal year 2002, $40 million for fiscal year 2003, and $55 million for fiscal year 2004 and each subsequent fiscal year.

Amends section 518 of the FCIA by striking the livestock exclusion from insurance. (Section 105)

The Senate amendment authorizes FCIC to conduct research, surveys, pilot programs, and investigations relating to crop insurance and agriculture-related risks and losses based on proposals developed by FCIC and others to determine their suitability to meet producer needs.

Provides an exception that FCIC may not conduct such research activity to provide risk protection where such protection is generally available from the private sector.

Provides under newly created section 522(a)(3) a list of eligible activities for research activity, including after October 1, 2000, livestock and livestock products, wild salmon, and loss or damage to trees or fruit due to ''sharka.''

Clarifies the scope of pilot programs under newly created section 522(a)(4). Authorizes FCIC to offer pilot programs on a regional, state, or national basis after considering the interests of producers and the interests and risks of FCIC, and to operate the pilot program, including any modifications, for up to 4 years with authority to extend for additional periods. Also authorizes FCIC to provide premium discounts to producers using whole farm or single crop units of insurance and to cross state and county boundaries to form units.

Requires under newly created section 522(a)(5) that FCIC evaluate each pilot program and submit a report to the Senate and House Agriculture Committees with a recommendation on whether to offer the pilot on a national basis.

Authorizes under newly created section 522(a)(6) funds to carry out research and pilot programs (except for research related to alternative rating methodologies authorized under section 202 of the Senate amendment). Authorized amounts may not exceed $10 million in FY2001, $30 million in FY2002, $50 million in FY2003, and $60 million in FY2004.

Provides that provisions under section 201 of the Senate amendment that require funding are applicable for fiscal years 2001 through 2004, including authority for timber, wild salmon, and livestock coverage, general pilot authority, and general research funding.

The Senate amendment provides that the purpose of the pilot program is to determine what incentives are necessary for approved insurance providers to develop and offer risk management products, rate premiums, and competitively market such products.

Requires FCIC to establish a pilot program under which approved insurance providers may propose to the FCIC Board loss of yield or revenue insurance coverage for 1 or more commodities, including commodities not insurable (but excluding livestock), rates of premium, and underwriting systems.

Requires FCIC to approve the risk management product before it can be marketed.

Provides that the FCIC Board may approve a risk management product submitted if the Board determines that the interests of producers are protected; premium rates are actuarially appropriate and underwriting systems are actuarially appropriate and adequate; the product is reinsured under the FCIA, through private reinsurance, or self-insured; the size of the pilot is adequate; the product is not generally available through private insurance plans; and any other requirements imposed by FCIC.

Requires that all information concerning a risk management product be considered confidential commercial or financial information, and provides the standard that if the Secretary could withhold such information, the information may not be released.

Defines original provider as an approved insurance provider that submits a product for approval under this section. Provides that risk management products approved under this section may only be sold by the original provider, unless another approved insurance provider desiring to offer the product pays a fee established by the original provider. (Sections 201 and 205)

The Conference substitute adopts the Senate provisions relative to the scope of pilot programs and to a pilot program for insurance coverage on wild salmon. Pilot authority for insurance coverage for timber due to drought, flood, fire or other natural disaster and for trees or fruit affected by plum pox (including quarantined trees or fruit) are omitted because statutory authority currently exists to insure the crops against these perils. The House bill language relative to expedited consideration of low risk pilot programs is omitted. The Conference substitute adopts the House bill's provision relative to livestock pilot programs, except that pilot authority to offer insurance coverage for environmental liability is omitted and the definition of livestock is modified to include but not be limited to the livestock referenced in the House bill. Funding for all livestock programs is also limited to new levels. The provision authorizes a premium-rate reduction pilot program. Finally, House bill language clarifying regulatory jurisdiction over policies or plans of insurance is included but in a separate section of the Act. (Section 132)

The Managers intend for the Corporation to proceed with crop insurance coverage for sorghum silage beginning with the 2001 crop year by implementing the pilot program that was drafted and presented to grain sorghum producers in October of 1999. The Corporation shall develop the program in a way that provides sorghum silage the same coverage as corn silage with the program to be fully developed by September 30, 2000.

The Managers are aware of proposals to implement a pilot insurance policy to provide coverage on timber losses resulting from drought, flood, fire, or other natural disaster. The Managers expect the Corporation to implement this pilot under current authority, with special consideration given to Florida.

The Managers are aware of the serious concerns the plum pox virus is causing in several states, including Pennsylvania. The Managers believe the Corporation has the same authority to develop a policy to provide coverage for plum pox as has been developed for citrus canker. The Managers expect the Corporation to develop an insurance policy that provides coverage for trees against losses associated with plum pox virus.

The Managers intend that the premium rate reduction pilot program authorized by this provision explore whether premium rate competition can benefit producers without harming program integrity or the crop insurance delivery system. The Managers hope and expect that the Corporation will approve proposed premium reductions, as long as such proposed reductions meet the standards of approval contained in Section 132(d) of the Conference substitute.

The Managers are aware that Section 508(e)(3) of the Federal Crop Insurance Act already authorizes premium reductions if an approved insurance provider can demonstrate to the Corporation that it can provide crop insurance more efficiently than the expense reimbursement provided by the Corporation. The 508(e)(3) standard, however, is too limiting because an approved insurance provider's gross income includes underwriting gain as well as the expense reimbursement. As a result, the Managers intend that the limitations on premium reductions contained in Section 508(e)(3) of the Federal Crop Insurance Act not apply to the premium rate reduction pilot program authorized by this provision.

Education and risk management assistance

The Senate amendment requires FCIC to establish two programs for the fiscal years 2001 through 2004, not to exceed the available funding limitations.

Requires FCIC to establish a program of education and information for states in which there is traditionally and continues to be a low level of program participation and coverage availability, and which the Secretary determines is under-served.

Requires FCIC to establish a program of research and development to develop new approaches to increasing participation in states in which there is traditionally and continues to be a low level of program participation and coverage availability, and which the Secretary determines is underserved. Requires that $10 million in each of fiscal years 2001 through 2004 be made available for the Education, Information, and Insurance Provider Recruitment program from the account provided under section 516(a)(2)(C) (mandatory funding account for risk management payments).

Requires that $5 million in each of fiscal years 2001 through 2004 be made available for the Research and Development program from the account provided under section 516(a)(2)(C) (mandatory funding account for risk management payments). (Section 206)

The House bill has no comparable provision.

The Conference substitute adopts the Senate provision relative to education and research with certain changes. The provision authorizing the Corporation to establish a program of research and development for new approaches to increase program participation in specified states is omitted and partnerships for risk management education is authorized. The Secretary, acting through the CSREES, is required to establish a program under which competitive grants are made to qualified persons for the purpose of educating producers about risk management activities. Funding for the education and information program provided under the Senate amendment and the partnerships for risk management education program are each limited to $5 million for each fiscal year beginning with 2001. The provision also provides for an agricultural management assistance program under which the Secretary is to offer cost share assistance to producers located in states with historically low crop insurance participation for the uses as specified in the Act. Funding for this program is limited to $10 million for each fiscal year beginning with 2001. (Section 133)

Farmers have voiced support for marketing clubs, supported through small grants from USDA. The clubs provide an opportunity for farmers to improve their understanding of marketing and managing price risk by sharing their marketing experiences with their peers. The Managers encourage the Secretary to continue to support development of marketing clubs for farmers.

Options pilot program

The Senate amendment amends section 191 of the AMTA relative to options pilot program authority by extending such authority until December 31, 2004.

Expands authority to operate options pilot programs from not more than 100 counties with a limit of 6 counties per state, to not more than 300 counties with a limit of 25 counties per state.

Authorizes the Secretary to enter into a contract with any producer who volunteers to participate in the pilot program during any calendar year in which a county in which the farm of the producer is located is authorized to operate the pilot program.

Requires FCIC transfer $27 million for each of fiscal years 2002 through 2004 from section 516(a)(2)(C) (mandatory funds for risk management payments) to the Secretary to fund the operation of the expanded options pilot program. (Section 204)

The House bill has no comparable provision.

The Conference substitute adopts the Senate provision relative to the options pilot program with certain changes. Authority to conduct the options pilot program is expanded to include an increased number of

counties with such authority continuing until the expiration of the 1996 Farm Bill. Finally, funding is limited under this section. (Section 134)

Subtitle D—Administration

Relation to other laws

The House bill provides that any policy or plan of insurance offered under the FCIA is not subject to the jurisdiction of the CFTC or SEC. Provides a savings clause that states that the provision does not affect the jurisdiction of the CFTC with respect to transactions conducted on a contract market.

The Senate amendment provides that any policy or plan of insurance offered under the FCIA is not subject to the jurisdiction of the CFTC, but does not affect the jurisdiction of the CFTC with respect to transactions conducted on a contract market.

The Conference substitute adopts the provision included in section 105 of the House Bill relative to jurisdiction over policies or plans of insurance and over any underlying instrument utilized in such a policy or plan of insurance. (Section 141)

Management of corporation

The House bill strikes section 505(a) relative to the Board of Directors of FCIC and inserts a new section 505(a) and (b), relative to the same.

Provides that the management of FCIC is to be vested in the Board of Directors, subject to the supervision of the Secretary.

Provides that the Board consist of the manager of FCIC (serving as a non voting ex officio member), 1 member active in the crop insurance business, 1 member active in the regulation of insurance, the Under Secretary for Farm and Foreign Agricultural Services, 1 additional Under Secretary for Agriculture, USDA's Chief Economist, and 4 active producers who are policy holders, are from different geographic regions, represent a cross-section of commodities grown, with 1 producer being a specialty crop producer.

Provides that the private sector members of the Board be appointed and serve at the pleasure of the Secretary, and not otherwise be employed by the government.

Requires that a private-sector member of the Board serve as its Chairman and be elected by the Board.

Provides that the amendment made by section 301 takes effect 30 days from enactment, allowing current Board members to continue to serve until the earlier of their replacement date or 180 days after enactment. (Section 301)

The Senate amendment strikes section 505(a) relative to the Board of Directors of FCIC and inserts a new section 505(a).

Provides that the management of FCIC is to be vested in the Board of Directors, subject to the supervision of the Secretary.

Provides that the Board consist of 4 producers from each region of the country, 1 member active in the crop insurance business, 1 member active in the reinsurance business, the Under Secretary for Farm and Foreign Agricultural Services, the Under Secretary for Rural Development, and USDA's Chief Economist.

Provides that the private sector members of the Board be appointed and serve at the pleasure of the Secretary, not be employed by the government, be appointed to staggered 4 year terms, and serve no more than 2 consecutive terms.

Requires that a private sector member of the Board serve as its Chairman and be elected by the Board.

Requires RMA to assist the Board in developing, reviewing, and recommending new plans of insurance and pilot projects, terms of the SRA, and with other issues involved in the administration of the program.

Provides for the appointment of an Executive Director by the Secretary to assist the Board and report to the Secretary.

Provides for a staff of 4 to report to the Executive Director, all 4 having knowledge and experience in quantitative mathematics and actuarial rating.

Requires the Executive Director and staff to assist the Board in reviewing and approving policies and plans of insurance submitted under sections 508, 522, or 523, and report at least monthly to the Board on crop insurance issues.

Requires the Executive Director and staff to review subsidized and unsubsidized insurance, make recommendations for approval or disapproval, make recommendations to encourage cooperation between the U.S. attorneys, FCIC, and approved insurance providers to minimize fraud, and make recommendations with respect to rating methodologies.

Provides $500,000 for fiscal year 2001 from the FCIA Fund to pay the salaries and expenses of the Executive Director and staff.

Requires that RMA transfer $500,000 for fiscal year 2001, and $1 million for each subsequent fiscal year to the Executive Director for salaries and expenses, subject to the availability of appropriations. (Section 301)

The Conference substitute adopts the House provision relative to the composition of the Corporation Board of Directors with changes to permit the Secretary the option of appointing 1 person experienced in reinsurance or 1 person experienced in the regulation of insurance, requiring that Board members be limited to two consecutive terms and be appointed for staggered 4–year terms. The new Board is to be appointed during the period beginning February 1, 2001 and ending April 1, 2001. Finally, the Board of Directors is required to contract with persons experienced as actuaries and in underwriting for expert reviews of policies and plans of insurance offered under the Federal Crop Insurance Act. Funding for such reviews is authorized from mandatory funds formerly dedicated to research and development. The authority provided under this section, including funding dedicated to carry out this section, is in addition to the general management authority over the Corporation, including any other contracting authority under the title, that is vested in the Board of Directors. (Section 142)

Contracting for rating of plans of insurance

The House bill amends section 507(c)(2) relative to requiring FCIC to contract for certain services by including the contracting for actuarial services, services relating to loss adjustment, and rating plans of insurance. Underscores that FCIC should concentrate on the regulation of insurance and on the evaluation process for newly developed policies under section 508(h). (Section 306)

Section 202 of the Senate amendment corresponds with sections 306 and 104 of House bill

The Conference substitute adopts the House provision relative to contracting for rating plans of insurance. (Section 143)

Electronic availability of crop insurance information

The House bill amends section 508(a)(5) by making technical amendments and adding a new subparagraph (B) relative to electronic availability of crop insurance information.

Requires FCIC to make general insurance information electronically available to producers and insurance providers, and also requires, where practicable, that FCIC allow producers and providers to provide insurance information electronically. (Section 307)

The Senate amendment has no comparable provision.

The Conference substitute adopts the House provision relative to the electronic availability of crop insurance information. (Section 144)

Adequate Coverage for States

The Senate amendment amends section 508(a) adding paragraph (9) relative to adequate coverage for states.

Defines adequately served as having a participation rate that is at least 50 percent of the national average.

Requires FCIC to review policies offered by approved insurance providers to determine if each state is adequately served.

Requires that not later than 30 days after completion of the review, FCIC must submit to Congress a report of the results along with recommendations to increase participation in states not adequately served. (Section 305)

The House bill has no comparable provision.

The Conference substitute adopts the Senate provision relative to adequate coverage for states. (Section 145)

Submission of Policies and Materials to Board

The House bill amends section 508(h)(1) to clarify that a ''person'' that may propose a policy to the Board for approval includes an approved insurance provider, a college or university, a cooperative or trade association, or other persons. Clarifies that policies are to be sold to producers by approved insurance providers.

Requires FCIC to consider any modified policy proposal within 30 days from the submission of the modifications, and requires that any decision to disapprove a policy must be accompanied by a complete explanation.

Requires that FCIC make a determination to approve or disapprove a policy proposal within 120 days from submission, and any decision to disapprove a policy must be accompanied by a complete explanation. Provides that the proposed policy is approved for the initial reinsurance year where FCIC fails to provide a timely determination unless the parties agree to an extension.

Amends section 516(b)(2) to authorize the current $3.5 million in mandatory funds for research and development to be used for costs associated with considering and contracting for assistance in considering policies submitted for approval and carrying out policies resulting from direct contracting,

The House bill also requires FCIC to issue regulations establishing guidelines within 180 days of enactment to govern the submission of policies. (Sections 305 and 105)

The Senate amendment amends section 508(h) by striking paragraphs (1) through (4) relative to the submission, review and approval, and guidelines for the same of new policies, plans of insurance, or related materials, and inserts new paragraphs (1) through (4) related to the same.

Permits persons to propose to the Board loss of yield or revenue insurance coverage on an individual, area, or a combination of individual and area basis for 1 or more crops and rates of premium and underwriting systems for proposed or existing policies.

Provides that a proposal submitted under this subsection may be prepared without regard to FCIA limitations, including actuarial soundness, levels of coverage, rates of premium, that the price level equal the expected market price and that an approved insurance provider must provide coverage for all crops throughout the state where the provider elects to provide any coverage in the state.

Provides, however, that FCIC may not pay a portion of the premium for a policy submitted under this subsection that exceeds the amount otherwise authorized under subsection (e).

Requires the Board to approve a proposal submitted under this subsection for subsidy and reinsurance where the Board determines the proposal adequately ensures the interests of producers are protected, premiums are actuarially appropriate, underwriting systems are actuarially appropriate and adequate, and is reinsured under this title, privately reinsured, or self-insured.

Provides that rates of premium are actuarially appropriate where the rate is sufficient to cover projected losses and expenses, a reasonable reserve, and an amount of operating and administrative expenses of the approved insurance provider under subsection (d)(2).

Provides that proposed underwriting plans may be on an area or individual farm basis and must, at a minimum, specify factors such as yield history for the farm or region, soils and resource quality for the farm, and farm production practices.

Requires FCIC to provide reinsurance to approved insurance providers to the maximum extent practicable, and allows such providers to obtain private reinsurance, reinsurance under the FCIA, or to self-insure.

Requires FCIC to prescribe standards for determining whether premium rates are actuarially appropriate.

Establishes guidelines with respect to any policy or other material submitted to the Board after October 1, 2000.

Allows FCIC to enter into more than 1 reinsurance agreement simultaneously with an approved insurance provider to facilitate the offering of the new policy.

Requires FCIC to promulgate regulations establishing the procedure for the submission of policies under this subsection, including the standards applicable to a proposal, procedures concerning the time limits and for opportunity to present the proposal to the Board in person.

Provides that a proposal submitted to the Board is considered approved unless the Board disapproves the proposal by the date 60 business days after the later of submission of the proposal or the date on which the applicant provides the Board notice of intent to modify.

Requires FCIC to provide notice by registered mail of intent to disapprove a proposal not later than 15 days before the date the Board intends to disapprove such proposal.

Provides an applicant with the right to modify a proposal and provides that any modified proposal be considered the original. Requires an applicant to provide notice to the Board of intent to modify a proposal within 5 days of notice by the Board to disapprove such proposal.

Requires FCIC to prescribe a reasonable deadline for submission of proposals that approved insurance providers expect to market during the reinsurance year.

Requires that proposals submitted to the Board be considered confidential commercial information, and further requires that if information concerning a proposal could be considered confidential, the information may not be released.

Provides an exception to the standard of confidentiality where an approved insurance provider agrees to pay a fee (prescribed under section 307 of the Senate amendment) to offer a policy developed by another provider.

Provides that in lieu of publication in the Federal Register, a general summary of a proposal must be made available to other providers upon approval of the proposal by the Board, including the identity of the provider, the coverage provided, and the area to be served.

Strikes paragraphs (6), (8), and (10) of section 508(h), related to a pilot cost of production plan, a pilot program of assigned yields for new producers, and time limits for submission of proposals, and designates paragraphs (7) and (9) as (6) and (7), respectively.

Amends section 516(b)(1) by adding a paragraph (D) authorizing FCIC to pay salaries and expenses of the Executive Director and staff for fiscal year 2001 from the FCIA fund, but not to exceed $500,000. (Section 301)

The Conference substitute adopts the House provision relative to the submission of policies and materials to the Board with changes regarding confidentiality requirements governing policies. The requirement that policies be printed in the Federal Register is also stricken from the Federal Crop Insurance Act. Funding provided under the House provision is incorporated into the Act but under another section of the Title. (Section 146)

Funding

The House bill amends section 516(a)(2) authorizing mandatory funds to be used for costs associated with the conduct of livestock pilot programs subject to the limitations above.

Amends section 516(b)(1) authorizing FCIC to fund livestock pilot programs from the FCIA Fund.

Amends section 516(a)(2) authorizing mandatory funds to be used for cost associated with reimbursement and contracting for research and development.

Amends section 516(b)(1) authorizing FCIC to fund reimbursement and contracting from the FCIA fund.

Amends section 516(b)(2) authorizing mandatory funds for costs associated with considering policies and other materials and implementing such policies. (Section 105, 304 and 305)

The Senate amendment amends section 516(a)(1) of the FCIA by striking paragraph (1) and inserting a new paragraph (1) providing that, along with premium income and amounts under section 516(a)(2), sanctions fees are to be deposited in this fund.

Amends 516(b)(2)(a) increasing the authorization of mandatory funds to be used for research and development. (Sections 207 and 303)

The Conference substitute adopts a funding section that incorporates funding authorized under various sections of the House bill and the Senate amendment, including funding to cover costs associated with the consideration and implementation of policies. (Section 147)

Standard Reinsurance Agreement

The House bill authorizes FCIC to renegotiate the SRA effective for the 2002 reinsurance year. (Section 310(b))

The Senate amendment has no comparable provision.

The Conference substitute adopts the House provision relative to the Standard Reinsurance Agreement with changes to allow 1 re-negotiation during the 2001 through 2005 reinsurance years. (Section 148)

Subtitle E—Miscellaneous

Limitation on Revenue Coverage for Potatoes

The Senate amendment restates the exclusions in current law in subparagraph (A) and adds another exclusion for coverage under new subparagraph (B) prohibiting the coverage of losses due to a decline in revenue from potato production, except as provided under a whole farm plan of insurance.

The House bill has no comparable provision.

The Conference substitute adopts the Senate provision relative to limitations on revenue coverage for potatoes. (Section 161)

Crop Insurance Coverage for Cotton and Rice

The Senate amendment requires that, beginning with the 2001 rice crop, FCIC offer plans of insurance, including prevented planting and replanting coverage, to cover the loss of rice due to the failure of irrigation water supplies from drought and saltwater intrusion. (Section 107)

The House bill has no comparable provision.

The Conference substitute adopts the Senate provision relative to crop insurance coverage for rice with a change to include extra long staple cotton and upland cotton. (Section 162)

Indemnity Payments for Certain Producers

The Senate amendment requires that notwithstanding section 508(c)(5) relative to price elections, a producer of durum wheat that purchased a 1999 CRC wheat policy by the sales closing date shall receive an indemnity payment in accordance with the policy. Requires that the base and harvest price under the policy be in accord with the Commodity Exchange Endorsement for wheat published by FCIC on July 14, 1998, and that FCIC provide reinsurance under the SRA for the policy. Voids the Bulletin MGR- 99–004 issued by the Administrator. This provision is effective on October 1, 2000. (Section 501)

The House bill has no comparable provision.

The Conference substitute adopts the Senate provision relative to providing indemnity payments to certain producers with technical changes. (Section 163)

Sense of Congress on regarding the Federal Crop Insurance Program

The Senate amendment expresses the sense of the Senate regarding the federal crop insurance program and the role of farmer-owned cooperatives. Expresses the sense of the Senate that, not later than 180 days after the date of enactment, the Federal Crop Insurance Corporation should complete promulgation of the proposed rule entitled ''General Administrative Regulations; Premium Reductions; Payment of Rebates, Dividends, and Patronage Refunds; and Payments to Insured-Owned and Record-Controlling Entities.''

The House bill has no comparable provision.

The Conference substitute adopts the Senate provision relative to the Sense of Congress regarding the Federal Crop Insurance Program. (Section 164)

Sense of Congress on rural America, including minority and limited-resources farmers

The Senate amendment provides findings relative to a rally for rural America held in Washington on March 20–21, 2000, the purpose of the rally, and a sense of Congress with respect to the rally, its participants, and its purpose. (Section 403)

The House bill has no comparable provision.

The Conference substitute adopts the Senate provision relative to the Sense of Congress on Rally for Rural America and Rural Crisis with changes. The Conference substitute also adopts the House provision relative to minority and limited resource farmers and ranchers with changes. (Section 165)

Subtitle F—Effective Dates and Implementation

Effective dates

The House bill provides that with the exception of sections 301(b) and 305(d), the amendments made by House bill take effect upon enactment.

Provides that the implementation depends on the terms of the particular amendment or, in the absence of an express implementation date, in accordance with section 402. (Section 401)

The Senate amendment provides that with the exception of certain provisions, the Senate amendment is effective upon enactment. (Section 501)

The House bill requires implementation of sections 104, 106, 107, 202, 203, 204, 205, 206, and 309 for the 2000 crop year.

Requires implementation of sections 105(a); 305(a), (b), and (c); 306; and 307 for the 2000 fiscal year.

Requires implementation of sections 101, 102, 103(b), 109, 110, 111, and 201 for the 2001 crop year. Requires implementation of sections 105(b) and 304 for the fiscal year 2001. (Section 402)

The Senate amendment prohibits FCIC from obligating funds to carry out sections 102, 103, 105, 106, 201 through 207, 309, and 310 until October 1, 2000.

The Conference substitute provides that this Act take effect on the date of enactment with certain exceptions. Subtitle C, section 146 and 163 take effect on October 1, 2000. Subsections (a), (b), and (c) of section 101, section 102(a), subsections (a), (b), and (c) of section 103, section 104, section 105(b), section 108, section 109, and section 162 take effect beginning with the 2001 crop year. Section 101(d), section 102(b), and section 103(d) take effect beginning with the 2001 reinsurance year. (Section 171)

Regulations

The Senate amendment requires FCIC to promulgate regulations not later than 60 days after the date of enactment.

The House bill has no comparable provision.

The Conference substitute adopts the Senate provision requiring the Corporation to promulgate regulations to carry out this Act with a change from requiring regulations within 60 days after enactment to 120 days after enactment. (Section 172)

Savings clause

The House bill provides a savings clause with respect to current law, to the extent that application of an amendment is delayed. (Section 403)

The Senate amendment has no comparable provision.

The Conference substitute adopts the House provision relative to the savings clause. (Section 173)

Compliance with state licensing requirements

The House bill amends section 508 by adding a new subsection (o) relative to compliance with state licensing requirements.

Requires that any person who sells or solicits the purchase of a policy in a state must be licensed and qualified to do business in that state. (Section 206)

The Senate amendment amends section 508 of the FCIA adding at the end a new paragraph (n), relative to compliance with state licensing requirements.

Requires any person that sells or solicits the purchase of a policy or adjusts losses under the FCIA in any state must be licensed and qualified to do business in that state, and must comply with all state regulations (including commission and anti-rebating regulations) as required under state law. (Section 313)

The Conference substitute deletes both the House and Senate provisions because such licensing requirements are dealt with under a separate section.

Choice of risk management options

The Senate amendment defines an agricultural commodity as a crop specified in section 518 of the FCIA for which ''CAT'' or ''buy-up'' coverage is available.

The section further defines an agricultural commodity as a crop that is selected by the Secretary to maximize the number of participating producers, provides for a mixture of program, specialty, and regional crops, gives consideration to crops with low crop insurance participation, and results in not less than 15 percent of payments going to states with traditionally low program participation that the Secretary determines are under-served.

Defines applicable crop to mean the 2002 through 2004 crops, and applicable year to mean the year in which the crop is produced on the farm and the producer elects to receive a risk management payment or crop insurance premium subsidy. Also defines a regulated exchange as a board of trade designated as a contract market.

Requires FCIC to offer either to make risk management payments or to provide crop insurance premium subsidies for each of the 2002 through 2004 crops.

Requires each producer to make an election between the two options before the sales closing date for the applicable crop.

Requires FCIC to make a risk management payment for an applicable crop to a producer electing to receive such a payment providing the producer engages in at least 1 prescribed risk management practice from at least 2 of 5 categories. The categoriesinclude, (1) the Crop Insurance Category (buying unsubsidized or private coverage), (2) the Marketing Risk Category, (3) the Financial Risk Category, (4) the Farm Resources Risk Category, or (5) the Other Category (as prescribed by the Secretary).

Requires the Secretary to determine the amount of any risk management payment taking into consideration the expenditure by the producer on the risk management activities in which the producer engaged.

Provides that no risk management payment may be made in an amount greater than equal to the national average of the previous year's liability for all ''CAT'' policies.

Authorizes $500 million for fiscal years 2002 through 2004 from the account established in section 516(a)(2)(C) of the FCIA, except that payments in any one fiscal year may not exceed $200 million. (Sections 204 and 206 of the Senate amendment reduce this amount to fund options pilot programs and education and research.)

Requires producers receiving a risk management payment to certify compliance with qualifying risk management practices and associated costs for the applicable year.

Authorizes FCIC to conduct random compliance audits.

Requires the producer to refund a risk management payment where the producer fails to certify compliance or fails to comply with qualifying risk management practices and subjects the producer to possible debarment for up to 5 years from farm programs cited in section 506(n)(3)(B) of the FCIA.

Provides that any assignment of benefits be carried out consistent with section 8(g) of the Soil Conservation and Domestic Allotment Act, and requires the producer give notice of such assignment where FCIC requires.

Requires FCIC to provide for the fair and equitable sharing of benefits among all producers at risk in the production of a crop.

Amends section 516(a) by striking paragraph (1) relative to discretionary expenses and inserts a new paragraph (1) relating to the same, providing that there authorized to be appropriated for fiscal year 1999 and each subsequent fiscal year such sums as are necessary to cover the salaries and expenses of the FCIC, and the expenses of approved insurance providers in carrying out section 522(c).

Amends section 516(a) relative to mandatory expenses by adding at the end authorization for risk management payments in an amount not to exceed $500 million for fiscal years 2001 through 2004, with not more than $200 million for any 1 fiscal year. (Section 203)

The House bill has no comparable provision.

The Conference substitute deletes the Senate provision.

Fees for use of new policies and plans of insurance

The House bill amends section 508(h) by adding a new paragraph (11) relative to fees for new policies and plans of insurance.

Provides that beginning with fiscal year 2001, a person that develops a policy that does not apply for reimbursement has the right to receive a fee from another approved insurance provider electing to sell that policy.

Provides that the second provider may not sell such policy without first reaching a fee agreement with the developer.

Provides that ''new policy'' under the paragraph means a policy that was approved by the Board on or after October 1, 2000 and was not available at the time of approval. Provides that the fee be determined by the developer subject to the approval of the Board, except the Board shall approve the fee unless it is unreasonable in relation to research and development costs or it unnecessarily inhibits the use of the policy. (Section 308)

The Senate amendment amends section 508(h) of the FCIA by striking paragraph (5) relative to required publication of submissions in the Federal Register and inserts a new paragraph (5) relative to fees for plans of insurance.

Provides that, beginning with the 2001 reinsurance year, an approved insurance provider electing to offer a policy that was developed by another provider and was approved before January 1, 2000 must pay the developer $2 per policy for each of the first 5 crop years, $1 per policy for each of the next 3 crop years, and 50 cents for each policy in each succeeding crop year.

Provides that, beginning with the 2001 reinsurance year, an approved insurance provider electing to offer a policy that was developed by another provider and was approved by the Board on or after January 1, 2000 must pay the developer an amount determined by the developer, such fee subject to the approval of the Board. FCIC may not approve fees that would unnecessarily inhibit the use of a policy.

Requires FCIC to collect and credit fees to approved insurance providers.

Provides an exception to the general rule relative to fees where an approved insurance provider electing to offer a policy in a state where the developer of the policy does not do business may pay a fee to offer the policy and that fee may not be refused.

Amends section 516(b)(1) by adding a new paragraph allowing FCIC to pay fees collected from the insurance fund, and amends section 516(c)(1)(A) to provide for the deposit of such fees collected into the fund. (Section 307)

The Conference substitute deletes both the House and Senate provisions.

Federal Crop Insurance Improvement Commission

The Senate amendment provides in lieu of the current section 515 of the FCIA a new section 515 relative to the establishment of a Federal Crop Insurance Improvement Commission.

Defines commission as the Federal Crop Insurance Improvement Commission and establishes the same.

Provides that the commission have 15 members, including the Under Secretary for Farm and Foreign Agricultural Services, the FCIC manager, the USDA Chief Economist, an employee of OMB appointed by the OMB Director, a representative of the National Association of Insurance Commissioners, 4 approved insurance providers appointed by the Secretary, 2 agricultural economists from academia appointed by the Secretary,

and 4 representatives of major farm organizations or farmer-owned cooperatives.

Provides that members be appointed not later than 60 days from enactment and serve for the life of the commission.

Provides that the commission review and make recommendations relative to the amount of risk approved insurance providers should bear, whether current reinsurance practices should be continued, the extent to which development of new policies should be undertaken by private entities, how to focus research and development to include new types of products and products for specialty crops, the progress in reducing administrative and operating expenses, etc.

Requires the Under Secretary serving on the commission to serve as chairman and vote in the event of a tie.

Requires the commission to meet at least 6 times per year and make public records of the commission available at the Office of the RMA. Requires that not later than 2 years after enactment the commission submit a report to the House and Senate Agriculture Committees, with copies to the Secretary and the FCIC Board. Also, authorizes the commission to make 1 or more interim reports.

Provides that authority for the commission terminates at the earlier of 60 days after the final report is issued or on September 30, 2004.

Authorizes to be appropriated such sums as may be necessary. (Section 310)

The House bill has no comparable provision.

The Conference substitute deletes the Senate provision.

Highly erodible land and wetland conservation

The Senate amendment amends sections 1211(3) and 1221(b)(3) of the Food Security Act of 1985 to make producers who fail to comply with highly erodible land and wetland conservation requirements, respectively, ineligible for crop insurance benefits. (Section 311)

The House bill has no comparable provision.

The Conference substitute deletes the Senate provision.

Projected loss ratio

The Senate amendment strikes paragraph (2) of section 506(o) of the FCIA relative to loss ratio requirements and inserts a new paragraph related to the same.

Requires FCIC to take such actions as are necessary, including the establishment of adequate premiums, to improve the actuarial soundness of the crop insurance program to achieve a 1.075 loss ratio from October 1, 1998 through the 2001 crop year, and a 1.00 loss ratio beginning with the 2002 crop year. (Section 312)

The House bill has no comparable provision.

The Conference substitute deletes the Senate provision.

Improved risk management education

The Senate amendment amends Title IV of the Agricultural Research, Extension, and Education Reform Act of 1998 by adding at the end section 409 relative to improved risk management education for agricultural producers and provides definitions.

Requires the Secretary to carry out a program to improve the risk management skills of agricultural producers, to help producers understand the financial health of their operations, marketing alternatives available, and relevant legal, governmental, environmental, and human resource issue.

Requires the Secretary to establish Risk Management Education Coordinating Centers in each of the 5 regions in the country.

Requires the Secretary to locate a region's center at risk management coordinating office of the Cooperatve State Research, Education, and Extension Service in existence at a land grant college or an appropriate alternative land grant college in the region. Requires the land grant college to demonstrate the capacity to carry out program priorities, funding distribution, and reporting requirements.

Requires each center to establish a coordinating council consisting of 5 members, including public and private organizations, producers, and a representative of the regional RMA office.

Requires centers to coordinate the offering of intensive risk management instructional activities for professionals who work with producers, the provision of educational programs for producers, and the dissemination of risk management education materials.

Requires centers to make use of emerging risk management information and materials, after an evaluation of suitability is conducted with the assistance of land grant college personnel and others.

Requires each center to reserve a portion of funds provided under the section to make special grants to land grant colleges and private entities in the region to conduct such activities, and requires the reservation of funds to award competitive grants to public and private entities for such purposes.

Requires that the National Agriculture Risk Education Library serve as the central agency for coordination and distribution of education material and provide for the electronic delivery of the same.

Authorizes to be appropriated $30 million for fiscal year 2001 and each subsequent fiscal year, requiring 2.5 percent of funds available be distributed to the Library with the residual funding reserved for the centers.

Requires the land grant colleges hosting a regional center to administer the funds for the region. Requires that each center be located in an existing facility and prohibits the use of funds for new construction.

Requires the Secretary, acting through the CSREES, to evaluate each center. (Section 401)

The House bill has no comparable provision.

The Conference substitute deletes the Senate provision.

Termination of authority

The Senate amendment provides that the termination of certain authority is effective on September 30, 2004.

Repeals Senate amendment provided in sections 102, 103, 105, 106, 203(b), and 310 on September 30, 2004, and provides that the FCIA and NAP shall after this date be administered as if these provisions had not been enacted.

Provides further conforming amendments to repeal any funding authority provided under the Senate Amendments and prohibits the Secretary or FCIC from carrying out the provisions after September 30, 2004.

The House bill has no comparable provision.

The Conference substitute deletes the Senate provision.

TITLE II—AGRICULTURAL ASSISTANCE

The Conference substitute includes a new title (Title II) providing agricultural assistance to producers of the 2000 crops and other assistance:

Subtitle A—Market Loss Assistance

Sec. 201. Market loss assistance

To ensure timely delivery of market loss payments to eligible producers and owners, the Managers expect the Secretary to make the payments available under the same terms and conditions as the 2000 AMTA contract payments. Market loss payments made under authority of this legislation shall not be treated as a contract (AMTA) payment for purposes of section 115 of Title I of the Federal Agriculture Improvement and Reform Act of 1996, or section 1001, paragraphs (1) through (4) of the Food Security Act of 1985. Further, it should not be necessary to require eligible owners and operators to file new contracts or redesignate shares in order to receive market loss payments.

Sec. 202. Oilseeds

The Managers expect the Secretary to deliver oilseed economic assistance payments to producers in the same manner used to deliver the 1999 oilseed payments authorized under Title VIII, section 803 of P.L. 106–354. The Managers note that the Department has taken over seven months to make payments to eligible producers. Such delays in delivering crop year 2000 payments are unacceptable.

The Managers expect that sesame seed will be eligible for assistance under this section. The Managers note that the Federal Agricultural Improvement Act of 1996 makes other oilseeds eligible for assistance under section 131 of the FAIR Act. The Managers direct the Secretary, using his authority under section 102 of the FAIR Act and any other applicable authorities, to ensure that sesame seed producers may participate in this program under section 202.

Sec. 203. Specialty crops

This section provides for infrastructure improvements for growers of specialty crops. Specifically, the section provides $59.45 million for the PACA reserve fund and the inspection service reserve fund to maintain the cost of licensing and inspection fees at the current level. The section also provides $11.55 million to make improvements to the system used for inspecting fruits and vegetables, including the program and facilities used to train inspectors; the technological tools used by inspectors; expanding digital imaging technology capabilities; and improving office space and grading tables.

This section also provides $200 million to be used by the Secretary to purchase specialty crops that experienced low prices in the 1998 and 1999 crop years, including apples, black-eyed peas, cherries, citrus, cranberries, onions, melons, peaches, potatoes and others. The Managers expect the Secretary to ensure that, as provided in subsection (d) of this section, purchases with this funding are in addition to other purchases made by the Secretary under other authorities. To the extent practicable, the Managers expect the Secretary to purchase a significant portion of the commodities purchased under this section directly from farmers or agricultural cooperatives rather than processors.

This section also provides $25 million to compensate growers for losses resulting from plum pox virus, Pierce's disease and citrus canker.

With respect to the plum pox virus, the Managers expect the Secretary to use at least $5.1 million to compensate growers whose trees were destroyed as part of the Secretary's ''Declaration of Extraordinary Emergency'' dated March 2, 2000, in a manner that covers: net returns that would have been earned over the remaining life of all the destroyed trees; producers being prevented from replanting for three years; and lost value of nursery stock.

With respect to Pierce's disease, the Managers expect the Secretary to utilize at least $7,140,000 in a manner that enables the California Department of Food and Agriculture to utilize such funding for state and local efforts to contain and control Pierce's disease which is devastating agricultural areas in Southern California, and is moving northward into other regions. Funds are needed

immediately to monitor for the earliest signs of the disease and to inspect nursery stock prior to shipment. The disease is spread by a vigorous and difficult to control insect called the glassy-winged sharpshooter. This insect is a major problem, but the elimination of the insect would not eliminate the disease.

The Managers are disappointed by the federal response to this outbreak. It is clear that efforts to control the spread of the disease must be increased. It is also clear that there is an immediate need for additional research efforts to study near and long term alternatives for controlling the bacterium common to Pierce's disease. The Managers expect the Secretary to initiate such efforts immediately, within existing resources.

With respect to citrus canker, the Managers expect the Secretary to utilize remaining funding to compensate citrus growers who have suffered economic losses due to the disease.

This section also requires the Secretary, in conjunction with USDA's Inspector General, to submit a report to Congress that analyzes the economic losses associated with falsified inspection certificates issued at the Hunts Point Terminal Market, including an analysis of how the Secretary intends to provide restitution.

This section also provides loans, up to three years in term, for apple producers that are suffering economic losses resulting from low prices for apples.

Sec. 204. Other commodities

Subsec. (a) Peanuts

This subsection provides economic assistance to peanut producers. The Managers expect the Secretary to deliver the peanut economic assistance payments to producers in the same manner used to deliver the 1999 peanut assistance authorized under Title VIII, section 803 of P.L. 106–354. The Managers also expect that the same rules that were used and applied to a peanut quota lessor and lessee with respect to 1999 assistance will be used with respect to the delivery of the monies made available under this Act.

Subsec. (b) Tobacco

This subsection-

Provides $340 million to the Secretary to make payments to States from October 1, 2000, to October 20, 2000. The States shall divide the funds between quota owners, quota lessees, and tobacco producers;

Includes language requested from the State of Georgia requiring the State to match the portion of funds provided from this title by the Federal Government;

Allows an increase for acreage transfers for dark-fire cured tobacco;

Allows for an adjustment in the burley noncommitted pool stocks;

Places limitations on burley carry forward pounds and lease and transfer due to natural disasters;

Makes a technical correction in the cross county leasing definition of the 1938 Agricultural Adjustment Act; and

Requires that the Secretary establish a computerized recordkeeping system for burley tobacco quota and acreage.

Subsec. (c) Honey

This subsection provides recourse loans for honey producers on the 2000 crop of honey. The loan rate would equal 85 percent of the average price of honey during the 5-crop year period preceding the 2000 crop, dropping the year with the highest price and the year with the lowest price in calculating the average.

Subsec. (d) Wool and mohair

This subsection provides direct payments to producers of wool and mohair for the 1999 marketing year. The payment rates would be 20 cents per pound for wool and 40 cents per pound for mohair. The Managers expect the Secretary to make payments under this section in an equitable manner without regard to size of operation.

Subsec. (e) Cottonseed

This subsection provides cottonseed assistance to producers and first handlers. The Managers expect the Secretary to provide additional assistance to cotton producers and first handlers through direct payments or other means to help alleviate the problems caused by the unusually low prices.

Sec. 205. Payments in lieu of loan deficiency payments

The Managers intend for crop year 2001 producers of wheat, oats and barley on a farm with an AMTA contract who graze the acreage and forego mechanical harvesting to be eligible for a payment under the same terms and conditions as a producer who harvests a crop and applies for a loan deficiency payment. The Managers intend for the producer to enter into a payment agreement with CCC at the loan deficiency payment rate for the applicable crop in effect on the date of such agreement, at such time as the producer chooses, but not earlier than the date a producer who normally harvests a crop would make application for a loan deficiency payment and no later than September 30, 2001. The Managers expect the Secretary to require adequate producer certifications to protect the program from fraud and abuse. Producers that certify wheat, oats or barley for grain with either the Farm Service Agency (FSA) or the Risk Management Agency (RMA) and fail to harvest the crop because of weather conditions and subsequently graze the acreage are not intended to be covered by this provision. The Managers expect the Department to immediately publicize this provision in FSA county newsletters.

Sec. 206. Expansion of producers eligible for loan deficiency payments

The Managers intend for producers growing an AMTA contract commodity on a farm with no AMTA contract to be eligible for loan deficiency payments on 2000 crop production subject to the same terms and conditions as applicable to producers on a farm with an AMTA contract. Producers eligible for payment under this section are afforded an exception to the beneficial interest provisions for a period of time that extends for 30 days after the promulgation of regulations. The Managers expect the Department to immediately publicize this provision in FSA county newsletters.

Subtitle B-Conservation

Sec. 211. Conservation assistance

Subsection (a) directs USDA to use $10 million for the Farmland Protection Program and allows nonprofit conservation organizations to hold easements in those states that do not have a state defined farmland protection program. Subsection (b) directs USDA to use $40 million to provide soil, water and natural resource conservation assistance for farmers in the form of cost share or incentive payments. The Managers believe that farmers and ranchers need additional assistance to address these natural resource problems.

The Managers agree there is a great demand among the states to keep prime and unique farmland in agricultural production. The farmland protection authorization in the 1996 farm bill was immediately over-subscribed, and the $35 million in funds were exhausted in two years. Thus, the Managers have provided a $10–million infusion of funds to the farmland protection program. In addition, new program participants, such as nonprofit land resource conservation councils, are now able to take part in this initiative.

This section also provides $40 million to assist farmers and ranchers through cost-share or incentive payments to get proven soil and water conservation practices on their farms and ranches. In making these funds available, the Managers recognize that the Environmental Quality Incentives Program (EQIP) has left certain producers in areas of states and regions of the country with little or no federal help. Although the funds made available in the conference report are limited, they will be directed at areas that are outside conservation priority areas, where most of the EQIP funds have been used. The Managers expect for these funds to be focused on practices that conserve water or improve water quality. The Managers believe many water quality concerns can be handled without the time-consuming and expensive development and writing of whole farm plans. One or two practices properly completed are the best conservation, which can be applied to the land for water quality or water conservation. In that regard, the Managers emphasize that the funds included in this program are only for financial assistance through cost-share and incentive payments to farmers and ranchers. It is the intent of the Managers that this program will be carried out using the conservation operations account funded in annual agriculture appropriations acts.

Sec. 212. Inclusion of farmland in conservation-related areas

This section requires the Secretary of the Interior, acting through the Director of the U.S. Fish and Wildlife Service, to prepare an Environmental Impact Statement (EIS) under the National Environmental Policy Act of 1969 on the proposed National Wildlife Refuge (NWR) on the Little Darby Creek in Madison and Union Counties, Ohio. This EIS must be completed before any further development may proceed on the Little Darby Creek NWR.

Subtitle C—Research

Sec. 221. Carbon cycle research

This section directs USDA to provide $15 million in Fiscal Year 2001 to the Consortium for Agricultural Soils Mitigation of Greenhouse Gases for carbon cycle research at the national, regional and local levels. Additional research is needed in the sequestration of carbon as it relates to agricultural best management practices and how these practices convert carbon dioxide into soil organic carbon that in turn reduces soil erosion, improves water quality and increases yields. Producers and policymakers need a better understanding of the link between the carbon cycle and agricultural best management practices. The Managers believe that the storage of carbon may provide additional income to farmers and ranchers and provide ancillary environmental benefits.

Sec. 222. Tobacco research for medicinal purposes

This section directs USDA to provide $3 million in Fiscal Year 2001 to Georgetown University and North Carolina State University for research regarding the extraction and purification of proteins from genetically altered tobacco that can be used as a vaccine for cervical cancer.

Sec. 223. Research on soil science and forest health management

This section directs USDA to provide a grant to the University of Nebraska-Lincoln for laboratories and equipment for research on soil science and forest health and management.

Sec. 224. Research on waste streams from livestock production

This section provides $3.5 million to expand research related to livestock production waste streams. The Managers expect the

Secretary to utilize this funding to focus on technology for reducing, modifying, recycling, and utilizing livestock waste streams in a manner that will allow scientists to develop and utilize integrated components required for a systems approach to livestock waste and odor research and development. This is required to deal with the complex interactions among variables influencing nutrient/contaminant production and flow-through livestock production systems. The Managers expect the research goals to include: reducing waste and odor production and emission; reducing health hazards and improving working conditions in production facilities; improving efficiency of manure handling and utilization; increasing recycling of nutrients and water; and making livestock production compatible with neighboring individuals and communities.

Sec. 225. Improved storage and management of livestock and poultry waste

This section provides $5,000,000 in fiscal year 2001 for the Secretary to review and assess potential problems associated with livestock and poultry waste management systems and to study and demonstrate appropriate market-oriented solutions to these potential problems. As provided in this section, the Managers expect the Secretary to carry out this review and assessments through grants, contracts, and cooperative agreements with producers, associations of producers, and foundations supported by producers.

Sec. 226. Ethanol research pilot plant

Authorizes and appropriates $14 million to the Secretary for the construction of a corn-based ethanol research pilot plant.

Sec. 227. Bioinformatics Institute for Model Plant Species

Authorizes the Secretary to enter into a cooperative agreement with the National Center for Genome Resources in Santa Fe, New Mexico, New Mexico State University and Iowa State University for the establishment and operation of an institute to be known as the Bioinformatics Institute for Model Plant Species for the purpose of enhancing the accessibility and utility of genomic information for plant genetic research.

Subtitle D—Agricultural Marketing

Sec. 231. Value-added agricultural product market development grants

This section directs the Secretary to use $15 million to award competitive grants to eligible producers for the purpose of facilitating greater participation in markets for value-added agricultural commodities. The Managers expect these grants to fund ventures for a variety of agricultural commodities. It is the intent of the Managers that the grants would be made for the purpose of developing business plans for viable marketing opportunities and the creation of a pilot project resource center to coordinate assistance including research, data, business, legal, financial and logistical operations. The Managers expect that the grants would only be awarded if the projects, business ventures, and other authorized activities are determined to be economically viable and sustainable. Further, the Mangers expect that grants awarded under this section will facilitate the opening of new markets for value-added products. It is not the intention of the Managers that grants made under this section will interfere with existing markets or be used to fund construction, acquisition, rental, leasing, or any other means of obtaining physical capacity to produce or process agricultural commodities.

Subtitle E—Nutrition Programs

Sec. 241. Calulation of minimum amount of commodities for School Lunch requirements

Section 241 directs the Secretary to purchase additional food commodities in fiscal years 2000 and 2001 for distribution to schools participating in the School Lunch program.

Sec. 242. School Lunch data

Section 242 provides that information obtained for determining eligibility for free and reduced-price school meals in the School Lunch program may be shared to aid in the enrollment of lower-income children in the State Children's Health Insurance Program (SCHIP). This section also authorizes a pilot project using local agencies operating the Special Supplemental Nutrition Program for Women, Infants, and Children (the WIC program) to help enroll children in the SCHIP.

Sec. 243. Child and Adult Care Food Program integrity

Section 243 reforms the Child and Adult Care Food Program (CACFP) to address problems of fraud, abuse, and deficient management identified in investigations by the General Accounting Office and the Agriculture Department's Office of Inspector General. This section also expands the availability of Federal nutrition assistance for after-school programs and authorizes an additional State to increase participation in the CACFP by for-profit child care organizations serving lower-income children.

Sec. 244. Adjustments to WIC Program

Section 244 provides adjustments to the WIC program to increase participation by residents of remote Indian or Native villages and provide a program structure that better serves these communities.

Subtitle F—Other Programs

Sec. 251. Authority to provide loan in connection with boll weevil eradication

Section 251 requires the Secretary using the Commodity Credit Corporation to make a loan to the Texas Boll Weevil Eradication Foundation, Inc., in the amount of $10,000,000. This loan is to enable the Foundation to retire debt associated with boll weevil eradication zones that have ended their participation, in whole or in part, in the boll weevil eradication program.

Repayment for the loan will begin on January 1 of the year following the first year that a boll weevil eradication zone, or any part of the zone, responsible for the debt retired using the loan resumes participation in the boll weevil eradication program.

The cost of the credit subsidy of this loan will be the amount necessary to provide the full $10,000,000 loan to the Foundation. The Managers expect that the credit subsidy necessary to implement the total $10,000,000 loan will be approximately 51%. However, the Managers expect USDA to use whatever amount of subsidy is necessary to make the $10,000,000 loan.

The Managers expect that this loan to the Texas Boll Weevil Eradication Foundation, Inc., will retire its debt to Farm Credit System institutions associated with the Lower Rio Grande Valley Boll Weevil Eradication Zone and that portion of the debt associated with the South Texas Winter Garden Zone apportioned to Austin, Brazoria, Colorado, Fort Bend, Jackson, Matagorda, and Wharton Counties by the Texas Commissioner of Agriculture. This loan will provide funds to be used by the Foundation for full and final satisfaction, on a pro-rata basis, of the notes relating to the debt held by those Production Credit Associations and the Farm Credit Bank of Texas. The Managers expect that upon payment of the notes from the funds provided by this loan, that the Texas Boll Weevil Eradication Foundation, Inc., will be released from any and all claims, liabilities, or obligations associated with or evidenced by the notes.

Sec. 252. Animal disease control

Subsection (a) directs USDA to spend $7 million in Fiscal Year 2001 for psuedorabies vaccination costs incurred by pork producers. Subsection (b) directs USDA to spend $6 million in Fiscal Year 2001 on bovine tuberculosis in Michigan. Funding shall be used for surveillance and testing of cattle; surveillance and testing of wildlife; research at ARS and Michigan State University; increases in indemnity payments to encourage depopulation of infected herds; diagnostic testing and treatment of humans; slaughter surveillance; controlling and preventing exposure of livestock to wildlife; fencing to minimize contact between wildlife and domestic livestock; and risk communications and improvements in technology for communications. Current laws stipulate that funding for Animal and Plant Health Inspection Service of the U.S. Department of Agriculture eradication programs is to be withdrawn from existing Commodity Credit Corporation funds. The Managers intend for eradication program funding to continue to be extracted from Commodity Credit Corporation funds.

Sec. 253. Emergency loans for seed producers

This section directs USDA to provide non-interest loans to producers of 1999 crop grass, forage, vegetable and sorghum seed that have not received payments from AgriBiotech (ABT) as a result of bankruptcy proceedings involving ABT. ABT, one of the largest single turf, forage, and alfalfa seed companies in the country, filed Chapter 11 bankruptcy affecting over 1200 farmer growers in 39 states. ABT cannot pay growers for their 1999 produced crop and the growers are the largest segment of creditors in the bankruptcy. This section directs the Secretary to create an emergency no-interest loan program for those producers involved in the bankruptcy proceedings. For the producer to be eligible, the seed producer must have a claim in the bankruptcy proceeding. The Managers believe that this situation is unique as ABT is an organization of numerous small family producers who will be adversely impacted financially by this bankruptcy proceedings.

Sec. 254. Temporary suspension of authority to combine certain offices

The Managers expect the Secretary to submit a detailed report regarding the justification used to select a state office collocation site in each of the applicable states. The manager expects the Secretary to notify all applicable Agencies that no agency or agency employee shall take any action to solicit office space or renovate current leased space for the purpose of accommodating collocated agencies or take any other action to collocate state offices from the date of enactment of this Act through June 1, 2001. The Managers expect those state agencies that are scheduled for collocation and located in the same county on the date of enactment to continue to pursue efforts to collocate. The Managers expect the report to be inclusive of all factors used in the selection of the site, including the methodology used in the site selection.

Sec. 255. Farm operating loan eligibility

This section affects the Secretary of Agriculture's administration of the loan eligibility limitations of sections 311 and 319 of the Consolidated Farm and Rural Development Act. Current law makes borrowers who have had a number of direct or guaranteed operating loans from the Farm Service Agency (FSA) ineligible for additional seasonal operating loans.

The Managers understand that previous policy was intent on limiting loans to long-

time borrowers in an effort to graduate them to other sources of credit. The intent was to free up credit resources for beginning, socially-disadvantaged and minority farmers and ranchers during a period when fewer appropriations were being made for federal farm loan programs. However, because of the recent downturn in the farm economy caused by low prices, the Managers are concerned that some farmers may be turned away from the FSA. The only reason that otherwise efficient farmers cannot get credit from FSA is because of an arbitrary term limit in the law. While the Managers believe this change is needed at this time, the amendment extends only through December 31, 2002, which should provide ample time for the Congress to fully reexamine this matter in the context of the next farm bill.

Sec. 256. Water systems for rural and Native villages in Alaska

This section amends section 306D of the Consolidated Farm and Rural Development Act by increasing the authorization of appropriations from $20,000,000 to $30,000,000 for water and wastewater systems for rural and native villages in Alaska. Also authorizes a transfer of up to two percent of the funds for training and technical assistance programs that are related to the operation and management of the systems.

Sec. 257. Crop and pasture flood compensation program

Directs the Secretary to compensate producers for the loss of cropland or pastureland due to unusual flooding. This assistance is targeted to producers who are still experiencing flooding, but have not been compensated for loses between time of enactment and the Flood Compensation Program authorized by the 1998 omnibus appropriations bill, using that program's framework and base year. The section sets a specific framework on the compensation. Acres on which crops were planted but failed are not eligible. A payment limitation of $40,000 is included.

The Managers encourage the Department to take all necessary administrative actions to ensure the availability of no less than 4 million acres for partial field conservation buffer enrollments within the existing Conservation Reserve Program. Also, the Committee encourages the Department to extend stewardship incentive payments to contour grass strips and cross wind trap strips, as well as any additional conservation practices that may be made eligible for the continuous sign-up or conservation reserve enhancement programs.

This section also includes a technical correction to the fiscal year 2000 agricultural appropriations act to specifically include Lake County, Oregon as being eligible for assistance that was made available under that act. The Managers are aware that producers in Lake County have faced a similar disastrous situation, but were inadvertently left out of the fiscal year 2000 agriculture appropriations section. The Managers are also aware that, under the fiscal year 2000 agricultural appropriations act, there are still funds available in this fiscal year to assist ranchers in Lake County, and this section provides the necessary authority for the Secretary of Agriculture to move forward with that assistance. The Managers expect the Secretary to provide that assistance as soon as possible.

Sec. 258. Flood mitigation near Pierre, South Dakota

This section requires the Army Corps of Engineers to, as soon as practicable after enactment, begin acquiring land and property from willing sellers; relocate individuals located on the land, improve infrastructure, and take other necessary actions with respect to such property.

This section also conditions winter releases of the Oahe Powerplant on the Secretary of the Army completing an amendment to his economic analysis and identifying mitigation benefits with respect to existing ground water flooding.

Sec. 259. Restoration of eligibility for crop loss assistance

This section restores the eligibility for individuals otherwise eligible for disaster assistance under section 1102 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (as contained in section 101(a) of division A of Public Law 105–277; 7 U.S.C. 1421, solely because the individual or entity changed the legal structure of the individual's or entity's farming operation.

Subtitle G—Administration

Sec. 261. Funding

Includes the funding amount for various sections in the bill.

Sec. 262. Obligation period

Provides that the Commodity Credit Corporation shall obligate and spend the funds made available under section 261(a)(1) (funding for school lunch commodities) only during fiscal year 2000 and funds made available to fund other provisions of the bill shall be obligated and spent only during fiscal year 2001.

Sec. 263. Regulations

Directs the Secretary and the Commodity Credit Corporation, whichever is appropriate, to promulgate regulations to implement Title II of the legislation without regard to notice and comment rulemaking.

The Managers have provided the Secretary relief from several statutory provisions relating to the promulgation of regulations needed to carry out title II. This language is the same as provisions passed by Congress in prior legislation for farmers. The Managers are particularly troubled by the fact that, even with these waivers, the Department has been unable to implement programs in a timely manner in prior years, most notably the oilseed assistance that was provided by Congress in October of 1999 but has yet to be distributed. In order to assist Congress in future deliberations the Managers expect the Inspector General to complete a report for submission to both Agriculture Committees with 60 days of enactment of this Act addressing the reasons for the inability of the Department to implement programs in a timely manner.

Sec. 264. Paygo adjustment

Prohibits the Director of the Office of Management and Budget from making any estimates of changes in direct spending outlays and receipts in fiscal year 2000 resulting from enactment of Title II of the legislation.

Sec. 265. Commodity Credit Corporation reimbursement

This section specifically directs the Secretary of the Treasury to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, under this title.

TITLE III—THE BIOMASS RESEARCH AND DEVELOPMENT ACT OF 2000

The Conference substitute adopts a new title which authorizes research to promote the conversion of biomass into biobased industrial products:

Section 301. Short title

The Biomass Research and Development Act.

Section 302. Findings

States the need for a focused, integrated and innovation-driven research effort to develop technologies for the production of biobased industrial products.

Section 303. Definitions

Defines the terms Advisory Committee, Biobased Industrial Product, Biomass, Board, Initiative, Institution of Higher Education, National Laboratory, Point of Contact, Processing, and Research and Development.

Section 304. Cooperation and coordination in biomass research and development

Requires that the Secretaries of Agriculture and Energy shall cooperate and coordinate policies and procedures that promote biomass research and development leading to the production of biobased industrial products. Specifies the purpose and areas for coordination.

Section 305. Biomass Research and Development Board

Establishes a board to coordinate programs, to maximize benefits and to bring coherence to strategic planning within and among departments and agencies of the Federal Government to promote the use of biobased industrial products. The Board shall be comprised of a minimum of six members. The Board shall be cochaired by the points of contact appointed by the Secretaries of Agriculture and Energy by and with the advice and consent of the Senate.

Section 306. Biomass Research and Development Technical Advisory Committee

Establishes an advisory committee to advise the Secretaries of Agriculture USDA and the Department of Energy DOE and the Biomass Research and Development Board, to facilitate consultations and partnerships, and to evaluate and perform strategic planning for the Biomass Research and Development Initiative. The Committee shall be comprised of a minimum of ten members, all appointed by the points of contact. The Committee will meet at least quarterly. Lengths of terms are specified.

Section 307. Biomass Research and Development Initiative

Provides that the Secretaries of Agriculture and Energy, in consultation with the Board, shall establish a Biomass Research and Development Initiative under which competitively awarded grants, contracts and financial assistance are provided to, or entered into, with eligible entities to carry out research and development of low cost and sustainable biobased industrial products. Provides that funds appropriated for biomass research and development under the general authority of the Secretary of Energy to conduct research and development programs may be used to carry out this title. Also authorizes $ 49,000,000 within USDA for each of fiscal years 2000 through 2005 to carry out this title.

Section 308. Administrative support and funds

Provides the Secretaries of Agriculture and Energy, and other agencies, the authority to give administrative support and funds to the Board and Advisory Committee if needed.

Section 309. Reports

Requires that an initial report be jointly submitted by the Secretaries of Agriculture and Energy within 180 days of enactment of the Act and that an annual report be submitted to Congress for each fiscal year for which funds are made available.

Section 310. Termination of authority

Authority granted by this title shall terminate on December 31, 2005.

TITLE IV—PLANT PROTECTION

The Conference substitute adopts a new provision which consolidates and enhances

the authority of the Secretary to regulate in interstate and foreign commerce, the movement of any plant, plant product, biological control organism, or noxious weed if the Secretary determines the action is necessary to prevent the introduction or dissemination of a plant pest or noxious weed:

Sec. 401. Short title and table of contents

The short title of this Act is the ''Plant Protection Act.'' This section also contains the table of contents for the Act.

Sec. 402. Findings

Sec. 403. Definitions

Sections 3(1), (3)–(8), (11), (17), and (19) are all new definitions, but are commonly accepted definitions for the words, ''article,'' ''enter and entry,'' ''export and exportation,'' ''import and importation,'' ''interstate,'' ''interstate commerce,'' ''means of conveyance,'' ''permit,'' ''State,'' and ''this Act.''

Sec. 403(2) is new. Defining biological control organisms separately makes our authority over these organisms explicit when they present a potential plant pest risk.

Sec. 403(9), (12), (13), (15), (16), and (20), ''move and related terms,'' ''person,'' ''plant,'' ''plant product,'' ''Secretary,'' and ''United States'' have all been derived from existing law with little or no modification.

Sec. 403(10), ''noxious weed,'' has been expanded from existing law.

Sec. 403(14), ''plant pest,'' has been expanded to include all vertebrate and invertebrate animals, except humans.

Sec. 403(18), ''systems approach,'' is new.

Subtitle A—Plant Protection

Sec. 411. Regulation of movement of plant pests

Prohibits the importation, entry, exportation, or movement in interstate commerce, mailing, or delivery (from any post office or by any mail carrier) of any plant pest unless the movement is in accordance with regulations issued by the Secretary. All processes used to develop such regulations will be transparent and accessible and the regulations will be based on sound science. This provision does not authorize the opening of any mail unless such action is authorized under postal laws. This section would authorize the Secretary to issue regulations that allow the movement of a plant pest in interstate commerce without restriction. Also provides for a petition process to add or remove plant pests from regulation.

Sec. 412. Restrictions on movement

Authorizes the Secretary to prohibit or restrict the importation, entry, exportation, or movement in interstate commerce of any plant, plant product, biological control organism, noxious weed, article, or mean of conveyance if the Secretary determines the action is necessary to prevent the introduction or dissemination of a plant pest or noxious weed. Within 1 year after the Act is enacted, the Secretary shall publish for public comment a notice describing the processes governing such import requests. Requires the Secretary to conduct a study of the effectiveness of using systems approaches to guard against the introduction into the United States of plant pathogens associated with proposals for imported plants or plant products. Not later than 2 years after the Act is enacted, the Secretary shall report to Congress on the results of this study. Authorizes the Secretary to determine by regulation those noxious weeds and biological control organisms that may or may not freely move within interstate commerce. A person may petition the Secretary to add or remove individual plant species or biological control organisms from such regulations.

Sec. 413. Notification and holding requirements upon arrival

Requires the Secretary of Treasury to notify promptly the Secretary of Agriculture of the arrival of plants, plant products, biological control organisms, plant pests, or noxious weeds at the port of entry. It also requires the Secretary of Treasury to hold the articles until the Secretary of Agriculture has inspected or otherwise released them.

Further, section 413 requires persons responsible for articles for which a permit under sections 411 or 412 to notify the Secretary of Agriculture or appropriate official in the State of destination of relevant information concerning the shipment before moving it from the port of entry. Finally, section 413 prohibits the movement of any imported plant, plant product, biological control organism, plant pest, noxious weed, article, or means of conveyance from the port of entry or interstate unless it has been inspected or otherwise released by the Secretary of Agriculture.

Sec. 414. Remedial measures

Section 414 authorizes the Secretary to hold, seize, quarantine, treat, apply other remedial measures to, destroy, or dispose of any plant; plant pest; noxious weed; biological control organism; plant product; article; or means of conveyance; and progeny of any plant product, plant pest, biological control organisms, or noxious weed in interstate or foreign commerce under various circumstances in order to prevent the dissemination of any plant pest or noxious weed new to or not known to be widely prevalent or distributed in the United States. Authorizes the Secretary to order an owner (including the owner's agent) of any item subject to action under subsection (a) to treat, apply other remedial measures, to destroy, or otherwise dispose of such item without cost to the Federal Government in a manner the Secretary deems appropriate. If the owner fails to take action as ordered, the Secretary may take the action and recover the costs of the actions from the owner or his agent. The Secretary is authorized to develop a classification system and integrated management plan regarding noxious weeds. Requires the Secretary to take the least drastic action to prevent the dissemination of a plant pest or noxious weed.

Sec. 415. Declaration of extraordinary emergency

Authorizes the Secretary to declare an extraordinary emergency in certain situations. Once an extraordinary emergency is declared, the Secretary can take actions to prohibit or restrict movement or require that other actions be taken concerning regulated items regardless of whether the items are moving in interstate commerce. Action can be taken only if the Secretary finds that the actions taken by the State are not adequate and the Secretary publishes those findings in the Federal Register. Actions the Secretary takes must also be the least drastic actions that are feasible to deal with the plant pest or noxious weed problem. Finally, the Secretary is authorized to pay compensation for economic losses.

Sec. 416. Recovery of compensation for unauthorized activities

Authorizes the owners of plants, biological control organisms, plant products, plant pests, noxious weeds, articles, or means of conveyance destroyed or disposed of under section 414 or 415 to bring an action not later than 1 year after the destruction or disposal in U.S. district court and for the owner to recover just compensation for an unauthorized destruction or disposal of such property.

Sec. 417. Control of grasshoppers and mormon crickets

Subject to the availability of funding, the Secretary shall carry out control programs for grasshoppers and Mormon crickets on Federal, State, and private lands to protect rangeland. Authorizes the pooling of funds between the Department of Agriculture and the Department of the Interior to conduct such programs on Federal lands controlled by the Department of the Interior. This section also provides the formula for the Federal cost share for treatment programs.

Sec. 418. Certification for exports

Authorizes the Secretary to certify for export plants, plant products, and biological control organisms as to freedom from plant pests or noxious weeds or exposure to plant pests or noxious weeds according to phytosanitary or other requirements of the exporting country.

Subtitle B—Inspection and Enforcement

Sec. 421. Inspections, seizures, warrants

Authorizes warrantless inspections based on guidelines approved by the Attorney General: (1) of persons or means of conveyance moving into the United States to determine whether they are carrying any regulated material; (2) of persons or means of conveyance moving interstate upon probable cause to believe that they are carrying regulated material; and (3) of any person or means of conveyance moving intrastate under extraordinary emergency conditions (see section 415) upon probable cause to believe that they are carrying regulated material. The Secretary is also authorized to enter premises with a warrant issued by a Federal judge to make inspections and seizures necessary under the Act.

Sec. 422. Collection of information

Authorizes the Secretary to gather and compile information and to conduct investigations necessary for the administration and enforcement of the Act.

Sec. 423. Subpoena authority

Authorizes the Secretary to require the attendance of witnesses and production of documentary evidence through the use of subpoenas to aid in investigations and proceedings. This provision also authorizes the Secretary to request the Attorney General to take actions to enforce such subpoenas.

Sec. 424. Penalties for violation

Allows for criminal penalties as provided under Title 18 of the U.S. Code for knowing violations of the Act or any misuse of a permit, certificate, or other document. It also provides for civil penalties for violations of the Act, including forging, counterfeiting, using in an unauthorized manner, altering, defacing, or destroying any certificate, permit, or document provided for under the Act not to exceed the greater of: (1) $50,000 for an individual, $250,000 for any other violation by a person, and $500,000 for all violations adjudicated in the same proceeding, or (2) twice the gross gain or gross loss associated with the violation. The penalty has been increased from $1,000 per violation. Finally, section 204 authorizes the issuance of a notice of warning in lieu of criminal prosecution.

Sec. 425. Attorney General enforcement actions

Authorizes the Attorney General to prosecute criminal violations of the Act; bring an action to enjoin violation of or compel compliance with the Act; or bring an action for recovery of reimbursable funds, civil penalties, late payment penalties, or interest that has not been paid.

Sec. 426. Court jurisdiction

Delineates the jurisdiction of courts in most cases arising under the Act.

Subtitle C—Miscellaneous Provisions

Sec. 431. Cooperation

Authorizes the Secretary to cooperate with other Federal agencies, States or their political subdivisions, foreign governments or

their political subdivisions, domestic or international organizations or associations, or other persons to carry out the Act. Section 301 authorizes the Secretary to transfer biological control technology to States, Federal agencies, or other persons for use in control of plant pests or noxious weeds. Section 301 also authorizes cooperation with States and other persons in the administration of programs for the improvement of plants, plant products, and biological control organisms. Finally, Section 431 authorizes the Secretary to ensure that all phytosanitary import/export issues are addressed based on sound science and consistent with applicable international agreements.

Sec. 432. Buildings, land, people, claims, and agreements

Authorizes the Secretary to acquire and maintain real or personal property for special purposes; to enter into contracts, cooperative agreements, memoranda of understanding, and other agreements; to employ any person; or to make grants necessary for carrying out this Act. Section 432 also authorizes the payment of tort claims when the claims arise outside the United States in connection with activities authorized by this Act. Claims must be presented in writing within 2 years after the claim accrues.

Sec. 433. Reimbursable agreements

Authorizes the Secretary to enter into reimbursable fee agreements for preclearance at locations outside the United States for plants, plant products, biological control organisms, and articles. Funds collected are credited to accounts established by the Secretary and remain available until expended. Section 433 also authorizes the Secretary to pay employees performing inspection, quarantine, or other services relating to imports and exports for all overtime, night, or holiday work and to require the person for whom the service is performed to reimburse the Secretary for the services.

Sec. 434. Regulations and orders

Authorizes the Secretary to issue orders and regulations necessary to carry out this Act.

Sec. 435. Protection for mail handlers

This Act shall not apply to any employee of the United States in the performance of the duties of the employee in handling the mail.

Sec. 436. Preemption

Provides that no State or political subdivision may take an action to regulate in foreign commerce any article or means of conveyance, plant, biological control organism, plant pest, noxious weed, or plant product in order to control or eradicate a plant pest or noxious weed, or prevent the introduction or dissemination of a biological control organism, plant pest, or noxious weed.

Similarly, no State or political subdivision may take an action to regulate interstate commerce different from Federal regulations in any of the delineated items; control a plant pest or noxious weed; eradicate a plant pest or noxious weed; or prevent the introduction or dissemination of a biological control organism, plant pest, or noxious weed if the Secretary has issued a regulation or order to prevent the dissemination of the biological control organism, plant pest, or noxious weed. However, if State or local officials can demonstrate a special local circumstance, they can petition the Secretary to allow for the imposition of additional prohibitions or restrictions by the State or local government.

Sec. 437. Severability

Contains standard severability language.

Sec. 438. Repeals

Enumerates the list of laws being repealed and replaced by this Act.

Subtitle D—Authorizations of Appropriations

Sec. 441. Authorization of appropriations

Authorizes the appropriation of such amounts necessary to carry out this Act. Unless specifically authorized, no part of appropriated funds shall be used for indemnification purposes.

Sec. 442. Transfer authority

Authorizes the Secretary to transfer funds without fiscal year limitation from any agency or corporation of the Department to arrest, control, eradicate, and/or prevent the spread of a plant pest or noxious weed in connection with a threatening agricultural emergency.

Title V—Inspection Animals

Sec. 501. Inspection animal civil penalties

Provides for civil penalties of up to $10,000 for causing harm to or interfering with a Department of Agriculture inspection animal.

Sec. 502. Inspection animal subpoena authority

Authorizes the Secretary to require the attendance of witnesses and production of documentary evidence through the use of subpoenas to aid in investigations and proceedings. This provision also authorizes the Secretary to request the Attorney General to take actions to enforce such subpoenas.

LARRY COMBEST,
BILL BARRETT,
JOHN BOEHNER,
THOMAS W. EWING,
RICHARD POMBO,
CHARLIE STENHOLM,
GARY CONDIT,
COLLIN C. PETERSON,
CAL DOOLEY,
Managers on the Part of the House.

RICHARD G. LUGAR,
JESSE HELMS,
THAD COCHRAN,
PAUL COVERDELL,
PAT ROBERTS,
TOM HARKIN,
PATRICK LEAHY,
KENT CONRAD,
BOB KERREY,
Managers on the Part of the Senate.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 42 minutes p.m.), the House stood in recess subject to the call of the Chair.

0032

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HASTINGS of Washington) at 12 o'clock and 32 minutes a.m.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2559, AGRICULTURE RISK PROTECTION ACT OF 1999

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 106–640) on the resolution (H. Res. 512) waiving points of order against the conference report to accompany the bill (H.R. 2559) to amend the Federal Crop Insurance Act to strengthen the safety net for agricultural producers by providing greater access to more affordable risk management tools and improved protection from production and income loss, to improve the efficiency and integrity of the Federal crop insurance program, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON H.R. 4461, PROVIDING FOR CONSIDERATION OF H.R. 4461, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 106–641) providing for consideration of the bill (H.R. 4461) 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, which was referred to the Union Calendar and ordered to be printed.

HOUSE PASSED PERMANENT NORMAL TRADE RELATIONS FOR CHINA

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

Mr. SESSIONS. Mr. Speaker, today has been a glorious day for the United States House of Representatives. This body, actually yesterday, debated one of the most outstanding trade packages that will take place perhaps in my tenure in the House of Representatives, and I am pleased to report to those listeners that might be hearing us tonight that the House of Representatives earlier today passed what is known as the permanent normal trade relations with China. It was a stunning victory for people who choose to have free and fair trade around this globe.

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. MCNULTY) to revise and extend their remarks and include extraneous material:)

Ms. BROWN of Florida, for 5 minutes, today.

Ms. HOOLEY of Oregon, for 5 minutes, today.

Ms. STABENOW, for 5 minutes, today.

(The following Members (at the request of Mr. BUYER) to revise and extend their remarks and include extraneous material:)

Mr. DUNCAN, for 5 minutes, today.

Mr. REGULA, for 5 minutes, May 25.

(The following Member (at the request of Mr. GANSKE) to revise and extend his remarks and include extraneous material:)

Mr. KASICH, for 5 minutes, today.

SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 116. Concurrent resolution commending Israel's redeployment from southern Lebanon; to the Committee on International Relations.

ENROLLED BILL SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 371. An act to facilitate the naturalization of aliens who served with special guerrilla units or irregular forces in Laos.

BILLS PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills of the House of the following title:

On Tuesday, May 23, 2000:

H.R. 154. To allow the Secretary of the Interior and the Secretary of Agriculture to establish a fee system for commercial filming activities on Federal land, and for other purposes.

H.R. 834. To extend the authorization for the Historic Preservation Fund and the Advisory Council on Historic Preservation, and for other purposes.

H.R. 1832. To reform unfair and anticompetitive practices in the professional boxing industry.

On Wednesday, May 24, 2000:

H.R. 371. To facilitate the naturalization of aliens who served with special guerrilla units or irregular forces in Laos.

ADJOURNMENT

Mr. SESSIONS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 34 minutes a.m.), the House adjourned until today, Thursday, May 25, 2000, at 10 a.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for official foreign travel during the fourth quarter of 1999 and first quarter of 2000, by Committees of the U.S. House of Representatives, as well as a consolidated report of foreign currencies and U.S. dollars utilized for speaker-authorized official travel during second and fourth quarters of 1999, and first quarter of 2000, pursuant to Public Law 95–384, and for miscellaneous groups in connection with official foreign travel during the first quarter of 2000 are as follows:

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON COMMERCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1999

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Eliot Engel	11/20	11/22	Ukraine		436.00						436.00
	11/22	11/23	Belgium		263.00		887.41				1,150.41
Catherine VanWay	10/30	11/5	Germany		1,458.00		1,999.01				3,457.01
Committee total					2,157.00		2,886.42				5,043.42

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

TOM BLILEY, Chairman, Apr. 10, 2000.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1999

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Visit to France; Nov. 1–3, 1999:											
Hon. Curt Weldon	11/1	11/3	Germany		294.00	1,143.22			50.43		1,487.65
Visit to Panama, Nov. 14–16, 1999:											
Hon. Walter B. Jones	11/14	11/16	Panama		348.00						348.00
Mr. Christian P. Zur	11/14	11/16	Panama		348.00						348.00
Travel to Moldova, Russia, and Norway, Nov. 20–25, 1999:											
Hon. Curt Weldon	11/20	11/21	Moldova		225.00						225.00
	11/21	11/24	Russia		1,143.00						1,143.00
	11/24	11/25	Norway		276.00						276.00
Hon. Jim Saxton	11/20	11/21	Moldova		225.00						225.00
	11/21	11/24	Russia		1,143.00						1,143.00
	11/24	11/25	Norway		276.00						276.00
Hon. Roscoe G. Bartlett	11/20	11/21	Moldova		225.00						225.00
	11/21	11/24	Russia		1,143.00						1,143.00
	11/24	11/25	Norway		276.00						276.00
Mr. David J. Trachtenberg	11/20	11/21	Moldova		225.00						225.00
	11/21	11/24	Russia		1,143.00						1,143.00
Commercial airfare						1,486.27					1,486.27
Visit to Germany, Hungary, Italy and Ireland, Nov. 22–30, 1999:											
Hon. Ike Skelton	11/22	11/25	Germany		317.00						317.00
	11/25	11/27	Hungary		502.00						502.00
	11/27	11/29	Italy		586.00						586.00
	11/29	11/20	Ireland		195.00						195.00
Mr. Michael R. Higgins	11/22	11/25	Germany		317.00						317.00
	11/25	11/27	Hungary		502.00						502.00
	11/27	11/29	Italy		586.00						586.00
	11/29	11/20	Ireland		195.00						195.00
Visit to Curacao, Aruba, Ecuador and Panama, Dec. 2–10, 1999:											
Hon. Floyd D. Spence	12/2	12/4	Curacao		460.00						460.00
	12/4	12/6	Aruba		585.00						585.00
	12/6	12/8	Ecaudor		385.00						385.00
	12/8	12/10	Panama		448.00						448.00
Hon Solomon P. Ortiz	12/2	12/4	Curacao		460.00						460.00
	12/4	12/6	Aruba		585.00						585.00
	12/6	12/8	Ecaudor		385.00						385.00
	12/8	12/10	Panama		448.00						448.00
Hon. Tillie K. Fowler	12/2	12/4	Curacao		460.00						460.00
	12/4	12/6	Aruba		585.00						585.00
	12/6	12/8	Ecaudor		385.00						385.00
	12/8	12/10	Panama		448.00						448.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1999—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Owen B. Pickett	12/3	12/6	Aruba		850.00						850.00
	12/6	12/8	Ecaudor		385.00						385.00
	12/8	12/10	Panama		448.00						448.00
Hon. Lindsey Graham	12/3	12/4	Curacao		230.00						230.00
	12/4	12/6	Aruba		585.00						585.00
	12/6	12/8	Ecaudor		385.00						385.00
	12/8	12/9	Panama		224.00						224.00
Commercial airfare							1,662.45				1,662.45
Hon. Silvestre Reyes	12/3	12/6	Aruba		850.00						850.00
	12/6	12/8	Ecaudor		385.00						385.00
	12/8	12/10	Panama		448.00						448.00
Commercial airfare							562.00				562.00
Dr. Andrew K. Ellis	12/2	12/4	Curaco		460.00						460.00
	12/4	12/6	Aruba		585.00						585.00
Commercial airfare							761.25				761.25
Mr. Peter M. Steffes	12/2	12/4	Curacao		460.00						460.00
	12/4	12/6	Aruba		585.00						585.00
	12/6	12/8	Ecaudor		385.00						385.00
	12/8	12/10	Panama		448.00						448.00
Mrs. Maureen P. Cragin	12/2	12/4	Curacao		460.00						460.00
	12/4	12/6	Aruba		585.00						585.00
	12/6	12/8	Ecaudor		385.00						385.00
	12/8	12/10	Panama		448.00						448.00
Visit to Colombia and Venezuela, Dec. 3–7, 1999:											
Hon. Steve Buyer	12/3	12/6	Colombia		709.00						709.00
	12/6	12/7	Venezuela		334.50						334.50
Mr. Christian P. Zur	12/3	12/6	Colombia		709.00						709.00
	12/6	12/7	Venezuela		334.50						334.50
Visit to Luxembourg, Dec. 11–14, 1999:											
Hon. Ike Skelton	12/11	12/14	Luxembourg		100.00						100.00
Commercial airfare							5,306.48				5,306.48
Visit to Japan and Korea, Dec. 17–23, 1999:											
Hon. Ellen O. Tauscher	12/17	12/19	Japan		674.00						674.00
	12/19	12/23	Korea		1,048.00						1,048.00
Commercial airfare							5,114.24				5,114.24
Hon. Silvestre Reyes	12/19	12/23	Korea		1,048.00						1,048.00
Commercial airfare							5,641.24				5,641.24
Mr. William Natter	12/17	12/19	Japan		674.00						674.00
Commercial airfare							5,850.37				5,850.37
Visit to Germany, Dec. 14–17, 1999:											
Hon. John M. McHugh	12/14	12/17	Germany		700.00						700.00
Commercial airfare							5,188.32				5,188.32
Committee total					33,094.00		32,716.04		50.43		65,860.47

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

FLOYD SPENCE, Chairman, Jan. 31, 2000.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2000

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Travel to Australia and Singapore, Jan. 9–14, 2000:											
Hon. Ike Skelton	1/9	1/12	Australia		774.00						774.00
	1/12	1/14	Singapore		498.00						498.00
Hon. Neil Abercrombie	1/9	1/12	Australia		774.00						774.00
	1/12	1/14	Singapore		498.00						498.00
Hon. Robert A. Underwood	1/9	1/12	Australia		774.00						774.00
	1/12	1/14	Singapore		498.00						498.00
Hon. Silvestre Reyes	1/9	1/12	Australia		774.00						774.00
	1/12	1/14	Singapore		498.00						498.00
Hon. John J. Pollard	1/9	1/12	Australia		774.00						774.00
	1/12	1/14	Singapore		498.00						498.00
Travek to Ecuador, Jan. 5–7, 2000:											
Christian P. Zur	1/5	1/7	Ecuador		324.00						324.00
Commercial airfare							1,815.80				1,815.80
George O. Withers	1/5	1/7	Ecuador		324.00						324.00
Commercial airfare							1,815.80				1,815.80
Travel to Colombia, Peru, Chile, Argentina, Paraguay and Brazil, Jan. 7–21, 2000:											
Hon. Floyd D. Spence	1/7	1/10	Colombia		785.00						785.00
	1/10	1/12	Peru		526.00						526.00
	1/12	1/14	Chile		540.00						540.00
	1/14	1/17	Argentina		1,466.00						1,466.00
	1/17	1/19	Paraguay		185.00						185.00
	1/19	1/21	Brazil		643.00						643.00
Commercial airfare							220.60				220.60
Hon. Solomon P. Ortiz	1/10	1/12	Peru		526.00						526.00
	1/12	1/14	Chile		540.00						540.00
	1/14	1/16	Argentina		902.00						902.00
Commercial airfare							2,045.00				2,045.00
Hon. Tillie K. Fowler	1/7	1/10	Colombia		785.00						785.00
	1/10	1/12	Peru		526.00						526.00
	1/12	1/14	Chile		540.00						540.00
	1/14	1/17	Argentina		1,466.00						1,466.00
	1/17	1/19	paraguay		185.00						185.00
	1/19	1/21	Brazil		643.00						643.00
Commercial airfare							220.60				220.60
Hon. Owen Pickett	1/10	1/12	Peru		526.00						526.00
	1/12	1/14	Chile		540.00						540.00
	1/14	1/16	Argentina		902.00						902.00
Commercial airfare							2,045.00				2,045.00
Robert S. Rangel	1/7	1/10	Colombia		785.00						785.00
	1/10	1/12	Peru		526.00						526.00
	1/12	1/14	Chile		540.00						540.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2000—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	1/14	1/17	Argentina		1,466.00						1,466.00
	1/17	1/19	Paraguay		185.00						185.00
	1/19	1/21	Brazil		643.00						643.00
Commercial airfare							220.60				220.60
Peter M. Steffes	1/7	1/10	Colombia		785.00						785.00
	1/10	1/12	Peru		526.00						526.00
	1/12	1/14	Chile		540.00						540.00
	1/14	1/17	Argentina		1,466.00						1,466.00
	1/17	1/19	Paraguay		185.00						185.00
	1/19	1/21	Brazil		643.00						643.00
Commercial airfare							220.60				220.60
Delegation expenses	1/12	1/14	Chile				1,186.91		2,550.25		3,737.16
	1/19	1/21	Brazil				403.00		1,109.00		1,512.00
Travel to Germany, Bosnia, and Kosovo, Jan. 10–14, 2000:											
Hon. Gene Taylor	1/10	1/11	Germany		242.00						242.00
	1/11	1/12	Bosnia		75.00						75.00
	1/12	1/13	Kosovo		75.00						75.00
	1/13	1/14	Germany		242.00						242.00
Commercial airfare							5,259.56				5,259.56
Travel to United Kingdom, Jan. 18–20, 2000:											
Hon. Curt Weldon	1/18	1/20	United Kingdom		973.00						973.00
Commercial airfare							4,797.92				4,797.92
Stephen P. Ansley	1/18	1/20	United Kingdom		973.00						973.00
Commercial airfare							5,209.62				5,209.62
Robert W. Lautrup	1/18	1/20	United Kingdom		973.00						973.00
Commercial airfare							5,209.62				5,209.62
Travel to Ecuador and Colombia, Feb. 20–26, 2000:											
Hon. Gene Taylor	2/20	2/24	Ecuador		973.00						973.00
	2/24	2/26	Colombia		486.00						486.00
Commercial airfare							1,900.49				1,900.49
Committee total					32,536.00		32,571.12		3,659.25		68,766.37

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

FLOYD SPENCE, Chairman, Apr. 30, 2000.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON GOVERNMENT REFORM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2000

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Mark Souder	1/16	1/18	Venezuela		525.40						
	1/18	1/19	Columbia		193.00						
	1/19	1/20	Guatemala		140.00						
	1/20	1/22	Mexico		442.00						
Hon. John Mica	1/9	1/10	Denmark		358.00						
	1/10	1/12	Switzerland		616.00						
	1/12	1/15	Belgium		790.00						
	1/15	1/17	Portugal		418.00						
	1/17	1/19	Spain		518.00						
Hon. Bernard Sanders	1/9	1/10	Denmark		358.00						
	1/10	1/12	Switzerland		616.00						
	1/12	1/15	Belgium		790.00						
	1/15	1/17	Portugal		418.00						
	1/17	1/19	Spain		518.00						
Hon. Constance Morella	1/9	1/10	Denmark		358.00						
	1/10	1/12	Switzerland		616.00						
	1/12	1/15	Belgium		790.00						
	1/15	1/17	Portugal		418.00						
	1/17	1/19	Spain		518.00						
Thomas Costa	2/11	2/13	Haiti		269.00						
Kevin Long	3/30	4/3	Columbia		972.00		1,827.80				
David Rapallo	3/30	4/3	Columbia		972.00		1,827.80				
Committee total					11,613.40		3,655.60				15,269.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DAN BURTON, Chairman, Apr. 30, 2000.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1999

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Glenn Schmitt	12/8	12/12	Bahamas		963.00		432.45				1,395.45
Carl Thorsen	12/8	12/12	Bahamas		1,096.00		432.45				1,528.45
Committee total					2,059.00		864.90				2,923.90

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HENRY HYDE, Chairman, Feb. 17, 2000.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2000

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Asa Hutchinson	1/9	1/10	Panama		224.00						224.00
	1/10	1/12	Mexico		494.00						494.00
Commercial airfare							1,242.08				1,242.00
Daniel Bryant	1/9	1/10	Panama		224.00						224.00
	1/10	1/12	Mexico		494.00						494.00
Commercial airfare							1,232.78				1,232.78
Glenn Schmitt	1/16	1/19	Colombia		757.00						757.00
	1/19	1/22	Peru		679.00						679.00
Commercial airfare							661.80				661.80
Carl Thorsen	1/16	1/19	Colombia		757.00						757.00
	1/19	1/23	Peru		679.00						679.00
Commercial airfare							764.36				764.36
Stephen Pinkos	1/16	1/19	Colombia		757.00						757.00
	1/19	1/23	Peru		679.00						679.00
Commercial airfare							661.80				661.80
Bobby Vassar	1/16	1/19	Colombia		757.00						757.00
	1/19	1/22	Peru		679.00						679.00
Commercial airfare							661.80				661.80
Hon. John Conyers, Jr	2/11	2/13	Haiti		369.00		(3)				369.00
Hon. William D. Delahunt	2/11	2/13	Haiti		369.00		(3)				369.00
Anthony Foxx	2/11	2/13	Haiti		369.00		(3)				369.00
Cynthia Martin	2/11	2/13	Haiti		369.00		(3)				369.00
Hon. Bob Goodlatte	2/19	2/22	England		1,143.00		(3)				1,143.00
	2/22	2/22	Belgium								
	2/22	2/24	Switzerland		616.00						616.00
	2/24	2/27	Germany		779.00						779.00
Hon. Charles T. Canady	2/19	2/22	England		1,143.00		(3)				1,143.00
	2/22	2/22	Belgium								
	2/22	2/24	Switzerland		616.00						616.00
	2/24	2/27	Germany		779.00						779.00
Hon. Rick Boucher	2/19	2/22	England		1,143.00		(3)				1,143.00
	2/22	2/22	Belgium								
	2/22	2/24	Switzerland		616.00						616.00
	2/24	2/27	Germany		779.00						779.00
Jon Dudas	2/19	2/22	England		1,143.00		(3)				1,143.00
	2/22	2/22	Belgium								
	2/22	2/24	Switzerland		616.00						616.00
	2/24	2/27	Germany		779.00						779.00
Debra Laman	2/19	2/22	England		1,143.00		(3)				1,143.00
	2/22	2/22	Belgium								
	2/22	2/24	Switzerland		616.00						616.00
	2/24	2/27	Germany		779.00						779.00
Robert Jones	2/19	2/22	England		1,143.00		(3)				1,143.00
	2/22	2/22	Belgium								
	2/22	2/24	Switzerland		616.00						616.00
	2/24	2/27	Germany		779.00						779.00
Delegation expenses	2/22	2/24	Switzerland				3,010.68		1,237.35		4,248.03
Committee total					23,884.00		8,235.30		1,237.35		33,356.65

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Miliary air transportation.

HENRY HYDE, Chairman, May 5, 2000.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1999

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Bob Clement	12/2	12/4	Curacao		460.00						460.00
	12/4	12/6	Aruba		585.00						585.00
							(3)				
							[4] 478.00				478.00
Committee total					1,045.00		478.00				1,523.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.
[4] Commercial transportation from Aruba to Washington, DC.

BUD SHUSTER, Chairman, July 11, 1999.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, HOUSE OF REPRESENTATIVES, TRAVEL TO CANADA, EXPENDED BETWEEN MAY 20 AND MAY 24, 1999

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Mark Souder	5/20	5/24	Canada		553.85		(3)				553.85
Committee total					553.85						553.85

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

MARK SOUDER, Chairman, Mar. 23, 2000.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, HOUSE OF REPRESENTATIVES, TRAVEL TO CANADA, EXPENDED BETWEEN MAY 21 AND MAY 23, 1999

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. William D. Delahunt	5/21	5/23	Canada		570.00		[3] 961.12				570.00
Committee total					570.00						570.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] This amount was for a commercial airline ticket to Quebec, and was paid for by U.S./Canada Interparliamentary Delegation official funds; therefore, it was reported on the 1999 U.S./Canada Interparliamentary Delegation annual report to the Clerk of the House (included in ''representational'').

WILLIAM DELAHUNT, Chairman, Mar. 23, 2000.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, HOUSE OF REPRESENTATIVES, TRAVEL TO CANADA, EXPENDED BETWEEN MAY 20 AND MAY 24, 1999

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Jack Metcalf	5/20	5/24	Canada		300.00		([3])				300.00
Committee total					300.00						300.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

JACK METCALF, Chairman, Mar. 23, 2000.

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, HOUSE DELEGATION TO JAPAN, AUSTRALIA AND NEW ZEALAND, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 27 AND DEC. 7, 1999

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Hastert	11/28	11/30	Japan		333.00						
Hon. Boehlert	11/28	11/30	Japan		333.00						
Hon. Pryce	11/28	11/30	Japan		333.00						
Hon. Largent	11/28	11/30	Japan		333.00						
Hon. Coburn	11/28	11/30	Japan		333.00						
Hon. Wamp	11/28	11/30	Japan		333.00						
Hon. Doyle	11/28	11/30	Japan		333.00						
Hon. Sanford	11/28	11/30	Japan		333.00						
Hon. Stupak	11/28	11/30	Japan		333.00						
Hon. Cramer	11/28	11/30	Japan		333.00						
Hon. Blunt	11/28	11/30	Japan		333.00						
Hon. Isakson	11/28	11/30	Japan		333.00						
Scott Palmer	11/28	11/30	Japan		333.00						
John Feehery	11/28	11/30	Japan		333.00						
David Hobbs	11/28	11/30	Japan		333.00						
Bill Inglee	11/28	11/30	Japan		333.00						
Sam Lancaster	11/28	11/30	Japan		333.00						
Martha Morrison	11/28	11/30	Japan		333.00						
Shanti Ochs	11/28	11/30	Japan		333.00						
Chris Scheve	11/28	11/30	Japan		333.00						
Dwight Comedy	11/28	11/30	Japan		333.00						
Bill Livingood	11/28	11/30	Japan		333.00						
Dr. John Eisold	11/28	11/30	Japan		333.00						
Hon. Hastert	11/30	12/4	Australia		992.00						992.00
Hon. Boehlert	11/30	12/4	Australia		992.00						992.00
Hon. Pryce	11/30	12/4	Australia		992.00						992.00
Hon. Largent	11/30	12/4	Australia		992.00		[3] 461.20				992.00
Hon. Coburn	11/30	12/4	Australia		992.00		[3] 461.20				992.00
Hon. Wamp	11/30	12/4	Australia		992.00		[3] 461.20				992.00
Hon. Doyle	11/30	12/4	Australia		992.00		[3] 461.20				992.00
Hon. Sanford	11/30	12/4	Australia		992.00						992.00
Hon. Stupak	11/30	12/4	Australia		992.00		[3] 461.20				992.00
Hon. Cramer	11/30	12/4	Australia		992.00						992.00
Hon. Blunt	11/30	12/4	Australia		992.00						992.00
Hon. Isakson	11/30	12/4	Australia		992.00						992.00
Scott Palmer	11/30	12/4	Australia		992.00						992.00
John Feehery	11/30	12/4	Australia		992.00						992.00
David Hobbs	11/30	12/4	Australia		992.00						992.00
Bill Inglec	11/30	12/4	Australia		992.00						992.00
Sam Lancaster	11/30	12/4	Australia		992.00						992.00
Martha Morrison	11/30	12/4	Australia		992.00						992.00
Shanti Ochs	11/30	12/4	Australia		992.00						992.00
Chris Scheve	11/30	12/4	Australia		992.00						992.00
Dwight Comedy	11/30	12/4	Australia		992.00						992.00
Bill Livingood	11/30	12/4	Australia		992.00						992.00
Dr. John Eisold	11/30	12/4	Australia		992.00						992.00
Hon. Hastert	12/4	12/7	New Zealand		826.00						826.00
Hon. Boehlert	12/4	12/7	New Zealand		826.00						826.00
Hon. Pryce	12/4	12/7	New Zealand		826.00						826.00
Hon. Largent	12/4	12/7	New Zealand		826.00						826.00
Hon. Coburn	12/4	12/7	New Zealand		826.00						826.00
Hon. Wamp	12/4	12/7	New Zealand		826.00						826.00
Hon. Doyle	12/4	12/7	New Zealand		826.00						826.00
Hon. Sanford	12/4	12/7	New Zealand		826.00						826.00
Hon. Stupak	12/4	12/7	New Zealand		826.00		[4] 2,933.25				826.00
Hon. Cramer	12/4	12/7	New Zealand		826.00						826.00
Hon. Blunt	12/4	12/7	New Zealand		826.00						826.00
Hon. Isakson	12/4	12/7	New Zealand		826.00						826.00
Scott Palmer	12/4	12/7	New Zealand		826.00						826.00
John Feehery	12/4	12/7	New Zealand		826.00						826.00
David Hobbs	12/4	12/7	New Zealand		826.00						826.00
Bill Inglee	12/4	12/7	New Zealand		826.00						826.00
Sam Lancaster	12/4	12/7	New Zealand		826.00						826.00
Martha Morrison	12/4	12/7	New Zealand		826.00						826.00
Shanti Ochs	12/4	12/7	New Zealand		826.00						826.00
Chris Scheve	12/4	12/7	New Zealand		826.00						826.00

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, HOUSE DELEGATION TO JAPAN, AUSTRALIA AND NEW ZEALAND, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 27 AND DEC. 7, 1999—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Dwight Comedy	12/4	12/7	New Zealand		826.00						826.00
Bill Livingood	12/4	12/7	New Zealand		826.00						826.00
Dr. John Eisold	12/4	12/7	New Zealand		826.00						826.00
Committee total					49,473		[3] 5,239.25				54,712.25

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Airfare from Darwin to Sydney.
[4] Flight back to U.S. on Dec. 5, 1999.

J. DENNIS HASTERT, Jan. 20, 2000.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, HOUSE DELEGATION TO BOSNIA, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAR. 6 AND MAR. 7, 1999

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
John M. McHugh, M.C	3/6	3/7	Bosnia				(3)				
Cary R. Brick	3/6	3/7	Bosnia				(4)				
Committee total											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.
[4] Unknown.

JOHN M. McHUGH, Chairman, Mar. 10, 2000.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, NATO PARLIAMENTARY ASSEMBLY TO BELGIUM, FRANCE, ITALY AND SPAIN, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 19 AND FEB. 27, 2000

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Doug Bereuter	2/19	2/22	Belgium		892.00						
	2/22	2/24	France		646.00						
	2/24	2/26	Italy		394.00						
	2/26	2/27	Spain		110.00		(3)				2,042.00
Hon. Tom Bliley	2/19	2/22	Belgium		892.00						
	2/22	2/24	France		646.00						
	2/24	2/26	Italy		394.00						
	2/26	2/27	Spain		110.00		(3)				2,042.00
Hon Herb Bateman	2/19	2/22	Belgium		892.00						
	2/22	2/24	France		646.00						
	2/24	2/26	Italy		394.00						
	2/26	2/27	Spain		110.00		(3)				2,042.00
Hon. Paul Gillmor	2/19	2/22	Belgium		892.00						
	2/22	2/24	France		646.00						
	2/24	2/26	Italy		394.00						
	2/26	2/27	Spain		110.00		(3)				2,042.00
Hon. Porter Goss	2/19	2/22	Belgium		892.00						
	2/22	2/24	France		646.00						
	2/24	2/26	Italy		394.00						
	2/26	2/27	Spain		110.00		(3)				2,042.00
Hon. Michael Bilirakis	2/19	2/22	Belgium		892.00						
	2/22	2/24	France		646.00						
	2/24	2/26	Italy		394.00						
	2/26	2/27	Spain		110.00		(3)				2,042.00
Hon. Joel Hefley	2/19	2/22	Belgium		892.00		(3)				
	2/22	2/24	France		646.00						
	2/24	2/26	Italy		394.00						
	2/26	2/27	Spain		110.00		(3)				2,042.00
Hon. Scott McInnis	2/19	2/22	Belgium		892.00						
	2/22	2/24	France		646.00						
	2/24	2/26	Italy		394.00						
	2/26	2/27	Spain		110.00		(3)				2,042.00
Hon. Robert Borski	2/19	2/22	Belgium		892.00						
	2/22	2/24	France		646.00						
	2/24	2/26	Italy		394.00						
	2/26	2/27	Spain		110.00		(3)				2,042.00
Hon. John Tanner	2/19	2/22	Belgium		892.00						
	2/22	2/24	France		646.00						
	2/24	2/26	Italy		394.00						
	2/26	2/27	Spain		110.00		(3)				2,042.00
Hon. Owen Pickett	2/19	2/22	Belgium		892.00						
	2/22	2/24	France		646.00		2,408.97				3,946.97
Hon. Nick Lampson	2/20	2/22	Belgium		510.00						
	2/22	2/24	France		646.00						
	2/24	2/26	Italy		394.00		944.20				2,494.20
Susan Olson	2/19	2/22	Belgium		892.00						
	2/22	2/24	France		646.00						
	2/24	2/26	Italy		394.00						
	2/16	2/27	Spain		110.00		(3)				2,042.00
Josephine Weber	2/19	2/22	Belgium		892.00						
	2/22	2/24	France		646.00						
	2/24	2/26	Italy		394.00						
	2/16	2/27	Spain		110.00		(3)				2,042.00
John Herzberg	2/19	2/22	Belgium		892.00						
	2/22	2/24	France		646.00						
	2/24	2/26	Italy		394.00						
	2/16	2/27	Spain		110.00		(3)				2,042.00
Jason Gross	2/19	2/22	Belgium		742.00						
	2/22	2/24	France		596.00						
	2/24	2/26	Italy		344.00						
	2/16	2/27	Spain		110.00		(3)				1,792.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, NATO PARLIAMENTARY ASSEMBLY TO BELGIUM, FRANCE, ITALY AND SPAIN, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 19 AND FEB. 27, 2000—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Roberta Evans	2/19	2/22	Belgium		892.00						
	2/22	2/24	France		646.00						
	2/24	2/26	Italy		394.00						
	2/16	2/27	Spain		110.00		(3)				2,042.00
Ronald Lasch	2/19	2/22	Belgium		892.00						
	2/22	2/24	France		646.00						
	2/24	2/26	Italy		394.00						
	2/16	2/27	Spain		110.00		(3)				2,042.00
Linda Pedigo	2/19	2/22	Belgium		892.00						
	2/22	2/24	France		646.00						
	2/24	2/26	Italy		394.00						
	2/16	2/27	Spain		110.00		(3)				2,042.00
Committee total					37,552.00		3,353.17				40,905.17

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.
[4] Military air transportation plus.

DOUG BEREUTER, Chairman, May 9, 2000.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

7807. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Commodity Pool Operators; Exclusion for Certain Otherwise Regulated Persons from the Definition of the Term ''Commodity Pool Operator'' (RIN: 3038–AB34) received April 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7808. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Fenopropathrin; Pesticide Tolerance [OPP–300992; FRL–6554–4] (RIN: 2070–AB78) received April 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7809. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Thiabendazole; Extension of Tolerance for Emergency Exemptions [OPP–300993; FRL–6554–6] (RIN: 2070–AB78) received April 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7810. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—List of Communities Eligible for the Sale of Flood Insurance [Docket No. FEMA–7730] received April 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7811. A letter from the Acting Assistant General Counsel for Regulatory Services, Office of Educational Research and Improvement, Department of Education, transmitting the Department's final rule—National Awards Program for Effective Teacher Preparation—received April 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7812. A letter from the Assistant General Counsel for Regulatory Law, Office of Procurement and Assistance Management, Department of Energy, transmitting the Department's final rule—Acquisition Regulations: Mentor-Protege Program (RIN: 1991–AB45) received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7813. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Indirect Food Additives: Adhesives and Components of Coatings [Docket No. 98F–0675] received April 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7814. 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 and Codification of the Nonabsorbable Expanded Polytetrafluoroethylene Surgical Suture [Docket No. 94P–0347] received April 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7815. A letter from the Deputy Executive Secretary, FDA, Department of Health and Human Services, transmitting the Department's final rule— Revisions to the Requirements Applicable to Blood, Blood Components, and Source Plasma [Docket No. 98N–0673] received April 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7816. A letter from the Director, Office of Regulatory Managment and Information, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants for Source Categories [AD-FRL–6582–3] received April 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7817. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Final Exclusion [SW-FRL–6583–6] received April 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7818. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans For Designated Facilities and Pollutants: Oregon; Negative Declaration [Docket No. OR–03–0001; FRL–6580–9] received April 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7819. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Montana; Emergency Episode Plan, Columbia Falls, Butte and Missoula Particulate Matter State Implementation Plans, Missoula Carbon Monoxide State Implementation Plan; Correction [SIP Nos. MT–001–0012; MT–001–0013; MT–001–0014; MT–001–0015] (FRL–6582–4) received April 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7820. A letter from the Director, Office of Congressional Affairs, Office of Enforcement, Nuclear Regulatory Commission, transmitting the Commission's final rule—Revision of the NRC Enforcement Policy [NUREG–1600] received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7821. A letter from the Chairman, Consumer Product Safety Commission, transmitting the Fiscal Year 1999 Annual Program Performance Report; to the Committee on Government Reform.

7822. A letter from the Chairman, Federal Communications Commission, transmitting the Annual Performance Report for Fiscal Year 1999; to the Committee on Government Reform.

7823. A letter from the Acting Deputy Associate Administrator, Office of Acquisition Policy, GSA, National Aeronautics and Space Administration, transmitting the Administration's final rule—Federal Acquisition Regulation; Progress Payments and Related Financing Polices [FAC 97–16; FAR Case 1998–400 (98–400); Item II] (RIN: 9000–AI27) received April 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

7824. A letter from the Director, National Science Foundation, transmitting the FY 2000 GPRA Performance Plan; to the Committee on Government Reform.

7825. A letter from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna [I.D. 033100D] received April 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7826. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska, Pacific Cod in the Gulf of Alaska [Docket No. 000211039–0039–01; I.D. 041200A] received April 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7827. A letter from the Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species; Bluefin Tuna Landings Reporting [Docket No. 000328086–0086–01; I.D. 012800H] (RIN: 0648–AN56) received April 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7828. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–600, -700, and 800 Series Airplanes [Docket No. 2000–NM–84–AD; Amendment 39–11663; AD 2000–07–09] (RIN: 2120–AA64) received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7829. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–100, -200, -200C, -300, -400, and -500 Series Airplanes [Docket No. 99–NM–81–AD; Amendment 39–11660; AD 2000–07–06] (RIN: 2120–AA64) received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7830. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767 Series Airplanes [Docket No. 99–NM–72–AD; Amendment 39–11659; AD 2000–07–05] (RIN: 2120–AA64) received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7831. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France Model SA–366G1 Helicopters [Docket No. 99–SW–14–AD; Amendment 39–11692; AD 2000–08–06] (RIN: 2120–AA64) received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7832. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Robinson Helicopter Company Model R44 Helicopters [Docket No. 99–SW–70–AD; Amendment 39–11690; AD 2000–08–04] (RIN: 2120–AA64) received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7833. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 Series Airplanes [Docket No. 99–NM–304–AD; Amendment 39–11682; AD 2000–07–26] (RIN: 2120–AA64) received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7834. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Rolls-Royce plc Tay 650–15 Series Turbofan Engines [Docket No. 99–NE–61–AD; Amendment 39–11687; AD 2000–08–01] (RIN: 2120–AA64) received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7835. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Lockheed Model L–1011–385 Series Airplanes [Docket No. 99–NM–252–AD; Amendment 39–11677; AD 99–13–08 R1] (RIN: 2120–AA64) received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7836. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300, A310, and A300–600 Series Airplanes [Docket No. 99–NM–07–AD; Amendment 39–11685; AD 2000–07–29] (RIN: 2120–AA64) received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7837. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Agusta Model A109A, A109AII, and A109C Helicopters [Docket No. 99–SW–47–AD; Amendment 39–11688; AD 2000–08–02] (RIN: 2120–AA64) received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7838. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Gulfstream Model G-IV Series Airplanes [Docket No. 2000–NM–82–AD; Amendment 39–11680; AD 2000–07–25] (RIN: 2120–AA64) received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7839. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model DHC–8–100 Series Airplanes [Docket No. 99–NM–321–AD; Amendment 39–11678; AD 2000–07–23] (RIN: 2120–AA64) received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

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. COMBEST: Committee of Conference. Conference report on H.R. 2559. A bill to amend the Federal Crop Insurance Act to strengthen the safety net for agricultural producers by providing greater access to more affordable risk management tools and improved protection from production and income loss, to improve the efficiency and integrity of the Federal crop insurance program, and for other purposes (Rept. 106–639). Ordered to be printed.

[May 25 (Legislative day of May 24), 2000]

Mr. REYNOLDS: Committee on Rules. House Resolution 512. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2559) to amend the Federal Crop Insurance Act to strengthen the safety net for agricultural producers by providing greater access to more affordable risk management tools and improved protection from production and income loss, to improve the efficiency and integrity of the Federal crop insurance program, and for other purposes (Rept. 106–640). Referred to the House Calendar.

Mr. DIAZ-BALART: Committee on Rules. House Resolution 513. Resolution providing for consideration of the bill (H.R. 4461) 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. 106–641). 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. GILMAN (for himself and Mr. HINCHEY):

H.R. 4528. A bill to establish an undergraduate grant program of the Department of State to assist students of limited financial means from the United States to pursue studies at foreign institutions of higher education; to the Committee on International Relations.

By Mr. DUNCAN (for himself, Mr. SHUSTER, Mr. OBERSTAR, Mr. LIPINSKI, Mr. SWEENEY, Mr. EHLERS, Mr. LAHOOD, Mr. COOKSEY, and Mr. GARY MILLER of California):

H.R. 4529. A bill to amend title 49, United States Code, to prohibit the employment of certain individuals in positions affecting air transportation security; to the Committee on Transportation and Infrastructure.

By Ms. VELAZQUEZ (for herself, Mr. TALENT, Mr. KING, Ms. MILLENDER-MCDONALD, Mrs. KELLY, Mr. DAVIS of Illinois, Mr. ENGLISH, Mrs. MCCARTHY of New York, Mrs. BONO, Mr. PASCRELL, Mr. SWEENEY, Mr. HINOJOSA, Mrs. CHRISTENSEN, Mr. BRADY of Pennsylvania, Mr. UDALL of New Mexico, Mr. MOORE, Mrs. JONES of Ohio, Mr. GONZALEZ, Mr. PHELPS, Mrs. NAPOLITANO, Mr. BAIRD, Ms. BERKLEY, Mr. UDALL of Colorado, Ms. STABENOW, Mr. KANJORSKI, and Mr. BARRETT of Wisconsin):

H.R. 4530. A bill to amend the Small Business Investment Act of 1958 to direct the Administrator of the Small Business Administration to establish a New Market Venture Capital Program, and for other purposes; to the Committee on Small Business.

By Mr. GARY MILLER of California (for himself and Mr. CALVERT):

H.R. 4531. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to particpate in the Inland Empire regional water recycling project, to authorize the Secretary to carry out a program to assist agencies in projects to construct regional brine lines in California, and to authorize the Secretary to participate in the Lower Chino Dairy Area desalination demonstration and reclamation project; to the Committee on Resources.

By Mr. ANDREWS:

H.R. 4532. A bill to assure equitable treatment of fertility and impotence in health care coverage under group health plans, health insurance coverage, and health plans under the Federal employees' health benefits program; to the Committee on Commerce, and in addition to the Committees on Education and the Workforce, and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BACA:

H.R. 4533. A bill to authorize the Secretary of the Interior to participate in the design, planning, and construction of the Inland Empire regional water recycling project, and to authorize the Secretary to carry out a program under the Federal reclamation laws to assist agencies in projects to construct regional brine lines in California; to the Committee on Resources.

By Mr. BURR of North Carolina (for himself, Mr. BALLENGER, Mrs. MYRICK, Mr. TAYLOR of North Carolina, Mr. MCINTYRE, Mr. PRICE of North Carolina, Mr. COBLE, Mr. HAYES, Mr. WATT of North Carolina, Mr. JONES of North Carolina, Mrs. CLAYTON, and Mr. ETHERIDGE):

H.R. 4534. A bill to designate the facility of the United States Postal Service located at 114 Ridge Street in Lenoir, North Carolina,

as the ''James T. Broyhill Post Office Building''; to the Committee on Government Reform.

By Mrs. CLAYTON:

H.R. 4535. A bill to amend the Consolidated Farm and Rural Development Act to improve the agricultural credit programs of the Department of Agriculture, and for other purposes; to the Committee on Agriculture.

By Mr. CROWLEY (for himself, Mr. SWEENEY, Mr. ENGEL, Mr. PASTOR, Mr. ROMERO-BARCELO, Mr. JOHN, Mr. LEWIS of Georgia, Mr. BALDACCI, Mr. WALSH, Mr. EVANS, Mr. MALONEY of Connecticut, Mr. TANNER, Mr. HINCHEY, Mr. ABERCROMBIE, Mr. RAHALL, Mr. UDALL of New Mexico, Mr. WISE, Mr. BISHOP, Mr. RANGEL, and Mr. FROST):

H.R. 4536. A bill to provide grants to local educational agencies to initiate, expand, or improve physical education programs for students; to the Committee on Education and the Workforce.

By Mr. DIAZ-BALART (for himself, Ms. ROS-LEHTINEN, Mr. MENENDEZ, Mr. DELAY, Mr. GILMAN, Mr. WATTS of Oklahoma, Mr. HYDE, Mr. DREIER, Mr. GOSS, Mr. BURTON of Indiana, Mr. ARCHER, Mr. SMITH of New Jersey, Mrs. FOWLER, Mr. LANTOS, Ms. DUNN, Mr. DEUTSCH, Mr. SHAW, Mr. MCCOLLUM, Mrs. MEEK of Florida, Mr. FOLEY, Mr. ANDREWS, Mr. BACHUS, Mr. BALLENGER, Mr. BONILLA, Mr. BURR of North Carolina, Mr. CANADY of Florida, Mr. CANNON, Mr. CHABOT, Mr. CROWLEY, Mr. CUNNINGHAM, Mr. ENGEL, Mr. FRANKS of New Jersey, Mr. FOSSELLA, Mr. GOODLING, Mr. GUTIERREZ, Mr. GUTKNECHT, Mr. JONES of North Carolina, Mr. HASTINGS of Washington, Mr. HUNTER, Mr. HUTCHINSON, Mr. KENNEDY of Rhode Island, Mr. KING, Mr. KINGSTON, Mr. LAZIO, Mr. LINDER, Mr. MANZULLO, Mr. MCINNIS, Mr. MCKEON, Mr. MILLER of Florida, Mrs. MYRICK, Mr. NEY, Mr. PALLONE, Mr. PASCRELL, Mr. PETERSON of Minnesota, Ms. PRYCE of Ohio, Mr. REYNOLDS, Mr. ROGAN, Mr. ROHRABACHER, Mr. ROTHman, Mr. SCARBOROUGH, Mr. SESSIONS, Mr. SHERMAN, Mr. SOUDER, Mr. STEARNS, Mr. TRAFICANT, Mr. WELDON of Florida, Mr. WEXLER, Mr. WOLF, Mr. BLUNT, Mr. HANSEN, Mr. THOMAS, Mr. COX, Mr. LUCAS of Oklahoma, Mr. DOOLITTLE, Mr. POMBO, Mr. SHADEGG, and Mr. FRELINGHUYSEN):

H.R. 4537. A bill to assist the internal opposition in Cuba, and to further help the Cuban people to regain their freedom; to the Committee on International Relations.

By Mr. MOORE:

H.R. 4538. A bill to amend the Higher Education Act of 1965 to improve the teacher loan forgiveness program, and for other purposes; to the Committee on Education and the Workforce.

By Mr. SAXTON (for himself and Mr. ANDREWS):

H.R. 4539. A bill to direct the Secretary of Education to provide grants to promote Holocaust education and awareness; to the Committee on Education and the Workforce.

By Mr. WELDON of Pennsylvania (for himself, Mr. BERMAN, and Mr. COX):

H. Con. Res. 334. Concurrent resolution expressing the sense of Congress that normal trade relations treatment for products of the People's Republic of China should be revoked if that country attacks, invades, or imposes a blockade on Taiwan; to the Committee on Ways and Means.

By Mr. WELDON of Pennsylvania (for himself, Mr. BERMAN, and Mr. COX):

H. Con. Res. 335. Concurrent resolution expressing the sense of Congress that if the People's Republic of China attacks, invades, or imposes a blockade on Taiwan, the United States will respond vigorously, including but not limited to revoking normal trade relations; to the Committee on Ways and Means, and in addition to the Committee on International Relations, 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.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 306: Mr. BLUMENAUER.

H.R. 347: Mr. LEWIS of Kentucky.

H.R. 353: Mr. PORTMAN, Mr. MCINNIS, Mr. SUNUNU, Mr. GILLMOR, Mr. FOSSELLA, Mr. BONILLA, and Mr. COBURN.

H.R. 483: Mr. UDALL of New Mexico.

H.R. 531: Mr. RANGEL.

H.R. 534: Mr. BROWN of Ohio, Mr. SAM JOHNSON of Texas, and Mr. CLEMENT.

H.R. 632: Mrs. BIGGERT.

H.R. 828: Mr. QUINN.

H.R. 979: Mr. RUSH, Ms. KUPTUR, and Mr. BLUMENAUER.

H.R. 1020: Ms. LOFGREN, Mr. CROWLEY, and Mr. RANGEL.

H.R. 1092: Mrs. CHENOWETH-HUGH.

H.R. 1102: Ms. STABENOW and Mr. HUTCHINSON.

H.R. 1168: Mr. POMBO.

H.R. 1248: Mr. STARK, Mr. FLETCHER, Mr. ENGEL, and Mr. KLECZKA.

H.R. 1322: Mr. METCALF, Mr. FRELINGHUYSEN, Mr. BLUNT, Mr. BOUCHER, Mr. RYAN of Wisconsin, Mr. BARR of Georgia, Mr. RAHALL, Mr. LUCAS of Oklahoma, Ms. ROS-LEHTINEN, Ms. BERKLEY, Mr. NEY, and Mr. WATTS of Oklahoma.

H.R. 1387: Mr. MEEHAN.

H.R. 1525: Ms. BERKLEY.

H.R. 2000: Mr. SNYDER, Mrs. ROUKEMA, and Mr. CONDIT.

H.R. 2059: Mrs. MINK of Hawaii.

H.R. 2317: Mr. FATTAH and Mr. ANDREWS.

H.R. 2321: Mr. LANTOS and Mr. STARK.

H.R. 2457: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. GONZALEZ, and Mrs. MCCARTHY of New York.

H.R. 2544: Mr. LEWIS of Kentucky.

H.R. 2569: Mr. HOLT, Mr. ROTHMAN, and Mrs. NAPOLITANO.

H.R. 2594: Mr. SMITH of Washington.

H.R. 2631: Mr. UDALL of New Mexico.

H.R. 2722: Mr. FOLEY.

H.R. 2749: Ms. JACKSON-LEE of Texas.

H.R. 2768: Mr. LAZIO.

H.R. 2784: Mr. DOYLE.

H.R. 2831: Ms. HOOLEY of Oregon.

H.R. 2856: Mrs. BONO.

H.R. 2892: Mr. TAYLOR of Mississippi.

H.R. 2915: Mrs. JONES of Ohio.

H.R. 2947: Ms. LEE, Ms. SLAUGHTER, Mrs. NAPOLITANO, and Mr. DOOLEY of California.

H.R. 2956: Mr. BRADY of Pennsylvania.

H.R. 2962: Mr. BACA.

H.R. 2987: Mr. BAIRD, Mr. WHITFIELD, Mr. TERRY, and Mrs. EMERSON.

H.R. 3032: Mr. LANTOS.

H.R. 3142: Mrs. CHRISTENSEN.

H.R. 3144: Mr. STRICKLAND.

H.R. 3235: Mr. HOLT.

H.R. 3256: Mr. GONZALEZ.

H.R. 3300: Mr. FROST.

H.R. 3484: Mr. BUYER.

H.R. 3485: Mr. LANTOS.

H.R. 3580: Mr. SMITH of Texas, Mr. LEWIS of Georgia, Ms. BROWN of Florida, Mr. BAIRD, Mr. HOLT, Mr. CALLAHAN, Mr. WU, Mr. TOWNS, and Mr. BARRETT of Wisconsin.

H.R. 3590: Mr. HUNTER and Mr. HASTINGS of Washington.

H.R. 3688: Mr. DAVIS of Illinois, Mr. KING, Mr. LEWIS of Georgia, Mr. SABO, Mr. CARDIN, Mr. GEORGE MILLER of California, Ms. CARSON, Mr. MENENDEZ, Mrs. CHRISTENSEN, and Ms. STABENOW.

H.R. 3766: Mr. GORDON, Mr. BERMAN, and Mr. BLUMENAUER.

H.R. 3809: Mr. FRELINGHUYSEN.

H.R. 3836: Ms. BERKLEY.

H.R. 3842: Mr. GREEN of Wisconsin, Mr. EHRLICH, Ms. SCHAKOWSKY, Mr. SUNUNU, Mrs. CUBIN, Mr. PETERSON of Minnesota, and Mr. LEACH.

H.R. 3880: Mr. BAKER.

H.R. 3891: Mr. TOWNS, Ms. MCKINNEY, and Mrs. CHRISTENSEN.

H.R. 4011: Mr. DAVIS of Illinois.

H.R. 4049: Mr. THUNE.

H.R. 4064: Mr. RYUN of Kansas, Mr. OSE, Mr. HALL of Texas, Mr. PETERSON of Pennsylvania, and Mr. TURNER.

H.R. 4066: Mr. MARKEY.

H.R. 4082: Mr. SNYDER, Mr. GOODLATTE, and Mr. SHOWS.

H.R. 4094: Mr. MOORE and Mr. BOUCHER.

H.R. 4165: Ms. ESHOO, Ms. MCCARTHY of Missouri, Mr. WYNN, and Mr. DEUTSCH.

H.R. 4168: Mr. OBERSTAR, Mr. CLEMENT, and Mr. LIPINSKI.

H.R. 4207: Mr. COOK, Mr. NADLER, and Mr. WEYGAND.

H.R. 4210: Mr. DOOLITTLE and Mr. BILIRAKIS.

H.R. 4211: Mr. WAXMAN, Ms. MCKINNEY, Mr. GEJDENSON, and Mrs. MINK of Hawaii.

H.R. 4213: Ms. DUNN and Mr. ADERHOLT.

H.R. 4242: Mr. WICKER.

H.R. 4257: Mr. HAYWORTH, Mr. DEMINT, Mr. VITTER, Mr. CHABOT, Mr. COBURN, Mr. PITTS, Mr. SANFORD, Mr. SMITH of Michigan, Mr. LARGENT, Mr. SHADEGG, and Mr. SAM JOHNSON of Texas.

H.R. 4259: Mr. BONILLA, Mr. COBURN, Mr. ISTOOK, Mr. SCHAFFER, Mr. THORNBERRY, Mr. FILNER, Mr. KENNEDY of Rhode Island, Mrs. CHRISTENSEN, and Mr. SKEEN.

H.R. 4271: Mr. GUTKNECHT and Mr. BARTON of Texas.

H.R. 4272: Mr. BARTON of Texas.

H.R. 4273: Mr. BARTON of Texas.

H.R. 4290: Mr. STRICKLAND.

H.R. 4299: Mr. DUNCAN and Mr. TAYLOR of North Carolina.

H.R. 4391: Mr. GOODLATTE.

H.R. 4441: Mr. NEY.

H.R. 4442: Mr. PALLONE and Mr. BATEMAN.

H.R. 4467: Mr. TANCREDO, Mr. SCHAFFER, Mr. DEAL of Georgia, Mr. NETHERCUTT, Mr. BOSWELL, and Mr. GOODE.

H.R. 4481: Mr. BARRETT of Wisconsin.

H.R. 4483: Mr. DAVIS of Illinois.

H.R. 4492: Mr. COBLE, Mr. KASICH, Mr. ABERCROMBIE, Mr. CONDIT, Mrs. BONO, Mr. BERMAN, Mr. WOLF, Ms. PELOSI, Mr. DIXON, Mr. MATSUI, Mr. GEORGE MILLER of California. Mr. BLUMENAUER, Mr. ROEMER, Mr. FARR of California, Ms. JACKSON-LEE of Texas, Mr. ROTHMAN, Mrs. LOWEY, Mr. SKELTON, Mr. SANDLIN, Mr. COOKSEY, Mr. CRANE, Mrs. FOWLER, Mr. MCCRERY, Mr. RANGEL, Mrs. MALONEY of New York, Mr. BOSWELL, Ms. DANNER, Mr. KUCINICH, Mr. CRAMER, Mr. GREEN of Texas, Mr. LUTHER, Ms. MCCARTHY of Missouri, Mrs. NAPOLITANO, Mr. HASTINGS of Florida, Mr. MEEKS of New York, Mr. KING, Mr. SHERMAN, Mr. LEVIN, Mr. KLECZKA, Mrs. THURMAN, Mr. STARK, Ms. DEGETTE, Mrs. TAUSCHER, Ms. ESHOO, Mr. SAWYER, Mr. LAFALCE, Mr. OBERSTAR, Mrs. JOHNSON of Connecticut, Mr. WATTS of Oklahoma, Mrs. EMERSON, Mr. HEFLEY, Mr. BAKER, Mr. TANCREDO, Mr. JONES of North Carolina, Mr. GOODE, Mr. DREIER, Mr. HAYWORTH, Mr. JENKINS, Mr. DICKEY, Mr. FORD, and Mrs. CLAYTON.

H.J. Res. 15: Mr. TERRY.

H. Con. Res. 297: Ms. DELAURO.

H. Con. Res. 318: Mr. BLUMENAUER.

H. Con. Res. 331: Mr. CONDIT, Mr. HASTINGS of Florida, Mr. CROWLEY, Mrs. LOWEY, Mr. WEXLER, Mr. COOKSEY, Mr. KING, Mr. ROTHMAN, Mrs. ROUKEMA, Mrs. TAUSCHER, and Mr. HORN.

H. Res. 147: Mr. LAMPSON.

H. Res. 420: Mr. LAHOOD.

H. Res. 437: Ms. SCHAKOWSKY.

H. Res. 479: Mr. ABERCROMBIE.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3688: Mr. DAVIS of Virginia.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4461

OFFERED BY: MR. GOODLING

AMENDMENT NO. 16: Page 84, after line 10, insert the following new subsection (and redesignate subsequent subsections accordingly):

(c) RESPONSE TO PLUM POX VIRUS.—Notwithstanding any other provision of law, the Secretary of Agriculture may use the funds, facilities, and authorities of the Commodity Credit Corporation to administer and make payments to compensate growers in relation to the Secretary's ''Declaration of Extraordinary Emergency'' on March 2, 2000, regarding the plum pox virus in Adams County, Pennsylvania, except that the total amount of the payments may not exceed the amounts specified by the Secretary in the declaration.

H.R. 4461

OFFERED BY: MR. MILLER OF FLORIDA

AMENDMENT NO. 17: Page 31, after line 5, insert the following:

PURCHASES OF RAW OR REFINED SUGAR

For fiscal year 2001, the Commodity Credit Corporation shall not expend more than $50,000,000 for purchases of raw or refined sugar from sugarcane or sugar beets.

H.R. 4461

OFFERED BY: MR. NEY

AMENDMENT NO. 18: Page 6, line 16, insert ''(reduced by $34,000)'' after ''$34,708,000''.

Page 8, line 3, insert ''(reduced by $33,000)'' after ''$8,138,000''.

Page 8, line 14, insert ''(reduced by $33,000)'' after ''$65,097,000''.

Page 10, line 23, insert ''(increased by $100,000)'' after ''$850,384,000''.

H.R. 4516

OFFERED BY: MR. NEY

AMENDMENT NO. 3: Page 8, line 22, insert after the first dollar figure the following: ''(increased by $7,000,000)''.

Page 8, line 22, insert after the second dollar figure the following: ''(increased by $3,290,000)''.

Page 8, line 25, insert after the dollar figure the following: ''(increased by $3,710,000)''.

Page 22, line 6, insert after the first dollar figure the following: ''(reduced by $5,000,000)''.

Page 23, line 9, insert after the first dollar figure the following: ''(reduced by $500,000)''.

Page 24, line 11, insert after the dollar figure the following: ''(reduced by $500,000)''.

Page 28, line 11, insert after the dollar figure the following: ''(reduced by $1,000,000)''.

H.R. 4516

OFFERED BY: MR. NEY

AMENDMENT NO. 4: Page 22, line 6, insert after the first dollar figure the following: ''(reduced by $3,000,000)''.

Page 23, line 9, insert after the first dollar figure the following: ''(reduced by $500,000)''.

Page 23, line 21, insert after the dollar figure the following: ''(increased by $5,000,000)''.

Page 24, line 11, insert after the dollar figure the following: ''(reduced by $1,000,000)''.

Page 28, line 11, insert after the dollar figure the following: ''(reduced by $1,000,000)''.

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, SECOND SESSION

Vol. 146 WASHINGTON, WEDNESDAY, MAY 24, 2000 No. 66

Senate

The Senate met at 10 a.m., and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Blessed God, here we are at the beginning of another day. Help us to believe that what we commit to You this day will come to pass if You deem it best for us. We need to experience the peace of mind and body that comes when we do what You guide us to do and then leave the results to You.

Bless the Senators with the profound peace that comes from giving You their burdens and receiving Your resiliency and refreshment. May this be a great day because they, and all of us who work with them, decide to rest in Your presence and wait patiently for Your power to strengthen us. Through our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable LINCOLN D. CHAFEE, a Senator from the State of Rhode Island, led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able Senator from Rhode Island is recognized.

SCHEDULE

Mr. L. CHAFEE. Mr. President, today the Senate will be in a period of morning business until 11 a.m. and will begin consideration of S. 2603, the legislative branch appropriations bill. It is hoped that an agreement regarding debate time and amendments can be made so that a vote on final passage can be scheduled for this afternoon. Under a previous consent agreement, there are 40 minutes remaining on FEC nominees Brad Smith and Danny McDonald. Votes on those nominations, as well as the judicial nominations debated yesterday, are expected to be stacked this afternoon. Senators will be notified as those votes are scheduled.

I thank my colleagues for their attention.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. L. CHAFEE). Under the previous order, leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business for not to extend beyond the hour of 11 a.m., with Senators permitted to speak therein for up to 5 minutes each.

Under the previous order, the time until 10:30 a.m. shall be under the control of the Senator from Illinois, or his designee.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that I be allowed to speak for 10 minutes in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WELLSTONE. I thank the Chair.

CROP INSURANCE

Mr. WELLSTONE. Mr. President, I come to the floor of the Senate today because—and I speak with some sense of timing—I come from an agricultural State.

In the next several days we could very well have a crop insurance reform conference report out here on the floor. There is at least some discussion, some thought, and maybe some probability that included in that conference report will be about $7 billion of economic assistance for family farmers, which essentially will be more AMTA payments.

When the Budget Committee allowed for up to $7 billion to go to assistance for family farmers in the country, whether it be Minnesota, whether it be Montana, or any other State, I think all of us believed and hoped that this would be far superior to emergency appropriations, and that we would have the agriculture authorization committee do some fairly important investigation and analysis of the best way to get this financial assistance out to family farmers.

In my rush to come down to the floor, I did not bring with me the exact statistics, but basically the reports that we now see on what are called AMTA payments suggest that entirely too much of this money goes to those in least need. In other words, it is a subsidy program. Last year, it was to the tune of about $16 billion in inverse relationship to need. The top 10 percent of the producers—some of the big corporations—received over 60 percent of the benefits, and then the farmers received the rest, so that a family farm in Minnesota would be lucky to get maybe $2,000 worth of assistance; whereas, those huge operations were raking in $100,000 worth of assistance.

If we just take the $7 billion and put it into this conference report without any committee hearings and without taking at least several weeks after we get back to do some evaluation and some important analysis about how to get this assistance out to the people who need it the most, then I think we have not lived up to our responsibility as Senators.

I say to my colleagues that I think we could at the very minimum, for example, make sure that this money goes to producers. Those who own the land

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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but aren't involved in the production receive too much of the benefits. The benefits ought to go to the producers.

I would also say to my colleagues that there is no reason in the world that for fiscal year 2001 we can't focus on equity and get the loan rate up at least to the rate for soybeans, in which case corn would be $2.11 and wheat would be $3.10. Let me tell you that is the direction we need to go for a State such as mine.

I sent a letter yesterday to Chairman LUGAR, my colleague, a Senator for whom I happen to have a tremendous amount of respect. I will certainly get a chance to talk with him today. I believe that we are making a big mistake if we simply put this money into a conference report, which means there will not be any real discussion and no real debate. We will not have paid any attention whatsoever as to how we can allocate this financial assistance out there in the countryside so that the lion's share of the benefit goes to the farmers who are in greatest need.

Why in the world do we want to use the same AMTA formula which gets subsidies out to farmers in inverse relationship to need? Why not some careful consideration and some careful discussion? Isn't that what we are about as legislators?

Too many times now in the Senate we see the same pattern of important decisions not being made by virtue of taking, in this particular case, what I think is an important question and just putting it into a conference report with no opportunity for amendments and no opportunity for discussion. I think that would be a big mistake. Instead, we can surely decide on a better formula for getting the money out there to the people. At the very minimum, it ought to go to the producers. It ought not go to landowners who are not even involved in production.

Again, we have an opportunity for fiscal year 2001 to literally talk about equity and at least get the loan rate up for other farmers and other grain farmers that are equal to what we do for soybeans.

As a Senator from Minnesota, as a Senator from an agricultural State, I come to the floor today to take issue with the direction in which we are going and to urge my colleagues not to put this financial assistance money into the crop insurance bill. But instead let's do the kind of work that we ought to do as legislators. Let's do the kind of evaluation we ought to do as legislators so we can get the help out there to people who need it.

Farm income is going to go down 17 percent again this year. There are a lot of farmers in my State. Many are going to be driven off the land.

If we are not going to write a new farm bill as an alternative to this ''freedom to fail'' bill, which is one of the worst pieces of legislation ever passed by the Congress or ever signed by a President, then I don't think we are going to write a new farm bill until after the election. At the very minimum, we ought to do our best to get the assistance to the people who need it the most.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. I ask unanimous consent to speak for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. BAUCUS pertaining to the introduction of S. 2617 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. WELLSTONE. How much time remains on the Democratic side?

The PRESIDING OFFICER. Fourteen minutes.

Mr. WELLSTONE. I ask unanimous consent for 5 minutes to speak in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

—

BANKRUPTCY CONFERENCE REPORT

Mr. WELLSTONE. Mr. President, sometimes we use morning business to have a chance to speak about legislation we introduce. Sometimes we use morning business to make a plea to colleagues. Sometimes we use morning business to convey a message. I want to convey a message to some Senators about conference reports and the way we have been conducting our business.

Right now with the conference reports—and I am specifically talking about the bankruptcy bill—we don't have a conference committee. We have a shadow committee because Democratic Senators are not involved at all in the deliberations. There are some rumors going around in the Senate that Republicans will basically reach an agreement on the conference report on bankruptcy. Democrats will not be involved in this deliberation at all. So we have not had a conference committee meeting. We will know what is in that conference report when it is on our desk.

That conference report dealing with bankruptcy, believe it or not, American public, could be put into an unrelated conference report such as a conference report dealing with crop insurance. There is no longer any scope of conference rule so it can be completely unrelated. Again, that is a new way of doing business in the Senate. My argument is that is no way to do business in the Senate.

I believe the minority should be involved in the conference. That is a real conference. I do not believe the way to do business is for Democrats to find out what is in the bill when it is put on our desk. I certainly don't think this bankruptcy bill —which is so harsh and so egregious in its effect on the most vulnerable citizens in the country, while basically calling for no accountability or responsibility on the part of the big credit card companies—should be put into an unrelated conference report such as one dealing with crop insurance.

I use my time as a Senator today to say to Senators that if that happens, and I hope it won't, if that should happen tomorrow, for example, when we are supposed to go on recess, I think that would be outrageous. I will oppose it. I will speak out against it and do everything I can to block it. We would be here for days. I think there are other colleagues who will be also outraged, especially at this effort to put a shadow conference report on bankruptcy, with Democrats not even being involved—and all the reports are that the bill is getting harsher and harsher, not better—into an unrelated conference report with a day to go before we are supposed to go into recess. If that happens, I want to be clear, I don't intend to be jammed. I do not intend to roll over on it. I intend to speak out against it. I intend to point out to the American people all the ways in which this is egregious legislation and the impact it will have on them and their families. That will take time. I think other Senators will join me.

I hope we do not conduct our business that way in the Senate. I hope I do not have to do that. I hope, instead, we will do what we need to do with the legislative branch and with judicial nominations, with the nomination of Brad Smith, have those votes, get onto other work, but not have last minute efforts to sort of jam legislation into unrelated legislation and attempt to ram it through here without the deliberation and without the discussion.

I do not think that is the Senate at its best. I certainly, as a Senator from Minnesota, cannot represent people in my State and people in the country that way, and I will not. I will challenge it. So I hope it does not come to that.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, it is my understanding we have until 10:30 in morning business on the Democratic side.

The PRESIDING OFFICER. The Senator is correct.

—

GUN CONTROL LEGISLATION

Mr. DURBIN. Mr. President, a little over a year ago in Littleton, CO, at Columbine High School, there was a shooting incident which shocked America. We saw in that high school an event which we did not believe could happen in the United States, where students could get guns through a gun

show, go into a high school filled with other students, and open fire, killing 12 or 13 students and injuring many others. It shocked America's conscience.

As a result, the Senate began to consider gun control legislation—frankly, more gun safety legislation—to keep guns out of the hands of those who would misuse them. We are a nation of 200 million guns. Many of us believe guns should be kept out of the hands of criminals and children.

So we considered legislation on the floor of the Senate to do a background check at gun shows so kids and criminals would not have access to guns through these gun shows. We know the Brady law requires a background check at gun dealers. We think the same should apply to gun shows.

We also thought handguns should have a trigger lock so children who were looking around for something that was unusual and different or challenging would not find a loaded gun and hurt themselves or a playmate. We read about that almost every day. A trigger lock is a way to make sure that gun is securely stored away from children.

In another part of the bill, we dealt with the whole question of these high-capacity ammo clips, imported into the United States from overseas, that have absolutely no value whatsoever for any legitimate sportsman or hunter. They are people killers.

We considered that bill on the floor of the Senate. The vote on that bill was 49–49, a tie vote. As provided under the Constitution of the United States, the Vice President came and cast the tie-breaking vote. We sent that bill over to the House in the hopes we could reduce some of the gun violence in America after Columbine High School.

The National Rifle Association got its hands on that bill over in the House, and that was the end of it. They stripped from that bill virtually any of the provisions I described to you and sent it to a conference where it has languished for almost 8 months. During that period of time many more people have been killed by gun violence in America.

Just a few weeks ago, the Million Mom March across the United States brought out mothers on Mother's Day who gave up a celebration with their family to come out and talk about the need in America for gun safety, for gun control, sensible gun control. Yet this Congress has turned a deaf ear. We have refused even to acknowledge that this gun violence is rampant in America as in no other nation on Earth.

Every day now, for the last week, Members of the Senate have come to the floor to memorialize those who died a year ago today, after Columbine, after Littleton, CO, after Jonesboro, AR, and all of the other cities where we saw the gun violence that captured our imagination and basically stunned America. We come to the floor each day to read the names of some of the victims. These are victims whose names were collected by the U.S. Conference of Mayors from cities large and small to remind us that a year ago today these people, whose names I am about to read, died because of gun violence—people who had otherwise normal lives and families and aspired to all the good things we do in life. They lost their lives because of gun violence.

Many times, issues on the floor of the Senate and the House really do not become very personal. They are statistics. We just refer to them in the abstract. This is not about statistics. It is not about abstract thought. It is about real human lives that have been lost to gun violence a year ago today and, sadly, will be lost to gun violence again today.

Following are the names of some of the people who were killed by gunfire 1 year ago, on May 24, 1999: Michael Calim, age 32, Houston, TX; Mark Raiffie, age 47, St. Louis, MO; Gary Ricks, age 51, Detroit, MI; Bobby L. Williams, age 40, Houston, TX; Ronald Williams, age 47, Miami-Dade County, FL; an unidentified female, San Francisco, CA.

Today in America there will be more gun deaths. We must remember that among those gun deaths will be 12 children who will die. The National Rifle Association at their recent convention said: We know who those 12 kids are; they are the gang bangers, drug gangs, and all the rest. You can expect that.

They are wrong. Included among those 12 children are those who commit suicide with guns, those who play with guns, little infants killing themselves or a playmate, certainly those who are victims of gang bangers and, believe me, I have seen innocent young men and women who have been maimed. I have talked with the parents of people who have been killed on the streets of one of my cities in Illinois, Chicago. These were children waiting for a schoolbus when somebody came by and sprayed bullets from one of these weapons and injured or killed students.

For the National Rifle Association to say we basically should ignore these 12 children who die every day in America because they are part of drug gangs is a sad commentary on this organization and a sad commentary that they are out of touch with the reality of gun violence as it affects every family in America today. I yield the floor.

The PRESIDING OFFICER. Under the previous order, the time from 10:30 a.m. until 11 a.m. shall be under the control of the Senator from Wyoming, or his designee.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent for 10 minutes of the time allocated to the Senator from Wyoming.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Texas is recognized.

Mrs. HUTCHISON. I thank the Chair.

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REBUTTAL ON SOCIAL SECURITY

Mrs. HUTCHISON. Mr. President, yesterday the Senator from California, Mrs. BOXER, came to the Senate floor to discuss Social Security reform. In her discussion, she took on the issue of some of the Texas municipalities that had chosen to opt out of Social Security and attempted to show they were doing less well than anyone in the Social Security system today. I want to refute some of those remarks, especially the ones that referred to these counties in Texas, and give the other side of the story.

She attempted to show that municipal employees in Texas, particularly Galveston County, are not doing as well under their own retirement plan than if they were part of the Social Security system.

Just in the last few minutes, I talked to the county judge of Galveston County, Judge Yarborough, who is a very good Democrat, a very good person, and is doing a good job in Galveston County. He says in the 5½ years he has been county judge, he has never had one complaint from an employee in Galveston County and, in fact, has had many retirees come up to him and say how glad they are that they have their own retirement system rather than having been forced into the Social Security system back in the eighties when they were allowed to opt out.

First and foremost, because this is important, this was somehow linked to Governor Bush's Social Security plan. There is no linkage whatsoever. In fact, the opt-out was done in 1981 by Galveston and a few other municipalities around my State, and there were others around the country. There was a window during that time in which county and municipal employees were able to opt out of Social Security, and Galveston County did decide to opt out.

I hope as we go into the future and as we talk about Governor Bush's Social Security plan, we will not attempt to link that window when some municipalities opted out of Social Security to Governor Bush's plan. That is important because Governor Bush has said all along, from the very beginning when he put his plan forward, that, in fact, we would have a choice under his plan. Anyone wanting to stay in the present Social Security system would have that option.

That is a very important distinction to make because people might want to keep that option after they have looked at the alternative that will be available, but, in fact, millions of Americans will decide that they want to have a part in making some decisions on their own for the Social Security tax they pay.

Nearly 5 million municipal employees across the country are not part of the Social Security system. One such area is the city of San Diego. The rates of return on these pension programs are very good—so good, in fact, that the California Senators sent a letter to President Clinton in which they said:

Millions of our constituents, who will receive higher retirement benefits from their

current public pensions than they would under Social Security, are appealing to their elected representatives in Washington. We respectfully urge you to honor the original legislative intent underpinning the Social Security system, and exclude this provision from any reform plan you consider during the remainder of your term.

It is clear that if municipal employees are earning higher rates of return and want to stay in their own retirement plans, they should not be forced into a system of lower returns, and it should be a choice they have. I agree with the Senators from California in their goal.

I will now talk about the specifics of the Galveston plan. Many of these same Galveston employees have urged me to oppose their inclusion in Social Security.

Some of the information that was used on the floor yesterday was based on a GAO report, but if my colleagues read the report carefully, they can see the clear differences between Social Security and the plan in Galveston County.

First, it is important to remember that, in Galveston, they have a basic retirement plan that every employee puts money into and on which they have returns. That plan is separate. In 1981, they were allowed to opt out of Social Security so that their 7 percent they would have paid into Social Security would, in fact, go into a supplemental plan. In Galveston County, we are talking about a supplemental plan to their basic retirement plan, so everything they get with the 7 percent which they put into their own supplemental plan is over and above their basic retirement system.

The GAO said that ''outcomes generally depend on individual circumstances and conditions.'' So each case is taken on an individual basis—it is hard to make broad statements about the plan. The annuity each retiree receives is based on the contributions and the time served in government; it is not a defined benefit formula, such as Social Security. Nevertheless, the plan is designed to provide a return similar to Social Security, which it does, and it has some features that are even better.

The GAO noted that ''The Galveston plan also has a very conservative investment strategy that has precluded investing in common stocks.'' The Galveston supplemental plan only relies on Government bonds and very safe Treasury-type investments, and the average return has been approximately 8 percent per year. When one compares that to Social Security, however, it is very high.

The Heritage Foundation has estimated that some workers are getting a 1- to 2-percent return on their money from Social Security.

Also, comparing the Social Security plan to the Galveston plan, it is not accurate because the Galveston plan is a supplement, not the basic retirement system.

Lastly, the GAO noted one critical point that was left out of the Washington debate: The Galveston plan benefits are fully funded, GAO says, ''while Social Security's promised benefits cannot be met without increasing revenues.''

Thus, the Galveston plan is financially sound. It is not dependent on significantly increased contributions or massive tax increases to meet its promises.

Here, in Washington, we have promised benefits without developing a plan to pay for them. In Galveston, no retiree is subject to the mercy of the Congress that the benefits might change.

Here are some of the facts about the differences between the Galveston plan and Social Security.

For individual earners without a survivor benefit, the monthly annuity figures for retirees are nearly identical or better than Social Security. For low-wage workers, there is a $1 difference. For workers with wages over $25,000, they would earn nearly $200 a month more under the Galveston plan than they would under Social Security.

A worker earning $50,000 will earn nearly $1,000 more every month.

If you have a 45-year work history, the numbers are higher across the board at every income level in the Galveston plan.

The Cato Institute also reviewed the Galveston retirement plan. For a worker who earns $30,000 for 30 years, he or she will have a $320,000 investment in retirement. This is based on a 4.5-percent return when, in fact, Galveston is getting 8 percent.

I should also note that the numbers in GAO are based on a 4-percent return each year. So the numbers in GAO are very low in their estimates, and most workers are going to receive a much higher benefit.

According to Cato, the employee with the $320,000 in savings could earn a monthly annuity of $2,494, compared to Social Security, which is $1,077.

So according to Cato, the monthly annuity would be $2,494 for a Galveston employee, compared to $1,077 under Social Security.

The county of Galveston believes the average annuity is approximately 7.8 percent for every $1,000 in retirement funds. The Social Security Administration thinks that is too high and made the GAO use a lower annuity figure. So the monthly annuity figures used by GAO are lower than for the Galveston workers.

I think it is very important that we take this debate out of the Bush plan or the Gore plan when we are dealing with the employees in cities such as San Diego, CA, or Galveston County, TX, because it is very clear that the Galveston County employees have a major benefit. As the county judge said this morning: Retirees come up to me every day and say thank goodness.

Another good feature of the Galveston plan is that if the retiree does not use up all of the retirement when that person dies, it is passed on to the spouse or the children. That does not happen in Social Security.

I think it is very important, if we are going to build up a stability in our working people and their families, that we would have this kind of alternative with which the Galveston County employees are very pleased.

I think it is very important that we not put this in the political realm. If we are talking about the actual numbers, I think the municipal employees that were allowed to opt out in the early 1980s are mostly happy with their plans. They like the choices they have. Galveston was very conservative and did not go into the stock market.

But I think the bottom line is that we need to give people a choice, a choice to stay in the Social Security system as it is today and have the exact same returns that they would be entitled to under Social Security, or if they choose not to do that, and they do want to have some control over their own taxes they pay in—maybe 3 percent of the 12-plus percent they pay in Social Security—I think we ought to let them do that. Because even with the stock market fluctuating, the returns show that they will do better and they will be able to give their children something they have not been able to under the present Social Security plan.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

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WOMEN-OWNED SMALL BUSINESSES

Mr. BOND. Mr. President, I am very pleased today to rise in recognition of Small Business Week 2000. As chairman of the Committee on Small Business, I have participated in a number of activities this week. I urge all of my colleagues who may not have done so to consider working with, identifying with, and listening to the small businesses in their State. I think today it is appropriate that we recognize some of the small business trends of the future.

Most of us know that the prototypical entrepreneur of the last century—or of the 1900s; the manufacturing age—was a man, inventing something in his garage or basement, which became the basis for a Fortune 500 company. The prototypical entrepreneur of the 21st century—the information and service age—is a woman trying to run her household, keep her kids fed and cared for, who comes up with a good idea that she can turn into a business.

Women have started businesses in record numbers over the last 10 years. They are driving the economy. They are helping to expand opportunities and provide good payrolls for their workers. They are willing to use the new information technologies even more than men. The explosion of capabilities through information technologies certainly opens up a range for a whole new series of undertakings.

The number of small businesses owned and controlled by women is expanding at a very rapid rate. Today, small businesses owned by women total 30 percent of all businesses in the United States. Their numbers are expanding at such a pace it is anticipated that women-owned small businesses will make up over 50 percent of all businesses by 2010. Given where we came from, that is a gratifying and astounding statistic.

But for all the good news, women-owned small businesses still face some age-old obstacles in starting and running their businesses: work and family conflicts, a lack of access to capital, and complex regulatory and tax issues.

In addition, yesterday the Senate adopted a resolution I sponsored, S. Res. 311, that was adopted unanimously. I express my appreciation to my colleagues for adopting it. It called attention to the Federal Government's failure to meet the statutory goal to award 5 percent of Federal contract dollars to women-owned small businesses.

The members of the Small Business Committee who joined me in cosponsoring this resolution included my ranking member, Senator KERRY of Massachusetts, and also sponsoring it were Senators BURNS, SNOWE, LANDRIEU, LIEBERMAN, EDWARDS, as well as Senator ABRAHAM, who authored last year's initiative in the committee to help women reach the 5-percent goal. In addition, Senators BINGAMAN and MURRAY joined us as cosponsors of the resolution.

In 1994, Congress recognized the important role women-owned small businesses played in our economy. During the consideration of the Federal Acquisition Streamlining Act, the Senate approved a provision directing that 5 percent of all Federal procurement dollars be awarded each year to women-owned small businesses. The goal includes 5 percent of prime contract dollars and 5 percent of subcontract dollars, and was included in the final conference report enacted into law.

The Federal Departments and Agencies have failed to meet that 5-percent goal enacted in 1994. After Senator ABRAHAM chaired a committee field hearing in Michigan on the state of women business owners, he offered an amendment addressing the failure of the Federal Departments and Agencies to meet the 5-percent goal during the Small Business Committee markup of the Women's Business Centers Sustainability Act of 1999.

That was adopted unanimously by the committee and enacted into law as Public Law 106–165, which directed that GAO undertake an audit of Federal procurement systems and their impact on women-owned small businesses.

The statistics for Federal procurement in fiscal year 1999 have just been released. Again, the 5-percent goal for women-owned small businesses was not met. It fell over 50 percent short of the goal, reaching only 2.4 percent. The administration's failure to reach that goal was the subject of the resolution, which resolved that the Senate strongly urge the President to adopt a policy in support of the 5-percent goal for women-owned small businesses, to encourage the heads of the Federal Departments to make a concentrated effort to meet the 5-percent goal before the end of fiscal year 2000. I understand the President has now issued an Executive order. But the second part of the resolution says the President should hold the heads of Federal Departments and Agencies accountable to ensure that the 5-percent goal is achieved during this year.

But these are just some of the issues confronting women-owned small businesses. I am very pleased to say I have been joined by Senator KERRY of Massachusetts, Senator SNOWE, Senator LANDRIEU, Senator FEINSTEIN, and Senator HUTCHISON of Texas to convene a National Women's Business Summit on June 4 and 5 of this year in Kansas City, MO. This summit will give women small business owners a chance to tell Congress and the next President what they need and what will work. Their agenda will serve as the women's small business agenda for the next Congress and the next President.

I might add that we have nationally known women and professional business leaders, as well as bipartisan government servants, who will be talking with the participants in the conference. I invite women who are engaged in and concerned about small business to participate. More information can be found about the summit on my Senate office web site at www.Senate.gov/bond or they can call us through the Capitol number: (202) 224–3121. We would be happy to provide them information.

I think it will be a very interesting and worthwhile endeavor in Kansas City. I am looking forward to participating. I know we will have many good ideas, based on the women participating in that conference, on how we can help the fastest growing and most important new sector of the economy—women-owned small businesses in the United States.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BENNETT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

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CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

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LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2001

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of S. 2603, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 2603) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2001, and for other purposes.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. BENNETT. Mr. President, as chairman of the legislative branch subcommittee of appropriations, I would like to take a few minutes to describe S. 2603, the legislative branch appropriations bill for the fiscal year 2001.

The bill, as reported by the Appropriations Committee, provides for $1,721,077,000 in new budget authority exclusive of the House items. This is a $58,607,000 increase over fiscal year 2000. It is $146,770,000 below the President's request.

The subcommittee's allocation is 1.8 percent above last year's funding level, which is the $43 million increase.

We are being very frugal with the legislative branch. I think we are doing a responsible job of keeping the overall increase at a level that is defensible.

We are not allowing the legislative branch appropriations to grow faster than inflation. We are not allowing it to grow faster than the population. And the demands that are made upon the legislative branch we are keeping under 2 percent.

It was a challenge to draft a bill that stayed within this allocation because, as always happens, there was $20 million of new items that Congress committed to in previous years but which had not been funded. Therefore, they were not included in last year's base.

If we were going to talk about an increase over last year's base, but we had $20 million worth of obligations that were not included in that base, we realized that it created a tension and a pressure on the committee. But that is what we have to do when we are dealing with budgets. I have dealt with budgets in the business world and understand that this is not an unusual kind of challenge.

The mandatory increases that we have in the bill alone account for $54 million, exclusive of the House, on top of the situation which I have just described,

Senator FEINSTEIN, the ranking member, and I spent a great deal of time going over the accounts with our respective staffs and the increases that agencies have had over the last 4 years in an effort to find where we could best and most fairly cut without impacting employees. One of our goals was to see to it that no one was laid off as a result of the budgetary pressures on this year's bill. I am happy to say that we have met that goal in this bill.

There will be no reduction in force as a result of the Senate's action, if this bill is adopted, and no employees currently working in the legislative branch will lose their jobs. The subcommittee's goal was to ensure that would be the case.

There has been a great deal of discussion and concern in the press expressed over the House Appropriations Committee's first reported targets. Those targets were reported out of subcommittee with cuts of almost $105 million below the fiscal year 2000 level.

It is my understanding that the House now plans in their legislative process to increase this bill by $85 million before it comes up for floor consideration. I hope those reports are accurate and that the House does, indeed, move in that direction.

We do not want to criticize the actions of the other body in this body. We simply want to lay out what we think is the logical thing to do.

I hope those who have been focused on the press reports of what was proposed on the other side of the Capitol initially will recognize that there is a great deal of legislative action that has to take place between initial proposals and final passage. Certainly we are doing our best on the Senate side to make a contribution to see to it that final passage achieves the goal that I have outlined; that is, the goal that says there will be no reduction in force in the legislative branch.

S. 2603 includes an increase over last year's funding for every agency. That sounds better than it is for some agencies. The increase is truly only a token one—one-tenth of 1 percent increase. But, nonetheless, it is an increase to demonstrate, once again, that we are trying to treat everybody fairly, and that we are not trying to penalize one group in order to benefit another.

The area that has had the greatest amount of public interest and press reporting is the amount of money being made available for the Capitol Police.

The bill before the Senate will provide a 26-percent increase for the Capitol Police. If we are only going to have a one-tenth of 1 percent increase in some areas, that is where we will get the money to come up with the 26-percent increase for the Capitol Police. We do this because we believe security in the Capitol is a priority. We need to make sure the resources are available to the men and women who protect the Capitol, its visitors, the Members, and the staff.

We had a tragic demonstration that security needs to be addressed with the shooting of the two officers who protected the Capitol against the deranged individual who came in with a gun after some imaginary threat he, and only he, could see.

We had an example within the last week during a hearing in the House when a man threatened to kill himself with the jagged end of a broken bottle after approaching a Cabinet officer who was testifying at a hearing. He was subdued by a member of the Capitol Police and by a member of the security detail of one of the Cabinet officers involved.

These incidents, coming along with increased frequency, demonstrate we have a security challenge in the Capitol. We want to make sure the Capitol remains open to the American people. I would hate to reach the point of other capitals in the world. I don't mean to pick this country out because I recognize they have enormous security problems of their own and I think they are acting responsibly, but I will share my experience when I first went to the Knesset in Israel and the kind of security I had to go through as a U.S. Senator in order to get into the Knesset. There were barriers, more barriers, and checks and police points, all the way through so that the members of the Knesset could conduct their business in security and freedom.

In the United States, we run into our constituents, sometimes literally, virtually every day in the corridors of the Capitol. We enjoy that. The American people enjoy that. We want to continue doing that. I will be walking down the corridor on the way to a committee meeting and it is not at all unusual to have someone call out from the moving crowd, ''Hi, Senator BENNETT'' or ''Hey, there's Senator BENNETT.'' I stop and it is someone from Utah who is here with a school class, here with their family, here on a vacation, or here for a civics lesson experience.

Walking through the Capitol, it is something of a thrill for a constituent to see their own Senator on his way to work. If I thrill somebody, they get thrilled easily. Nonetheless, it is the kind of experience that the American people enjoy and historically have had in their Capitol Building. We want to make sure that continues.

The number of visitors each year is increasing more rapidly as the overall general population increases and as Americans get a little more money, a little more time, more leisure opportunities. I think it is wonderful they want to come to the seat of Government in the Capitol of the United States and see how it operates. As they come in these increased numbers, the tiny fringe of American citizens who represent a physical threat come also in increased numbers. Security is a priority. In this bill, we have made sure the resources will be available to provide that kind of security.

As we have reviewed the security issue, we have made provisions in this bill for a fairly significant change in the way security is provided on the Capitol complex. We have provided transferring the police who currently service the Government Printing Office and the police who currently service the Library of Congress into the Capitol Police. Rather than having three different police forces in a small physical area, we will have only one.

Since assuming the chairmanship of this subcommittee, I have been working towards this goal. I think we are now at the point where it makes sense to provide this unified force to provide seamless security. Until this time, the training for the police of the Library of Congress and the police at the Government Printing Office has been moving toward equity and par with the training given to the U.S. Capitol Police, so it will not be a big jump for these police officers to be in the same force.

It will be an opportunity for many of the police officers in the two forces that are currently outside of the Capitol Police to increase their career opportunities because the Capitol Police Force is seen as a higher level of pay and benefits and opportunity than the two smaller forces.

Additionally, it will mean we can bring the total security for the Capitol complex up to the level we want it at a faster pace because we need additional officers. Additional officers are not provided automatically by going out and hiring people. They have to go through a training period. By taking advantage of the pool of trained officers who are already there for the Government Printing Office police and the Library of Congress police, and perhaps bringing some of the new hires in at a level where the requirement is not as high as it is in the Capitol itself, we can increase the speed by which we can get to the level we seek.

Some legitimate concerns have been raised about how this will work. The General Accounting Office has been cooperating with the subcommittee for quite some time in examining how it will work, but in the bill we provide for the General Accounting Office to prepare a report for the Appropriations Committee addressing those issues that have most recently been raised, giving us an understanding of how they can be dealt with. This provision was included at the request of Senator FEINSTEIN who is particularly interested in the career path of the Capitol Police men and women themselves. I think it is a very wise addition. I thank the Senator for her initiative in its inclusion. It will ensure an orderly transition and protect the rights of the affected officers.

I thank Senator FEINSTEIN for her service as the ranking member on this subcommittee. She brings a particular flavor of experience to the subcommittee, having been an executive herself, as mayor of San Francisco. I have been an executive but not of an enterprise that big. Between the two of us, we have a good balance of the practical and administrative experience that is necessary as we deal with some of these administrative challenges. I thank the Senator for her service. I appreciate very much the support she has given.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I rise in strong support of S. 2603, the legislative branch appropriations bill for fiscal year 2001.

This is my second year as ranking member of the legislative branch subcommittee. I have been very proud to serve alongside our dedicated and distinguished subcommittee chairman, Senator BENNETT. Senator BENNETT is

always very open and very willing to discuss the various issues that arise in relation to this bill. He has been very accommodating to my concerns as well as those of other Senators. I think he has displayed great knowledge of the various Departments and Agencies that fall under the legislative branch. It has been a real pleasure working with him.

Thanks to the allocation to our Legislative Branch Subcommittee by the distinguished chairman of the full committee, Senator STEVENS, and the ranking member, Senator BYRD, this appropriation is $145 million in budget authority greater than the House subcommittee's allocation, so the bill before us now restores the House cuts of 2,112 employees, including 438 Capitol Police officers.

Although we were not able to fully fund every agency's request, I believe the committee has distributed the scarce resources as fairly as possible, and we were able to make modest increases in most agency accounts above last year's level.

Overall spending is increased by 3.7 percent over last year's bill. In particular, I note that during markup of this year's bill, Chairman BENNETT agreed to include committee report language recommended by Senator MIKULSKI, having to do with the need for better employee relations in the office of the Architect of the Capitol. Senator MIKULSKI came to the subcommittee hearing and questioned the Architect of the Capitol directly concerning these matters. As a result of her efforts, the committee report language directs the Architect of the Capitol to establish a position of employee advocate, in an effort to improve morale and employee relations in the office of the Architect.

In his remarks, Chairman BENNETT has outlined for the Senate the various components of the bill, so I do not want to repeat that summary. I do, however, wish to point out to the Senate that for the Capitol Police, the subcommittee in that regard has included an appropriation of $109.6 million for fiscal year 2001. This is an increase of $22.8 million, or 26 percent over last year's enacted level of $86.8 million. This will fund 100 to 115 new Capitol Police officers.

The funding level, we believe, will enable the Capitol Police to implement the department's plan for posting two police officers at all key and critical entries and exits throughout the Capitol complex.

I take this opportunity to thank all Capitol Police officers for their really outstanding service to the Members, to this Capitol, and to the tens of thousands of visitors to the Capitol each year. They do a great job.

I know Senator MIKULSKI will be presenting a sense-of-the-Senate commendation to the Capitol Police, with which I strongly agree. I think it is important, because of what happened last year, to be able to really tell them how much we do appreciate their efforts. This can be a very thankless job, particularly when there are tens of thousands of visitors milling through the Capitol each and every week. So I think we both agree that they do a truly fine job and are, indeed, to be commended.

I also thank Chairman BENNETT for agreeing to include language in the committee report about which he spoke, which I requested, relating to the proposed merger of the police forces at the Government Printing Office and the Library of Congress with the Capitol Police Force. This study will enable a careful feasibility analysis to be carried out and completed prior to any consolidation. The GAO report, I believe, can be done by July 1, giving the conference the opportunity to review its findings at that time. I understand Chairman BENNETT's intentions in this area. He believes the proposed merger will result in greater efficiencies for the overall legislative branch police force. I believe it can be carried out in a way, as he just stated, that can maintain the upward mobility and career path for officers.

I share that hope, and I believe that prior to proceeding with such a merger, Congress should first have these views of the GAO to ensure that no unforeseen problems exist in relation to such a consolidation or merger. Chairman BENNETT has agreed to that study, and the committee report ensures that the study will be completed by July 1.

In closing, I express appreciation and recognition to the very capable staff who assisted Chairman BENNETT and myself with the legislative branch bill: Christine Ciccone, Chip Yost, Jim English, Edie Stanley, and Chris Kierig.

This is a very good bill. I urge my colleagues to give favorable consideration to its passage in the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

AMENDMENT NO. 3166

(Purpose: Commending the United States Capitol Police)

Ms. MIKULSKI. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Maryland [Ms. MIKULSKI], for herself, Mr. DASCHLE, Mrs. MURRAY, Mr. REID, Mr. SARBANES, and Mr. WELLSTONE, proposes an amendment numbered 3166.

At the appropriate place, insert:

SEC. ____. SENSE OF SENATE COMMENDING CAPITOL POLICE. (a) The Senate finds that—

(1) the United States Capitol is the people's house, and, as such, it has always been and will remain open to the public;

(2) millions of people visit the Capitol each year to observe and study the workings of the democratic process;

(3) the Capitol is the most recognizable symbol of liberty and democracy throughout the world and those who guard the Capitol guard our freedom;

(4) on July 24, 1998, Officer Jacob Chestnut and Detective John Michael Gibson of the United States Capitol Police sacrificed their lives to protect the lives of hundreds of tourists, Members of Congress, and staff;

(5) the officers of the United States Capitol Police serve their country with commitment, heroism, and great patriotism;

(6) the employees of the United States working in the United States Capitol are essential to the safe and efficient operation of the Capitol building and the Congress;

(7) the operation of the Capitol and the legislative process are dependent on the professionalism and hard work of those who work here, including the United States Capitol Police, congressional staff, and the staff of the Congressional Research Office, the General Accounting Office, the Congressional Budget Office, the Government Printing Office, and the Architect of the Capitol; and

(8) the House of Representatives should restore the cuts in funding for the United States Capitol Police, congressional staff, and congressional support organizations.

(b) It is the sense of the Senate that—

(1) the United States Capitol Police and all legislative employees are to be commended for their commitment, professionalism, and great patriotism; and

(2) the conferees on the legislative branch appropriations legislation should maintain the Senate position on funding for the United States Capitol Police and all legislative branch employees.

Ms. MIKULSKI. Mr. President, that amendment is offered in behalf of myself, Senator DASCHLE, Senator MURRAY, Senator REID, Senator SARBANES, and Senator WELLSTONE.

The reason I wanted the amendment read is that I wanted to convey the importance that many of us feel in commending the employees who work here at the Capitol, both the police as well as other very important departments and divisions.

I first compliment Senator BENNETT and Senator FEINSTEIN for the outstanding job they have done on moving the legislative branch appropriations bill. This sense of the Senate is in no way a commentary on their leadership, which I think has been exemplary. I think their leadership has been sensitive to the needs of employees and sensitive to the needs of the taxpayers. So we thank you for the leadership you provided, first in terms of the adequacy of the resources to do the job and, second, stewardship over Federal funds.

Also, I particularly want to thank Senators FEINSTEIN and BENNETT for adding the report language on the need for an employee ombudsman for the employees of the Architect of the Capitol. I had come to their hearings, in which I was received with such collegiality that I am very grateful. But we wanted to problem-solve over what was happening to the restaurant employees who often believe they have nowhere to go with many of their problems. Essentially, my own office was becoming the EEO office for these employees.

I am ready to do that. I am ready to be the Senator from Maryland and I am ready to be the Senator for the restaurant employees. But I want the Architect of the Capitol and those who work for him to do their job so that our employees have the same type of ombudsman and opportunity for personnel

grievance that the private sector has. I thank them for that.

Let me come back to my amendment. My amendment is a sense of the Senate. It is not about money, but it is about morale. We want to say to the men and women who work at the U.S. Capitol that we know who they are and we value what they do.

These are the men and women who work in this building for the American people and serve the Nation. The Capitol Police protect this building which is a symbol of freedom and democracy the world over. They protect all the people who visit the Capitol, and they protect Members of Congress. It is the Capitol Police who ensure that everyone who comes to the U.S. Capitol is safe and secure. They are the most unique law enforcement officers in the country. They protect the building, and they protect the people, and they do it whether you are an American citizen or a foreign dignitary. They protect you whether you are a Member of Congress or a member of a Girl Scout troop.

That is who they are. They are brave, they are resourceful, they are gallant, whether it is protecting a dignitary such as Nelson Mandela or a Girl Scout troop from Maryland. They protect us from crooks, terrorists, people who are deranged, and anyone else who wants to harm us or the Capitol. Also, each is Officer Friendly welcoming people from all over America and all over the world.

The Capitol is a tourist attraction. Why? Do they come because we are so compelling, so charismatic, so gifted? No, they come to see democracy in action. We are the greatest deliberative body in the world. Sometimes we act great, and sometimes we deliberate, and sometimes we even do something together. But people come to see us in action. Those police officers ensure this facility is open to the people, preserving safety, often giving guidance and direction, many even learning foreign languages to do it.

Under their community police mentality, do not think, because they greet visitors like Officer Friendly, that they are soft. Talk to the Capitol Police. We know, No. 1, that they are tough, they are competent, they are a modern police force. They take bomb squad training, they take antiterrorist training, and they also work to make sure they have the right approach to deal with each and every situation they may encounter.

We need to make sure they have their jobs, they have their pay, they have their benefits, and they have our respect. That is what the sense of the Senate resolution is all about: to support the Capitol Police and the other employees of the legislative branch.

The House was going to cut over 1,700 people and as many as 400 police officers, which is 25 percent of the force. That is unacceptable. Then they were going to cut 117 staff from the Congressional Research Service. I will say what the Congressional Research Service is. It is a group of people who are absolutely dedicated to giving us unbiased, accurate information and unbiased, accurate analysis so we can do our jobs. If we want to make some very good decisions on the best models for the Older Americans Act or new technology breakthroughs, we should ensure adequate funding for the Congressional Research Service.

I will talk about the jobs being cut at GAO, the Government Accounting Office. The Government Accounting Office is not about keeping the books, it is about keeping the books straight.

My colleagues and I know we continually turn to the staff at the Government Accounting Office to do investigations of waste and abuse, to give us insights into how better to manage and be better stewards of the taxpayers' funds. People with those kinds of skills could leave us in a wink and be at a dot com in less than a nanosecond. If we are going to be on the broadband of the future, we need to make sure we have the people with the skills to run a contemporary Congress. And, we need to make sure that these people have security in their jobs and reliability of pay that they need to do just that.

I will now talk about our own congressional staff. They help us serve the Nation. We all know what the people who work for us do. They are the caseworkers who track down Social Security checks for our constituents; they help us answer our mail; and they help us draft legislation. It is the congressional staff who are now working, hopefully, to see that we pass a Medicare prescription drug benefit. It is the congressional staff who are now working around the clock so we can have a conference on the Patients' Bill of Rights.

Whether it's the Democratic side or the Republican side—the fact is that our staff is on our side so we can be on the people's side. We should not be cutting the very staff who help us get the job done.

We should not forget the restaurant workers, the custodial staff, and the facility managers who ensure the U.S. Capitol is a building that is comfortable, clean, and safe to visit.

We know about the draconian cuts in the House. Rumor has it they are going to restore some of those cuts. Good, because I would say to them, shame on them for what they were doing.

Do my colleagues know what the House intended to do? They intended to cut 400 Capitol Police officers, 114 employees from the Congressional Research Service, and 700 employees from GAO—1,700 people could have lost their jobs.

This is not about job security, this is about maintaining the safety, security, and cleanliness of the Capitol and the competency of staff so we can do our job.

I hope we adopt this amendment 100–0.

I close my remarks by saying that the reason I am offering this sense of the Senate amendment is so we know and show the people who work here every day that we are on their side. I believe Senators BENNETT and FEINSTEIN showed that by putting the money in the Federal checkbook, to show there is money which hopefully ensures a high level of morale.

I am also offering this sense of the Senate amendment because we need to keep our promises. A short time ago, we had two gallant police officers die in the line of duty—Officer Chestnut from Maryland and Detective Gibson from Virginia. We all attended their memorial services. We mourned them. We tried to console their families. We thanked them for their sacrifice, and we said that a grateful Congress will never forget. We should not forget Officer Chestnut, and we should not forget Detective Gibson. We should not forget the men and women who work here every day, in every way, in their own way dedicating their lives to serving us.

I hope we adopt this sense of the Senate amendment. Again, I thank Senators BENNETT and FEINSTEIN for their leadership.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I commend my colleague from Maryland, Senator MIKULSKI, for her leadership and for her fine statement on this important issue that is before the Senate today.

I am very proud to join my many colleagues who are here to commend the men and women of the U.S. Capitol Police Force. Day in and day out, these fine officers risk their lives to protect all of us who work in the legislative branch. They also protect the millions of people who travel from across the country to the Capitol every year.

They deserve our respect and they deserve our thanks. They certainly do not deserve pink slips. Unfortunately, that is what the budget that was recently passed by the House Republicans would give them. In fact, in the budget that was passed by the House Appropriations Committee, if it were to take effect, 438 members of the Capitol Police Force would be relieved of duty. That is no way to thank some of the hardest working and most dedicated people I have ever encountered. At the same time that security experts are recommending to us we hire additional officers so we can station two officers at every entrance, the House majority's proposal goes in the opposite direction and requires us to fire officers.

Many people who are visiting the Nation's Capitol often turn to our Capitol Police Force for help in finding their representatives' offices or to get tour information. While our officers are always very gracious and helpful to everyone, the public really does not get a chance to see the many other things they do.

Every day, these officers interact with thousands of people, constantly

assessing potential threats and stopping problems before they ever have a chance to start.

In fact, in recent days, there have been two potential instances of violence in this Capitol complex. Thanks to the quick work of the Capitol Police, and others, those situations were quickly controlled and no one was injured.

In a world where the number of threats seem to be growing, in an age when you never know when someone will act violently, and in a time when the memories of the two officers who died protecting Members of this Congress are still fresh in our minds, we are all better off with a strong, professional, and well-trained Capitol Police.

I think it is fair to say that through their work they help all of us carry out the democratic process.

They do not just protect elected officials; they protect everyone who visits and works near the Capitol Building.

I have been very disappointed to hear what some of the House Republicans have said about the Capitol Police. I do not think those comments reflect accurately on the work of the Capitol Police. I certainly do not want the officers to think that those few Members reflect the way the rest of us feel about the work that you do.

I encourage my colleagues to do three things to honor these fine men and women.

First, I hope Members, as they go about their daily work, take a moment to say thank you to the men and women of the Capitol Police Force, and let them know how much you appreciate the fine work they do.

Secondly, don't let the House Republican budget slap these officers in the face. Instead, let's give them the tools and the resources they need to do their jobs effectively.

Finally, I hope all Members of the Senate will vote for the sense-of-the-Senate resolution and show that you stand with us in supporting our Capitol Police.

I join the Senator from Maryland in commending Senator BENNETT and Senator FEINSTEIN for doing an outstanding job. I hope we can adopt this resolution with a very strong vote so that we can maintain the numbers that they have worked to put into this budget.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I join my colleagues, and thank Senator MIKULSKI for offering this resolution. I join my friend from the State of Washington in urging that all Members—Republicans and Democrats alike—support it. But I commend Senator MIKULSKI for her initiation of this issue. And we express our appreciation to Senators BENNETT and FEINSTEIN for the action they have taken to express our full confidence and support for the police officers here at the Capitol.

How time flies, as we remember those memorial services for Officer Chestnut and Detective Gibson, who gave up their lives in order to try to save the lives of the Members of Congress. That is the kind of professionalism that is typical of this corps of men and women and that all of us too often take for granted. I strongly oppose any provision in the Legislative Branch Appropriations Bill that would slash the Capitol Police budget. Any such reduction would show a flagrant disregard for the security of the Capitol. It is shocking that House Republicans voted for this cut, after a non-partisan study concluded that even the ''current Capitol Police Force staffing is insufficient to meet today's threat environment.'' Members on both sides of the aisle should be able to agree on this basic necessity of our time.

The budget must have room for adequate law enforcement. Police officers deserve a fair wage, equal to their risks and responsibilities. The way we treat Capitol Police officers is a measure of the respect we hold for them as professionals. No officers should have to jeopardize their lives to do their job because of inadequate resources and inadequate support.

The Capitol Police deserve enormous respect for their dedicated service. What these officers do as professionals affects the welfare and the very lives of every member of Congress, every staff person, and every visitor to the Capitol. They deserve our highest praise and gratitude for the skill and commitment they bring to their work.

The House Republican bill is a symptom of the larger problem facing communities across the country. Democrats have strongly supported the hiring of more local police officers and more school resource officers—giving communities and schools the tools they need to ensure the safety of citizens and students. Yet, Senate and House Republicans consistently fight us every step of the way.

Last week, the Senate Republican leadership attempted to block debate on sensible and long overdue gun control measures.

Last year, Republicans defeated an amendment to expand the Community Oriented Policing Program, which would have provided additional needed resources to communities across the United States in the ongoing battle against crime. And Republicans continue to target that successful program for elimination;

On the Juvenile Justice bill, Republicans blocked a Democratic effort to create a National Center for School Safety and Youth Violence;

On the same bill, Republicans rejected a Democratic amendment to encourage more effective after-school programs, so that one million additional children would be off the streets, out of trouble, and engaged in worthwhile school and community activities.

Republicans also defeated one Democratic amendment to expand the Safe Schools/Healthy Students initiative, to enable 150 additional communities to build partnerships between schools, parents and law enforcement to reduce truancy. The initiative would also provide mentoring for troubled youth, and teach students how to resolve conflict without resorting to violence.

Time and again, Democrats are placed in the position of fighting against Republican opposition in our effort to enact public safety measures that make sense—that keep families, schools and neighborhoods safe. Republicans would rather kowtow to the National Rifle Association and other special interest groups than listen to the American people.

We too infrequently recognize the professionalism and also the dedication of these officers. The least we can do is to treat these men and women fairly. And more importantly, what we can do—and we should do—is to commend them for their continued professionalism and for their devotion to duty.

I join my colleagues in expressing our appreciation to the two leaders on this appropriations bill, Senators BENNETT and FEINSTEIN, for what they have done in this area.

I will mention one other area, though, that finds fault with the actions of the leadership in the House of Representatives, in this term, the Republican leadership.

I find it difficult to understand what the Republican leadership has against low-income workers. Here we have the greatest prosperity in the history of this country, and the Republican leadership has been aligned to deny us a simple vote on a 50-cent increase in the minimum wage for 1 year, and a 50-cent increase in the next year. We have effectively been denied the opportunity to do so.

We have had to go through extraordinary gymnastics here on the floor. And then, finally, we end up with a 3-year bill, which is an insult to even the 10 million Americans who are working at the lowest levels of the economic ladder, and then tying on to that $100 billion in unpaid tax goodies for the wealthiest individuals and the most powerful corporations of this country. I think that is shameful action by this body.

But we have been battling, and we are going to continue to battle. We are going to remind our friends that even though they do not like voting on an increase in the minimum wage—and they use every effort to try to avoid that—they are going to be faced with the continued opportunities to do so until we get a fair adjustment in the minimum wage, which these working families are due.

But now we have not only opposition in terms of an increase in the minimum wage, but opposition to an adjustment in the cost of living for those individuals who are at the lowest level of service in the National Government. The House Republican leadership wants

to make sure that these employees are not going to get any cost of living increase, even though we have seen a generous cost-of-living increase for the Members. These workers are the ones who will get no increase—they are the press operators who work the presses, the bindery workers who bind the volumes of paper that we produce in this chamber, and the workers at the printing plant who haul paper and move the printed products. There is no increase for even these workers, the laborers in the printing office who publish the reports that go across to the libraries to inform the American people as to the actions of the Congress.

But it is not just the Government Printing Office employees who will suffer from this cutting of the cost of living adjustment. Mail clerks and laborers in the Library of Congress, Secretaries in the Congressional Budget Office, and Information Receptionists, Library Aides, and Reference Files Assistants at the Congressional Research Service—those who carry and sort the mail, who type and file our various reports and documents, and those who assist with the cataloguing and researching of all the reports and documents that we in Congress generate—all of these employees will be denied a fair cost of living increase by the House Republican leadership.

These are among the lowest of the low paid by the Federal Government. They are men and women who have a great sense of pride and dignity in the work they do. They are part of the team in terms of trying to serve this country. Nonetheless, the way we deal with them is to say: No, you are not going to be able to get the adjustment that others are going to be able to get in the Congress, and that those of the higher level pay scales are going to get in general.

That is basically unfair, and it is unwise and unjust. I do not know what the explanation is. Why is it? Why is it that we effectively make sure that those individuals who are working in the darkest areas of the building and are absolutely key elements do not get an increase? If you take those individuals out of this whole process, you are not going to get the printing of the records, which are reflective of the Government in action, and you are going to basically paralyze, in a very important respect, the representatives of Government having the information which is necessary to make sound judgment.

Maybe there is an explanation for it, but I do not see it. It is unfair and unjust. It is something where we have to say, if you have opposition to an increase in the minimum wage, you are hurting those workers. And who are those workers? They are primarily women because 60 percent of minimum-wage workers are women. This impacts children because fully one-third of the women who are earning the minimum wage have children under 18. It is a children's issue. It is a civil rights issue because a disproportionate percent of minimum-wage workers are men and women of color.

Most of all, it is a fairness issue that men and women who are going to work 40 hours a week, 52 weeks of the year, should not live in poverty in the richest country in the world, when we are having the most extraordinary economic prosperity in the history of this Nation. It just is wrong.

We are facing that blind opposition by the Republican leadership in the House of Representatives and the Senate of the United States that says no to those working members of our economy. Who are they? They are the men and women who work in our nursing homes looking after parents who may be in nursing homes. They are the men and women who are working in our schools as assistant teachers. They are men and women who are looking after children when their parents are out there working and trying to put food on their table.

We are saying, no, they are not going to get an increase in the minimum wage. No, we are not going to give it to them. And no, we are not going to give a cost of living increase to other members who are at the lower level of the pay scale in our nation's Capitol.

That is an absolutely unfair, unjust, and unacceptable position. I am delighted that here in the Senate, in a bipartisan way, that position has been rejected.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, first of all, let me thank both Senator BENNETT and Senator FEINSTEIN for their important work. I just want to echo the comments of my colleague from Massachusetts, Senator KENNEDY, in support of providing adequate funding to pay all the people who help us do our work in the Senate. I too support a wage increase for the many people who work here, who don't make near the money we make, don't have near the salary we have. I promise the Chair that if it were the House Democrats who had made these cuts, my condemnation would be just as strong. The action the House took, cutting funding for salaries was a mistake, and it wasn't fair. I think that on the Senate side, in a bipartisan way, we have done a good job.

I thank Senator MIKULSKI and all the other Senators here, including Senators DASCHLE, MURRAY, REID, SARBANES, and KENNEDY, for their support for full funding for the Capitol Police Department. I just want to read the last part of the Mikulski amendment, that I am proud to be an original cosponsor of:

> It is the sense of the Senate that the United States Capitol Police and all legislative employees are to be commended for their commitment, professionalism, and great patriotism; and the conferees on the legislative branch appropriations legislation should maintain the Senate position on funding for the United States Capitol Police and all legislative branch employees.

My hope is that all 100 Senators will come out here on the floor and speak in support of this amendment and in support of all the work that Capitol Police do to keep the Capitol safe. In a way, it is almost shocking that the Senator from Maryland feels the need to introduce this sense-of-the-Senate amendment. I think we ought to really think deeply as to why it is necessary to come out with an amendment that basically says that we value the Capitol Police and all the Senate employees.

I just want to make this appeal to all my colleagues that they come down to the floor and express their support for all the people who work in the Senate. I hope Republican Senators will come out here as well and speak. Maybe all of us can take 15 or 20 minutes. I think that sends a much more powerful message.

What I regret is that the House Republicans chose to cut the Capitol Police budget by 11 percent; that is a $10 million cut. Here is the problem. Forget the money. Anybody who watches us on the floor might say: What are they talking about, a sense-of-the-Senate amendment, an 11-percent cut, a $10 million cut; what does it mean?

This is what it means. First of all, we will never forget that we lost two officers, Officer Chestnut and Agent Gibson, in 1998. Many of us were at their service. It was so moving and so powerful. We made a commitment we would do everything possible to make sure that the police officers here—Capitol Police officers—would be working under the best of conditions, that they would be safe, that they could do their job and not be put in peril.

Their job is to protect all the people who visit the Capitol. I have given enough speeches to deafen the gods about this. I have probably spoken 15 times on the floor of the Senate in support of the Capitol police. Today, I get to come out here as an original cosponsor of this amendment and say I really believe it is critically important that the Capitol police be recognized for the worth of their work, the importance of their work, and also that we make sure we do everything humanly possible, as legislators, so that they work under the best conditions, which translates into making sure we do everything we know how to do to make sure we never again lose any police officers.

What the House Republicans did in their proposal would mean the elimination of some 400 police officers. That is no way to say thank you to the Capitol police—to have an 11-percent cut in their budget, to have a cut of hundreds of police officers, to have even less backup for officers; that is no way to say thank you to the Capitol Hill Police. It is certainly no way to honor Officer Chestnut, Officer Gibson, and their families—no way.

So I want to make crystal clear on the floor of the Senate that I believe that it is important that we all speak—not just Democrats, but Republicans as well—in support of this amendment to

send a message as Senators to the Capitol Hill police and their families that we have a tremendous amount of appreciation for the work they do, we value the work they do, we value them as friends, and we just simply want to say thank you and we intend to continue to support the Capitol Police. In addition, I believe that the work that Senator BENNETT and Senator FEINSTEIN have done matters more than any words I can utter here on the floor of the Senate.

The last point that this amendment is important, and the reason I hope Senators will speak on it, is to show our united support and respect for the men and women of the Capitol Police force, who protect us each and every day. In the days following the House actions to cut funding for the force, many of the police officers were just demoralized. How many people have said—as a matter of fact, we are losing Capitol Hill police members to the D.C. Police Force because they do feel they have the respect and support of the people they are here to protect.

But part of it is, I say to Senator REID, who was a Capitol Hill policeman—the only Member of the Senate who served on that police force—that part of the question of whether or not people continue to work here and feel good about their work is whether or not people think they are respected. You know, in light of what we have gone through for the past several years, when you then cut the budget and you potentially put some of these police officers in harm's way, you certainly are not communicating a message to these police that we value their work. You are communicating the opposite message. I think what the House Republican ''leadership'' did on this issue was one of the worst things that has been done here, at least since I have served starting in 1991.

I feel really good about what we have done on the Senate side. I feel really good that we have done it in a bipartisan way, and I feel good that I get a chance to support the Mikulski amendment. I want to, one more time, make the appeal to Republican Senators: Look, the truth of the matter is—and I don't want to get people angry at me—it is not as if we are doing a lot right now and we don't have time for people to come out and speak. I think we ought to get as many Senators as possible to speak on this resolution because it is important that we communicate a message of strong support for these police officers.

I thank my colleagues, and I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that Senators BYRD, BENNETT, FEINSTEIN, KENNEDY, and DURBIN be added as cosponsors to this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. Mr. President, I ask for the yeas and nays on this amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the vote on this amendment be taken at the appropriate time as agreed upon by the leaders.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Mr. President, I amend the Senator's unanimous-consent request that the vote on the pending amendment occur at 9:45 on Thursday with no amendments in order to the amendment, and that there be 10 minutes of remarks prior to the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. I thank the chairman of the subcommittee.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Mr. President, to make the record clear with respect to the statement that was made earlier about employees of the Government Printing Office not receiving an increase in this bill, Senator FEINSTEIN and I have provided funds so those employees will receive the mandatory increases.

It is a little bit confusing as to how the bookkeeping works. The dollar amount stays level, but because we researched the number of positions that had not been filled in previous years and we are funding those positions, we recognize the money that would go for those unfilled positions will be available for the mandatory increases for employees.

I want to make sure the record reflects that. We are not, in fact, forcing those employees to go without their standard mandatory increases in this bill.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. WELLSTONE. Mr. President, could I ask my colleague for 5 seconds?

Mr. DURBIN. Yes.

Mr. WELLSTONE. Mr. President, I forgot to also thank Jim Ziglar, the Sergeant at Arms on the Senate side, who has done great work on this question.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I rise in support of the amendment offered by the Senator from Maryland.

First, I thank Senator BENNETT of Utah and Senator FEINSTEIN of California, the chairman and ranking member of the Appropriations Subcommittee on Legislative Branch. They have important responsibilities. They have met the responsibility and have done it very well in a very difficult time. I commend both of them for their hard work in preparing this important legislation.

I also commend my colleague from the State of Maryland, Senator MIKULSKI. Because of the proximity of Maryland to the District of Columbia, Senator MIKULSKI has said that she oftentimes feels that she is the Senator for so many people who work on Capitol Hill who come to her with their concerns. I know that is a burden for her to carry, but it is one that she carries with grace.

The offering today of this sense-of-the-Senate amendment is so typical of her dedication and loyalty to the men and women who serve us here in the Capitol.

This Capitol Building is one of the most recognizable buildings in the world. People literally come from across the United States and from around the world to see this magnificent dome.

You can never forget the first time you see it. I can still remember, I guess almost 38 years ago, when I first saw it in person. It made such an impact on me as a student. Little did I realize that I might someday serve in this building. But so many millions of people come to this site on this great hill to see this building, to walk through its Halls, and to witness the history that is here portrayed; to see the magnificent statues in Statutary Hall; to recall the history of this building; the Rotunda; the times that America has gathered in this place to pay homage to the greats who have served our Nation; to recall history when that same Rotunda was used as a hospital for Union soldiers who were injured in battle.

It is a great building and contains a great history. The dome on this building, which was built during the era when Abraham Lincoln of Springfield, IL, served as President during the Civil War, is really a beacon not just for our Nation but for the world.

All of the visitors who come here to be part of this great American historical moment expect the very best treatment, and they deserve it. That is why it is hard for me to understand what happened in the House of Representatives when the Republican leadership decided they would make a substantial cut—a one-third cut or more—in the number of police officers who would be in this building to protect all of us who work here and all of us who visit here.

It is hard to imagine how that could occur under ordinary circumstances; with the millions of people who flock to this building, that we would cut back in the security and protection of those visitors and employees. It is impossible to understand that suggestion in light of what occurred just 2 years ago in this same building—when, on a Friday afternoon, a deranged man came to this building with a gun and opened fire, sadly killing two of the very best Capitol Hill policemen, Officer Chestnut and Officer Gibson.

Those two men died in the line of duty protecting all of us—protecting

the visitors to this building, protecting the workers who come to this building each day, protecting many of the same Members of Congress who have sponsored on the House side this amendment to reduce the number of Capitol Hill policemen. It is an incredible thing that only 2 years later we would forget that basic lesson.

I remember going to the memorial service for the two officers, as so many Members of Congress did, to show our respect and our gratitude to their families—to try to express with our presence what we couldn't say in words; to thank them and their families for what they had given us. So many people were chocked up that day as they looked across at the rows of family members and saw not only the spouses but a lot of young children who would never know their fathers, who, frankly, would miss out on many of life's great moments with their fathers, because Officer Chestnut and Officer Gibson had given their lives to protect us.

Many of the same Members of Congress who stood choking back the tears that day are, 24 months later, offering amendments to reduce the number of Capitol Hill policemen.

How short is their memory? Can they not recall those moments? I certainly can. I know Senator MIKULSKI can.

As I come into this building each day and into the office building that we use, I see these men and women in uniform standing there doing their very best to make sure people know the right place to go and where the offices are located, but also keeping in mind that at any given moment they could have their lives on the line.

When Senator MIKULSKI introduces this resolution, when Senator WELLSTONE takes the floor repeatedly and talks about the security at the doorways of the entrances to the buildings on Capitol Hill, they are talking about a life and death issue for these men and women. They don't just come to work, as many of us do, and shuffle the papers and do our business. They put their lives on the line every day. The thought that the House Republicans would suggest cutting by one-third the number of police officers is incredible when you consider what is at stake here and what we lived through only 2 years ago.

I certainly commend my colleague, Senator MIKULSKI, for offering this amendment. I hope every Member of the Senate in a show of fidelity and support to the men and women who protect us every day will join as cosponsors. This should have a 100–0 vote because it really is an indication of what we feel about these people who mean so much to us and who go out of their way to be kind and helpful.

Some of my favorites—I hate to pick out a few because I know there are many who deserve recognition—Officer Charlie Coffer, who stands at the Russell door every day, is a joy in my life. There cannot be a nicer person on Capitol Hill in any spot. He brings a smile to my lips every time I walk through the door.

Officer Best works on the door on the Senate side. I came here at 10 o'clock one night with a group of visitors, and I asked if it would be possible to walk through Statuary Hall. He went out of his way to clear things and make sure we could bring those visitors through for the time of their lives, to be able to walk through this great building in the darkness of night, and sense the history of this building.

Officer Best, Officer Coffer, and so many others, go out of their way to do such a great job. If they go out of their way every day, we should go out of our way to show our gratitude and respect by passing this amendment and this important appropriations bill.

I close by referring to one other item which I hope this appropriations subcommittee can consider. It has come to our attention that some of the workers on the Senate side, particularly those associated with the restaurant, are technically part-time employees. When we are in session, they may work a full 40-hour week; of course, when we are out of session, they don't. Because of this part-time status, many of them do not qualify for basic employee protection life/health insurance. It is hard for me to imagine the men and women who serve food every day, who make sure this building runs smoothly, don't receive the most basic protections which we would expect for any member of our family.

I ask the committee, I ask Senator BENNETT and Senator FEINSTEIN, if they would be kind enough to look into this situation. I am happy to work with them and make certain we are treating all of the men and women who work here with respect in giving them the benefits which we would expect every American who comes to work every day to enjoy. I think we ought to join to try to set such an example.

If this is not a major problem, I apologize to the subcommittee. However, if it is one that I have been told is a concern to many of the employees, I hope we can work together to resolve it.

Once again, I thank the chairman and the ranking member for their fine work on this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I have sought recognition at this time to commend the chairman of the subcommittee, Senator BENNETT, and the ranking member, Senator FEINSTEIN, for their efforts in bringing out of the Appropriations Committee and out of their subcommittee prior thereto, a bill which I know that all Senators can support.

As noted by the Chairman and Ranking Member, the allocation to the Legislative Branch Subcommittee here in the Senate was substantially larger than the amount allocated to the Subcommittee's House counterpart. That increased allocation was distributed fairly throughout the Legislative Branch.

In particular, as has been noted by Chairman BENNETT and Senator FEINSTEIN, the bill as reported by the Committee recommends a substantial increase for the Capitol Police. I commend these two very able Senators for their excellent work in recommending this increase for the Capitol Police and for the increases they recommended throughout the legislative branch. It should be kept in mind something that Members of this body often forget, perhaps at least temporarily, that the Legislative Branch is the people's branch.

I stand here on this floor time after time to say that again and again that this is the first of the three branches of our Government mentioned in the Constitution, article I. We should adequately fund the legislative branch. I believe this bill does so. We certainly bend over backwards time and time again to fund the executive branch, and the executive branch includes in its budget on every occasion that a budget that comes here, additional persons for various segments of the executive branch. In many instances, few questions are asked, if any. So the executive branch adds to its numbers by the hundreds, from time to time. Yet we respond quite niggardly with appropriations for the legislative branch. We are always pinching pennies when it comes to the legislative branch.

The Legislative Branch Appropriations bill, as reported by the House Appropriations Committee, contains major cuts throughout the legislative branch, including the appropriation for the Capitol Police. Rather than recommending an increase sufficient to continue the growth in the Capitol Police force that we approved two years ago as a result of the tragic shooting that took the lives of Officer Chestnut and Detective Gibson, the bill, reported by the other body requires dramatic reductions in the Capitol Police force. Through a combination of the regular Fiscal Year 2000 Legislative Branch Appropriations Act and the additional funding that had already been provided in the Omnibus Appropriations Act for Fiscal Year 1999, sufficient resources have been provided for 1,511 Capitol Police personnel. That increase in personnel was carefully considered as part of an overall plan to improve security of the U.S. Capitol complex. It was to be a multi-year effort with these additional forces being brought on board as quickly as the new hires could be trained. Yet, that is not what has been recommended in the bill as reported in this year's bill by the House Appropriations Committee. That recommendation provides only $70 million, a cut of almost $39 million below the budget request, and provides for a level of only 1058 personnel, a reduction of 453 positions! Think about that. We all talk about how strongly we support reducing crime throughout the Nation. Let's

start right here in the Nation's Capitol, right now! We have put 100,000 cops on the beat across the Nation. A number of years ago, Senator GRAMM of Texas and I offered an amendment which was subsequently enacted to establish a Violent Crime Reduction Trust Fund.

I was chairman of the Appropriations Committee in the Senate at that time. Since that time, tens of billions of dollars have been appropriated over the years from that trust fund. As a result, we have seen a marked improvement in the statistics on violent crime all across this Nation. When the tragic shooting of Officer Chestnut and Detective Gibson occurred in the Nation's Capitol in the summer of 1998, we all quickly rushed forward with promises of increased funding for the security measures for the Capitol complex.

I have seen this happen time and time and time again over the 48 years I have been virtually an inhabitant of this building. The distinguished Senator from Illinois said a moment ago he first came to this building 38 years ago. Mr. President, I came to this building my first time almost 70 years ago. I was a boy scout from the coal fields in southern West Virginia. Of course, it was never meant that I should ever become a Member of this body, not from the lowly beginnings from which I sprang. Upon that occasion when I sat up in the galleries, I said to the scoutmaster: I'm coming back here one day; I'm going to be a Member of this body. How little did I know that that might come true, really, when I came to this Capitol almost 70 years ago.

I was a Member of the other body when the shooting occurred in the gallery of that body. I was sitting on the opposite side, on the Democratic side, from where the shooting took place. The shooting occurred from the galleries just over the Republican side of the aisle. At first, I thought it was a demonstration of some kind, perhaps some firecrackers or some blank bullets.

I saw—I believe it was one of the Members named Jensen. I saw other Members fall. I saw one fall right in the center of the floor, towards the front of the House Chamber. I saw Members running to the Cloakroom.

A Member from Tennessee had sat in a chair to my left. If I were located in the House Chamber right now, he sat just over to my left. He was called to go out to the Cloakroom to take a telephone call. While he was out, that shooting occurred and a bullet pierced the very center of the chair in which he had sat. The bullet would have gone through his heart.

A Member of the House who sat just directly behind him was from Alabama, and that Member suffered a wound in his leg.

I remember going up to the galleries after they had taken the demonstrators out. There was a TV camera there. They asked me what I thought about it. I said, ''It just shows what a cockeyed old world this has come to be.''

The world hasn't improved any. As a matter of fact, it has gotten worse. I can remember some years ago when there was an explosion on the next floor below us in the Capitol. A bomb exploded right down here where the old barber shop was, where the Senators used to get haircuts. We were criticized so much because we got haircuts in the Capitol that we closed down the room, the barber shop. But in one of the little restrooms just outside the premises of that barber shop a bomb exploded.

Then, a few years later, a bomb exploded right here near the Senate Chamber, beyond the Republican Cloakroom, out in the corridor there. I was the Democratic leader at that time, and I had an office just a few feet away from where that bomb was deposited behind a bench where one of those Vice Presidential busts is now located. That blast occurred at 11 o'clock at night.

As Howard Baker stated the next morning, it could very well have killed a Republican Member or Members in that Republican Cloakroom that night. The explosion was directed toward the Republican Cloakroom. Nevertheless, that explosion blew off the huge doors to my office in S–208. It blew those doors over on the desks where members of my staff worked. As I say, fortunately, it was at 11 o'clock at night, but it just filled my offices with dust. It broke the picture window in that beautiful office.

I have been around this Capitol 48 years, and I know these things happen, and they will happen again. They will happen again. One of these days there may be a major catastrophe in this Capitol. And every time there is a rush to improve the security, and then after a few days or weeks or months, that subsides and the security lapses.

This is the most beautiful Capitol in the world, bar none, with Brumidi's paintings. Brumidi came to this country in 1855 and he died in 1880. He painted these beautiful frescoes in the Rotunda. I have my office now in his old studio down on the next floor. It is in this Capitol that Webster and Hayne had their famous debate. It was not in this Chamber but in the Old Chamber down the hall. Webster and Clay, and Calhoun—where the old Senate sat from 1810 to 1859; the Senators in 1859 moved to this Chamber. Ah, what history here—history, the history of the greatest Republic that was ever created—history fills these Halls. If you walk in these Halls at night, you can almost hear the words of Webster and Clay and Thomas Hart Benton of Missouri. Yet, this Capitol is put in danger by reductions of this kind in appropriations.

Senator BENNETT and Senator FEINSTEIN have performed a great deed for the Nation, for the men and women of yesterday, for the citizens of today, and for our posterity—those who will walk these Halls in future years and gaze with wonder at the beauty of this Capitol.

A lot is expected of the men and the women who serve on the U.S. Capitol Police Force. We expect them to be highly professional, highly skilled, and highly motivated individuals who perform their duties well at all times. They must be courteous to the many thousands, the millions of people who visit this Nation's Capitol while at the same time being alert to the dangers that can arise at any time with little notice or without notice.

Members of the House and Senate, our staffs—Jim English, others on the staff of the Appropriations Committee who sit on this side, and staff people who sit across the aisle and aid Senator BENNETT; there are thousands of them who work in and around this Capitol—their lives are at stake, their lives and the lives of the tourists who come here from the mountains of West Virginia and the level plains of the Midwest, the prairies, from the Rocky Mountains and the sunny shores of California. They come here to see this Capitol and to marvel at it, to gaze in awe. How many times a day I see those tourists come in here and look about these halls; they just gaze in awe. They seem to be entirely unaware that somebody else is walking by. They are entranced by what they see in this Capitol.

These visitors deserve no less from our U.S. Capitol Police Force. But if we are to have the kind of police force that exhibits these qualities and these skills, we cannot subject these men and women to the specter of having their jobs eliminated in massive numbers on the heels of initiating a program to substantially increase their numbers.

It would be unwise in the extreme to cut security personnel at the Capitol complex, so I will join Chairman BENNETT and Senator FEINSTEIN and other members of our committee in defending the funding levels recommended in the Senate bill for the U.S. Capitol Police. I trust we will succeed in convincing our counterparts on the other side of the Capitol of the need for that increase.

I congratulate Senator MIKULSKI, too, on the resolution which she has offered, which she was kind enough to allow me to cosponsor. That is a good amendment and this is a good bill which, I believe, deserves the support of every Senator.

I again congratulate Senator BENNETT and Senator FEINSTEIN. I again thank them. The Senate is in their debt. The Congress is in their debt. The people of the country are in their debt because this is the people's Capitol. This is the people's branch.

These two Senators have done excellent work in bringing recommendations to the Senate. I salute them, thank them, commend them, and say: Long may the great God who is the Judge of us all and in Whose hands rests the destiny of the Nation continue to bless this great country and this great Capitol of the United States.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, it seems just a day or two ago—the fact of the matter is, it was almost 40 years ago—that I served as a Capitol policeman. I can remember being out on the steps on the east front of the Capitol. I worked the night shift while I attended law school during the day. I remember one of my first duty stations was to be present during the concerts which took place every night.

I can remember a lot of things. One thing I remember is Senator Carl Hayden coming to the concerts every night. He had been in Congress more than 50 years at that time. He was still mentally alert but physically infirm. He would come in his wheelchair. As a Capitol policeman, I would stand near him during these concerts.

Quite frankly, Mr. President, the most dangerous thing I did as a Capitol policeman was to direct traffic. Directing traffic was a little dangerous in those days. I can remember that on Constitution Avenue, they had railroad tracks. And there were cars all over the place. It sounds a little facetious when I say it was the most dangerous thing I did, but it was true. I was barely old enough to carry a gun. One had to be 21. I carried a pistol. Thank goodness, I never took it out of the holster during the time I was a Capitol policeman.

I have very fond memories of being a Capitol policeman. Like Senator BYRD, I can remember coming from a town of 200 at the southern tip of the State of Nevada where we had a policeman by the name of Big John. Growing up in Searchlight, he was ''the law.'' But here in Washington, for me to walk in a uniform at night down these Halls—there was nobody in these Halls when I made my rounds—it brought a chill to my soul, thinking I was able to work in this Capitol and walk past the statues of the great men and women who made this country what it is.

For me now, to think I have served in the House of Representatives, the greatest democratic body in the history of the world—no one has ever served in the House unless they have been elected. In the Senate, there have been people who have served who had been appointed, but never in the House of Representatives. And then to serve in the Senate. I told one of my friends I was lucky. He said: ''You are not lucky, you are blessed.'' That is really true. I was wrong, and he was right.

I am blessed to serve in the Senate of the United States. I walk down these Halls many times a week to Senator BYRD's old office. As you know, the Democratic whip's office is down on the next floor. Senator, did you know that the fireplace was put in that office in 1824? When I walk down there, even with people around, I get that same chill I had as a young man in a police uniform. This is truly a wonderful building. I sometimes wonder why I am so fortunate to serve here. I am, and I accept those responsibilities along with the privilege.

I have never forgotten that I was a Capitol Police officer. I can remember when I was transferred to the House. In 1961, Henry Gonzalez from Texas, was a freshman Congressman. I can remember the very lonely duty I had over there. This freshman Congressman from Texas worked late at night, and he would say to me: ''Can I bring you something to eat? Can I bring you something to drink?''

Another Member I remember was Congressman Lindsay from New York, who later became the mayor of New York City. These are the two people I remember reaching out to a police officer, reaching out in kindness. It made me feel good about my job.

Like Senator WELLSTONE so eloquently stated, I have tried to be kind, thoughtful, and considerate to police officers. They have such an important job, and are often overlooked because things get so crazy around here.

The world is so different than it was 40 years ago. Unfortunately, there are people who are hellbent upon destroying this facility, not just damaging the Rayburn Building. I say to my friend from West Virginia, immediately before that bomb went off in the Rayburn Building, the Nevada State Society held a meeting there. We were the last group to meet in that room. I was a Member of the House at the time that explosion took place, and I remember the incident as if it happened yesterday.

Today, it seems that people are no longer content with blowing out a few windows. They want to destroy this facility, and, if given the opportunity, they could. That is why we have to reach out to the men and women who provide security for us on a daily basis. But, it's not just us, Mr. President. The Capitol Police provides security for all the staff we see throughout these buildings, the people without whom we would not be able to do our jobs. Most importantly, the Capitol Police is also charged with providing security for the millions of people who come to this beautiful Capitol complex each year.

We simply must ensure that we take care of the Capitol Police. The Capitol Police are very well trained. Today, as I was proceeding to a meeting in the Dirksen Building, I saw a man climb out of a car dressed in SWAT team apparel. I asked the officer with whom I was walking about him, and he told me that he was a member of the SWAT team. He was dressed like you would see in a movie. He is here because he is needed. We have demolition experts, people who are experts in defusing bombs. They are called upon to do that more often than we know. Again, they are here because, unfortunate as it may be, they are needed.

Often time, we only hear about the heroics of the Capitol Police when something goes wrong. We know when someone breaks a bottle and tries to attack other people because the press is there to capture the event-in-the-making. We know about the tragic deaths of Officer Chestnut and Detective Gibson because the press covered it in such detail. The many things we do not know about are the tragedies that are averted because of the skill and proficiency of the Capitol Police. Their training is as good as any police force in America.

When I served on the Capitol Police, all that training was not necessary. When people came to this building, we did not check to see what they had in their bags. We didn't have electronic machines for visitors to pass through. We did not check to see if they were staff. Our responsibilities were much different, much simpler.

Every day, these men and women put their lives on the line for America—not for me, not for the Presiding Officer, but for America, to protect this beautiful structure and the people who visit it.

Without belaboring the point, I have been fortunate to do a few things in my adult life. I am so privileged to represent the people of Nevada in this body. But this Senator is just as proud to have been a police officer, and I am proud of the fact I was a Capitol policeman.

I extend to my friend from Utah, the chairman of this subcommittee, and my friend from California, the ranking member, my appreciation for crafting this bill on a bipartisan basis. Not only have they reached out to protect the Capitol Police, which is so important, but they have also reached out to protect the rest of the staff.

I had the good fortune to serve as chairman of the legislative branch appropriations subcommittee when I first came to the Senate. I loved that job, because we did some very constructive things.

We see things in the other body on the other side of the Capitol that have not been very constructive. In fact, they have been destructive. I would say to my colleagues that the chairman and ranking member have brought about some dignity to the legislative branch of Government.

The other body, for example, drastically cut the Government Printing Office which does very important things for this country. In the State of Nevada, the Government Printing Office has 11 different institutions to which they supply periodicals and other materials.

Across the country, there are more than 1,300 institutions that serve as official depository libraries which disseminate more than 16.1 million official Government documents to the general public every year—every year, over 16 million documents the public gets from the Government Printing Office.

In Nevada, there are 11 such libraries, the 2 largest of which exist on the campuses of the University of Nevada at Las Vegas and Reno.

The depository is a bargain when one considers the program as a whole.

While the GPO supplies the printed materials, the university, college, and other public libraries which participate in the Federal Depository Library Program supply the space to house the documents, the staff to assist the public, as well as the computers, the photocopiers, and other equipment needed to use this information. In other words, the GPO embodies the public's access to government.

What if we were to cut off that access? There would be—rightfully so—a public outcry that such access to government had been denied. If we were to cut back the staff the way the other body did, that is what we would have to do—limit the public's access to their government. The ranking member and the chairman have made every effort to stop this, and that is very important.

I also think that it is very important we recognize that the General Accounting Office—because of the work you have done—has been, in effect, spared. We complain because we do not get our reports and other information fast enough from the General Accounting Office. Why? Because in the past we have cut them back a significant amount. They are already working with a very lean staff. Thank goodness the ranking member and the chairman have taken care of this. This Senator appreciates that very much.

Mr. BYRD. Mr. President, will the Senator yield?

Mr. REID. Yes.

Mr. BYRD. The Senator was talking about how the Capitol Police are careful to search our briefcases and to be on the alert for all people who walk through the doors.

A couple weeks ago, after I reached my house one evening, I got to looking for something, and I decided I left it on my desk in my office.

I said to my wife: I am going back up to the Capitol.

She said: Do you want me to go with you?

I said: Yes.

She and I are going to be married, by the way, this coming Monday, 63 years.

As I said, she said: Do you want me to go with you?

Anyhow, she came up here with me. I had already changed clothes. I had an old slouch rainhat on. I had some old wear-around-the-house trousers and some scuffy-looking shoes. I came up here with a slouch sweatshirt and had it outside my trousers.

I walked in down here and went through the magnetometer. I guess I am the only Senator who goes through the magnetometer. I don't know. But I do. I do that so the police and others who may get some complaints from some people who go through that magnetometer can say, Senator BYRD, who has been around this floor longer than any other Member of the House or Senate, who has been around here longer than any staff member on this Hill, goes through that.

So I went through that magnetometer. And there were two policemen standing there. They were not the regular attendants at the door. And they did not see any ID card on me with a chain around my neck. So one of them said to me: Sir, are you a staff member? And I laughed. I said: No, I'm not a staff member. I just want to compliment you on doing the kind of job you are supposed to do. No, I'm not a staff member.

So they were on the alert. They did what they were supposed to do. I salute them for it. I thank the Senator for yielding.

Mr. REID. Thank you very much, I say to Senator BYRD.

Let me say that I sat with awe as I listened to your presentation. It was very well done, as usual. There is no one in this institution who has the feeling for not only this building, not only this institution, the Senate, but for our country than you do. I have great, great respect for what you have done to inspire me to try to do a better job.

Mr. BYRD. I thank the Senator.

Mr. REID. Mr. President, one of the things I say to my two colleagues, the chairman and the ranking member, is, if the other body is looking for additional sources of money, I think they should take a closer look at their franking practices. I am the last person to tell the other body what to do with franking, even though in the past, when I was chairman of the Appropriations Legislative Branch Subcommittee, we had some real battles dealing with franking. We cut our Senate franking practices tremendously. In fact, we now hear complaints that we do not have enough money to mail to our constituents. We have really tightened our belts, especially with mass mailings.

But, let's talk about the other body. In 1994, as part of a bipartisan effort that was initiated by Senator MACK and myself, our subcommittee successfully instituted sweeping reforms regarding franking privileges in the Senate. In fact, we cut overall mail costs by 50 percent between 1994 and 1995.

As part of the same initiative, the House, in 1995, combined its mail, staff, and office expense accounts, and instituted an expenditure limit on mail based upon an allowance fund.

However, Mr. President, that was changed. In 1999, according to the Congressional Research Service, the House, unfortunately, eliminated any expenditure limit on franking privileges.

So if the House is looking for some ways to get some money, they can always use some of the money they reapplied to franking just last year.

Also, I want to talk about the Congressional Research Service, for which I have the greatest respect. It is a great program, the Congressional Research Service. If we have a problem, we can have some research done. That is what it is. It helps our constituents, our staffs, and helps us Members of Congress.

These cutbacks that have been requested in the other body are simply not wise. I think it goes without saying that we need the Congressional Research Service so that we are not forced to rely upon a group of lobbyists.

I, again, commend the chairman and ranking member for their work to ensure that the Congressional Research Service is protected.

Finally, let me say, in closing, we have appropriated $100 million for the Visitors Center. I am not happy with the fact we are reaching out to the private sector to get money to help build what I think should be a totally Government institution.

A Visitors Center is long overdue. I hope we get it done quickly. I have been told, though I have heard this before, that construction is going to start soon.

I think it says a lot that we, in Washington, do not have a facility for visitors to come into this Capitol. That is one of the reasons why Officer Gibson and Detective Chestnut are dead, because we did not have a visitor entrance where people could be checked to see if they have weapons before coming into the Capitol.

Also, separate and apart from the security aspect of it, it is important that visitors have a place to come in during cold weather to stay warm until they can come into the Capitol, and a place during hot weather to stay cool, and a place where they can get a soft drink, a glass of water, or go to the bathroom. This is long overdue.

I hope this initiative will move forward expeditiously. I also hope this eyesore that we have out here with the painted lines on the road and all that other stuff will quickly be done away with. The east front of the Capitol should be just as beautiful as the rest of the Capitol complex. I hope we take care of that very quickly.

Mr. President, I reiterate my gratitude and recognition of the leadership of Senators BENNETT and FEINSTEIN. I wish them well not only in the passage of this bill, but also wishing them well in conference, where all eyes of the Senate, including our staff and the brave men and women of the Capitol police and other legislative branch agencies, will be upon them.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Mr. President, I thank the Senators who have spoken in such generous terms. It helps to have a bill that is relatively noncontroversial and to be on the side of the issues where most Senators are to get those glowing terms, but nonetheless, I am grateful for them. I appreciate the comments.

AMENDMENT NOS. 3167 THROUGH 3170, EN BLOC

Mr. BENNETT. Mr. President, I send to the desk a managers' package of four amendments and ask for their immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendment is laid aside. The clerk will report.

The legislative clerk read as follows:

The Senator from Utah [Mr. BENNETT], for himself and Mrs. FEINSTEIN, proposes amendments en bloc numbered 3167 through 3170.

Mr. BENNETT. I ask unanimous consent that reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

AMENDMENT NO. 3167

At the appropriate place insert:

The first sentence under the subheading ''SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE'' under the heading ''CONTINGENT EXPENSES OF THE SENATE'' under title I of the bill is amended by inserting '', of which $2,500,000 shall remain available until September 30, 2003'' after ''$71,261,000''.

AMENDMENT NO. 3168

At the appropriate place insert:

ADMINISTRATIVE PROVISION

SEC. ____. (a) Section 201 of the Legislative Branch Appropriations Act, 1993 (40 U.S.C. 216c note) is amended by striking ''$10,000,000'' each place it appears and inserting ''$14,500,000''.

(b) Section 201 of such Act is amended—

(1) by inserting ''(a)'' before ''Pursuant'', and

(2) by adding at the end the following:

''(b) The Architect of the Capitol is authorized to solicit, receive, accept, and hold amounts under section 307E(a)(2) of the Legislative Branch Appropriations Act, 1989 (40 U.S.C. 216c(a)(2)) in excess of the $14,500,000 authorized under subsection (a), but such amounts (and any interest thereon) shall not be expended by the Architect without approval in appropriation Acts as required under section 307E(b)(3) of such Act (40 U.S.C. 216c(b)(3)).''.

AMENDMENT NO. 3169

At the end of title III, insert:

SEC. 312. CENTER FOR RUSSIAN LEADERSHIP DEVELOPMENT.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established in the legislative branch of the Government a center to be known as the ''Center for Russian Leadership Development'' (the ''Center'').

(2) BOARD OF TRUSTEES.—The Center shall be subject to the supervision and direction of a Board of Trustees which shall be composed of 9 members as follows:

(A) 2 members appointed by the Speaker of the House of Representatives, 1 of whom shall be designated by the Majority Leader of the House of Representatives and 1 of whom shall be designated by the Minority Leader of the House of Representatives.

(B) 2 members appointed by the President pro tempore of the Senate, 1 of whom shall be designated by the Majority Leader of the Senate and 1 of whom shall be designated by the Minority Leader of the Senate.

(C) The Librarian of Congress.

(D) 4 private individuals with interests in improving United States and Russian relations, designated by the Librarian of Congress.

Each member appointed under this paragraph shall serve for a term of 3 years. Any vacancy shall be filled in the same manner as the original appointment and the individual so appointed shall serve for the remainder of the term. Members of the Board shall serve without pay, but shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred in the performance of their duties.

(b) PURPOSE AND AUTHORITY OF THE CENTER.—

(1) PURPOSE.—The purpose of the Center is to establish, in accordance with the provisions of paragraph (2), a program to enable emerging political leaders of Russia at all levels of government to gain significant, firsthand exposure to the American free market economic system and the operation of American democratic institutions through visits to governments and communities at comparable levels in the United States.

(2) GRANT PROGRAM.—Subject to the provisions of paragraphs (3) and (4), the Center shall establish a program under which the Center annually awards grants to government or community organizations in the United States that seek to establish programs under which those organizations will host Russian nationals who are emerging political leaders at any level of government.

(3) RESTRICTIONS.—

(A) DURATION.—The period of stay in the United States for any individual supported with grant funds under the program shall not exceed 30 days.

(B) LIMITATION.—The number of individuals supported with grant funds under the program shall not exceed 3,000 in any fiscal year.

(C) USE OF FUNDS.—Grant funds under the program shall be used to pay—

(i) the costs and expenses incurred by each program participant in traveling between Russia and the United States and in traveling within the United States;

(ii) the costs of providing lodging in the United States to each program participant, whether in public accommodations or in private homes; and

(iii) such additional administrative expenses incurred by organizations in carrying out the program as the Center may prescribe.

(4) APPLICATION.—

(A) IN GENERAL.—Each organization in the United States desiring a grant under this section shall submit an application to the Center at such time, in such manner, and accompanied by such information as the Center may reasonably require.

(B) CONTENTS.—Each application submitted pursuant to subparagraph (A) shall—

(i) describe the activities for which assistance under this section is sought;

(ii) include the number of program participants to be supported;

(iii) describe the qualifications of the individuals who will be participating in the program; and

(iv) provide such additional assurances as the Center determines to be essential to ensure compliance with the requirements of this section.

(c) ESTABLISHMENT OF FUND.—

(1) IN GENERAL.—There is established in the Treasury of the United States a trust fund to be known as the ''Russian Leadership Development Center Trust Fund'' (the ''Fund'') which shall consist of amounts which may be appropriated, credited, or transferred to it under this section.

(2) DONATIONS.—Any money or other property donated, bequeathed, or devised to the Center under the authority of this section shall be credited to the Fund.

(3) FUND MANAGEMENT.—

(A) IN GENERAL.—The provisions of subsections (b), (c), and (d) of section 116 of the Legislative Branch Appropriations Act, 1989 (2 U.S.C. 1105 (b), (c), and (d)), and the provisions of section 117(b) of such Act (2 U.S.C. 1106(b)), shall apply to the Fund.

(B) EXPENDITURES.—The Secretary of the Treasury is authorized to pay to the Center from amounts in the Fund such sums as the Board of Trustees of the Center determines are necessary and appropriate to enable the Center to carry out the provisions of this section.

(d) EXECUTIVE DIRECTOR.—The Board shall appoint an Executive Director who shall be the chief executive officer of the Center and who shall carry out the functions of the Center subject to the supervision and direction of the Board of Trustees. The Executive Director of the Center shall be compensated at the annual rate specified by the Board, but in no event shall such rate exceed level III of the Executive Schedule under section 5314 of title 5, United States Code.

(e) ADMINISTRATIVE PROVISIONS.—

(1) IN GENERAL.—The provisions of section 119 of the Legislative Branch Appropriations Act, 1989 (2 U.S.C. 1108) shall apply to the Center.

(2) SUPPORT PROVIDED BY LIBRARY OF CONGRESS.—The Library of Congress may disburse funds appropriated to the Center, compute and disburse the basic pay for all personnel of the Center, provide administrative, legal, financial management, and other appropriate services to the Center, and collect from the Fund the full costs of providing services under this paragraph, as provided under an agreement for services ordered under sections 1535 and 1536 of title 31, United States Code.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

(g) TRANSFER OF FUNDS.—Any amounts appropriated for use in the program established under section 3011 of the 1999 Emergency Supplemental Appropriations Act (Public Law 106–31; 113 Stat 93) shall be transferred to the Fund and shall remain available without fiscal year limitation.

(h) EFFECTIVE DATES.—

(1) IN GENERAL.—This section shall take effect on the date of enactment of this Act.

(2) TRANSFER.—Subsection (g) shall only apply to amounts which remain unexpended on and after the date the Board of Trustees of the Center certifies to the Librarian of Congress that grants are ready to be made under the program established under this section.

AMENDMENT NO. 3170

Section 309(1) of the bill is amended by striking ''fiscal year 2000'' and inserting ''fiscal years 1999 and 2000.''

Mr. BENNETT. Mr. President, these amendments have been cleared on both sides. The first one is an amendment for the Sergeant at Arms to make $2.5 million of funds appropriated available until September 2003. The second is an amendment to raise the cap on the amount of private funds that can be provided to the National Garden. The third is an amendment to create a fund to allow for private funds to endow the Russian Leadership Program of the Library of Congress. And the fourth amendment is a technical correction to section 309.

The PRESIDING OFFICER. The question is on agreeing to the amendments. Without objection, the amendments are agreed to.

The amendments (Nos. 3167 through 3170), en bloc, were agreed to.

Mr. BENNETT. Mr. President, I understand that the chairman of the full committee, Senator STEVENS, is anxious to come to the floor to make a statement. I will suggest the absence of a quorum to allow him to come, unless the Senator from California has something that she wishes to say at this time.

Mrs. FEINSTEIN. That is fine.

Mr. BENNETT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ENZI). Without objection, it is so ordered.

Mr. DASCHLE. Mr. President, I want to talk about a couple of issues. First of all, I commend the distinguished ranking member, Senator FEINSTEIN, and the chair of the appropriations subcommittee for their outstanding work on the legislative appropriations bill. Many of our colleagues have come to the floor already to speak as eloquently as I have heard about the importance of the Capitol Police, about the importance of those who serve us in so many capacities throughout the Capitol and throughout the Capitol complex itself.

I want to express my support for this bill and for the statement that it makes about the importance that we as Senators put on the work done by our Capitol Police each and every day. Those of us who are fortunate enough to be in Leadership especially recognize the unique role the Capitol Police play. They are with us almost from the time we leave the house to the time we are dropped off at the house late at night. They are with us publicly. They follow us. They protect us. They provide service to us in the most exemplary and professional manner. I think it would be all too easy for some to misinterpret the ill-advised actions taken thus far by the House in their legislative branch appropriations bill.

It was really for that reason many of us felt the need not only to support a good Senate legislative appropriations bill, but to underscore the numbers and the commitment made in the Senate version of this bill by cosponsoring and supporting the amendment offered by the distinguished Senator from Maryland.

We want to say just two words without equivocation to the Capitol Police, to the members of the Congressional Research Service, to the GAO, and to all of those who work so diligently and professionally each and every day: Thank you. Thank you for what you do. Thank you for how you do it. Thank you for setting the example. Thank you for the extraordinary dedication you demonstrate to public service.

That is really the message. I will be surprised if we don't see a 100–0 vote in our expression of gratitude and our desire to ensure that they realize how much we appreciate what they do. While we may not say it each and every day, and we may not walk up as we probably should from time to time to a Capitol Police officer, or to one of our floor staff, or to any of those who serve us, maybe in this small way we can say as a body, as Senators, regardless of political or philosophical persuasion, thank you. We express our sincere and heartfelt gratitude to each and every one of you for dedicating your lives to public service, and in some cases dedicating your lives to the safety of others, safety that oftentimes asks too much of police officers and their families, as we saw just 2 years ago.

So this is as an important a statement as I think we will make this year regarding our Capitol Police and our staff in many respects, and I am hopeful that it won't go unnoticed. I am hopeful that this will serve as a big exclamation point that we are very grateful, and that we are appreciative in ways that probably are not articulated on a regular basis.

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NOMINATION OF BRADLEY SMITH

Mr. DASCHLE. Mr. President I also want to address the matter concerning Bradley Smith. I know there will be time allocated for his nomination later on this afternoon. I will simply take time as if in morning business using the quorum call to address his nomination at this time.

As I have stated before, I have come to the conclusion that I must oppose this nomination. For me, this is not just a vote on a particular nominee with whom I don't agree, this vote is about whether or not we will prove the cynics in America wrong in demonstrating our commitment to strong campaign finance laws.

Yesterday morning in the Washington Post, a Republican strategist who advises Governor Bush and the Republican National Committee said the following:

> There are no rules any more . . . There were few if any to begin with but there are virtually none today. They know it, we know it, everybody knows it.

That wasn't Common Cause or Ralph Nader. That was an adviser to Texas Governor George W. Bush.

Governor Bush's adviser is right. In many ways, we have entered the post-Federal Election Campaign Act era. It is the Wild West of ''soft money,'' issue advocacy ads and secret donors.

The system is broken, and everybody knows it. A vote in favor of this nomination will simply confirm what we already know. It doesn't have to be this way. It shouldn't be this way.

I know very few Members of the House and the Senate, of either party, who like our current campaign finance system. I know very few members of either party who prefer raising money to meeting with constituents and working on issues. I know very few members of either party who enjoy the fact that, every time they face reelection, the amount of money that has to be raised to be competitive has risen exponentially. And frankly, I know very few members of either party who don't resent the fact that so many of our legislative activities are scrutinized solely in the context of donations—which groups backed which said of the argument, and whose money prevailed.

I am irritated by that. I am frustrated by that. That screen should not be the consideration. Even in the media, it shouldn't be the frame within which we view the debate on issues. But that is exactly how it is framed on the Sunday talk shows and in the newspapers.

If we think the current system is unacceptable, that is nothing compared to the way our constituents feel.

Our constituents don't like the current campaign finance system. They don't think it puts their interests first. But they also don't think we'll ever really change it.

In fact, they are convinced of it. Poll after poll showed the American people responding in single digits—not double digits, but single digits—to the question: Do you think Congress will ever change the campaign finance laws? Overwhelmingly, over 90 percent say no.

Today, it seems to me, the Senate can take the first step toward restoring at least a modicum of public trust in American political campaigns.

One thing we can do to promote greater confidence in our electoral system is to ask a simple question before we confirm the men and women who will serve on the Federal Election Commission. It seems to me that fundamental question ought to be: whether those who may be interested in serving believe in the laws on the books today? Do you believe you can objectively enforce the laws? We are asked that question every time we are sworn in. Will you uphold the Constitution? It seems to me upholding the Constitution and all the statutes and the compendium of laws that have been created as a result of our fundamental freedoms established in the Constitution is a prerequisite for serving in public office.

The men and women who, as Commissioners, would have the courage to issue clearer guidelines about what is permissible, and would have the courage to enforce those guidelines are the people whom we should encourage to serve on this and all bodies.

Brad Smith, it is clear to me, does not fit that description. Rather than decrying the weaknesses of our current campaign laws, Mr. Smith has made a career out of criticizing the utility of our federal election law scheme. He has argued for the repeal of the Federal Elections Campaign Act, and he denies that money has a corrupting influence on the political system.

Simply put, when it comes to campaign finance laws, Brad Smith is an anarchist. This is not the marshal who will save the day in Dodge City. Confirming Brad Smith is more like asking Billy the Kid to preserve peace.

Let's be clear. Putting reform-minded FEC Commissioners in place is not enough by itself. We created the FEC and our inaction has created some of

the problems within the FEC with respect to enforcing the laws we have today. Congress has a responsibility to act today to close loopholes, clarify the law, and do everything possible to stem the endless chase of money in which we all engage.

We should pass McCain-Feingold immediately. We should end the abuse of section 527 of the Internal Revenue Code immediately.

Our Constitution doesn't stand in the way. The only thing standing in the way of our taking these modest steps is the reluctance to tamper with the system that we know and that has gotten us elected, even if we don't like it.

We are worried our careers won't survive. It seems to me we should be more worried about whether faith in our system will survive.

The trends are ominous. The soft money accounts in both parties' coffers are at record levels. In the first 15 months of the 2000 election cycle, the national Democratic and Republican Party committees have raised over $160 million in soft money. Mr. President, $160 million in corporate, union, and large individual contributions. Is there any real question why Americans are losing faith in our elections system?

Every election cycle, the cost of campaigns goes up and the number of people who vote goes down. If we really want to increase voter participation, we have to address that reality. The reality is, there is simply too much money in politics. We all know, whether we admit it or not, that the current system is broken. We have a choice: Do we reduce the influence of special interests money in Washington? Do we want to wink and nod at the few flimsy campaign laws we have?

Today we have an opportunity to answer that question. It seems to me that if we defeat Brad Smith's nomination and demand we be presented a nominee who will work with us to regain public confidence in our campaign laws, we will be taking the first step. Then we could pass campaign finance reform, the McCain-Feingold bill, and put an end to the flood of soft money into campaigns once and for all, and then shut down the so-called 527 loophole. Those three steps would go a long way in this election cycle, in this session of Congress, to do the right thing. They are things we can and should do. The currency of politics should be ideas, not cash.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Before I begin, I commend the distinguished Democratic leader, the minority leader, for his very eloquent statement and comments, particularly in regard to the need for this body to take up the issue of campaign finance reform. I could not agree more. We have had a series of hearings at the Rules Committee on the campaign finance system. We have heard from all sides, but we heard a little more from one side than another.

I tried to arrange for our good friends, Senator FEINGOLD and Senator MCCAIN, to testify. I talked to my colleague from Wisconsin about this so we could hear about the McCain-Feingold bill. I hope our colleagues and others heard the remarks. This is a very important issue. Nothing is more fundamental than trying to get a handle on this process that has gone wild. It is absolutely out of control, and it is getting worse by the day.

While there is obviously a great need to deal with other issues, nothing is more fundamental than how people get here, where their attention is spent, their time and effort, how it is allocated. Until we change the system, in my view, it will only get worse.

I applaud my leader for his comments. I know he reflects the views of the overwhelming majority on this side of the aisle and some on the other side. More importantly, I think the Senator reflects the views of the American public. There may be differences on details, but fundamentally the American public understands this system is not working well at all. The point that we spend more money each year on campaigns, while voter participation seems to be heading in the opposite direction, paints a very clear picture of what the American public thinks. I associate myself with those remarks and commend the Senator for those remarks.

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LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2001—Continued

Mr. DODD. Mr. President, I want to spend a couple of minutes on the legislative appropriations bill and to commend Senator STEVENS and Senator BYRD, the chair and ranking member of the Appropriations Committee, as well as our good friends, the chair and ranking member of the subcommittee, Senator FEINSTEIN and Senator BENNETT, for the work they have done in putting together, I think, a very responsible bill on the Senate side in terms of dealing with the costs of running the legislative branch of Government.

They have put together a good bill. They have been fiscally restrained in their approach. Obviously, our legislative branch should not be exempt from the kind of scrutiny we apply to every single aspect of this, the Federal budget. They are to be commended for packaging a bill that does less than the administration wanted but is certainly far more responsible, far more thoughtful, far more balanced than what the other body has apparently crafted.

The bill here is $59 million over current spending but $147 million below the President's budget request for operations of the legislative branch. We need to remember we are not just talking about Members' salary or staffs. We are talking about being the temporary custodians of these buildings we call the Capitol Grounds.

A few minutes ago, I greeted another student group from my State, from Woodstock High School, a group of eighth graders, and, earlier, a group of students from a school in Washington, DC. I try to tell the young people when they are here, these are their buildings; this is their Government. They are not voters yet, but I want them to develop an appreciation of what has been handed down to us as temporary custodians, what we will be handing down to them in the coming generation so their children and their grandchildren will be able to come to this great Capital City of ours, come to the great buildings, and cherish and appreciate what it represents to them as citizens of the greatest democracy ever created in the history of mankind. As temporary custodians of their well-being, we have a responsibility not to somehow pad the budgets to serve our own comfortable interests but to see to it that we preserve this venue, this seat of democracy, for coming generations.

That is what Senator FEINSTEIN and Senator BENNETT have done with this budget. Regretfully, it is what the other body has not done. That is what makes me so sad. We can have differences here—Democrats, Republicans, conservatives, liberals, moderates—and debate issues. When it comes to the buildings, when it comes to the people every day who work here, whose names you will never know, who care for the facilities, who guard these buildings, not just the Members and the staffs who work here but the 10,000-plus tourists who come to their Nation's Capitol every day and come into the buildings. Officer Chestnut and Officer Gibson, who lost their lives just a few feet from where I am speaking, were protecting not only the membership when those shots fired but protecting hundreds of tourists gathered in the building.

To see a budget that disregards the importance of having good security here, not just for the Senators and Congressmen but for the innocent tourists who come to see their Nation's Capitol, is something of which we ought to be very mindful. What the House has done, of course, was to cut the police force by almost 12 percent, resulting in a reduction in force of almost 30 percent of the police force on these grounds.

I was a young boy in the 1950s in the other Chamber, a few feet from that Chamber, when shots rang out from the gallery, and Members of Congress were shot on that day. I was down in Washington on a spring break. I literally just missed being in the Chamber as a tourist on that day.

We have taken a lot of steps since then to try to see to it that people who are armed can't come in here and threaten the lives of people in these buildings. I remember being a relatively new Member in this Chamber when, I thank the Lord, we had all left on a Monday night and a bomb went off in the building. Had we been here, there would have been those, I suspect, who would have been severely injured, if not killed.

And of course the tragedy involving Officers Chestnut and Gibson and the gunfire in the Capitol Building is a sad commentary on the times in which we live. We all know this. But to talk about reducing the police force of these grounds by 30 percent, cutting the present force, is irresponsible. Hopefully, it will be reversed.

I commend our champions of this legislative appropriations bill for fighting back and putting their foot down, and saying you are not going to tolerate this because it is wrong to do this to the American public.

The Library of Congress as well would be cut here, the greatest library in the world just a few blocks from this Capitol—again, a great public library. The people of Connecticut may be more sensitive to this issue than others are. The very first public library in the United States was founded in New Haven in the 1600s, so we in my State have a special affection for libraries and their value.

The greatest of all libraries in the world is the Library of Congress. There is a wonderful exhibit going on as we celebrate the 200th anniversary of the Library of Congress. I encourage people who are coming to Washington to visit the wonderful exhibit of the Jefferson library. It is Thomas Jefferson's library. It was the greatest private library in the hands of any citizen in this country when he donated it. Actually, it was sold for a very modest amount after the Capitol was burned in the War of 1812. Thomas Jefferson took the 6,000 volumes that was his library, the greatest private library in the world, and said this ought to be the basis of a great national library. At the cost of $23,000, those volumes became the core of the Library of Congress we now celebrate, as we should, here in our Nation's Capital. The House proposal to cut into that budget by 1 percent, again, doesn't make a lot of sense to me.

The Congressional Research Service, again, is of great value to us as we try to do our work. They are wonderful people. It does not matter, when you are provided a report, whether it is Democrats, Republicans, Independents—they give us the facts, data, hard evidence that we rely on as we try to do the people's business. We couldn't possibly afford, nor should we, to expand our staffs to include all these people who serve as our extended staff. The Congressional Research Service, the CRS, has been of great value to people in these Chambers over the years. The House proposal eliminating one out of seven employees is an example of an unwise reduction in force.

With regard to the General Accounting Office, the House cuts it by 7 percent. Again, the General Accounting Office is tremendously valuable. I don't know of a single Member who has not relied on the General Accounting Office at one time or another to get good, hard, clean facts and evidence behind some of the more perplexing problems we face in our country.

As to the Government Printing Office, the Congressional Budget Office, as well, the House has acted very irresponsibly. I commend our leaders, as the ranking member on the authorizing committee, the Rules Committee, and express my support for what they are trying to do.

I say to the literally dozens and dozens of people who work in these buildings, be they police officers or custodial staff, doorkeepers, and the like, we do not get a chance to say this to you as often as we should but we appreciate immensely what you do. The American public, as I said, may never get to know your names, but you preserve their assets here every single day. The majority of us in this Chamber appreciate what you do. We appreciate the efforts you make around the clock.

Many us have been here late in the night and meet these wonderful people, many of them women—women, not young women—who come by and clean these offices after everyone leaves, doing the tremendous work that they do. They are never seen by the Members or staff around here. I want to tell them today on this floor how much I appreciate the work they do. Again, I am confident I reflect the views of the overwhelming majority of Members in this body.

We thank Senator FEINSTEIN and we thank Senator BENNETT for their efforts. We applaud Senator STEVENS and Senator BYRD for demonstrating once again their deep appreciation for being good temporary caretakers, temporary custodians, of these facilities and these assets that belong to the American public. I am proud to be associated with both of these fine leaders.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I ask unanimous consent to speak as in morning business for 12 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Wisconsin is recognized.

Mr. FEINGOLD. I thank the Chair.

(The remarks of Mr. FEINGOLD pertaining to the introduction of S. 2621 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. FEINGOLD. I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Pennsylvania.

Mr. SPECTER. I thank the Chair. Mr. President, I have reserved time for an amendment which would deal with funding for mailings for open house town meetings. The budgets today are very restrictive. In years gone by, there was an opportunity for a Senator to schedule an open house town meeting in a county seat and send out postal patron notices to everybody in the county. Then, an open house town meeting would be held where a relatively small number of people would appear, but at least everybody in the county had notice that the Senator was coming. Everyone had an opportunity to hear a short report about what was going on in Washington and then an opportunity to ask the Senator questions.

We are under considerable fire and criticism on the issue of fundraising and the issue of access. For example, when we have fundraisers and people attend, they certainly do have access to Senators. There is no way to have a fundraiser where people attend without having that kind of access.

The question then arises: Is that kind of access unfair? I believe there is a very good answer to that by having the Senator go to the county seat, and make it convenient for people in the county to have access to the Senator to ask questions. The concept of having a town meeting to let people express themselves is something that I believe is very important and very fundamental.

The budget we have today does not allow for that. I was just discussing the matter with the distinguished chairman of the subcommittee to see if we might structure something which could be accommodated without having a contested amendment and a contested debate and then a rollcall vote.

What the Senator from Utah and I were talking about was an analysis of how many of our colleagues want to have open house town meetings. Many of our colleagues do not choose that as a form of communication with constituents. Others may have only a few open house town meetings. There is a big difference between small States and big States. There is a different picture that certainly arises in Utah than Pennsylvania.

As I said to the Senator from Utah, I would not necessarily be concerned about having the town meetings in the big metropolitan areas where there is a greater opportunity to communicate with the citizens through television and through newspaper stories. However, if you take, say, some of the northern tier counties of Pennsylvania or the north central or southern tier, unless you actually go to the county, it is very hard to make that kind of contact.

I would not want the entire year to go by without taking action. As I discussed with the Senator from Utah, perhaps in collaboration with the Senator from California, who is the ranking member on this subcommittee, and the Senators on the Rules Committee, we could try to get an estimate and perhaps put a funding mechanism in one of the later appropriations bills. Perhaps it could come in the appropriations bill on Labor, Health and Human Services and Education, which I chair.

I do believe Senators would like to have this opportunity. It may well be that it would not be very expensive, depending on how many Senators chose it. Maybe we could, on an experimental basis, create a relatively small fund and find some way to administer it so

the people who want to have the town meetings can but with some limitations so that one or a few Senators do not take too much of the fund. Therefore, we could move in the direction of encouraging these open house town meetings.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. I thank the Senator from Pennsylvania for raising this issue because it is a very legitimate issue, and I think it is a legitimate issue for the legislative branch subcommittee to deal with. We did not deal with it in subcommittee and in full committee. It becomes a challenge to try to find the money right now in terms of an offset within the bill.

The point the Senator from Pennsylvania makes is an extremely valid one. There are people who, in rural areas particularly, do not really have any sense of opportunity to interact with a Senator unless that Senator physically goes to those counties. Then when you try to notify the people that you are coming, you have a real challenge because they do not have the mass media coverage. Yes, they may get a major newspaper from a major metropolitan area, but they do not read it for hometown announcements. If you try local newspapers, many times they do not do the job, either.

The problem we have in terms of the reactions from members of the Rules Committee is that the Rules Committee has attempted to create the opportunity for this in terms of flexibility for the overall budget and saying to a Senator, ''You have a pot of money you can use either for franking or for stationery, for travel, or some other item,'' and they are opposed to earmarking a particular amount of money for this particular purpose.

If we sit down with members of the Rules Committee and lay out the importance of what it is the Senator from Pennsylvania is highlighting and talk it through to find some creative way, I think we can move in that direction. I pledge to the Senator from Pennsylvania that I will work with him to see if we cannot do that because I agree absolutely with the end he is trying to achieve.

I think it is very important that we try to help Members communicate with their constituents in a meaningful kind of way.

As I understand it, from the Senator from Pennsylvania, this is not talking about a mass mailing of campaign literature, as we are accused of doing under newsletters and use of the franking. This is talking about simply a notice that would go out under the frank with respect to town meetings.

I am very sympathetic with that and would be happy to work with the Senator and the Senators from the Rules Committee and, of course, Senator FEINSTEIN, to see if we can't find a way to devise something that is not overly expensive—because I agree with the Senator, not every Senator would want to use it—but that at the same time we could provide an opportunity for those Senators who would be willing to do the town meeting.

So I am happy to deal with the Senator to see if we can't find way to work this out.

The PRESIDING OFFICER. The Chair recognizes the Senator from California.

Mrs. FEINSTEIN. Mr. President, in response to Chairman BENNETT's suggestion, I would like to assure the Senator from Pennsylvania, as a member of the Rules Committee, I would be very happy to take a look at this and see what the problem is. The ranking member of the Rules Committee was here and is familiar with the subject. I believe he would be agreeable, as well, to take a look. And we will see what the problem is.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I thank the Senator from Utah and the Senator from California for those statements. Let us proceed on that basis.

Picking up on what the Senator from Utah said, it isn't a political mailing touting what any of us may think he or she has done. It is notice that the Senator is going to have his or her body at a given place.

As open house town meetings go, that can be a fairly high price to pay, to go out and face the music and face the constituents because they do keep track of our votes. But they have a very hard time following us if they live in Coudersport in Potter County or live in the northern tier of Pennsylvania or a southern tier county such as Fulton. They don't necessarily get any of the major newspapers and are outside television range. They may see some national television, but that is not an effective way for Senators to communicate with the people of their States.

When you appear at a town meeting, there is a feeling that something is going on that is positive. We Members of Congress in the Senate and the House are subject to a lot of criticism as being ''inside the beltway'' and not being accessible. People don't know what we are doing. And then we are going to these fundraisers where people have to make contributions to have access to us.

This is something which is not very healthy for a democracy. So let us proceed.

I will not offer an amendment at this time. I will see if we can work it out, starting with the chairman and ranking member on this subcommittee, and moving over to the chairman and ranking member on the Rules Committee, to try to structure a program which would accomplish the purpose and be affordable.

I thank the Senator from Utah and the Senator from California.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. I thank the Senator from Pennsylvania. I think, as I said, he has raised an issue very much worth pursuing and one that we will, in all good faith, go forward on, to see if we can't work out some kind of solution that can get us where it is we need to be.

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UNANIMOUS CONSENT AGREEMENTS—EXECUTIVE NOMINATIONS

Mr. BENNETT. Mr. President, as in executive session, I ask unanimous consent that the 40 minutes of debate with respect to the nominations begin at 2:20 p.m. today, with the votes to occur at the expiration of that time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNETT. Mr. President, as in executive session, I ask unanimous consent that Executive Calendar No. 454 be added to the list of nominations to be confirmed following the votes on the FEC and judicial nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

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LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2001—Continued

Mr. BENNETT. Mr. President, we come to the time where we have another 25 minutes before the time comes for voting. I had been expecting the Senator from Alaska. He is still tied up in a previous meeting. So we will look forward to hearing from him.

It has been an interesting experience for me to serve as chairman of this particular subcommittee on Appropriations. There are those who say this subcommittee does not matter very much because its dollar allocation is the lowest of all of the subcommittees in the Appropriations Committee, with the exception of the District of Columbia. I disagree. I think this subcommittee, in fact, can have as much impact on the Government as some of the others that have greater amounts of money to spend because of its area of jurisdiction.

I will take a little of the time here to express my gratitude for the opportunity of chairing this subcommittee and for those with whom we work. The subcommittee deals with the Architect of the Capitol. That is a term that most people in the country do not understand. They would think of the Architect of the Capitol as the person who sits down and draws the lines on paper that produces the building of the Capitol. That is what architects do.

They do not realize that the Architect of the Capitol is charged with the responsibility of maintaining the Capitol. In this situation, I have been able to go around and meet those people who oversee the activities that go on with respect to maintaining our operation. They work for the Architect of the Capitol, and they are concerned with such things as the air-conditioning, the cleaning, the repairs, the restoration of the Brumidi paintings about which the Senator from West Virginia spoke.

We take it for granted that this beautiful place will always remain beautiful. It takes a virtual army of people working behind the scenes to see that this is, in fact, the case.

I have spoken of my business experience. I remember one company where I worked where a particular manager was under very heavy pressure from top management to show improved results on the bottom line. This manager was determined to do that. Pretty soon the reports started coming in that the bottom line was getting better and getting better, and he basked in the glow of the approval that he got for his tough measures and his great turnaround procedures.

Then the bill came due, and we discovered what he had been doing. He had been increasing his bottom line by cutting back on his maintenance budget. And all of a sudden the facilities over which he had responsibility began to show the deterioration. In that company, we ultimately had to pay enormous capital costs to restore the facilities to the level they should have been at by virtue of significant day-to-day maintenance. Yes, he could make the bottom line look better temporarily by shutting down the day-to-day maintenance, but, overall, he cost us a great deal of money.

That is the responsibility of the Architect of the Capitol: To see to it that, overall, this entire complex works. It is not only the Capitol. He has the responsibility for the Senate office buildings and the House office buildings.

We have watched the renovation of the Dirksen Office Building go forward under the direction of the Architect of the Capitol. I am happy to be able to report that it is on time and under budget. For those who say that every Federal program is a boondoggle, this is one that is moving forward. As an occupant of a Dirksen Building suite in the renovated area, I can tell you that this office space will be good for the next 30 or 40 years before it has to be done again. It is being done properly, it is being done intelligently, and it is being done within the allocated budget.

Something that I did not know anything about until I became chairman of this subcommittee is the Botanic Garden.

I have all my life driven by the Botanic Gardens without ever going in and without ever having any understanding of what went on inside. The Architect of the Capitol came to me when I got this assignment and said: Let's go down and take a look at the Botanic Gardens. Well, one walk through the Botanic Gardens made it clear that there had been a lot of delay and neglect of ordinary maintenance. This was a major mess.

Now, under the direction of the Architect of the Capitol, the Botanic Gardens are being raised up to the level where they should be. One may ask: Who cares about the Botanic Gardens? I asked the somewhat impudent question: How many Americans come to the Botanic Gardens? How many see this? Well, if it were in a city other than Washington, DC, it would be a major tourist attraction. There are literally millions of Americans who go through the Botanic Gardens every year. It had been allowed to deteriorate and had to be brought up to proper standards.

I could go on and on about the work of the Architect of the Capitol. It is significant work, and it requires a great deal of effort. I am delighted to be involved in understanding that.

I see other Members coming to the floor. I want them to know I am not filibustering, but I don't want the time to go just in a quorum call, when I have an opportunity to express my gratitude for the assignment that I have. If anyone has something they want to say, just give me a signal and I will conclude quickly.

Absent that, I will talk about the Library of Congress. The Library of Congress Thomas Jefferson building is one of the hidden jewels, architecturally, in this town. I always tell tourists from Utah, when they come and visit me in my office, to go see the Jefferson building. They say: Well, we are going to go see the major sites. We are going to go to the Vietnam War Memorial. We are going to go to the Lincoln Memorial and the Jefferson Memorial and the new FDR Memorial, and so on. I only have so much time.

I say: I don't care how limited your time is. If you have any time at all, walk down the street and walk into the Jefferson building.

This is the most beautiful building on Capitol Hill except for the Capitol itself. It represents in many ways the story of America.

My favorite story about the Library of Congress and the building is one that is told about Boris Yeltsin, when he walked into the Jefferson building. He stood there and looked around, and then turned to his guide and said: How did you Americans get a building like this? You didn't have any czars?

Well, maybe we didn't have any czars, but we had the Army Corps of Engineers, and we had the American spirit 100 years ago that said America has arrived. America is going to take its place as one of the major nations of the world. In that spirit of enthusiasm and excitement, they built the Jefferson building to house the Library of Congress. That building came in under budget and on time. It stands as a reminder of the spirit of manifest destiny that we associate with Theodore Roosevelt. The building was finished before Theodore Roosevelt became President, but it was in that era that it happened. That is a reminder that all Americans ought to have as part of their history.

It has been magnificently restored by the Congress, and by this subcommittee. Admittedly, it was restored prior to my being involved with the subcommittee, but it is something we in Congress should be proud of because it is part of the heritage we leave to our children and our grandchildren. They can come to Capitol Hill—yes, the Capitol and the continuity of democracy that is represented here—but there is also the commitment to knowledge and spreading that knowledge that is represented by the largest and finest library in the world. It exists to serve the Congress. It is sustained by the Congress. It is part of the responsibility of this particular subcommittee.

I am delighted with the opportunity of serving in this capacity. I appreciate the support we have received not only from the full committee but from all of the Members of the Senate as well.

I see my friend from Connecticut is here. I am happy to yield the floor.

Mr. DODD. Mr. President, if I may, I commend our colleague from Utah for the job he and the ranking Democrat, Senator FEINSTEIN of California, have done on this bill. I echo his sentiments about the role we play as custodians of these buildings.

I noted earlier that all of us on a daily basis greet students who come to the Nation's Capital as part of the graduation programs of various schools. I had the wonderful privilege earlier today of meeting a group of students from Woodstock, a school in Connecticut, as part of their eighth grade graduation.

It is a violation of the rules of the Senate to identify anybody who is in the galleries, and I won't do that. I am not going to identify any school groups in the gallery. If you happen to notice somebody dressed in green up there, you might notice someone who might come from that school along the way. They are very attentive students and interested about these buildings. As I explained to them, these are their buildings. We are mere custodians of them.

I associate myself with the remarks of the Senator from Utah and the Senator from California. We are doing what we can to see to it that they are secure and well cared for so that future generations will be able to enjoy them as much as this generation does.

I thank the Chair and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BENNETT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I rise in support of S. 2603, the pending legislative branch appropriations bill for fiscal year 2001, as reported by the Senate Appropriations Committee.

I commend the distinguished subcommittee chairman, Senator BENNETT, and the distinguished ranking member, Senator FEINSTEIN, for bringing a balanced bill to the floor. The bill supports ongoing Senate operations and those of the congressional support agencies we depend upon, such as the

Congressional Budget Office, the Library of Congress, the Government Printing Office, and the General Accounting Office. It also sustains a commitment to increased security for the entire Capitol complex and the thousands of visitors we receive each day.

The bill as reported to the Senate provides $1.7 billion in new budget authority and $1.45 billion in new outlays for the operations of the Senate, joint items, and our related agencies. The House will add the funding for its operations to its version of this bill. When outlays from prior-year budget authority, funding for House items, and other actions are taken into account, the bill totals $2.6 billion in both budget authority and outlays for fiscal year 2001.

The Senate bill is at the subcommittee's 302(b) allocation for budget authority, and it is $4 million in outlays below the 302(b) allocation. The Senate bill is $54 million in budget authority and $53 million in outlays above the FY 2000 level. It is $216 million in budget authority and $169 million in outlays below the budget request.

I urge my colleagues to support the bill.

Mr. President, I ask unanimous consent that a table displaying the Senate Budget Committee scoring of the reported bill be inserted in the RECORD at this point.

S. 2603, LEGISLATIVE BRANCH APPROPRIATIONS, 2001—SPENDING COMPARISONS—SENATE-REPORTED BILL

[Fiscal Year 2001, $ millions]

	General Purpose	Mandatory	Total
Senate-reported bill [1]:			
Budget authority	2,500	97	2,597
Outlays	2,498	97	2,595
Senate 302(b) allocation:			
Budget authority	2,500	97	2,597
Outlays	2,502	97	2,599
2000 level:			
Budget authority	2,449	94	2,543
Outlays	2,448	94	2,542
President's request:			
Budget authority	2,716	97	2,813
Outlays	2,667	97	2,764
SENATE-REPORTED BILL COMPARED TO:			
Senate 302(b) allocation:			
Budget authority	.....	.....	.....
Outlays	−4	.....	−4
2000 level:			
Budget authority	51	3	54
Outlays	50	3	53
President's request:			
Budget authority	−216	.....	−216
Outlays	−169	.....	−169

[1] Includes adjustment for House-only items not considered in Senate.

Note: Details may not add to totals due to rounding. Totals adjusted for consistency with scorekeeping conventions.

LITTLE SCHOLARS CHILD DEVELOPMENT CENTER

Mr. JEFFORDS. Mr. President, I thank my distinguished colleague from Utah, Senator BENNETT, for his excellent work on the FY 2001 Legislative Branch Appropriations bill and the attention he and his staff have paid to my concerns. I would like to engage in a brief colloquy with Senator BENNETT on one of my priorities, the issue of extending health and retirement benefits to employees of the Library of Congress' child care center.

As the Senator knows, providing quality and affordable child care is a very important issue to me. I was, therefore, shocked to learn that child care workers in the Legislative Branch are not all afforded the same benefits. While employees of both the Senate and the House child care centers receive Federal health and retirement benefits, employees of the Library of Congress' child care center, the Little Scholars Child Development Center, do not. I ask Senator BENNETT if he agrees that employees of all Legislative Branch child care centers should be provided benefits in a consistent manner?

Mr. BENNETT. I thank the Senator from Vermont for bringing this issue to my attention. Like him, members of my staff have also had their children enrolled in the Little Scholars Center and speak highly of the staff and quality of the care there. In this competitive job market, it is very important that Legislative Branch child care centers be able to attract and retain quality staff. I share the Senator from Vermont's goal that health and retirement benefits are extended to employees of the Library of Congress' child care center as soon as possible.

I inform Senator JEFFORDS that I have received a copy of a memo, dated May 24, from Teresa Smith, Director of the Library's Human Resource Services, to John D. Webster, Director of the Library's Financial Services, committing to working out a fair and equitable agreement on the issue of extending benefits to employees of the center with the governing board of the child care center. Rest assured, my staff and I will be monitoring the Library's progress towards this goal with the intent that this issue be resolved before the beginning of the next fiscal year.

Mr. JEFFORDS. I thank Senator BENNETT for his attention to this important matter and am pleased that he shares my belief that the Legislative Branch should set an example of high child care standards for the rest of the Federal government to follow.

Mr. BENNETT. Mr. President, I ask unanimous consent that the memorandum of which I spoke be printed in the RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM

LIBRARY OF CONGRESS, MAY 24, 2000.

To: John D. Webster, Director, Financial Services.

From: Teresa Smith, Director, Human Resource Services.

Subject: Little Scholars Child Development Center.

The purpose of this memorandum is to respond to your request for information regarding the Little Scholars Child Development Center (Center) and to provide preliminary comments regarding the draft legislation that would provide Federal benefits to the Center's staff.

The Center began operations in 1993 and has an enrollment of 100 children (13 Library of Congress, 29 Senate, 17 House, 17 other Federal, 24 public). The Library and the Library of Congress Child Care Association (LCCCA) have entered into a Memorandum of Understanding (MOU) to run the Center. The Library and the Architect of the Capitol are responsible for providing facilities and certain administrative support services to the LCCCA. The LCCCA is responsible for hiring the Center's staff and running the program. The Center has a staff of 28 with a payroll of approximately $650,000. The LCCCA pays for current payroll taxes (FICA) and health benefits costs.

Human Resource Services (HRS) and Office of General Counsel are now working with the LCCCA to update the MOU. We are committed to working out a fair and equitable agreement in a timely manner and are ready to meet with the LCCCA as soon as arrangements can be made.

HRS believes that the proposed legislation is premature because a number of issues should be discussed prior to submitting any legislation and the MOU update needs to be finalized first. For example, the proposed legislation is based upon the Senate child care model, which operates in a different administrative environment than the Library. The Library uses a contractor to handle benefit accounting and does not have a direct accounting relationship with the Office of Personnel Management. In addition to the estimated increase in the Library's government contributions for LCCCA staff of $130,000, the Library would need to significantly change its administrative operations to handle the legislation which may be avoided with a further evaluation of the alternatives. With more time, HRS and the LCCCA may be able to work out a better model for use at the Center. The Library believes that other changes to the Center's legal authority may be appropriate, which would be accomplished more effectively at the same time as any other proposed changes and after an analysis of the practices of other day care centers.

In summary, HRS believes that the proposed legislative change is premature and would like to first have the opportunity to work through the MOU issues and then on a joint request for legislative changes.

Mr. BENNETT. Mr. President, I ask unanimous consent that no other amendments be in order to the bill. I further ask consent that following the vote in relation to the Mikulski amendment, the bill be advanced to third reading, a vote occur on the question of third reading, and following that vote, the bill be placed back on the calendar.

Finally, I ask unanimous consent that the previous agreement be modified to allow for those two back-to-back votes to begin at 10:45 on Thursday morning, with the same 10 minutes in order prior to the 10:45 a.m. vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNETT. I yield the floor.

Mr. STEVENS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF BRADLEY A. SMITH, OF OHIO, TO BE A MEMBER OF THE FEDERAL ELECTION COMMISSION—Resumed

The PRESIDING OFFICER. The Senate will now proceed to executive session, and the clerk will report the nomination.

The legislative clerk read the nomination of Bradley A. Smith, of Ohio, to be a member of the Federal Election Commission.

Mr. FEINGOLD. Mr. President, it is my understanding under the unanimous consent agreement I am allotted 10 minutes.

The PRESIDING OFFICER. The Senator is correct.

Mr. FEINGOLD. Mr. President, I regret, even though this is the time that has been allocated by unanimous consent for the final debate on the nominations, particularly the nomination of Brad Smith, I regret there are no other Senators here to debate the nomination. However, I will proceed in any event because it is an important nomination, an important issue.

There is an irony about the vote we are about to have in the Senate. The Senate is sure to close up shop at a reasonable hour today. Why? Because tonight the Democratic Party will host the largest fund-raiser in history at the MCI Center here in Washington. The party expects to rake in $24 million in one night, tonight. And this will surpass the previous record for a single fund-raiser of $21.3 million set less than 1 month ago by the Republican Party. That record fundraiser swamped the previous record, also held by the Republican Party, at an event a year earlier, of $14 million.

We are in an arms race. The escalation is truly staggering. The insatiable need for bigger and bigger checks is turning our great political parties into little more than fundraiser machines. Forty-seven donors raised or contributed $250,000 or more to go to the fundraiser tonight that my party will hold. Back in April, 45 donors raised or contributed that amount to join the Republican Party leaders at the National Armory. A quarter of a million dollars. Can anyone honestly say the donors who give that money will get no special treatment in return? We all know this money can be corrupting. It certainly provides the appearance of corruption.

The Supreme Court knows that contributions of this size can be corrupting. Let me quote the Court, once again, from the Shrink Missouri case decided a few months ago:

> There is little reason to doubt that sometimes large contributions will work actual corruption of our political system, and no reason to question the existence of a corresponding suspicion among voters.

There is little reason to doubt the corrupting influence of large contributions on our political system, said the Court.

At least one person doubts this. Professor Bradley Smith doubts it. Listen to what he wrote in a 1997 Law Review article: Whatever the particulars of reform proposes, it is increasingly clear that reformers have overstated the Government interest in the anticorruption rationale. Money's alleged corrupting effects are far from proven, Professor Smith says.

Brad Smith sees nothing wrong with unlimited contributions to parties or even to candidates. He said in a newspaper article that ''people should be allowed to spend whatever they want on politics.'' In an interview on MSNBC he said: ''I think we should deregulate and just let it go. That is how our politics was run for over 100 years.''

That ''100 years'' he is referring to is the 19th century. That is the world Brad Smith would like to see; no contribution is too big for us to tolerate in the world he sees.

I assure my colleagues that this is not some caricature of this nominee's views. These are not distortions nor are they words taken out of context. This is what this nominee believes. This is what he has said over and over and over again, including at his confirmation hearing before the Rules Committee. Brad Smith sees nothing wrong with the enormous soft money contributions that both parties are so greedily seeking, the kind of contributions my party will rake in, in the largest fundraiser in history, tonight, just a few hours from now. Not only that, he believes to ban soft money would violate the first amendment of the Constitution.

Virtually no one still clings to that belief in the wake of the Supreme Court's decision in the Shrink Missouri case. Brad Smith does.

This nomination may be just as important to the cause of campaign finance reform as any bill that has been before the Senate in recent years. This vote on this nomination is just as significant for campaign finance reform as many of the votes we have had on those bills. I submit to those Senators who have voted time and time again to ban soft money—and I do thank them for their votes, and I thank them for their support of the McCain-Feingold bill—those Senators should think very carefully about what they are doing here.

To confirm Brad Smith to a seat on the FEC is to confirm a man whose most deeply held beliefs about the Federal election system are wholly at odds with the reforms we are seeking. If we somehow are able to get past the filibuster and pass a soft money ban this year, Brad Smith will be on the Commission that is charged by law with the duty to implementing that ban.

I emphasize again I hold absolutely no personal animus toward Mr. Smith. This is not personal. It is not a matter of personality. I do not question Mr. Smith's integrity. I do not question his honesty. I certainly do not question his right to criticize the laws from outside his perch as a law professor and commentator. However, his views on the very laws he will be called to enforce scare me. It is simply not possible for me to ignore the views he has repeatedly and stridently expressed simply because he now claims he will faithfully execute the laws if he is confirmed. He may try to do that, but in matters of interpretation he will certainly come down on the side of big money in campaigns every time.

In a 1997 opinion piece in the Wall Street Journal, Mr. Smith wrote the following:

> When a law is in need of continual revision to close a series of ever-changing ''loopholes,'' it is probably the law, and not the people, that is in error. Most sensible reform is a simple one: Repeal of the Federal Elections Campaign Act.

I cannot in good conscience vote to confirm a man to the FEC who believes the statute that created that body should be scrapped. I urge my colleagues to think about this very hard. Professor Smith's views are not anywhere near the mainstream of legal thought on this issue. Professor Smith may be a wonderful professor and scholar, but he should not be on the Federal Election Commission.

I reserve the remainder of my time.

Mr. KOHL. Mr. President, I have serious concerns about confirming Bradley Smith to fill a vacancy on the Federal Election Commission or the FEC. The FEC is an independent regulatory agency entrusted with administering and enforcing the Nation's campaign finance laws. Yet, Bradley Smith believes that the very campaign finance laws he would be required to administer and enforce should be thrown out.

I am not questioning the integrity of this nominee or his fitness for government service in general. I also believe we must be careful not to reject nominees just because we object to their views. However, when a person like Bradley Smith is put forward, a person whose views seem to undermine the very purpose for which he is being nominated, I believe we have a responsibility to speak out. Bradley Smith is not an appropriate choice for FEC commissioner and I will be voting against this nomination.

Mr. LEVIN. Mr. President, I will be voting today against the nomination of Mr. Bradley Smith to serve as a Commissioner of the Federal Election Commission. It is with a fair amount of reluctance that I take this position, given the longstanding custom of allowing each party to appoint its own choices to this six member commission and the fact that FEC nominees are, by statute, supposed to be the representatives of their political parties on that commission. I respect that history.

I also believe Mr. Smith is a man of intelligence, integrity, and competence. So, my vote against his nomination is not a vote against him as a person. Nor will I vote against him because I disagree strongly with most of Mr. Smith's opinions on the campaign

finance system. He favors no contribution limits; I think they are essential. He doesn't see a link between corruption or the appearance of corruption and the contributions made to candidates and holders of public office; I do. He thinks the Federal Election Campaign Act and the Federal Election Commission should be dismantled; I don't.

The reason I will vote ''no'' is because I cannot support the nomination of an individual to the position of commissioner of an agency which the nominee doesn't think should exist or which has as its operating statute one which the nominee thinks should be repealed. I do not relish voting against this nominee to the FEC offered by the Republican leadership but Mr. Smith's opposition to the existence of the institution to which he is being nominated compels me to vote against him.

Mr. MCCONNELL. Mr. President, I rise today in support of the nomination of Professor Bradley A. Smith to fill the open Republican seat on the bipartisan Federal Election Commission. In considering the two FEC nominees, Professor Brad Smith and Commissioner Danny McDonald, the Senate must answer two fundamental questions:

Is each nominee experienced, principled and ethical? And,

Will the FEC continue to be a balanced, bipartisan commission?

I want to take a minute to rebut some of the myths that have been perpetuated by the reform groups over the past several months.

Myth No. 1: Professor Smith's First Amendment views are radical and disqualify him for government service at a bipartisan agency.

Over 30 renowned First Amendment and Election Law experts, including past members of the governing Board of Common Cause, urge Brad Smith's confirmation and attest to the validity of Brad Smith's actual views—that is distinguished from the views that have been attributed to him by his critics.

Moreover, these renowned scholars are indignant about the misrepresentation of Smith's scholarship. Let me share just a few examples:

First Amendment Scholar Michael McConnell of the University of Utah Law School writes:

> [S]ome opponents of the nomination of Bradley A. Smith to the Federal Elections Commission are claiming his scholarly writings regarding the First Amendment and campaign finance laws are irresponsible or otherwise beyond the pale. This is simply partisan nonsense. * * * The merits of his nomination should not be clouded by charges of this sort, which have no scholarly validity.

Professor Daniel Kobil, a former governing Board Member of Common Cause in Ohio writes:

> I believe that * * * [the] opposition is based not on what Brad has written or said about campaign finance regulations, but on crude caricatures of his ideas that have been circulated.

Even one of the scholars who support McCain-Feingold has written in support of Professor Smith's nomination. Professor Jamin Raskin, a signatory to the McCain-Feingold letter, writes:

> The political reform community would actually be better off with Smith on the FEC. * * * Smith is no party hack, but a serious scholar who cares about political liberty. * * * He is a dream candidate * * * [who] should not be opposed by political reformers.

In fact, Smith's views on election law are shared by many fine scholars, like Kathleen Sullivan, the Dean of Stanford Law School, who praised Smith stating:

> I do think Mr. Smith's views are in the mainstream of constitutional opinion. I like to think that I am enough in the mainstream of constitutional opinion that our agreement on many points would place us both there.

Let me paraphrase Dean Sullivan to rebut those who argue that appointing Brad Smith is like appointing a conscientious objector to be Secretary of Defense: appointing a First Amendment election law scholar to the FEC is, in fact, like appointing a seasoned U.S. Attorney who values the constitutional liberties of every American citizen.

Or what about 46 political scientists who echo Smith and Sullivan's concerns about the current campaign finance laws and some of the proposed reforms? I ask unanimous consent that a letter be printed in the RECORD at the conclusion of my remarks. It is signed by 46 political scientists, including esteemed scholars like Brandice Canes of MIT, Michael Munger of Duke, Patrick Lynch of Georgetown, and—from the flagship university in Arizona—University of Arizona professors Price Fishback and Vernon Smith.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 1.)

Mr. MCCONNELL. Would my colleagues on the other side vote to reject all of these individuals, including the Dean of Stanford Law School, who have questioned the wisdom and workability of our campaign finance laws and the proposed reforms?

Myth No. 2: Professor Smith fails to acknowledge the Supreme Court's recent decision in Shrink-Pac.

As for this assertion, I would direct my colleagues to pages 20, 31, 36 and 40 of the published Rules Committee hearing report from March 8 of this year. Professor Smith clearly acknowledged the holding of the Shrink PAC decision, and, in particular explained:

> Had I been on the Commission and the case had come forward under Federal law . . . I would have had no problem voting for [the] enforcement action . . . .

Of course, the reform groups won't tell you that the Supreme Court agreed with Smith's views and declared campaign finance laws unconstitutional in cases such as Colorado Republican, and McIntyre v. Ohio, and just last year in Buckley v. American Constitutional Law Foundation, or that, as Professor Nagle of Notre Dame Law School has written: Smith's ''understanding of the First Amendment has been adopted by courts in sustaining state campaign finance laws.''

Myth No. 3: Professor Smith will not enforce the law.

The letter of Dan Lowenstein of UCLA Law School, a 6 year member of the national governing Board of Common Cause rebuts this myth. He writes:

> [Smith] will understand that his job is to enforce the law, even when he does not agree with it. I doubt if anyone can credibly deny that [Smith] is an individual of high intelligence and energy and unquestioned integrity. When such an individual is nominated for the FEC, he or she should be enthusiastically and quickly confirmed by the Senate.

Let me address the Democrats' nominee, Commissioner Danny McDonald.

Commissioner McDonald and I are clearly in different campaign reform camps. If I follow the new litmus test that is being put forth by some in this confirmation debate, then I have no choice but to vigorously oppose his nomination.

I want to be clear that Danny McDonald is not my choice for the Federal Election Commission. I have serious questions about his 18-year track record at the FEC. McDonald's views and actions have been soundly rejected by the federal courts in dozens of cases.

Two of these cases even resulted in the U.S. Treasury paying fines because the action taken by McDonald and the FEC was ''not substantially justified in law or fact.'' And, just this month, the 10th Circuit struck down yet another FEC enforcement action as unconstitutional—finding, I might add, that reformer concerns of corruption were unsubstantiated.

I think Commissioner McDonald's voting record has displayed a disregard for the law, the courts and the Constitution. And, it has hurt the reputation of the Commission, chilled constitutionally protected political speech, and cost the taxpayers money.

Equally troubling, is the fact that Commissioner McDonald apparently chose to pursue the chairmanship of the Democratic National Committee while serving as a commissioner to the Federal Election Commission.

I must say that I have serious questions about whether an FEC Commissioner exhibits ''impartiality and good judgment'' when he seeks the highest position in his political party and simultaneously regulates that party and its candidates—and regulates the competitor party and its candidates.

All of that being said, I am prepared to reject this new litmus test whereby we ''Bork'' nominations to this bipartisan panel. I am prepared to follow the tradition of respecting the other party's choice and to support Commissioner McDonald's nomination—assuming that McDonald's party grants similar latitude to the Republicans' choice, Professor Smith, which will be voted on first.

As an aside, let me say to my distinguished colleague from Arizona and my distinguished colleague from Wisconsin: even though we are in different

campaign reform camps and even though we famously disagree on the First Amendment and federal election law, I would wholeheartedly support either of you to serve as the Democrat's nominee to the Federal Election Commission.

I urge my colleagues to also reject this new litmus test of barring government service for those who question Congress and its laws. Harvard Law professor and former solicitor general of the United States, Charles Fried, has summed up this point. This is what Solicitor Fried had to say:

I address . . . the proposition that because [Professor Smith] has been critical of the Commission to which he has been nominated and some of the laws which it administers he is somehow disqualified for confirmation to the post of Commissioner. This argument is not only dangerous, but so far-fetched, so out of line with historic practice, that it is hard to believe it is not being deployed strategically only, and that those who urge it in this case would not repeat it were they more in sympathy with the nominee or his philosophical orientation. . ..

[I]f these arguments against Mr. Smith should prevail it would have two dangerous consequences. It would limit more and more the administration of laws to zealots. And it would inhibit robust debate about the wisdom of laws, by using views expressed in such debates as weapons used deny the opportunity for public service on the basis of those views. The first danger would give us an administration of zealots; the second an administration of malleable non-entities.

In conclusion, I believe that Professor Smith's intelligence, his work ethic, his fairness, his knowledge of election law and—to quote from the statute: his ''experience, integrity, impartiality and good judgment'' will be a tremendous asset to the FEC and to the American taxpayers who have been forced to pay for unconstitutional FEC actions.

Professor Smith is a widely-respected and prolific author on federal election law, and, in my opinion, the most qualified nominee in the twenty-five year history of the Federal Election Commission. I wholeheartedly support his nomination to the bipartisan Federal Election Commission.

I yield the floor.

EXHIBIT 1

DUKE UNIVERSITY,
Durham, NC, April 1, 2000.

Senator MITCH MCCONNELL,
Chairman, U.S. Senate Committee on Rules and Administration, Washington, DC.

DEAR SENATOR MCCONNELL: I have found that one of the main principles of political sciences is that power, like nature, abhors a vacuum. The current reform measures being considered by the Congress, including the McCain-Feingold bill on campaign finance and ''soft money'' regulation, will have the opposite of their intended effects, which (apparently) is the restriction of the power of special interests. The problem is that weakening parties always increases the power of interest groups.

This opinion is widely held among social scientists, but the fact that so many people recognize the danger of legislation is not often recognized. As a way of bringing this fact to public notice, I have solicited the signatures of colleagues on the attached latter. Forty-five distinguished scholars of the political process, including six past Presidents of the Public Choice Society, have asked that I list their names as supporters. This I have done, and offer the attached open letter as a means of ensuring that the dangers of wrong-headed reforms can be prevented.

Sincerely,

MICHAEL C. MUNGER,
Professor of Political Science.

SCHOLARS' LETTER TO CONGRESS: WHY CAMPAIGN FINANCE ''REFORM'' IS ILL-ADVISED AND WILL NOT WORK

Senator MITCH MCCONNELL,
Chairman, Senate Rules Committee.

DEAR SENATOR MCCONNELL AND MEMBERS OF CONGRESS: Restrictions on campaign donations or expenditures do little to limit the total amount spent on campaign and make campaigns less competitive. Such rules entrench incumbents, force donations to take hidden forms, increase corruption through such mechanisms as ''straw donations,'' and make it more likely that wealthy candidates will win election.

Campaign finance restrictions are similar to price controls that deal with the symptoms rather than the reasons for the donations and are likewise doomed to fail. With campaign financing amounting to less than one-tenth of one percent of government expenditures, campaign spending does not seem large in either an absolute sense or relative to other product advertising. The restrictions force campaign expenditures to be spent in less effective ways and actually leave voters less well informed.

The McCain/Fiengold bill's provisions on parties making independent and coordinated expenditures on behalf of candidates, and prohibitions on issue advocacy that refers to a candidate, as well as restrictions on raising or spending ''soft money'' in connection with elections are typical of the rules that produce these problems. So called ''voluntary'' limits that restrict who can help certain candidates who violate certain rules are anything but voluntary.

The different forms contributions can take are essentially infinite and this makes regulation exceptionally difficult. For example, in the extreme case, it would be possible to buy up television and radio stations or newspapers to support particular candidates. Providing favorable new coverage for desired candidates would certainly benefit their candidacy, but it is difficult to see how these kinds of ''in-kind'' donations would be regulated.

We advise Congress, before enacting yet more new laws, to investigate whether many of the existing laws may have contributed to the problems we currently face. The new legislation is ill-advised.

Sincerely,

Professor Brandice Canes, Department of Political Science, Massachusetts Institute of Technology.

Professor William Fischel, Department of Economics, Dartmouth College.

Professor Michael Munger, Department of Political Science, Duke University.

Professor G. Patrick Lynch, Department of Government, Georgetown University.

Professor Jeffrey Milyo, Department of Economics, Tufts University.

Professor Otto Davis, W.W. Cooper University Professor of Economics and Public Policy, Carnegie Mellon University.

Professor John Matsusaka, Department of Finance and Business Economics, Marshall School of Business, University of Southern California.

Professor Price Fishback, Frank and Clara Kramer Professor of Economics, University of Arizona.

Professor Keith Poole, Professor of Political Economy, Research Director of the Donald H. Jones, Center for Entrepreneurship, Carnegie Mellon University.

Professor Vernon Smith, Regents' Professor of Economics, University of Arizona.

Professor Brian Roberts, Department of Government, The University of Texas at Austin.

Professor John Danford, Department of Political Science, Loyola University—Chicago.

Professor John R. Lott, Yale Law School.

Professor Joe Reid, Department of Economics, George Mason University.

Professor Mark Toma, Department of Economics, Unversity of Kentucky.

Professor Robert Tollison, Robert M. Hearin Professor of Economics, University of Mississippi.

Professor Daniel Sutter, Department of Economics, University of Oklahoma.

Jeffrey Jenkins, Department of Political Science, Michigan State University.

Professor Brian Gaines, Department of Political Science, University of Illinois.

Professor Jay Dow, Department of Political Science, University of Missouri.

Professor Geoffrey T. Andron, Department of Economics, Huston-Tillotson College.

Professor John Scott, Department of Economics, Northwest Louisiana University.

Professor Mathew McCubbins, Department of Political Science, University of California San Diego.

Professor Melvin Hinich, Mike Hogg Professor of State and Local Government, The University of Texas at Austin.

Professor Burton Abrams, Department of Economics, University of Delaware.

Professor Adam Gifford, Jr., Chairman, Department of Economics, California State University, Northridge.

Professor William Shugart, Barnard Distinguished Professor of Economics, University of Mississippi.

Professor Dean Lacy, Department of Political Science, The Ohio State University.

Professor Mark Crain, Center for the Study of Public Choice, George Mason University.

Professor Peter Calgano, Department of Economics, Wingate University.

Professor Chris Paul, Department of Economics, Armstrong Atlantic State University.

Professor Peter Ordershook, Division of Humanities and Social Sciences, California Institute of Technology.

Professor Gary Anderson, Department of Economics, California State University, Northridge.

Professor Mikhail Filipov, Department of Political Science, Washington University—St. Louis.

Professor Arthur Fleisher III, Department of Economics, Metropolitan State College of Denver.

Professor Steve Knack, Center for Institutional Reform, University of Maryland.

Professor Randy Simons, Director, Institute of Political Economy, Utah State University.

Professor Randall Holcombe, Department of Economics, Florida State University.

Professor Thomas Borcherding, Department of Economics, Claremont Graduate University.

Professor Dennis Halcoussis, Department of Economics, California State University, Northridge.

Professor James Endersby, Department of Political Science, University of Missouri.

Professor Brian Sala, Department of Political Science, University of Illinois.

Professor Elizabeth Gerber, Department of Political Science, University of California, San Diego.

Professor William Kaempfer, Department of Economics, University of Colorado at Boulder.

Professor Paul Zak, Department of Economics, Claremont Graduate University.

Professor Charles Rowley, Department of Economics, George Mason University.

Mr. MCCONNELL. I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, in the brief time I have remaining, I want to quickly respond to some of the remarks of the Senator from Kentucky.

First of all, the suggestion that the arguments on this side have relied on a caricature of the views of the nominee is simply false. We have been very cautious in the debate to simply rely on Professor Smith's actual words from his voluminous writings, and the Senator from Kentucky in no instance has denied that we accurately quoted Professor Smith. These are his views. There has been no distortion and no caricaturing of his views.

Second, the Senator denies the nominee's views on the campaign finance law will affect his ability to discharge his duties as an FEC Commissioner. Of course, I do not believe that people involved in the enforcment of laws have to accept the premise of every single law they are charged to enforce, but this nominee rejects essentially the entire campaign finance law of our country, from the notion dating back to 1907, that is still supposed to be good law today, that a corporation should not be able to give contributions in connection with federal elections, to the notion that labor unions should not be able to make such contributions, according to a 1947 law, to his rejection of the fundamental post-Watergate laws restricting the amounts that individuals can give candidates and parties that we are supposed to live under today. Professor Smith is essentially a campaign finance law anarchist. He does not believe we should have any campaign finance law. The notion that such a person should be on the FEC makes virtually no sense. To take the analogy of the Senator from Kentucky, he says having Professor Smith on the Commission will be like having a prosecutor who cares very much about people's constitutional rights. But the real analogy is that this nominee would be a prosecutor who believes we should repeal just about all of the U.S. Criminal Code. That, to me, is too much.

This is not about a litmus test. This is absolutely not about barring this gentleman from public service, as the Senator from Kentucky suggests. If he wants to run for the Senate and pass laws about campaign finance reform, there is an election for the Senate in Ohio this year. He can run. But if his job is to enforce the main body of campaign finance laws in this country, that job cannot be done by someone who believes those laws are entirely inconsistent with the first amendment and have no legal merit. Our election laws are too important to put them at risk in this way. For those reasons, I hope my colleagues reject this nomination.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that my time be counted against the time allocated to the opposition.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WELLSTONE. Mr. President, I will build on the comments of my colleague from Wisconsin. I heard the Senator from Kentucky talk about the fact that Brad Smith—and I said yesterday he is somebody I like and enjoy being with—has been critical of the Federal election laws. It is not just being critical. He has called the Federal Elections Campaign Act unconstitutional and undemocratic. That is more than just being critical.

I cannot remember a time when this body confirmed a nominee for any executive position whose own views were so completely at odds with the law he was meant to uphold.

Let me repeat that. That is what this debate is about. I cannot remember a time when this body confirmed a nominee for any executive position whose own views were so completely at odds with the law he was meant to uphold. He believes the Federal election law is unconstitutional and undemocratic.

I do not have the time today to summarize a complete position. I had a chance yesterday to speak about this nominee. I say to my colleagues, this vote is not just about Brad Smith; it is about whether or not the Senate is committed to reform. I do not think we give people in the country much confidence that we are committed to reform, that we are committed to passing legislation which will get some of this big money out of politics and which will lead to some authentic democracy as opposed to just democracy for the few, when we then turn around and confirm someone to the Federal Election Commission who does not even believe in any of this campaign finance reform. The Senate would be sending a terrible message to the country if we vote for this nominee.

I appreciate Brad Smith's right to express his views in writing and in person. He is articulate, he is intelligent, but we have a situation where we have a nominee who basically has said the Federal election laws are undemocratic, that they are unconstitutional, basically antithetical to all the values he holds dear about government and democracy.

Why in the world would we then want to confirm such a nominee and put him in a position of enforcing the very laws with which he is so at odds? To me it is a huge mistake. This is a vote about reform. This is a vote about Brad Smith. More importantly, it is a vote about whether or not we are serious about reform and getting some of the money out of politics and getting people back into politics.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I want to summarize the case against the confirmation of Professor Smith to the FEC.

My colleague from Kentucky yesterday stated Mr. Smith has been demonized. That is not true. I have criticized the nominee because I strongly disagree with his view that ''The most sensible reform is a simple one: repeal of the Federal Elections Campaign Act.''

I understand Professor Smith is not very old. In fact, Professor Smith could not have read the history or known about the abuses that took place in the 1972 campaign associated with the Watergate scandal which brought about the modern Federal Elections Campaign Act.

I strongly disagree with his conclusion that ''campaign reform is not about good government. It's about silencing people whose views are inconvenient to those with power. . . .''

Professor Smith goes on to say—these are his words:

> The real campaign-finance scandal has little to do with Senator Fred Thompson's investigation. The real scandal is the brazen effort of reformers to silence the American people.

I take strong exception to that view of history and the motivation of those of us and millions of decent men and women, honest men and women, who believe this situation needs to be cleaned up.

This morning's Washington Post has a story about ''MCI Center's Menu: Ribs and a Record Democratic Fundraiser:

> ''There is no donor fatigue, no Clinton fatigue, no Democratic fatigue,'' said an exhilarated Terence R. McAuliffe, who made 200 calls a day for seven weeks for his crowning achievement as Clinton's mean man in chief.
>
> McAuliffe used four telephones at a time—three for aides to dial, to put would-be donors on hold, and one for him to coo into his headset, bringing home the big-dollar bacon.
>
> The tribute has 21 vice chairs, who gave or raised $250,000; 42 Friends, who gave $100,000; and 32 hosts, who gave or raised $50,000. But what sets this dinner apart is the altitude of the top donor tier—the co-chairs, who each gave or raised $500,000.
>
> There are 26 of them, including 10 labor unions.

The article goes on:

> Another of the co-chairs is Senator Bob Kerrey (D-Neb.) who is not seeking reelection and will become president of New School University, in New York City. Kerrey said such efforts renew his commitment to campaign finance reform. ''When someone puts up half a million, you just cannot persuade people that they aren't getting something for it.''

Senator KERREY aptly described the situation that will take place at the dinner at the MCI Center: ribs and a record Democratic fundraiser, which is a record only because it exceeds the Republican fundraiser that recently was held where $24 million was raised.

If on the floor of this body 10 years ago I said there were going to be $500,000 donors, no one would give any credibility to that statement.

The Supreme Court also disagrees with Mr. Smith. We seem to be debating this issue of campaign finance reform and its validity in a vacuum because neither the Senator from Kentucky nor Mr. Smith seem to believe that, in January of the year 2000, the Court upheld Missouri campaign contribution limitations in a 6–3 opinion. The Court rejected Mr. Smith's premise that large contributions do not affect votes.

This is what Justice Souter wrote for the Court on the issue of the constitutionality of contribution limits:

In speaking of ''improper influence'' and ''opportunities for abuse'' in addition to ''quid pro quo'' arrangements, we recognized a concern not confined to bribery of public officials, but extending to the broader threat from politicians too compliant with the wishes of large contributors. These were the obvious points behind our recognition that Congress could constitutionally address the power of money ''to influence governmental actions'' in ways less ''blatant and specific'' than bribery.

In defending its own statute, Missouri espouses those same interests of preventing corruption and the appearance of it that flowed from munificent campaign contributions. Even without the authority of Buckley there would be no serious question about the legitimacy of the interests claimed, which, after all, underlie bribery and antigratuity statutes. While neither law nor morals equate all political contributions, without more, to bribes, we spoke in Buckley of the perception of corruption ''inherent in a regime of large individual financial contributions'' to candidates for political office . . . as a source of concern almost equal to ''quid pro quo'' improbity. . . . Leave the perception of impropriety unanswered and the cynical assumption that large donors call the tune could jeopardize the willingness of voters to take part in democratic governance. Democracy works ''only if the people have faith in those who govern, and that faith is bound to be shattered when high officials and their appointees engage in activities which arouse suspicions of malfeasance and corruption. . . .''

Mr. President, the event tonight, I promise you, has aroused amongst my constituents suspicions of malfeasance and corruption for any objective observer of the political process.

Justice Stevens, in his concurring opinion said:

Justice Kennedy suggests that the misuse of soft money tolerated by this Court's misguided decision in Colorado Republican Federal Campaign Committee v. Federal Election Commission, demonstrates the need for a fresh examination of the constitutional issues raised by Congress' enactment of the Federal Election Campaign Acts of 1971 and 1974 and this Court's resolution of those issues in Buckley v. Valeo. In response to his call for a new beginning therefore, I make one simple point. Money is property; it is not speech.

Speech has the power to inspire volunteers to perform a multitude of tasks on a campaign trail, on a battleground, or even on a football field. Money, meanwhile, has the power to pay hired laborers to perform the same tasks. It does not follow, however, that the First Amendment provides the same measure of protection to the use of money to accomplish such goals as it provides to the use of ideas to achieve the same results.

Mr. President, we must consider this nomination, and the message it sends to the people of this country, in light of the reality of this year's campaign fundraising excesses.

Let me reiterate four points that summarize my opposition to Mr. Smith's nomination to become an FEC Commissioner.

He has long advocated the repeal of campaign finance regulation. How can he now take an oath to uphold and enforce the very laws he has so long sought to eliminate altogether?

He has continually argued the unconstitutionality of restraints on campaign finance regulation. His position has been that the Supreme Court erred in its Buckley v. Valeo opinion which upheld restraints on campaign contributions. Even as recently as his confirmation hearing in March, after the Supreme Court had again upheld campaign contributions limitations in the Missouri Shrink case, he neither acknowledged that most recent pronouncement of the Supreme Court, nor changed his viewpoint as to the constitutionality of contribution regulation. How can he now agree to uphold and enforce laws and regulations which he believes are unconstitutional?

Mr. President, I do not believe that we would confirm as EPA Administrator someone who advocated the repeal of environmental laws. I do not believe we would appoint an Attorney General who believes that the criminal laws are unconstitutional or a conscientious objector to be Secretary of Defense. Why should we confirm Mr. Smith as a Commissioner for the FEC?

Although he acknowledges the campaign finance abuses of the 1996 election, he sees nothing wrong with giving free rein to such activity by eliminating all campaign finance regulation.

If we would not conform as EPA Administrator someone who advocated the repeal of the environmental laws, nor confirm an Attorney General who believes that the criminal laws are unconstitutional, or a conscientious objector as the Secretary of Defense, why would we confirm Brad Smith as a Commissioner for the FEC?

Also in yesterday's debate, Senator MCCONNELL raised questions about the appropriateness of Danny McDonald, the choice of the Democrats as a nominee, to serve on the FEC. I appreciate the concerns that my colleague from Kentucky has raised. I totally concur that we should apply the standards equally for nominees to these most important positions. Based upon the issues Senator MCCONNELL has raised, I will rethink my position on Mr. McDonald, and vote against his confirmation as well.

Mr. President, I cannot speak more directly or frankly against this nominee. I urge my colleagues who have fought for campaign finance reform—my colleagues who believe in the need for integrity in our election system—to vote no on Brad Smith. As the New York Times said earlier this year:

A vote to confirm Mr. Smith is a vote to perpetuate big-money politics. . . . Mr. Smith does not belong on the FEC, and anyone in the Senate who cares about fashioning a fair and honest system for financing campaigns should vote against his appointment.

As chairman of the Commerce Committee, I have been involved with moving more nominees that almost any other Member of this body. I have allowed nominees to move forward, even when I disagreed with the nominee. But, Mr. President, this case is different.

I do not expect to agree with all the views of those nominated. But Mr. Smith's views are not just different from mine—again, a fact I would respect—they are radically different from 100 years of court and congressional precedence that some restrictions on campaign contributions are necessary to ensure the integrity of this body and the electoral process as a whole.

This is not just my opinion of the law. Let me read from Justice Breyer's concurring opinion, in which Justice Ginsberg joined, in the most recent pronouncement of the Supreme Court on campaign finance regulation—the Shrink Missouri PAC case:

If the dissent believes that the Court diminishes the importance of the first Amendment interests before us, it is wrong. The court's opinion does not question the constitutional importance of political speech or that its protection lies at the heart of the First Amendment. Nor does it question the need for particularly careful, precise, and independent judicial review where, as here, that protection is at issue. But this is a case where constitutionally protected interests lie on both sides of the legal equation. . . .

On the one hand, a decision to contribute money to a campaign is a matter of First Amendment—not because the money is speech (it is not); but because it enables speech. Through contributions the contributor associates himself with the candidates's cause, helps the candidate communicate a political message with which the contributor agrees, and helps the candidate win by attracting votes of similarly minded voters. . . . both political association and political communication are at stake. . . .

On the other hand, restrictions upon the amount any one individual can contribute to a particular candidate seek to protect the integrity of the electoral process—the means through which a free society democratically translates political speech into concrete governmental action. . . . Moreover, by limiting the size of the largest contributions, such restrictions aim to democratize the influence that money itself may bring to bear upon the electoral process . . . In doing so, they seek to build public confidence in that process and broaden the base of a candidate's meaningful financial support, encouraging the public participation and open discussion that the First Amendment itself presupposes.

Unfortunately, the views of this nominee make him unfit to serve on the FEC. This is not, as I have stated, meant to be personal. I have nothing against Mr. Smith personally. I am sure he is a fine individual. But this body is constitutionally mandated to advise and consent on nominations. I take that role extremely seriously. And as such, I cannot support this nominee, and I urge my colleagues to do the same.

Mr. President, I yield back the remainder of my time.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CRAPO). Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that all remaining time be yielded back on both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I ask for the yeas and nays on the Smith nomination.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Bradley A. Smith, of Ohio, to be a Member of the Federal Election Commission? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Delaware (Mr. BIDEN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 64, nays 35, as follows:

[Rollcall Vote No. 107 Ex.]

YEAS—64

Abraham	Fitzgerald	Moynihan
Allard	Frist	Murkowski
Ashcroft	Gorton	Nickles
Baucus	Graham	Reid
Bennett	Gramm	Roberts
Bond	Grams	Roth
Breaux	Grassley	Santorum
Brownback	Gregg	Sessions
Bryan	Hagel	Shelby
Bunning	Hatch	Smith (NH)
Burns	Helms	Smith (OR)
Campbell	Hutchinson	Snowe
Chafee, L.	Hutchison	Specter
Cochran	Inhofe	Stevens
Collins	Inouye	Thomas
Coverdell	Jeffords	Thompson
Craig	Kyl	Thurmond
Crapo	Leahy	Torricelli
DeWine	Lott	Voinovich
Dodd	Lugar	Warner
Domenici	Mack	
Enzi	McConnell	

NAYS—35

Akaka	Feinstein	Lincoln
Bayh	Harkin	McCain
Bingaman	Hollings	Mikulski
Boxer	Johnson	Murray
Byrd	Kennedy	Reed
Cleland	Kerrey	Robb
Conrad	Kerry	Rockefeller
Daschle	Kohl	Sarbanes
Dorgan	Landrieu	Schumer
Durbin	Lautenberg	Wellstone
Edwards	Levin	Wyden
Feingold	Lieberman	

NOT VOTING—1

Biden

The nomination was confirmed.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the next votes in this series be limited to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

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NOMINATION OF DANNY LEE MCDONALD, OF OKLAHOMA, TO BE A MEMBER OF THE FEDERAL ELECTION COMMISSION

The legislative clerk read the nomination of Danny Lee McDonald, of Oklahoma, to be a member of the Federal Election Commission.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Danny Lee McDonald, of Oklahoma, to be a member of the Federal Election Commission?

Mr. MCCONNELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Delaware (Mr. BIDEN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 98, nays 1, as follows:

[Rollcall Vote No. 108 Ex.]

YEAS—98

Abraham	Feingold	Lugar
Akaka	Feinstein	Mack
Allard	Fitzgerald	McConnell
Ashcroft	Frist	Mikulski
Baucus	Gorton	Moynihan
Bayh	Graham	Murkowski
Bennett	Gramm	Murray
Bingaman	Grams	Nickles
Bond	Grassley	Reed
Boxer	Gregg	Reid
Breaux	Hagel	Robb
Brownback	Harkin	Roberts
Bryan	Hatch	Rockefeller
Bunning	Helms	Roth
Burns	Hollings	Santorum
Byrd	Hutchinson	Sarbanes
Campbell	Hutchison	Schumer
Chafee, L.	Inhofe	Sessions
Cleland	Inouye	Shelby
Cochran	Jeffords	Smith (NH)
Collins	Johnson	Smith (OR)
Conrad	Kennedy	Snowe
Coverdell	Kerrey	Specter
Craig	Kerry	Stevens
Crapo	Kohl	Thomas
Daschle	Kyl	Thompson
DeWine	Landrieu	Thurmond
Dodd	Lautenberg	Torricelli
Domenici	Leahy	Voinovich
Dorgan	Levin	Warner
Durbin	Lieberman	Wellstone
Edwards	Lincoln	Wyden
Enzi	Lott	

NAYS—1

McCain

NOT VOTING—1

Biden

The nomination was confirmed.

NOMINATION OF TIMOTHY B. DYK, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT

The PRESIDING OFFICER. The clerk will report the next nomination.

The assistant legislative clerk read the nomination of Timothy B. Dyk, of the District of Columbia, to be United States Circuit Judge for the Federal Circuit.

Mr. LEAHY. Mr. President, yesterday some Republicans opposed Tim Dyk's confirmation to the Federal Circuit based on the workload of that court. Last evening I inserted in the RECORD a letter from the Chamber of Commerce that argued for his nomination in terms of the court's important workload and cases.

I am troubled that at a time when we are working through the night to try to preserve a digital signature bill to help encourage electronic commerce and protect consumers, when we are trying to work through Republican holds on the H1–B visa bill and increase the availability of high tech workers and improve training of American workers, when we are trying to improve on-line privacy and Internet security, I see such insensitivity to the needs of the Federal Circuit and its role in our economy and in our judicial system.

We designed the Federal Circuit to be our patent court. It has extraordinarily complex cases that are of increasing importance as our economy becomes more and more based on technological developments. Prompt and proper adjudication of cases before that court are in many ways critical to the continued growth of our economy and our economic future.

I see vacancies on that court as high priorities. I know that the other Democratic Senators share my view. I have been greatly troubled by the perpetuation of this vacancy on the Federal Circuit for more than two years while the Dyk nomination has been held back from Senate action. That is wrong. It is unfair to Tim Dyk and his family. It is short-sighted with respect to the important matters on the docket of the Federal Circuit.

That was the point of the Chamber of Commerce letter last August. Filling the vacancy on the Federal Circuit should be a priority of the Senate. The Federal Circuit should have all the resources it needs to do its job and resolve intellectual property disputes intelligently, fairly, and expeditiously.

Nonetheless, in spite of all these considerations and what I had hoped was a bipartisan commitment to the growth of our high tech economy, some are arguing that because its caseload numbers are not inflated by prisoner petition, criminal cases or scores of simple civil cases our nation's patent court ought not to have its needs fulfilled. I disagree.

Moreover, I have to wonder whether we would even be hearing that argument if a Republican President were

making this nomination. I thank the Chamber of Commerce for showing that business supports the confirmation of Tim Dyk to fill this vacancy on the Federal Circuit and for not playing politics with this nomination. The nature of the Federal Circuit's caseload merits a full complement of judges as authorized by Congress so that its intellectual property docket can get the attention that it deserves and that our economy requires.

Mr. KENNEDY. Mr. President, at long last, the Senate is considering the nomination of Timothy Dyk for the U.S. Court of Appeals for the Federal Circuit. Mr. Dyk is an exceptional nominee who has waited far too long for action by the Senate. He is a nationally known and respected attorney who has been approved by the American Bar Association and was well received by the Senate Judiciary Committee. He deserves confirmation by the Senate by an overwhelming bipartisan majority today.

Mr. Dyk is an honors graduate of Harvard College and Harvard Law School, where he was a member of the Law Review. After graduation, he served as a Supreme Court law clerk for Chief Justice Earl Warren, as well as for Justices Stanley REED and Harold Burton. He served in the Justice Department for a year in the early 1960's and has spent the last 37 years as a distinguished and highly respected attorney in private practice in Washington, D.C.. He has argued cases before the Supreme Court and in numerous federal courts of appeals, including five cases before the Federal Circuit. He clearly has the qualifications and ability to serve on that Circuit with great distinction.

Mr. Dyk's nomination is supported by a variety of corporations and organizations, including the U.S. Chamber of Commerce, the National Association of Manufacturers, the National Association of Broadcasters, the Labor Policy Association, the American Trucking Association, Kodak, and IBM. He is also supported by the American Center for Law and Justice and has been described by that group as ''an exceptional advocate,'' who ''would be a fine jurist on the Federal Circuit.''

For a number of years, Mr. Dyk served as lead counsel for the Lubrizol Corporation in a number of patent litigations. Lubrizol's Chairman and CEO has written,

> Mr. Dyk was exceptionally effective in briefing and arguing the several appeals in the Federal Circuit that occurred in those cases and demonstrated the ability to provide exceptional service on the federal bench. He also performed an instrumental role in ultimate disposition of those cases through mediation, which he urged on the parties and skillfully guided through extensive and difficult negotiations.

Mr. Dyk is also an active member of numerous bar organizations, and he has served as Chair of the D.C. Circuit Membership Evaluation Committee of the American Academy of Appellate Lawyers. In addition, he is an active participant in the community. In every respect, he is well-qualified for appointment to the Federal Circuit. He should have been confirmed long ago, and I urge my colleagues to approve his nomination today.

Mr. CAMPBELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Timothy B. Dyk, of the District of Columbia, to be United States Circuit Judge for the Federal Circuit?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Delaware (Mr. BIDEN) is necessarily absent.

The PRESIDING OFFICER (Mr. SESSIONS). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 74, nays 25, as follows:

[Rollcall Vote No. 109 Ex.]

YEAS—74

Abraham	Feinstein	Mack
Akaka	Fitzgerald	McCain
Baucus	Frist	Mikulski
Bayh	Gorton	Moynihan
Bennett	Graham	Murray
Bingaman	Grams	Nickles
Bond	Hagel	Reed
Boxer	Harkin	Reid
Breaux	Hatch	Robb
Bryan	Hollings	Rockefeller
Burns	Hutchison	Roth
Byrd	Inouye	Santorum
Campbell	Jeffords	Sarbanes
Chafee, L.	Johnson	Schumer
Cleland	Kennedy	Smith (OR)
Collins	Kerrey	Snowe
Conrad	Kerry	Specter
Daschle	Kohl	Stevens
DeWine	Landrieu	Thompson
Dodd	Lautenberg	Torricelli
Domenici	Leahy	Voinovich
Dorgan	Levin	Warner
Durbin	Lieberman	Wellstone
Edwards	Lincoln	Wyden
Feingold	Lugar	

NAYS—25

Allard	Gramm	Murkowski
Ashcroft	Grassley	Roberts
Brownback	Gregg	Sessions
Bunning	Helms	Shelby
Cochran	Hutchinson	Smith (NH)
Coverdell	Inhofe	Thomas
Craig	Kyl	Thurmond
Crapo	Lott	
Enzi	McConnell	

NOT VOTING—1

Biden

The nomination was confirmed.

—

VISIT TO THE SENATE BY MUGUR ISARESCU, PRIME MINISTER OF ROMANIA

Ms. LANDRIEU. Mr. President, visiting us is the Prime Minister of Romania, Mugur Isarescu.

—

RECESS

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Senate stand in recess to greet the Prime Minister appropriately.

There being no objection, the Senate, at 4:09 p.m., recessed until 4:13 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. SESSIONS).

—

NOMINATION OF GERARD E. LYNCH, OF NEW YORK, TO BE A UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK

The PRESIDING OFFICER. The clerk will report the next nomination.

The legislative clerk read the nomination of Gerard E. Lynch, of New York, to be a United States District Judge for the Southern District of New York.

Mr. BURNS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The question is, Will the Senate advise and consent to the nomination of Gerard E. Lynch, of New York, to be a United States District Judge for the Southern District of New York? The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Delaware (Mr. BIDEN) is necessarily absent.

The result was announced—yeas 63, nays 36, as follows:

[Rollcall Vote No. 110 Ex.]

YEAS—63

Akaka	Fitzgerald	Moynihan
Baucus	Gorton	Murray
Bayh	Graham	Reed
Bennett	Harkin	Reid
Bingaman	Hatch	Robb
Boxer	Hollings	Rockefeller
Breaux	Inouye	Roth
Bryan	Jeffords	Sarbanes
Byrd	Johnson	Schumer
Chafee, L.	Kennedy	Shelby
Cleland	Kerrey	Smith (OR)
Collins	Kerry	Snowe
Conrad	Kohl	Specter
Daschle	Landrieu	Stevens
Dodd	Lautenberg	Thompson
Domenici	Leahy	Thurmond
Dorgan	Levin	Torricelli
Durbin	Lieberman	Voinovich
Edwards	Lincoln	Warner
Feingold	Lugar	Wellstone
Feinstein	Mikulski	Wyden

NAYS—36

Abraham	DeWine	Kyl
Allard	Enzi	Lott
Ashcroft	Frist	Mack
Bond	Gramm	McCain
Brownback	Grams	McConnell
Bunning	Grassley	Murkowski
Burns	Gregg	Nickles
Campbell	Hagel	Roberts
Cochran	Helms	Santorum
Coverdell	Hutchinson	Sessions
Craig	Hutchison	Smith (NH)
Crapo	Inhofe	Thomas

NOT VOTING—1

Biden

The nomination was confirmed.

—

NOMINATION OF JAMES J. BRADY, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF LOUISIANA

The legislative clerk read the nomination of James J. Brady, of Louisiana,

to be United States District Judge for the Middle District of Louisiana.

The PRESIDING OFFICER (Mr. BUNNING). The question is, Will the Senate advise and consent to the nomination of James J. Brady, of Louisiana, to be United States District Judge for the Middle District of Louisiana?

Mr. ASHCROFT. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Delaware (Mr. BIDEN) is necessarily absent.

The result was announced—yeas 83, nays 16, as follows:

[Rollcall Vote No. 111 Ex.]

YEAS—83

Abraham	Durbin	Lugar
Akaka	Edwards	McConnell
Ashcroft	Feingold	Mikulski
Baucus	Feinstein	Moynihan
Bayh	Fitzgerald	Murkowski
Bennett	Frist	Murray
Bingaman	Graham	Reed
Bond	Grassley	Reid
Boxer	Gregg	Robb
Breaux	Hagel	Rockefeller
Brownback	Harkin	Roth
Bryan	Hatch	Santorum
Burns	Hollings	Sarbanes
Byrd	Hutchinson	Schumer
Campbell	Inouye	Sessions
Chafee, L.	Jeffords	Shelby
Cleland	Johnson	Smith (OR)
Cochran	Kennedy	Snowe
Collins	Kerrey	Specter
Conrad	Kerry	Stevens
Coverdell	Kohl	Thomas
Craig	Landrieu	Thurmond
Crapo	Lautenberg	Torricelli
Daschle	Leahy	Voinovich
DeWine	Levin	Warner
Dodd	Lieberman	Wellstone
Domenici	Lincoln	Wyden
Dorgan	Lott	

NAYS—16

Allard	Helms	Nickles
Bunning	Hutchison	Roberts
Enzi	Inhofe	Smith (NH)
Gorton	Kyl	Thompson
Gramm	Mack	
Grams	McCain	

NOT VOTING—1

Biden

The nomination was confirmed.

—

NOMINATION OF MARY A. MCLAUGHLIN, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA

The PRESIDING OFFICER. The clerk will report the next nomination.

The legislative clerk read the nomination of Mary A. McLaughlin, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Mr. KOHL. Mr. President, I rise in strong support of the nomination of Mary McLaughlin to the U.S. District Court for the Eastern District of Pennsylvania. Those of us on the Judiciary Committee know Ms. McLaughlin from her outstanding work as Special Counsel for our Terrorism Subcommittee during the Ruby Ridge investigation in 1995. During those hearings, Ms. McLaughlin demonstrated precisely the qualities we want in a federal judge—she is intelligent, fair-minded, tough, possesses a judicial temperament, and is deeply committed to the cause of justice. Once we put her on the bench, she is going to be a terrific federal judge.

Our Ruby Ridge subcommittee ran the ideological gamut. Yet Ms. McLaughlin gained the respect and admiration of all of our colleagues from both parties who worked with her—Senators SPECTER, THOMPSON, ABRAHAM, THURMOND, LEAHY, FEINSTEIN, GRASSLEY, and CRAIG—for the skill and professionalism she brought to her work. Let me make special mention of how tough and persistent Ms. McLaughlin was when the Justice Department was ''less than enthusiastic'' about supplying us with documents. Largely as a result of her efforts, we obtained the information that we needed, and our investigation went on to become a true model of bipartisan cooperation.

Beyond her service to the U.S. Senate, Ms. McLaughlin has stellar credentials for a judgeship. She is a senior partner in the leading Philadelphia law firm of Dechert, Price and Rhoads, where her practice has concentrated in a myriad of complex litigation matters. She was a recipient of a 1998 ''Women of Distinction'' Award from the Philadelphia Business Journal, the National Association of Women Business Owners, and The Forum of Executive Women. Her career has also included teaching at the law schools of Vanderbilt University, the University of Pennsylvania and Rutgers University. In addition, Ms. McLaughlin served for four years as an Assistant U.S. Attorney for the District of Columbia where, Mr. President, she put criminals behind bars. Not surprisingly, given this stellar record, she was unanimously rated ''well qualified'' by the American Bar Association.

Unfortunately, a few outside groups have raised questions about her candidacy based on a small portion of Ms. McLaughlin's pro bono work. While it is true that she is a person of strong convictions, none is stronger than her dedication to the Rule of Law. In other words, I am confident that she will in all cases apply the law, not make it.

I wouldn't say that about everybody who has been nominated for a federal judgeship in recent years.

Mr. President, Ms. McLaughlin deserves the type of strong, bipartisan support from the entire Senate that she has already obtained from those of us who worked with her on Ruby Ridge. ''There's something about Mary's'' record of distinguished public service, her professional experience, her legal talents, and her personal integrity that will make her an outstanding Judge on the Eastern District bench. I urge my colleagues to swiftly confirm her.

Mr. STEVENS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Mary A. McLaughlin, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 86, nays 14, as follows:

[Rollcall Vote No. 112 Ex.]

YEAS—86

Abraham	Feingold	Mack
Akaka	Feinstein	McCain
Ashcroft	Frist	McConnell
Baucus	Gorton	Mikulski
Bayh	Graham	Moynihan
Bennett	Grassley	Murkowski
Biden	Gregg	Murray
Bingaman	Hagel	Reed
Bond	Harkin	Reid
Boxer	Hatch	Robb
Breaux	Hollings	Rockefeller
Bryan	Hutchinson	Roth
Burns	Hutchison	Santorum
Byrd	Inouye	Sarbanes
Campbell	Jeffords	Schumer
Chafee, L.	Johnson	Sessions
Cleland	Kennedy	Shelby
Cochran	Kerrey	Smith (OR)
Collins	Kerry	Snowe
Conrad	Kohl	Specter
Coverdell	Kyl	Stevens
Craig	Landrieu	Thomas
Crapo	Lautenberg	Thompson
Daschle	Leahy	Thurmond
Dodd	Levin	Torricelli
Domenici	Lieberman	Warner
Dorgan	Lincoln	Wellstone
Durbin	Lott	Wyden
Edwards	Lugar	

NAYS—14

Allard	Fitzgerald	Nickles
Brownback	Gramm	Roberts
Bunning	Grams	Smith (NH)
DeWine	Helms	Voinovich
Enzi	Inhofe	

The nomination was confirmed.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the nominations enumerated in the order are confirmed en bloc, the motions to reconsider are laid upon the table, the President will be notified of the Senate's actions, and the Senate will return to legislative session.

The nominations considered and confirmed are as follows:

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Christopher C. Gallagher, of New Hampshire, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2003.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Amy C. Achor, of Texas, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2003.

THE JUDICIARY

James D. Whittemore, of Florida, to be United States District Judge for the Middle District of Florida.

DEPARTMENT OF THE TREASURY

Jay Johnson, of Wisconsin, to be Director of the Mint for a term of five years.

EXECUTIVE OFFICE OF THE PRESIDENT

Kathryn Shaw, of Pennsylvania, to be a Member of the Council of Economic Advisers.

DEPARTMENT OF STATE

Alan Phillip Larson, of Iowa, to be United States Alternate Governor of the International Bank for Reconstruction and Development for a term of five years; United States Alternate Governor of the Inter-American Development Bank for a term of five years; United States Alternate Governor of the African Development Bank for a term of five years; United States Alternate Governor of the African Development Fund; United States Alternate Governor of the Asian Development Bank; and United States Alternate Governor of the European Bank for Reconstruction and Development.

ASIAN DEVELOPMENT BANK

N. Cinnamon Dornsife, of the District of Columbia, to be United States Director of the Asian Development Bank, with the rank of Ambassador.

DEPARTMENT OF STATE

Earl Anthony Wayne, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be an Assistant Secretary of State (Economic and Business Affairs).

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

Bobby L. Roberts, of Arkansas, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2003.

NATIONAL SCIENCE FOUNDATION

Michael G. Rossmann, of Indiana, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2006.

Daniel Simberloff, of Tennessee, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2006.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Leslie Lenkowsky, of Indiana, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring February 8, 2004.

Juanita Sims Doty, of Mississippi, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring June 10, 2004.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

Joan R. Challinor, of the District of Columbia, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2004.

RAILROAD RETIREMENT BOARD

Jerome F. Kever, of Illinois, to be a Member of the Railroad Retirement Board for a term expiring August 28, 2003.

Virgil M. Speakman, Jr., of Ohio, to be a Member of the Railroad Retirement Board for a term expiring August 28, 2004.

NATIONAL SECURITY EDUCATION BOARD

Herschelle S. Challenor, of Georgia, to be a Member of the National Security Education Board for a term of four years.

DEPARTMENT OF DEFENSE

Douglas A. Dworkin, of Maryland, to be General Counsel of the Department of Defense.

DEPARTMENT OF THE INTERIOR

Thomas A. Fry, III, of Texas, to be Director of the Bureau of Land Management.

DEPARTMENT OF THE INTERIOR

Thomas N. Slonaker, of Arizona, to be Special Trustee, Office of Special Trustee for American Indians, Department of the Interior.

DEPARTMENT OF LABOR

Edward B. Montgomery, of Maryland, to be Deputy Secretary of Labor.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

Mel Carnahan, of Missouri, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2005.

Scott O. Wright, of Missouri, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for the remainder of the term expiring December 10, 2003.

CORPORATION FOR NATIONAL COMMUNITY SERVICE

Marc Racicot, of Montana, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2004.

Alan D. Solomont, of Massachusetts, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2004.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Nathan O. Hatch, of Indiana, to be a Member of the National Council on the Humanities for a term expiring January 26, 2006.

THE JUDICIARY

Richard C. Tallman, of Washington, to be United States Circuit Judge for the Ninth Circuit.

Marianne O. Battani, of Michigan, to be United States District judge for the Eastern District of Michigan.

David M. Lawson, of Michigan, to be United States District judge for the Eastern District of Michigan.

John Antoon II, of Florida, to be United States District judge for the Middle District of Florida.

DEPARTMENT OF JUSTICE

Mark Reid Tucker, of North Carolina, to be United States Marshal for the Eastern District of North Carolina for the term of four years.

METROPOLITAN WASHINGTON AIRPORTS AUTHORITY

John Paul Hammerschmidt, of Arkansas, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority for a term of four years.

Norman Y. Mineta, of California, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority for a term of six years.

Robert Clarke Brown, of Ohio, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority for a term expiring November 22, 2005.

NATIONAL TRANSPORTATION SAFETY BOARD

John Goglia, of Massachusetts, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2003.

Carol Jones Carmody, of Louisiana, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2004.

NUCLEAR REGULATORY COMMISSION

Edward McGaffigan, Jr., of Virginia, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2005.

OVERSEAS PRIVATE INVESTMENT CORPORATION

Gary A. Barron, of Florida, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2002.

DEPARTMENT OF STATE

Thomas G. Weston, of Michigan, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, for the rank of Ambassador during his tenure of service as Special Coordinator for Cyprus.

Carey Cavanaugh, of Florida, a Career Member of the Senior Foreign Service, Class of Counselor, for the rank of Ambassador during his tenure of service as Special Negotiator for Nagorno-Karabakh and New Independent States Regional Conflicts.

Christopher Robert Hill, of Rhode Island, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Poland.

Donald Arthur Mahley, of Virginia, a Career Member of the Senior Executive Service, for the rank of Ambassador during his tenure of service as Special Negotiator for Chemical and Biological Arms Control Issues.

Gregory G. Govan, of Virginia, for the rank of Ambassador during his tenure of service as Chief U.S. Delegate to the Joint Consultative Group.

DEPARTMENT OF DEFENSE

Bruce Sundlun, of Rhode Island, to be a Member of the National Security Education Board for a term of four years.

Manuel Trinidad Pacheco, of Arizona, to be a Member of the National Security Education Board for a term of four years.

THE JUDICIARY

Phyllis J. Hamilton, of California, to be United States District Judge for the Northern District of California.

Nicholas G. Garaufis, of New York, to be United States District Judge for the Eastern District of New York.

Roger L. Hunt, of Nevada, to be United States District Judge for the District of Nevada.

Kent J. Dawson, of Nevada, to be United States District Judge for the District of Nevada.

DEPARTMENT OF JUSTICE

Audrey G. Fleissig, of Missouri, to be United States Attorney for the Eastern District of Missouri for the term of four years.

Steven S. Reed, of Kentucky, to be United States Attorney for the Western District of Kentucky for the term of four years.

Donald W. Horton, of Maryland, to be United States Marshal for the District of Columbia for the term of four years.

E. Douglas Hamilton, of Kentucky, to be United States Marshal for the Western District of Kentucky for the term of four years.

Jose Antonio Periz, of California, to be United States Marshal for the Central District of California for the term of four years.

Donnie R. Marshall, of Texas, to be Administrator of Drug Enforcement.

DEPARTMENT OF THE TREASURY

Michelle Andrews Smith, of Texas, to be an Assistant Secretary of the Treasury.

THE JUDICIARY

Berle M. Schiller, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Richard Barclay Surrick, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Petrese B. Tucker, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

[Nominations placed on the Secretary's Desk]

FOREIGN SERVICE

Foreign Service nominations beginning John Patrice Groarke, and ending James Curtis Struble, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 1999.

Foreign Service nominations beginning Mattie R. Sharpless, and ending Howard R. Wetzel, which nominations were received by the Senate and appeared in the Congressional Record of February 24, 2000.

Foreign Service nominations beginning Nancy M. McKay, and ending Nancy Morgan Serpa, which nominations were received by the Senate and appeared in the Congressional Record of February 24, 2000.

PUBLIC HEALTH SERVICE

Pubic Health Service nominations beginning Edwin L. Jones, III, and ending Colleen E. White, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 1999.

Pubic Health Service nominations beginning Susan J. Blumenthal, and ending William Tool, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 1999.

NOMINATION OF NATHAN HATCH

Mr. BAYH. Mr. President, I rise today to congratulate Dr. Nathan Hatch for receiving the Senate's approval of his nomination to serve as a member of the National Council on the Humanities. Dr. Hatch has dedicated his life to academia. He currently serves as Provost of the University of Notre Dame and is also a Professor of History. As Provost, Dr. Hatch has focused on three areas: the establishment of academic centers of excellence, including the expansion of the Keough Institute for Irish Studies and the enhancement of the Medieval Institute; revitalization of undergraduate education through the creation of the Kaneb Center for Teaching and Learning; and the pursuit of outstanding faculty.

Dr. Hatch is considered to be one of the most influential scholars in the study of the history of religion in America. His book, The Democratization of American Christianity, won both the Albert Outler Prize in Ecumenical Church History and the John Hope Franklin Prize for the best book in American Studies; it was also chosen by his peers as one of the two most important books in the study of American religion.

Dr. Hatch is a remarkable asset for the University of Notre Dame and the State of Indiana. His experiences at Notre Dame will make him a valuable addition to the National Council on the Humanities. I applaud the Senate today for confirming this outstanding Hoosier.

NOMINATIONS OF MARIANNE BATTANI AND DAVID LAWSON

Mr. LEVIN. Mr. President, I am pleased that the Senate has confirmed the two nominees for the Federal District Court in the Eastern District of Michigan, Judge Marianne Battani and David Lawson.

Mr. President, Michigan could not be better served. These nominees are well-known in Michigan for their long and distinguished careers, high standards of moral and ethical conduct, and knowledge and commitment to the law. I have every confidence that they will both be outstanding federal judges.

While I am glad that the Senate has finally confirmed these two district court judges, I am deeply concerned about the vacancies in the Sixth Circuit U.S. Court of Appeals. The length of time that nominees for these positions have remained pending is unfair, both to the nominees, and to the State of Michigan.

There are now three Michigan vacancies on the Sixth Circuit. One of the nominees for these vacancies is Helene White, who was nominated more than three years ago, and is still awaiting a hearing. Kathleen McCree Lewis has been pending at the Committee awaiting a hearing for more than eight months. And the third candidate for a Michigan seat has not yet been nominated but hopefully will be at any time.

These Michigan candidates are intelligent and hardworking advocates of the law, who at a minimum, deserve to have and up or down vote on their nominations. Yet, Circuit Court of Appeals nominees continue to face unconscionable delays in this Senate.

The Senate slowdown has a serious impact on the administration of justice. In a March 20, 2000 letter to Senator HATCH, Judge Gilbert Merritt, Chief Judge of the U.S. Court of Appeals for the Sixth Circuit, notes that these vacancies have hampered the Court's ability to complete the public's business. The Court, in his words, is deteriorating rapidly due to the high number of judicial vacancies.

Judge Merritt writes:

The Sixth Circuit Court of Appeals now has four vacancies. Twenty-five per cent of the seats on the Sixth Circuit are vacant. The Court is hurting badly and will not be able to keep up with its work load due to the fact that the Senate Judiciary Committee has acted on none of the nominations to our Court. One of the vacancies is five years old and no vote has ever been taken. One is two years old. We have lost many years of judge time because of the vacancies.

By the time the next President is inaugurated, there will be six vacancies on the Court of Appeals. Almost half of the Court will be vacant and will remain so for most of 2001 due to the exigencies of the nomination process. Although the President has nominated candidates, the Senate has refused to take a vote on any of them.

Our Court should not be treated in this fashion. The public's business should not be treated this way. The litigants in the federal courts should not be treated this way. The remaining judges on a court should not be treated this way. The situation in our Court is rapidly deteriorating due to the fact that 25% of the judgeships are vacant. Each active judge of our Court is now participating in deciding more than 550 cases a year—a case load that is excessive by any standard. In addition, we have almost 200 death penalty cases that will be facing us before the end of next year. I presently have six pending before me right now and many more in the pipeline. Although the death cases are very time consuming (the records often run to 5000 pages), we are under very short deadlines imposed by Congress for acting on these cases. Under present circumstances, we will be unable to meet these deadlines. Unlike the Supreme Court, we have no discretionary jurisdiction and must hear every case.

The Founding Fathers certainly intended that the Senate ''advise'' as to judicial nominations, i.e., consider, debate and vote up or down. They surely did not intend that the Senate, for partisan or factional reasons, would remain silent and simply refuse to give any advice or consider and vote at all, thereby leaving the courts in limbo, understaffed and unable properly to carry out their responsibilities for each year.

I again urge the Senate Judiciary Committee to promptly hold a confirmation hearing for the Sixth Circuit Court of Appeals nominees from Michigan. They are highly qualified individuals who deserve to be voted on by this Senate.

NOMINATION OF RICHARD TALLMAN

Mr. GORTON. Mr. President, it is my pleasure to support the confirmation today of Richard Tallman to the Ninth Circuit Court of Appeals. In an unusual, if not unprecedented arrangement, particularly at this time and for the controversial Ninth Circuit, the White House, Senator MURRAY, and I have worked together quietly to select and confirm absolutely first rate judges from Washington State. Dick Tallman is no exception.

I had not met Mr. Tallman before he was chosen as a finalist for a district court vacancy by a Judicial Merit Selection Committee jointly appointed by Senator MURRAY and me. He impressed me tremendously at the time and I was privileged to be able later to recommend him to fill a vacancy on the Ninth Circuit Court of Appeals.

Mr. Tallman enjoys broad bi-partisan support within Washington's legal community, including that of the Democratic State Attorney General, two former United States Attorneys for Western Washington, the Federal Public Defender from Western Washington, the President of the Ninth Circuit District Judges Association, and the Federal Bar Association for the Western District of Washington.

Prior to starting his own small firm where he continues to specialize in white collar criminal defense, Mr. Tallman practiced law for many years at one of the largest private firms in Seattle, Bogle & Gates. Before that he served as an Assistant United States Attorney for the Western District of Washington. He has also been sought out by all levels of state government, serving as a Special Assistant City Attorney for Seattle, a Special Deputy Prosecuting Attorney for King County, as well as a Special Assistant Attorney General for Washington State. Over the years, Mr. Tallman has taught and lectured extensively to groups of lawyers and non-lawyers on a range of legal topics, instructing groups including the National Park Service, the Washington Medical Association, and the Seattle Police Academy.

Mr. Tallman's involvement in bar and civic activities is no less impressive than his professional record. In addition to extensive pro bono work, he has served as president of the local federal bar association and as chair of the lawyer delegates to the Ninth Circuit

Judicial Conference. He has been active in committees for local, state, and federal bar associations, in the selection of judges, bench-bar relations, and in helping women and minorities interested in legal careers.

As the accomplishments I have just reviewed attest, Mr. Tallman is an impressive man. What these accomplishments to not convey, however, is the warmth, good humor, and the clear unpretentious intelligence I have observed in my short acquaintance with him. The Ninth Circuit will clearly benefit from our action today.

Mr. LEAHY. Mr. President, one of our most important constitutional responsibilities is to provide advice and consent on the scores of judicial nominations sent to us to fill the vacancies on the federal courts around the country. Today we made some progress. We confirmed 16 new judges. For that I thank the Democratic leader and the majority leader, my counterpart on the Judiciary Committee, Senator HATCH, and all those who worked with us to achieve Senate action on these judicial nominees.

The Senate has finally begun to consider the judges needed to serve the American people in our federal courts. But before any Senator thinks that our work is done for the year, let us take stock: We are only one-third of the way to the number of judges nominated by a Republican President and confirmed by a Democratic majority in 1992, and only half way to the levels of confirmations achieved in 1984 and 1988. Today we finally passed the level of 17 confirmations achieved in 1996, the year before I became the Ranking Democrat on the Judiciary Committee. That low water mark is no measure of success, however.

Today we face more judicial vacancies than when the Senate adjourned in 1994. That means there are more vacancies across the country than when the Republican majority took controlling responsibility for the Senate in January 1995. Over the last six years we have gained no ground in our efforts to fill longstanding judicial vacancies that are plaguing the federal courts.

In addition, recall that this is the first action that the Senate has taken on judicial nominees since March 9, when the Senate ended 4-years of delay and finally voted to confirm Judge Richard Paez to the Ninth Circuit. For more than two months, for more than 10 weeks, the Senate has not acted to confirm a single judge, not one. That stall accounts for the backlog in judicial nominations that results in there being 16 judicial nominations on the Senate calendar today. On the other hand, since March 9, seven additional vacancies have arisen and the Senate has received 17 additional nominations.

There remain 36 judicial nominations pending in the Judiciary Committee, plus new nominations that the President is sending us every week. I have challenged the Senate to regain the pace it met in 1998 when the Committee held 13 hearing and the Senate confirmed 65 judges. That would still be one less than the number of judges confirmed by a Democratic Senate majority in the last year of the Bush Administration in 1992. Indeed, in the last two years of the Bush Administration, a Democratic Senate majority confirmed 124 judges. It would take an additional 67 confirmations this year for this Senate to equal that total.

Over the last five years the Republican-controlled Senate confirmed the following: 58 federal judges in the 1995 session; 17 in 1996; 36 in 1997; 65 in 1998; and 34 in 1999. By contrast, in one year, 1994, with a Democratic majority in the Senate, we confirmed 101 judges. With commitment and hard work many things are achievable.

Of the confirmations achieved this year, seven were nominations that were reported last year and should have been confirmed last year. That would have made last year's total slightly more respectable. Instead, they were held over and inflate this year's numbers. In addition, Tim Dyk, one of the nominees finally being considered today, was nominated in 1998 and has been held over two years.

Moreover, the Republican Congress has refused to consider the authorization of the additional judges needed by the federal judiciary to deal with their ever increasing workload. In 1984, and again in 1990, Congress responded to requests by the Chief Justice and the Judiciary Conference for needed judicial resources. Indeed, in 1990, a Democratic majority in the Congress created scores of needed new judgeships during a Republican Administration.

Three years ago the Judicial Conference of the United States requested that an additional 53 judgeships be authorized around the country. Last year the Judicial Conference renewed its request but increased it to 72 judgeships needing to be authorized around the country. Instead, the only federal judgeships created since 1990 were the nine District Court judgeships authorized in the omnibus appropriations bill at the end of last year.

If Congress had timely considered and passed the Federal Judgeship Act of 1999, S.1145, as it should have, the federal judiciary would have nearly 130 vacancies today. That is the more accurate measure of the needs of the federal judiciary that have been ignored by the Congress over the past several years and places the vacancy rate for the federal judiciary at 14 percent (128 out of 915). As it is, the vacancy rate is almost 10 percent (65 out of 852) and has remained too high throughout the five years that the Republican majority has controlled the Senate.

Especially troubling is the vacancy rate on the courts of appeals, which continues at over 11 percent (20 out of 179) without the creation of any of the additional judgeships that those courts need to handle their increased workloads.

Most troubling is the circuit emergency that had to be declared more than seven months ago by the Chief Judge of the Court of Appeals for the Fifth Circuit. I recall when the Second Circuit had such an emergency two years ago. Along with the other Senators representing States from the Circuit, I worked hard to fill the five vacancies then plaguing my circuit. The situation in the Fifth Circuit is not one that we should tolerate; it is a situation that I wished we had confronted by expediting consideration of the nominations of Alston Johnson and Enrique Moreno last year. I still hope that the Senate will consider both this year.

I deeply regret that the Senate adjourned last November and left the Fifth Circuit to deal with the crisis in the federal administration of justice in Texas, Louisiana and Mississippi without the resources that it desperately needs. I look forward to our resolving this difficult situation. I will work with the Majority Leader and the Democratic Leader to resolve that emergency at the earliest possible time.

With 20 vacancies on the Federal appellate courts across the country and nearly half of the total judicial emergency vacancies in the Federal courts system in our appellate courts, our courts of appeals are being denied the resources that they need, and their ability to administer justice for the American people is being hurt. There continue to be multiple vacancies on the Ninth Circuit. Three vacancies is too many and perpetuating these four judicial emergency vacancies, as the Senate has in this one circuit, is irresponsible. We should act on these nominations promptly and provide the Ninth Circuit with the judicial resources it needs and to which it is entitled.

I am likewise concerned that the Fourth, Sixth and District of Columbia Circuits are suffering from multiple vacancies.

I continue to urge the Senate to meet our responsibilities to all nominees, including women and minorities, and look forward to action on the nominations of Judge James Wynn, Jr. to the Fourth Circuit, Enrique Moreno to the Fifth Circuit, Kathleen McCree Lewis to the Sixth Circuit and Judge Johnnie Rawlinson to the Ninth Circuit. Working together the Senate can join with the President to confirm well-qualified, diverse and fair-minded judges to fulfill the needs of the federal courts around the country.

Having begun so slowly in the first five months of this year, we have much more to do before the Senate takes its final action on judicial nominees this year. We should be considering 20 to 40 more judges this year. Having begun so slowly, we cannot afford to follow the ''Thurmond rule'' and stop acting on these nominees at the end of the summer in anticipation of the presidential election. We must use all the time until adjournment to remedy the vacancies that have been perpetuated on

the courts to the detriment of the American people and the administration of justice. I urge all Senators to make the federal administration of justice a top priority for the Senate for the rest of this year.

—

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

—

MORNING BUSINESS

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Senate proceed to a period for morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

—

RETIREMENT OF STEVE HEMMINGSEN

Mr. DASCHLE. Mr. President, this day marks the retirement of a legend in broadcast journalism in South Dakota. Steve Hemmingsen, who has faithfully delivered news to living rooms in my home state for over twenty-five years, will give his last regular broadcast tonight.

There's an old story about Calvin Coolidge, told shortly after he left the White House. He was filling out a standard form, which asked for standard information. Line 1 asked for his name and address. Line 2 asked for his ''Occupation'', for which he answered ''Retired''. Line 3 was titled ''Remarks.'' Mr. Coolidge responded ''Glad of it.''

I hope that Steve Hemmingsen will share that sentiment: glad to be retired from the rigors of his job—but never fully removed from his audience, the thousands of people who have relied on him for their news for more than two decades.

Steve grew up just across the border in Minnesota, and after graduating from high school, he landed his first job in broadcasting at the ''Polka Station of the Nation'' in New Ulm. Later, he studied at the Brown Institute and was hired by KELO–TV in 1969. He has been a fixture there and on our nightly news ever since.

It has been estimated that since Steve began working the 6:00 and 10:00 pm news at KELO, he has delivered about eighteen thousand newscasts. He's shouldered the responsibility of helping our state get through some of its most trying times—such as the devastating Rapid City flood in 1972, the tragic plane crash that took the lives of Governor George Mickelson and several of South Dakota's economic development leaders in 1993, the horrible tornado in Spencer two years ago and countless South Dakota blizzards. When South Dakotans have faced adversity, Steve's steady voice and calm demeanor brought us up to speed on the latest events and talked us through each crisis we encountered.

But Steve has been there through the good times as well. When we celebrated our state's centennial in 1989, Steve reported on the numerous celebrations going on around South Dakota, giving us insight on where our state had been, and where it was going. When Scotland, South Dakota's own Chuck Gemar went into space, Steve helped express the collective sense of pride that was felt throughout the state. You could say that during his career at KELO, Steve's familiar voice was the first that brought news of noteworthy events to the people in South Dakota.

Over the last twenty-five years, Steve Hemmingsen has earned the trust of the people of South Dakota. Although Steve and I haven't always seen eye-to-eye on some issues, I have never had a reason to question his dedication as a broadcaster, his fairness as a reporter or his integrity as a person. In my years in public service, I have had the opportunity to work with hundreds of reporters both in South Dakota and across the nation and there is no doubt in my mind that Steve Hemmingsen is one of the best. Today we congratulate him, but tomorrow he will certainly be missed.

It brings me great pleasure to join all of KELO-Land in wishing Steve the best as he signs off tonight. The evening news will never be the same.

—

MITCH ROSE TO LEAVE THE HALLS OF CONGRESS

Mr. STEVENS. Mr. President, Mitch Rose, my chief of staff, who before that was my press secretary, will leave the Senate within the next few days.

Mitch has been a great member of our staff, with his understanding of the nuances of legislation, his ability to articulate concerns, and his courage to challenge debate when he believes strongly in an issue. His talents with words, written and spoken, are really legendary.

But no matter how tough the argument, or how serious the discussion, Mitch's sense of humor always helps to keep things in perspective.

It's safe to say that he's not only famous for that sense of humor, but at times, he's infamous.

Born in Alaska, a product of a great family and of Alaska's public schools, Mitch came to Capitol Hill after graduation from the University of Washington, almost 15 years ago.

He first went to work for our friend and former colleague Bob Dole, and later toiled for the other members of our Alaska delegation, DON YOUNG in the House and FRANK MURKOWSKI here in the Senate.

When Mitch joined our staff, he took on the added responsibility of attending law school at night. His wife, Dale Cabaniss, attended a different law school in the evenings, while she worked for Senator MURKOWSKI.

Mitch's work on aviation and telecommunications issues has been particularly important. As chief of staff, he has kept ahead of the curve on all of our concerns, providing insight and guidance to my staff and me.

The Alaska Humanities Forum has created a program named after Mitch, based on his experience as a youngster, when his parents made sure he knew how life in a rural Alaska village contrasts with life in urban Alaska. The Rose Urban-Rural Alaska Partnership Program will take urban youth to rural villages to promote better understanding of the very different ways of life in our small communities. It will provide the same type of opportunity his parents, Dave and Fran Rose, provided for Mitch when he was a young Anchorage school boy.

Mitch is an example, Mr. President, of the best of his generation. He's worked hard, taken on heavy responsibilities at work and at home, maintained close and good relationships with Alaska and Alaskans, and with those with whom he works.

He and Dale, who is now a Commissioner of the Federal Labor Relations Authority, are the parents of Ben 5, and twins Haley and Shelby, eight months.

There is no question that we will miss Mitch. But there's also no question that he will be a valuable member of the private sector.

My thanks to him for the work he's done, the loyalty he's shown and the friendship he's shared. With so many others who have known him over the years, I wish him well.

—

JAROSLAV PELIKAN, STERLING PROFESSOR EMERITUS

Mr. STEVENS. Mr. President, as a product of the World War II years, I rushed through my undergraduate education after that war. In the process, my education was of the Yogi Berra variety: If I came to a fork in the road, I took it.

Now, having acquired seniority here, I have privileges I never dreamed would be part of my life, and am more and more aware of what I missed by not spending more time in basic educational endeavors.

For instance, because of my service on the Senate Rules Committee, it is my honor to be chairman of the Joint committee of the Library. This position opened my eyes and ears and filled my mind with joys totally unexpected.

For instance, my increasing visits with Dr. Jim Billington, Librarian of the Library of Congress, a national treasure and our preeminent Russian scholar, have led to meeting more and more of the distinguished academics of our time.

One of these persons is Jaroslav Pelikan, Sterling Professor Emeritus at Yale university and Immediate Past President of the American Academy of Arts and Sciences. Sadly, because of business here in the Senate, I missed Dr. Pelikan's brilliant luncheon address to the Bicentennial of the Library of Congress on April 24 of this

year. Arriving late, I was overwhelmed by the comments about his speech to the ''Library Legends Luncheon'' and requested a copy of it. The title of this address was: ''Hospital for the Soul.''

Now, I realize why we address those who have received Phd's as ''Doctor''. On behalf of all who have continued to support our Library of Congress, I thank Jaroslav Pelikan for all he has done to earn his ''Living Legend'' Award. Because of this address, I shall never again think of libraries as simply depositories for books. Our great Library of Congress is now the ''World's Hospital for the Soul.''

I ask unanimous consent that Dr. Pelikan's address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

HOSPITAL FOR THE SOUL

(By Jaroslav Pelikan)

Thank you for this ''Living Legend'' Award: I promise to take it out and look at it whenever I get a sudden attack of humility. Seriously, though, even someone to whom humility does not come easily would have to be humbled today by the names of all these others who are being honored here—and then of those who are not! And if I ask myself the even more humbling question why it is I who have been asked to speak in the name of these men and women who are becoming my new colleagues, my first thought is that I seem to be the only one among those present whose last name puts him into the same class with Big Bird. (Big Bird's cousin Larry Bird, who is also a Living Legend, was unavoidably detained, and as a sometime Hoosier I with his Pacers well in the playoffs.) Or is the explanation simply that I am, at least as much as anyone here, the offspring of the library? Or perhaps it is that all my life I have been studying various languages, which, while only a small fraction of those represented by the collections of the Library of Congress, do manage to include the ancestral tongues of several of my classmates, as well as ''the universal language'' played so eloquently by Maestro Isaac Stern or by my dear friend Yo-Yo Ma.

But of all languages, there is a special place reserved in my mind and heart for Greek, the language of Plato and Sophocles and Sappho (whom Plato called ''the Tenth Muse'')—and the language of the New Testament and of the ''Four Cappadocians'' (Basil of Caesarea, his brother Gregory of Nyssa, their sister Macrina, and Gregory of Nazianzus). So let me turn, as I do so often, to the pleasures of Greek. For in Book One of a work appropriately entitled Bibliotheke [Library], the Hellenistic historian Diodorus Siculus reports that the inscription on the Library of Alexandria read: Pysches iatreion, ''Hospital for the soul''—a profound and brilliant metaphor, even in a language justly celebrated for its metaphors.

The library is a hospital for the soul because it is here that the soul can find instruments for diagnosis. Those men and women, physicians of the soul, who have thought deeply and spoken movingly about the illnesses that plague us all have put their case studies permanently on deposit here. It is here in the library that Thomas Jefferson traces so many ailments to the dreadful affliction of not holding together ''an honest heart'' and ''a knowing head''; here in the library that George Eliot devastatingly portrays in Middlemarch, my favorite English novel, the pedant who, she says, ''dreams footnotes'' and who lurks in the soul of every scholar (present company excepted, of course!); here in the library that, in my favorite novel of all, the Grand Inquisitor propounds again the three questions in which ''are united all the unresolved contradictions of human nature'', here in the library that Gibbons, celebrated in the Great Hall, carries out an autopsy on ''the natural and inevitable effect of immoderate greatness'' that bears implications for every other empire, also for the American empire; here in the library that Immanuel Kant probes ''the radical evil that corrupts all maxims,'' making the worse appear the better reason; and here in the library that Beatrice, in her quiet but solemn voice, warns us that all our actions carry consequences regardless of our station, evade them though we may for a very long time. And because, in the deathless words of that celebrated scholar and philosopher Professor Pogo of Okefenokee Swamp (whose sayings are also preserved here in the library), ''We got problems we ain't even used yet,'' men and women in generations yet to come will keep turning here for diagnosis and help. But they will be able to do so only if we in this generation have the foresight and the commitment that Joseph had in Egypt, to store up during the fat years what will be needed during the lean years.

It is likewise to the library that the soul can turn for healing, in the collective memory of the human race. Even for the healing of the soul in a special sense, the writers of the New Testament, in trying to find the most towering and luminous metaphor of all to cope with the miracle and the mystery of what had happened to them, turned to the miracle and the mystery of language: ''In the beginning was the Word.'' But by that metaphor they were in fact attaching themselves to the far more comprehensive tradition of what Pedro Laín Entralgo has called ''the therapy of the word in Classical Antiquity,'' the ancient and yet universal recognition that if the diseases of the human mind and spirit are to be cured, they need to be (as we still say) addressed, that means, spoken to, as they are by biography and autobiography and hagiography from many traditions and diverse cultures, including even our own past, as those can be found in the library and only there. Corny though the cynical may find it, these lives do indeed still

. . . remind us,
We can make our lives sublime.

But increasingly we are beginning to recognize that both diagnosis and healing can be vastly more successful if we have been using the resources of the hospital and the health care system all along for prevention, which is why the library must be, as we say nowadays, a ''research hospital'' and a ''teaching hospital.'' Having spent a scholarly lifetime learning and admonishing that there is a fundamental distinction between knowledge and wisdom, I find myself today stressing the even more fundamental, and even more elusive, distinction between knowledge and information. The library functions as a hospital for the soul by teaching us both of those distinctions, making available enormous stores of information, resources of knowledge, and, to those who have the willingness and patience to learn, treasures of wisdom. (Konrad Adenauer once said that he planned to ask the Almighty, ''Why is it, after putting such limitations on human intelligence, that You did not put similar ones on human stupidity?'') As the chroniclers and commentators and critics of all those traditions, scholars dependent on the library, by introducing us to our grandfathers and more recently to our long lost grandmothers, can help us to bequeath these riches to our grandchildren. For in words of Edmund Burke, who still speaks in the library, it can be defined as ''a partnership in all science; a partnership in all art; a partnership in every virtue, and in all perfection. As the ends of such a partnership cannot be obtained in many generations, it becomes a partnership not only between those who are living, but between those who are living, those who are dead, and those who are to be born.''

On that particular program for universal health care, my old friend, Mr. Librarian of Congress—and (at least for today) Dr. Surgeon General of the Hospital for the Soul—everyone would, I hope, have to agree, even in an election year. It was, I firmly believe, providential that exactly 200 years ago today, in this city where there would eventually be so many fiefdoms and kingdoms and dukedoms and monuments, the Congress was inspired to found this monumental institution, of which Shakespeare has Prospero say prophetically, ''My library was dukedom large enough.'' For as all the other dukedoms have risen and fallen, the Library of Congress has stood as a monument and a ''hospital for the soul,'' pointing to the life of the mind as the antidote to the twin poisons of political tyranny and moral anarchy.

Whenever people ask me, after more than half a century of historical research, reflection, and writing (my Three R's), what are the lessons of the past, I apologize that I can't come up with very many. But there is one, which those of you who know me will not be surprised to learn I find stated most profoundly by Goethe's Faust; and it speaks of the library:

''Was du ererbt von deinen Vätern hast,
Erwirb' es, um es zu besitzen.''

[What you have as heritage, now take as task; For only thus will you make it your own.]

—

REMEMBERING THOSE WHO DIED ON D-DAY

Mr. ROBB. Mr. President, as we approach the 56th Anniversary of D-Day, June 6th, 1944, we should pause to reflect on the valor and sacrifice of the men who died on the beaches of Normandy. In the vanguard of the force that landed on that June morning, was the 116th Infantry Regiment, 29th Infantry Division. In 1944 the 116th Infantry Regiment, as it is today, was a National Guard unit mustering at the armory in Bedford, Virginia. They drew their members from a town of only 3,200 people and the rich country in southwestern Virginia nestled in the cool shadows of the Blue Ridge Mountains.

On the morning of June 6th, 1944, Company A led the 116th Infantry Regiment and the 29th Infantry Division ashore, landing on Omaha Beach in the face of withering enemy fire. Within minutes, the company suffered ninety-six percent casualties, to include twenty-one killed in action. Before nightfall, two more sons of Bedford from Companies C and F perished in the desperate fighting to gain a foothold on the blood-soaked beachhead. On D-Day, the town of Bedford, Virginia gave more of her sons to the defense of freedom and the defeat of dictatorship, than any other community (per capita) in the nation. It is fitting that Bedford is home to the national D-Day Memorial. But we must remember that this

memorial represents not just a day or a battle—it is a marker that represents individual soldiers like the men of the 116th Infantry Regiment—every one a father, son, or brother. Each sacrifice has a name, held dear in the hearts of a patriotic Virginia town—Bedford.

Mr. President, in memory of the men from Bedford, Virginia who died on June 6th, 1944, I ask unanimous consent that their names be printed in the RECORD at the end of my statement as a tribute to the town of Bedford, and every soldier, sailor, and airman, who has made the supreme sacrifice in the service of our country.

The PRESIDING OFFICER: Without objection, it is so ordered.

COMPANY A

Leslie C. Abbott, Jr., Wallace R. Carter, John D. Clifton, Andrew J. Coleman, Frank P. Draper, Jr., Taylor N. Fellers, Charles W. Fizer, Nick N. Gillaspie, Bedford T. Hoback, Raymond S. Hoback, Clifton G. Lee, Earl L. Parker, Jack G. Powers, John F. Reynolds, Weldon A. Rosazza, John B. Schenk, Ray O. Stevens, Gordon H. White, Jr., John L. Wilkes, Elmere P. Wright, Grant C. Yopp

COMPANY C

Joseph E. Parker, Jr.

COMPANY F

John W. Dean.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, May 23, 2000, the Federal debt stood at $5,670,641,391,640.46 (Five trillion, six hundred seventy billion, six hundred forty-one million, three hundred ninety-one thousand, six hundred forty dollars and forty-six cents).

Five years ago, May 23, 1995, the Federal debt stood at $4,885,335,000,000 (Four trillion, eight hundred eighty-five billion, three hundred thirty-five million).

Ten years ago, May 23, 1990, the Federal debt stood at $3,093,087,000,000 (Three trillion, ninety-three billion, eighty-seven million).

Fifteen years ago, May 23, 1985, the Federal debt stood at $1,750,995,000,000 (One trillion, seven hundred fifty billion, nine hundred ninety-five million) which reflects a debt increase of almost $4 trillion—$3,919,646,391,640.46 (Three trillion, nine hundred nineteen billion, six hundred forty-six million, three hundred ninety-one thousand, six hundred forty dollars and forty-six cents) during the past 15 years.

ISRAEL'S REDEPLOYMENT FROM SOUTHERN LEBANON

Mr. SANTORUM. Mr. President, I rise today to speak about S. Con. Res. 116, a concurrent resolution introduced by Senator TRENT LOTT of Mississippi which commends Israel's redeployment from southern Lebanon. I should have been reflected as a cosponsor of that resolution but my name was inadvertently left off the list of cosponsors. I ask that I be shown as a cosponsor of S. Con. Res. 116.

Mr. President, I fully support the resolution and would like to offer my comments on the historic events that have recently transpired. Just yesterday, I met with a group of young students who were visiting Washington, DC, as part of a legislative conference sponsored by the American Israel Public Affairs Committee. I was truly impressed by the level of interest and knowledge of these students.

One of the items we discussed was the need for the United States to provide support for Israel as it withdraws from southern Lebanon. I support the efforts of Prime Minister Barak to withdraw Israeli forces from southern Lebanon and echo the comments that it is time for all foreign military forces to leave Lebanon. Furthermore, the Governments of Syria and Iran must be held accountable for acts of terrorism committed in Lebanon.

Mr. President, Israel has demonstrated its commitment to the peace process and its commitment to comply with United Nations Security Council Resolution 425. It is now time for the United Nations and the international community in general to fulfill their obligations to the peace process and to ensure that southern Lebanon does not become a staging ground for attacks against Israel.

THE ORIGINATION CLAUSE OF THE CONSTITUTION

Mr. INHOFE. Mr. President, on Wednesday, May 17, at page S. 4069 of the RECORD, the distinguished minority leader announced, ''I am going to demand that every single appropriations bill that comes to the Senate before it can be completed be passed in the House first because that is regular order.'' To be clear he repeated, ''We are going to require the regular order when it comes to appropriations bills.''

The Senator refers to the origination clause of our Constitution Art. 1, Sec. 7, Cl. 1. The origination clause states that ''All bills for raising revenue shall originate in the House of Representatives.'' The meaning of this clause is widely known, and I do not know why the distinguished minority leader would attempt to make an erroneous claim before those who know better. I do know why he did not challenge his 99 colleagues to correct this statement, as he did with another. The reason is that many could have come forward to tell him he was mistaken.

When I open Riddick's Senate Procedure, I read that ''[i]n 1935, the Chair ruled that there is no Constitutional limitation upon the Senate to initiate an appropriation bill.'' The House does claim ''the exclusive right to originate all general appropriations bills.'' Specific appropriations, however, ''have frequently originated in the Senate.''

If the Senator intends to say that there is no precedent for the initiation of appropriation bills in the Senate, that is false. Perhaps there is some confusion between ''raising revenue'' and ''appropriating.'' The former the Senate cannot do. The latter it can.

Also, the room the Senate has to work within is broad rather than narrow. The Rules of the House of Representatives note that ''[a] bill raising revenue incidentally [has been] held not to infringe upon the Constitutional prerogative of the House to originate revenue legislation.''

The courts agree with these constitutional interpretations. In fact, as recently as 1989, the Court of Appeals for the Tenth District in U.S. v. King, 891 F.2d 780, 781 ruled that where a bill does not qualify as a revenue bill, it is not subject to the provisions of the origination clause.

The United States Supreme Court, in Twin City Nat. Bank of New Brighton v. Nebecker, 167 U.S. 196, 202. ruled in an 1897 decision, which is cited as precedent to this day, that ''revenue bills are those that levy taxes, in the strict sense of the word, and are not bills for other purposes which may incidentally create revenue.''

On another occasion, the Supreme Court, in U.S. v. Norton, 91 U.S. 566, 569 (1875) said that ''[t]he construction of the [origination clause] limitation is practically well settled by the uniform action of Congress'' and that ''it 'has been confined to bills to levy taxes in the strict sense of the word, and has not been understood to extend to bills for other purposes which incidentally create revenue.' ''

Indeed, in 1997, the Court of Appeals for the Ninth District in Walthall v. U.S., 131 F.3d 1289 ruled that the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) did not violate the originations clause.

It was not the intent of our Founding Fathers not to allow the Senate to decide how to spend government monies. Obviously, we must do that. Almost every action we take requires some money to be spent. What the Founding Fathers wanted to achieve with the origination clause was a check on government by which the most representative body had to authorize the extraction from the people of taxes.

The only obstacle I know of to the Senate passing certain appropriation bills is the objection of the distinguished minority leader. He claims, ''This is getting to be more and more a second House of Representatives.'' Who is making it so, I ask.

According to Procedure in the U.S. House of Representatives, Sec. 3.2, p. 134 it is the other body in which ''[i]nfringement of the Senate on the constitutional prerogative of the House to initiate revenue measures may be raised * * * as a matter of privilege.''

ADDITIONAL STATEMENTS

FAREWELL TO TAIWAN REPRESENTATIVE STEPHEN CHEN

• Mr. CRAIG. Mr. President, today I rise to bid farewell to Taiwan Representative Stephen Chen. Representative Chen has been an effective envoy

for Taiwan in the United States. One of his more remarkable accomplishments has been his ability to promote and strengthen improved relationships between Taiwan and the United States. Over the last two years, he has secured important contacts for Taiwan.

Assisted by Mr. Leonard Chao, his chief aide in congressional relations, Representative Stephen Chen has kept us informed of developments within Taiwan, including trading relationships, advances in human rights, moves toward a complete and open democracy, and the peaceful transition of power from the Nationalist Party to the Democratic Progressive Party on May 20th.

Representative Stephen Chen and his wife, Rosa, have been cordial hosts at Twin Oaks. They have gracefully entertained their guests with stories and anecdotes from their many diplomatic postings throughout the world. A master of seven languages, Representative Chen's ability to interpret language nuances has invariably impressed his guests. He is also known for his unique calligraphic capacity of scripting English with a Chinese writing brush. Along with these skills, Representative Chen's foremost gift is his diplomatic courtesy—ever so subtly, he makes his guests want to understand more about his family, his country, and our world through his views.

After nearly fifty years of dedicated diplomatic service to Taiwan, Representative Stephen Chen and Mrs. Rosa Chen, will retire from public service and return to Taiwan. They can be duly proud of their many accomplishments. They will be missed by all who were acquainted with them here in Washington, and we send them off to Taiwan with our best wishes and appreciation.●

NATIONAL CHILD'S DAY: A TRIBUTE TO AMERICA'S CHILDREN

● Mr. GRAHAM. Mr. President, I rise today to thank my colleagues for joining me in this recognition of America's children. Last night, our body passed an important resolution, affirming the sacred role of children in our society.

I have often heard the phrase ''every day is children's day.'' Sadly, this is not always the case. There are too many children in America who are hungry, abused, neglected, and abandoned. Despite the best efforts of our parents, our foster parents, and our social services networks, not all children feel that they are loved and valued.

Today, the United States Senate has taken a monumental step towards recognizing the merit and worth of all of our children.

We already give special tribute to the efforts of our mothers and fathers. On both Mother's Day and Father's Day, we honor the hard work and sacrifices which parents make on behalf of their children and families. These are days where we pay homage to our parents, both acknowledging and giving thanks for their contributions to both society and home.

I am pleased that June 4, 2000, will be National Child's Day—a day during which parents and friends alike can affirm the love we share for our children. This will be a day devoted to our youth, reminding children and ourselves of the special, blessed place which they have within both our hearts and our lives.

I would like to give special recognition to those organizations whose tireless efforts greatly aided in the success of this resolution, specifically Ms. Lee Rechter, Executive Director of FOCUS (Friends of Children United Succeed) and Mr. David Levy, Director of the Children's Rights Council.

Mr. President, National Child's Day provides a wonderful opportunity for us to celebrate America's children. But, we must also remember that every day should indeed be children's day. Let our expression of love and appreciation for our youth not be confined to a single day, but be shared with them on June 4th and always.●

50TH ANNIVERSARY OF BISHOP EDWARD PEVEC

● Mr. VOINOVICH. Mr. President, this Sunday, May 28th, the Catholic diocese of Cleveland will observe the 50th anniversary of the ordination of Bishop A. Edward Pevec into the priesthood. I rise today to pay tribute to this wonderful man and to offer my thanks for the spiritual guidance he has given to Catholics throughout the City of Cleveland and northeastern Ohio.

Born in Cleveland, Ohio on April 16, 1925, Bishop Edward Pevec is the oldest of four children born to Anton and Frances Pevec, immigrants from Slovenia. On April 29, 1950, at the age of 25, Edward Pevec was ordained into the priesthood. Over the fifty years since his ordination, Bishop Pevec has served northeastern Ohio in a number of capacities. He has been the Associate Pastor at St. Mary Church in Elyria and at St. Lawrence Church in Cleveland. He has been a teacher, assistant principal/vice rector and principal/rector at Borromeo Seminary High School in Wickliffe and a graduate instructor at St. John College in Cleveland. During his service at Borromeo Seminary High School, Bishop Pevec continued his own education at two well-respected Cleveland institutions, earning a Masters degree from John Carroll University and Ph.D. from Western Reserve University. In 1975, he became pastor of his home parish, St. Vitus Church in Cleveland, and four years later, became the President-Rector of Borromeo College of Ohio. In 1982, Edward Pevec was ordained Auxiliary Bishop of Cleveland by His Holiness, Pope John Paul II.

Over the years, I have personally come to know Bishop Pevec, not only as a devout Christian, but as a man of deep caring for all mankind. I still remember the first time that my wife, Janet, and I saw Bishop Pevec celebrate mass. We were so impressed at the manner in which he conducted himself, that I said to my wife on our way out of the church that there's a priest who ought to be a Bishop! We were both grateful that the Holy Father recognized his good work for the diocese of Cleveland by appointing him Bishop.

Bishop Pevec's warmth and compassion have been felt by many in the City of Cleveland over the past half-century, and I am certain his light shall shine upon us for many years to come. I join all my fellow Cleveland parishioners, and all who have come to know Bishop Pevec in congratulating him on his 50 years of service to the Lord and to his fellow man. He is a true inspiration to us all.●

TOOTSIE FERRELL AND THE DELAWARE SPORTS HALL OF FAME INDUCTEES

● Mr. ROTH. Mr. President, on May 11, eight new members were inducted into the Delaware Sports Hall of Fame. I congratulate all the honorees. They truly deserve to be recognized for their unique, individual contributions to athletics and to the state of Delaware.

The inductees are: Dale Farmer, former executive director of the Delaware Secondary Schools Athletic Association; Robert ''Clyde'' Farmer, a stand-out pitcher in the local fast-pitch softball leagues of the 1940s and 50s; C. Walter Kadel, who coached and taught physical education to Wilmington's children for more than three decades; Ron Luddington, a bronze medal winner in the 1960 Olympics, who now coaches future skating champions at the University of Delaware ice rink; Betty Richardson, who coached championship field hockey teams at Tower Hill High School, and won championships of her own on the golf course; G. Henry White, a star rusher on the gridiron at Cape Henlopen High School and at Colgate University; Matt Zabitka, who has covered sports in the Delaware Valley for nearly half a century; and Howard ''Tootsie'' Ferrell, a Delawarean who played with some of the greatest baseball talent of all-time in the Negro League.

An editorial in The News Journal newspaper called this group ''a very diverse group of honorees—one of the most varied in its history. The Sports Hall of Fame now represents all sorts of sports greats—white people, minorities, women * * *.''

And it is in that spirit that I want to talk about one of those inductees right now.

Howard ''Tootsie'' Ferrell was a pitcher in the Negro League who once barnstormed with Jackie Robinson who went on the break the color barrier, and integrate major league baseball. Ferrell got his start with the Newark Eagles in 1947. For the next two seasons, he played with the Baltimore Elite Giants. Following in the footsteps of the great Jackie Robinson,

Ferrel's contract was purchased by the Brooklyn Dodgers, where he spent 3 seasons in the Dodgers' farm system. A nagging injury cut Ferrell's baseball career short. But the real reason ''Tootsie'' Ferrell never got his chance to play in the majors was because of the prejudice that kept America's pastime segregated for so many years.

It may be hard for younger Americans to imagine a world where the best African-American players were not allowed to play on the same field with the best white players. The first appearance of an official color barrier in baseball came in 1868, when the National Association of Baseball Players voted to bar any club that had nonwhite members. Professional baseball eventually followed suit. Sadly, by the turn of the century there were no black players in organized, professional baseball.

But exclusion from the ''white'' leagues did not stop African-Americans from playing the game of baseball. Instead, they formed teams and leagues of their own. In 1920, an African-American businessman named Rube Foster organized a collection of independent all-black ball clubs into the Negro National League. In 1923, the competing Eastern Colored League was formed. These two leagues operated successfully for years—delighting crowds, showcasing the talent of African-American athletes, and inspiring future generations of baseball players. A new Negro National League was organized in 1933, and the Negro American League was chartered four years later. These leagues thrived until the color barrier was finally shattered by Jackie Robinson. And although all-black teams continued to play for several years, integrated major league baseball eventually put the Negro Leagues out of business.

The history of the white major leagues has been well documented. Unfortunately, the same is not true of the Negro Leagues. While it is easy to look up how many home runs Babe Ruth hit or how many batters the great Walter Johnston struck out, the same cannot be done for Negro League greats like Josh Gibson and Satchel Paige. As time goes by, there are fewer and fewer men left who played ''the other'' game of baseball before the color barrier was broken. That is why it is so important we honor men like ''Tootsie'' Ferrell. He began his baseball career in a league that was separate but unequal. He saw this ugly and unfair color barrier disappear, just as it eventually would in other aspects of American society.

I congratulate Howard ''Tootsie'' Ferrell for his achievement, and I commend the Delaware Sports Hall of Fame for his induction.●

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TRIBUTE TO LIEUTENANT GENERAL RONALD R. BLANCK

● Mr. WARNER. Mr. President, I would like to recognize the exceptionally distinguished service of Lieutenant General Ronald R. Blanck, United States Army, who has distinguished himself as the Army's 39th Surgeon General and Commander, U.S. Army Medical Command General, from 1 October 1996 to 31 August 2000.

In addition to serving as the principal medical staff advisor to the Army Chief of Staff, Lieutenant General Blanck also serves as Commander of the United States Army Medical Command, which administers a 6.6 billion-dollar worldwide-integrated health care system with 46,000 military personnel and 26,000 civilian employees. During his tenure, Lieutenant General Blanck concentrated on three major areas, readiness, quality of healthcare, and innovation, to ensure the provision of comprehensive, quality healthcare to soldiers, retirees, and their family members. Lieutenant General Blanck implemented a new set of combat support training standards; energized the Army's Medical Reengineering Initiative; and organized an array of Special Medical Augmentation Response Teams to provide global, rapid-deployment capabilities for local, state and federal agencies. He provided oversight for the Defense Department Anthrax Vaccine Immunization Program; and established a successful, Army-wide Medical Protection System to track all immunization data. In addition, he established new partnerships with civilian trauma centers to provide appropriate hands-on training and experience for military surgical trauma teams.

Lieutenant General Blanck has been a leader in the development and use of clinical practice guidelines and helped implement the Department of Defense clinical practice guidelines partnership with the Department of Veterans Affairs. As a direct result of his initiatives, Army medical treatment facilities have been accredited by the Joint Commission on Accreditation of Healthcare Organizations (JCAHO), with scores consistently above 90, the highest in the history of the Army Medical Department, with three prestigious Army hospitals receiving perfect scores of 100 on their JCAHO surveys during the past year. Lieutenant General Blanck has championed the use of modern technologies by the Department of Defense and the Army Medical Department. He supported an innovative Simulation Center initiative, and promoted the dissemination of information about chemical and biological terrorism. He has also enthusiastically advocated the introduction of new, advanced technologies into patient care, including: (1) the Medical Personal Information Carrier which stores soldiers' medical and personal information, (2) a dry fibrin sealant bandage, developed by Army research in cooperation with the American Red Cross, (3) multiple and extensive uses of telemedicine, (4) new initiatives to speed evacuation of wounded soldiers from the battlefield.

Mr. President, Lieutenant General Blanck is a great credit to the Army and the Nation. Even with all of the extraordinary accomplishments during his thirty-two years of service, General Blanck will be remembered mostly for his great compassion for people, his loyalty to his country and his inspirational leadership.●

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RECOGNITION OF DR. PAT JOHNSON, PRINCIPAL OF KENT ELEMENTARY SCHOOL

● Mr. GORTON. Mr. President, the students at Kent Elementary School have witnessed many innovative changes thanks to the hard work and foresight of their principal, Dr. Pat Johnson. For the last nine years, Dr. Johnson has been called a strong and supportive leader by her colleagues and never ceases to make the mark of excellence high for her staff and students. I applaud Dr. Johnson's work in transforming an at-risk school into one of excellence.

Kent Elementary School serves a low income and highly transient population, yet Dr. Johnson believes in the abilities of all students, preaching her motto that ''Together Everyone Achieves More'' (TEAM). Though many students face challenges both at home and in the classroom, Dr. Johnson uses her positive attitude to inspire her staff toward maintaining an environment that promotes student learning.

One example of Johnson's commitment to enhancing student achievement was by creating a school-wide discipline program. Through this program, discipline problems have dramatically decreased on the playground and in the classroom. Dr. Johnson also believes in reinforcing positive social skills to the children through rewards and student recognition. All of the staff members share in this ''Positive Action'' program, making teamwork a priority for the children.

Dr. JOHNSON has also implemented block scheduling to maximize student learning. In order to better target students' math and reading skills, students attend specifically assigned classes that fit their appropriate learning levels, giving children the opportunity to move to other classrooms as their needs and skill levels improve throughout the year.

Student reading levels have also improved because of Dr. Johnson's Reading Mastery program which focuses on strategies that help students reach academic success. Johnson's impact on her students is also evident in Kent Elementary's 1998 Washington Assessment of Student Learning (WASL) writing scores which were the highest scores in the Kent School District.

Another challenge taken on by Principal Johnson was giving students a sense of stability in their lives by creating a ''multi-age format'' in each classroom. This system allows students to have the same home-room teacher for two years and lowers the student/teacher ratio.

Clearly Dr. Johnson is a tremendous leader who works to enrich her students' lives. She has established many new ways to improve student learning and continues to inspire her staff and students to conquer new challenges. Clearly Dr. Johnson is an influential principal who is making local education in Washington State even stronger.●

AAA OHIO MOTORISTS ASSOCIATION 100TH ANNIVERSARY

● Mr. VOINOVICH, Mr. President, I rise today to recognize the 100th anniversary of the AAA Ohio Motorists Association.

On January 8, 1900, seven prominent Cleveland businessmen with ties to the automotive industry met in a small room in the Old Hollenden House Hotel on Superior Avenue to incorporate an organization that would promote and protect their interests in the growth of the automobile. Their belief in the future of this fledgling industry led to the founding of the Cleveland Automobile Club. Over the years, as cars became more popular, the Club expanded and the name changed, finally becoming the AAA Ohio Motorists Association. But through it all, the successor organization to the first meeting of the Cleveland Automobile Club celebrates not only its 100th anniversary this year, but its stature as the oldest automobile club in the world.

I have often said that the one organization that I listen to in Ohio which represents the motoring public is the American Automobile Association, and I am certain many of my colleagues feel the same way. AAA's service to its members is renowned, and there are many cold and rainy nights where that service is especially appreciated, via AAA's Emergency Road Service. In addition, AAA provides Approved Auto Repair service, AAA Travel Agency and high quality maps and TourBooks. These are some of the services that AAA members have depended upon for generations; services that are possible, in part, because of the many firsts that can be attributed to the association. The Cleveland Automobile Club opened the first travel agency in the State of Ohio; operated the first license bureau in the state; and was the first in the United States to use radios to dispatch emergency road service vehicles. In addition, the Ohio Motorist magazine, which has been published for 92 years, was recently selected as one of the best magazines in Ohio.

Ohio Motorists Association members as well as non-members benefit from the OMA's support of local communities' traffic, bike and pedestrian safety programs, including the Helmet Smart and Community Traffic Safety programs. Also, the Ohio Motorists Association is a leader in the promotion of seat belt safety and courteous, responsible driving.

From those first 7 members in Cleveland 100 years ago, the AAA Ohio Motorist Association has grown to serve over 650,000 members in nine counties today. As they begin another 100 years, I know that the AAA Ohio Motorists Association will continue help stranded motorists, plan trips, and perform the many services that members have come to enjoy.

On behalf of the citizens of Northeast Ohio, I congratulate the AAA Ohio Motorists Association on their centennial and look forward to many more years of service.●

MESSAGES FROM THE HOUSE

At 11:02 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, with amendments in which it requests the concurrence of the Senate.

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

The message also announced that the House has agreed to the amendments of the Senate to the bill (H.R. 371) to facilitate the naturalization of aliens who served with special guerrilla units or irregular forces in Laos.

The message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 297. An act to authorize the construction of the Lewis and Clark Rural Water System and to authorize assistance to the Lewis and Clark Rural Water System, Inc., a nonprofit corporation, for the planning and construction of the water supply system, and for other purposes.

H.R. 2498. An act to amend the Public Health Service Act to provide for recommendations of the Secretary of Health and Human Services regarding the placement of automatic external defibrillators in Federal buildings in order to improve survival rates of individuals who experience cardiac arrest in such buildings, and to establish protections from civil liability arising from the emergency use of the devices.

H.R. 3544. An act to authorize a gold medal to be presented on behalf of the Congress to Pope John Paul II in recognition of his many and enduring contributions to peace and religious understanding, and for other purposes.

H.R. 3637. An act to amend the Homeowners Protection Act of 1998 to make certain technical corrections.

H.R. 3639. An act to designate the Federal building located at 2201 C Street, Northwest, in the District of Columbia, currently headquarters for the Department of State, as the ''Harry S. Truman Federal Building.''

H.R. 4392. An act 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.

H.R. 4489. An act to amend section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 293. Concurrent resolution urging compliance with the Hague Convention on the Civil Aspects of International Child Abduction.

ENROLLED BILL SIGNED

At 12:11 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 371. An act to expedite the naturalization of aliens who served with special guerrilla units in Laos.

The enrolled bill was signed subsequently by the President pro tempore (Mr. THURMOND).

MEASURES REFERRED

The following bill was read the first and second times by unanimous consent and referred as indicated:

H.R. 3637. An act to amend the Homeowners Protection Act of 1998 to make certain technical corrections; to the Committee on Banking, Housing, and Urban Affairs.

The following concurrent resolution was read and referred as indicated:

H. Con. Res. 293. Concurrent resolution urging compliance with the Hague Convention on the Civil Aspects of International Child Abduction; to the Committee on Foreign Relations.

MEASURES PLACED ON THE CALENDAR

The following bills were read the first and second times, and placed on the calendar:

H.R. 297. An act authorize the construction of the Lewis and Clark Rural Water System and to authorize assistance to the Lewis and Clark Rural Water System, Inc., a nonprofit corporation, for the planning and construction of the water supply system, and for other purposes.

H.R. 2498. An act to amend the Public Health Service Act to provide for recommendations of the Secretary of Health and Human Services regarding the placement of automatic external defibrillators in Federal buildings in order to improve survival rates of individuals who experience cardiac arrest in such buildings, and to establish protections from civil liability arising from the emergency use of the devices.

H.R. 4392. An act 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.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 1291. An act to prohibit the imposition of access charges on Internet service providers, and for other purposes.

H.R. 3591. An act to provide for the award of a gold medal on behalf of the Congress to former President Ronald Reagan and his wife Nancy Reagan in recognition of their service to the Nation.

H.R. 4051. An act to establish a grant program that provides incentives for States to enact mandatory minimum sentences for certain firearms offenses, and for other purposes.

H.R. 4251. An act to amend the North Korea Threat Reduction Act of 1999 to enhance congressional oversight of nuclear transfer to North Korea, and for other purposes.

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EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–9079. A communication from the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; OPSAIL 2000, Port of Hampton Roads, VA (CGD05–99–068)'' (RIN2115–AA97) (2000–0019), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9080. A communication from the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Tall Ships Delaware, Delaware River, Wilmington, DE (CGD05–00–008)'' (RIN2115–AA97) (2000–0018), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9081. A communication from the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; OPSAIL 2000, Port of Baltimore, MD (CGD05–99–097)'' (RIN2115–AA97) (2000–0017), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9082. A communication from the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Chelsea Street Bridge, Chelsea River, Chelsea, MA (CGD01–00–123)'' (RIN2115–AA97) (2000–0013), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9083. A communication from the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; OPSAIL 2000/International Naval Review (INR2000), Port of New York/New Jersey (CGD01–99–050)'' (RIN2115–AA97) (2000–0020), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9084. A communication from the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Atlantic Ocean, Virginia Beach, VA (CGD05–00–013)'' (RIN2115–AA97) (2000–0015), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9085. A communication from the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Port Graham, Cook Inlet, AK (COTP Western Alaska 00–003)'' (RIN2115–AA97) (2000–0014), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9086. A communication from the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; Upper Mississippi River (CGD08–00–009)'' (RIN2115–AE47) (2000–0028), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9087. A communication from the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; Upper Mississippi River (CGD08–00–009)'' (RIN2115–AE47) (2000–0028), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9088. A communication from the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regatta Regulations; OPSAIL 2000, Port of San Juan, PR (CGD07–00–014)'' (RIN2115–AE46) (2000–0003), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9089. A communication from the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Emergency Control Measures for Tank Barges (USCG–1948–4443)'' (RIN2115–AF65) (2000–0001), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9090. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled ''Airworthiness Directives: McDonnell Douglas Model 717–200 Series Airplanes; Docket No. 2000–NM–99 [5–5/5–18]'' (RIN2120–AA64) (2000–0265), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9091. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled ''Airworthiness Directives: McDonnell Douglas DC–9 Series and Model MD–88 and MD–90–30 Airplanes; Docket No. 97–NM–244 [5–9/5–18]'' (RIN2120–AA64) (2000–0266), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9092. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled ''Airworthiness Directives: McDonnell Douglas Model DC–8 Series Airplanes; Docket No. 99–NM–338 [5–3/5–18]'' (RIN2120–AA64) (2000–0262), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9093. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled ''Airworthiness Directives: McDonnell Douglas Model MD–11 and MD–11F Series Airplanes; Docket No. 99–NM–265 [5–14/5–18]'' (RIN2120–AA64) (2000–0251), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9094. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled ''Airworthiness Directives: McDonnell Douglas Model MD–11 Series Airplanes; Docket No. 99—NM–270 [5–14/5–18]'' (RIN2120–AA64) (2000–0250), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9095. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled ''Airworthiness Directives: McDonnell Douglas Model MD–11 Series Airplanes; Docket No. 99–NM–269 [5–14/5–18]'' (RIN2120–AA64) (2000–0249), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9096. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled ''Airworthiness Directives: McDonnell Douglas Model MD-11 Series Airplanes; Docket No. 99–NM–268 [5-14/5-18]'' (RIN2120-AA64) (2000-0248), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9097. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled ''Airworthiness Directives: McDonnell Douglas Model MD-11 Series Airplanes; Docket No. 99-NM-266 [5-14/5-18]'' (RIN2120-AA64) (2000-0255), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9098. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled ''Airworthiness Directives: McDonnell Douglas Model MD-11 and MD-11F Series Airplanes; Docket No. 99-NM-267 [5-14/5-18]'' (RIN2120-AA64) (2000-0265), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9099. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled ''Airworthiness Directives: McDonnell Douglas Model MD-11 Series Airplanes; Docket No. 99-NM-264 [5-5/5-18]'' (RIN2120-AA64) (2000-0265), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9100. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled ''Airworthiness Directives: McDonnell Douglas Model MD-11 Series Airplanes; Docket No. 99-NM-263 [5-14/5-18]'' (RIN2120-AA64) (2000-0252), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9101. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a final rule entitled ''Airworthiness Directives: McDonnell Douglas Model DC-8 Series Airplanes; Docket No. 2000-NM-01 [5-2/5-18]'' (RIN2120-AA64) (2000-0261), received May 18, 2000; to the Committee on Commerce, Science, and Transportation.

EC–9102. A communication from the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a cumulative report on rescissions and deferrals dated May 11, 2000; referred jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986; to the Committees on Foreign Relations; Appropriations; the Budget; Energy and Natural Resources; Banking, Housing, and Urban Affairs; and Environment and Public Works.

EC–9103. A communication from the Office of Management and Budget, Executive Office of the President transmitting, pursuant to law, a report relative to the appropriation to the National Transportation Safety Board for salaries and expenses for fiscal year 2000; to the Committee on Appropriations.

EC–9104. A communication from the Office of Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Authority Relating to Utility Privatization'' (DFARS Case 99-D309), received May 19, 2000; to the Committee on Armed Services.

EC–9105. A communication from the Secretary of Defense, transmitting, the report of a retirement; to the Committee on Armed Services.

EC–9106. A communication from the Secretary of Defense, transmitting the report of a retirement; to the Committee on Armed Services.

EC–9107. A communication from the Secretary of Defense, Health Affairs, transmitting, pursuant to law, a report relative to the status of the Oxford House Project; to the Committee on Armed Services.

EC–9108. A communication from the Office of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, a report relative to certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more to Canada; to the Committee on Foreign Relations.

EC–9109. A communication from the Office of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, a report relative to certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more to Norway, Ukraine, Russia and the United Kingdom; to the Committee on Foreign Relations.

EC–9110. A communication from the Government Printing Office, transmitting the annual report for fiscal year 1999; to the Committee on Governmental Affairs.

EC–9111. A communication from the Federal Election Commission, transmitting the annual report for calendar year 1999; to the Committee on Rules and Administration.

EC–9112. A communication from the John F. Kennedy Center for the Performing Arts transmitting, pursuant to law, the annual report for fiscal year 1999; to the Committee on Rules and Administration.

EC–9113. A communication from the Assistant Secretary of the Interior, Indian Affairs transmitting, pursuant to law, a report relative to the use and distribution of the settlement funds that are being held in trust for the Menominee Indian Tribe of Wisconsin; to the Committee on Indian Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–524. A concurrent resolution adopted by the Legislature of the State of New Hampshire relative to the collection of certain kinds of information from patients in a home health care setting; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION 20

Whereas, the quality of health care for home health agency patients is highly desired, the health care provided by the home health agency needs to be examined in order to ascertain whether improvements are necessary, and to determine what aspects to improve; and

Whereas, the Balanced Budget Act of 1997 created a new Medicare payment system to improve the existing payment system, and must be in place by October 2000. The Health Care Financing Administration (HCFA) will force home health care agencies to collect and report personal and medical information; and

Whereas, this sensitive personal information will be collected and used, without the consent of the patients, not only to create the new Medicare payment system, but also to improve quality of care, and eliminate fraud; and

Whereas, home health care agencies participating to Medicare and Medicaid are collecting patient information, and data transmission from the states to HCFA has commenced; and

Whereas, the Outcome and Assessment Information Set (OASIS) survey is the 19-page conduit required by HCFA to collect a range of medical and personal questions from more than 9,000 Medicare certified home health care providers to complete in order to assess more than 4,000,000 patients; and

Whereas, patients who receive federal benefits must disclose personal information including physical, mental, and functional information: patients' medical history; living arrangements; sensory status; medications; and emotional status through behavioral and psychological profiles. Home health care patients who do not collect federal benefits must also disclose personal information in a scaled back version of the OASIS survey; and

Whereas, the American Civil Liberties Union (ACLU) asserts that the database will be used to perform outcomes research on home-care patients; and

Whereas, the ACLU is concerned with HCFA's collection of data because it cannot justify overriding the Fourth Amendment of the U.S. Constitution, the requirements of medical ethics, and the federal regulations on research involving human subjects, which asserts that any research using fully identified information requires fully informed consent; and

Whereas, HCFA is unwilling to allow patients to opt out of this data collection system; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring:

That due to HCFA's intrusion of government bureaucracy into private transactions that take place outside of a federal program into personal liberty and privacy, New Hampshire urges Congress to block HCFA's intrusive regulations, and to work to protect the personal liberty and privacy of every American; and

That copies of this resolution, signed by the speaker of the house of representatives and the president of the senate, be forwarded by the house clerk to the Speaker of the United States House of Representatives, to the President of the United States Senate, and to the governor of each state.

POM–525. A resolution adopted by the Senate of the Legislature of the State of Michigan relative to Medicare coverage for immunosuppressive drugs; to the Committee on Finance.

SENATE RESOLUTION NO. 153

Whereas, The medical community has made remarkable advancements in the effectiveness of immunosuppressive drugs that are used to prevent organ rejection in transplant patients. This has contributed to the great strides that have occurred in the field of organ transplantation; and

Whereas, While these drugs are expensive, the quality of life they afford and the more costly health procedures they can avoid make immunosuppressive medicines a worthwhile investment. In many instances, people previously disabled for long periods of time are able to return to work and live a full life as productive citizens; and

Whereas, Under current law, Medicare will provide for immunosuppressive drugs for up to three years following a transplant. It has become apparent to those in the medical community working with patients receiving kidneys, hearts, and livers that this limit puts transplant recipients at risk and is counterproductive. In contrast to the limited coverage for the immunosuppressive drugs, for example, a patient needing kidney dialysis can receive coverage for that procedure indefinitely. Costs for dialysis are significantly higher than for most immunosuppressive regimens. A successful transplant patient is more likely to return to work than many dialysis patients; and

Whereas, Congress is presently considering measures that would extend Medicare coverage for immunosuppressive drugs. This step is a most appropriate response to the needs of transplant patients and a more effective long-term approach to a serious health-care issue; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to enact legislation to remove the time limit for Medicare coverage for immunosuppressive drugs; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–526. A concurrent resolution adopted by the Legislature of the State of Hawaii relative to the responsible use of agricultural biotechnology for the benefit of Hawaii's people; to the Committee on Agriculture, Nutrition, and Forestry.

HOUSE CONCURRENT RESOLUTION NO. 37

Whereas, biotechnology refers to any technique that uses living organisms or parts thereof to make or modify a product or plants, animals, or microorganisms for specific uses; and

Whereas, traditional biotechnology, primarily breeding and selection, has been used by humankind for thousands of years for the improvement of plants, animals, and microorganisms; and

Whereas, in the last three decades scientific advances in molecular biology have resulted in what is known as recombinant DNA technology or ''genetic engineering'' with the ability to readily move genetic material between more distantly related organisms; and

Whereas, the key components of modern biotechnology are genomics, the molecular characterization of all genes and gene products of a species; bioinformatics, the assembly of data from genomic analysis into accessible and usable forms; transformation, the introduction of single genes conferring useful traits into plants, livestock, fish, tree species, etc.; the identification and evaluation of useful traits in breeding by the use of marker-assisted selection; diagnostics, the more accurate and quicker identification of disease-causing agents, or pathogens, by using new diagnostic techniques based on the molecular characterization of pathogens; and vaccine technology, the use of modern immunology to develop recombinant DNA vaccines for improved control against lethal diseases; and

Whereas, the papaya industry in Hawaii survived the risks of disease and pest infestations with transgenic seeds made possible from advances in biotechnology; and

Whereas, organisms improved, or ''transformed,'' through modern biotechnology are commonly referred to as ''genetically-modified'' or ''bioengineered organisms''; and

Whereas, modern biotechnology has several advantages over traditional biotechnology including the ability to transfer a single, specific gene providing a useful trait to a target organism, the more rapid development of varieties containing new and desirable traits, the knowledge that a specific gene or set of genes produce a desired trait, and the availability of the entire span of genetic capabilities among all organisms; and

Whereas, modern biotechnology is being used to increase the productivity of crops and livestock, to improve the quality of life by developing new high-yielding crops that require fewer inputs and conserve natural resources, to increase the food supply for a rapidly increasing human population, to produce more nutritious foods with longer shelf lives, and to continue to provide consumers with high-quality, low-cost food products; and

Whereas, it is estimated that in 1999 about 100 million acres worldwide were planted with transgenic varieties of more than 20 crop species and the value of transgenic crops grew from $75 million in 1995 to $1.64 billion in 1998; and

Whereas, the National Research Council has stated that bioengineered crops should provide no greater risk to the environment than those crops using traditional biotechnology; and

Whereas, further advances in modern biotechnology may result in crops, for example, that combat vitamin and mineral deficiencies that afflict hundreds of millions of people worldwide or that can be used to produce life-saving vaccines and biodegradable plastics; and

Whereas, a 1999 report of the Nuffield Council on Bioethics concluded that there is compelling moral imperative to enable emerging economies to evaluate the use of modern biotechnology to combat hunger and poverty; and

Whereas, a September 1999 Gallup Poll found that Americans most familiar with modern biotechnology are also the most supportive of its use to improve our food supply and that more than three-fourths of Americans are confident in the federal government to ensure the safety of the nation's food supply; and

Whereas, federal law requires that all foods and food ingredients, whether produced by traditional or modern biotechnology, must be extensively reviewed for safety by the U.S. Food and Drug Administration and meet the provisions of the Federal Food, Drug, and Cosmetics Act before they can be sold to consumers; now, therefore, be it

Resolved by the House of Representatives of the Twentieth Legislature of the State of Hawaii, Regular Session of 2000, the Senate concurring, supports the responsible use of modern biotechnology to benefit the people of Hawaii, the nation, and the world, and the global environment through high-yield agricultural production requiring the reduced use of farm inputs and acreage; and be it further

Resolved, that a certified copy of this Concurrent Resolution be transmitted to the President of the United States, the Vice President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Hawaii U.S. Congressional Delegation, the Secretary of the United States Department of Agriculture, the Director of the United States Food and Drug Administration, the Administrator of the United States Environmental Protection Agency, the Governor of the State of Hawaii, the Chairperson of the University of Hawaii College of Tropical Agriculture and Human Resources, the American Farm Bureau Federation, the American Crop Protection Association, the Western Crop Protection Association, the Responsible Industry for a Sound Environment, the Grocery Manufacturers of America, the Hawaii Food Industry Association, the Hawaii Food Manufacturers Association, the Hawaii Farm Bureau Federation, the Hawaii Crop Improvement Association, and the Hawaii Agriculture Research Center.

POM–527. A concurrent resolution adopted by the Legislature of the State of Kansas relative to amending the Constitution to restrict the ability of the federal judiciary to mandate any state or subdivision thereof to levy or increase taxes; to the Committee on the Judiciary.

HOUSE CONCURRENT RESOLUTION NO. 5059

Whereas, Unfunded mandates by the United States Congress and the executive branch of the federal government increasingly strain already tight state government budgets if the states are to comply; and

Whereas, To further compound this assault on state revenues, federal district courts, with the blessing of the United States Supreme Court, continue to order states to levy or increase taxes to supplement their budgets to comply with federal mandates; and

Whereas, The court's actions are an intrusion into a legitimate legislative debate over state spending priorities and not a response to a constitutional directive; and

Whereas, The Constitution of the United States of America does not allow, nor do the states need, judicial intervention requiring tax levies or increases as solutions to potentially serious problems; and

Whereas, This usurpation of legislative authority begins a process that over time could threaten the fundamental concept of separation of powers that is precious to the preservation of the form of our government embodied by the Constitution of the United States of America; and

Whereas, Fifteen states, including Alabama, Alaska, Arizona, Colorado, Delaware, Louisiana, Massachusetts, Michigan, Missouri, Nevada, New York, Oklahoma, South Dakota, Tennessee and Utah, have petitioned the United States Congress to propose an amendment to the Constitution of the United States of America that reads as follows: ''Neither the Supreme Court nor any inferior court of the United States shall have the power to instruct or order a state or political subdivision thereof, or and official of such state or political subdivision, to levy or increase taxes.'': Now, therefore, be it

Resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the Kansas Legislature respectfully requests and petitions the Congress of the United States to propose submission to the states for their ratification an amendment to the Constitution of the United States of America to restrict the ability of the United States Supreme Court or any inferior court of the United States to mandate any state or political subdivision of the state to levy or increase taxes; and be it further

Resolved, That the Secretary of State is hereby directed to send enrolled copies of this section to the President of the United States; the President pro tempore of the United States Senate; the Speaker of the United States House of Representatives; each member of the Kansas Congressional Delegation; each member of the United States Supreme Court and the United States Court of Appeals for the 10th Circuit and all federal district court judges for the district of Kansas; and each member of the Kansas Supreme Court and the Kansas Court of Appeals and all Kansas district court judges.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committee were submitted:

By Mr. WARNER for the Committee on Armed Services.

General John A. Gordon, United States Air Force, to be Under Secretary for Nuclear Security, Department of Energy.

(The above nomination was reported with the recommendation that confirmation be subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

The following named officer for appointment in the United States Army as Dean of the Academic Board, United States Military Academy, and for appointment to the grade indicated under title 10, U.S.C., section 4335:

To be brigadier general

Col. Daniel J. Kaufman, 3704

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be admiral

Vice Adm. Robert J. Natter, 0422

(The above nominations were reported with the recommendation that they be confirmed.)

By Mr. MURKOWSKI for the Committee on Energy and Natural Resources.

Mildred Spiewak Dresselhaus, of Massachusetts, to be Director of the Office of Science, Department of Energy.

(The above nomination was reported with the recommendation that she be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. KERREY:

S. 2616. A bill for the relief of Luis A. Gonzalez and Virginia Aguilla Gonzalez; to the Committee on the Judiciary.

By Mr. BAUCUS (for himself, Mr. ROBERTS, Mr. DORGAN, Mrs. LINCOLN, and Mr. JEFFORDS):

S. 2617. A bill to lift the trade embargo on Cuba, and for other purposes; to the Committee on Finance.

By Mr. REID:

S. 2618. A bill to direct the Secretary of the Interior to sell certain land to the town of Kingston, Nevada, for use as an emergency medical air evacuation site and for other public uses; to the Committee on Energy and Natural Resources.

By Mr. LEAHY (for himself, Mr. ROBB, and Mr. KENNEDY):

S. 2619. A bill to provide for drug-free prisons; to the Committee on the Judiciary.

By Mr. REID (for himself and Mr. BRYAN):

S. 2620. A bill to designate the facility of the United States Postal Service located at 2000 Vassar Street in Reno, Nevada, as the ''Barbara F. Vucanovich Post Office Building''; to the Committee on Governmental Affairs.

By Mr. FEINGOLD (for himself, Mr. LEAHY, Mr. L. CHAFEE, Mr. HARKIN, Mr. KOHL, Mrs. BOXER, Mr. DURBIN, Mr. WYDEN, and Mr. KENNEDY):

S. 2621. A bill to continue the current prohibition of military cooperation with the armed forces of the Republic of Indonesia until the President determines and certifies to the Congress that certain conditions are being met; to the Committee on Foreign Relations.

By Mr. ROBERTS (for himself and Ms. SNOWE):

S. 2622. A bill to amend the Internal Revenue Code of 1986 to encourage stronger math and science programs at elementary and secondary schools; to the Committee on Finance.

By Mr. ROBERTS (for himself and Ms. SNOWE):

S. 2623. A bill to amend the Elementary and Secondary Education Act of 1965 to establish and expand programs relating to science, mathematics, engineering, and technology education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROBERTS (for himself and Ms. SNOWE):

S. 2624. A bill to establish and expand programs relating to science, mathematics, engineering, and technology education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. COLLINS (for herself, Mr. DODD, Mr. HUTCHINSON, Mr. WELLSTONE, Mr. TORRICELLI, Mr. MURKOWSKI, Mr. DORGAN, Mr. LIEBERMAN, and Mr. MOYNIHAN):

S. 2625. A bill to amend the Public Health Service Act to revise the performance standards and certification process for organ procurement organizations; to the Committee on Health, Education, Labor, and Pensions.

By Mr. JEFFORDS:

S. 2626. A bill to amend the Internal Revenue Code of 1986 to improve access to tax-exempt debt for small non-profit health care and educational institutions; to the Committee on Finance.

By Mr. BURNS:

S. 2627. A bill to direct the Secretary of the Interior to provide funding for rehabilitation of the Going-to-the-Sun Road in Glacier National Park, to authorize funds for maintenance of utilities related to the Park, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MACK:

S. 2628. A bill to suspend temporarily the duty on R115777; to the Committee on Finance.

By Mr. HELMS:

S. 2629. A bill to designate the facility of the United States Postal Service located at 114 Ridge Street in Lenoir, North Carolina, as the ''James T. Broyhill Post Office Building''; to the Committee on Governmental Affairs.

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SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ROTH (for himself, Mr. BIDEN, Mr. LOTT, Mr. HELMS, and Mr. VOINOVICH):

S. Con. Res. 117. A concurrent resolution commending the Republic of Slovenia for its partnership with the United States and NATO, and expressing the sense of Congress that Slovenia's accession to NATO would enhance NATO's security, and for other purposes; to the Committee on Foreign Relations.

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STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BAUCUS (for himself, Mr. DORGAN, and Mrs. LINCOLN):

S. 2617. A bill to lift the trade embargo on Cuba, and for other purposes; to the Committee on Finance.

THE TRADE NORMALIZATION WITH CUBA ACT OF 2000

Mr. BAUCUS. Mr. President, I rise today, on behalf of myself and Senators ROBERTS, DORGAN, and LINCOLN, to introduce the Trade Normalization With Cuba Act of 2000.

For 40 years, we have implemented a series of policies designed to end Fidel Castro's leadership of Cuba. The instruments we have used have included a trade embargo, an invasion of Cuba, assassination attempts, and multilateral pressures. None of these measures has moved Cuba any closer to democracy and a market economy. In fact, the result has been just the opposite. Castro is as entrenched as ever. The economy is in tatters. The Cuban people are suffering.

For four decades, Castro has suppressed his own citizens. He has been responsible for the imprisonment and mistreatment of thousands, and the emigration of hundreds of thousands. He has dispatched Cuban troops around the world to support revolution.

During the Cold War, Cuba was an integral member of the Soviet bloc. Castro was an eager and active participant in the proxy battles fought between the United States and the Soviet Union throughout Africa, Asia, and Latin America.

The Cold War has been over for a decade. The embargo, which had the goal of forcing Castro out of power, has failed totally. And it will continue to have no impact on the longevity of Castro's rule.

What has the embargo and American policy actually done? It has certainly done nothing to advance liberty and democracy for the Cuban people. And there are no prospects that it will.

What has the embargo done? First, it prohibits all trade with Cuba. It does include an exception for the sale of food and medicine. However, the requirements are so complex and burdensome on U.S. suppliers that very little food or medicine has been exported to Cuba. We hurt the Cuban people. We hurt American business, American farmers, and American workers. And we have had no impact on the regime.

We have succeeded in alienating virtually all potential allies who would be willing to work with us in developing a realistic policy to influence change in Cuba—the nations of the European Union, Canada, the Organization of American States, the United Nations, even the Pope.

Another accomplishment of our policy of our trade embargo, we now have a law, the Cuban Liberty and Democratic Solidarity Act, that prohibits lifting the embargo until there is a transition government in Cuba that does not include Castro. This is an ''all or nothing policy'' that cannot work in the real world.

Unilateral trade sanctions don't work. This is as true with Cuba as it has been with China, Myanmar, Iraq, or North Korea. In some cases, it hurts the people in those countries. And it hurts Americans, our farmers, ranchers, workers, and businesses.

Forty years of sanctions have accomplished nothing in Cuba. It is time for the Congress to recognize that. I fully support the efforts being made again this year in both the Senate and the House to remove the unilateral restraints we have put on our export of food and medicine to a number of countries, including Cuba. This bill is not a substitute for those efforts. Rather, this bill is directed only toward Cuba, and goes far beyond liberalization of food and medicine exports.

Thomas Jefferson said ''Enlighten the people generally, and tyranny and oppressions of body and mind will vanish like evil spirits at the dawn of the day.'' Current US policy turns Jefferson's statement on its head. Our effort to isolate Cuba through the trade embargo and other policies has failed to bring human rights improvement, has provided a pretext for Castro's continued repression, makes the United States the scapegoat for Castro's failed economic policies, and hurts the Cuban people.

It is time to put together a responsible strategy to improve the human condition in Cuba and set the stage for increased freedom and respect for human rights once Fidel Castro leaves the scene.

Obviously, Cuba will not change overnight with the removal of the trade embargo. But this bill is a first step down the road to a peaceful transition to a democratic society and a market economy in Cuba.

Before I conclude, I want to recognize my friend, Congressman Charles Rangel, who has been a leader in trying to end the embargo and move toward normalization of relations with Cuba. I look forward to working closely with him to make this happen.

I urge my Senate colleagues to support our effort.

By Mr. REID:

S. 2618. A bill to direct the Secretary of the Interior to sell certain land to the town of Kingston, Nevada, for use as an emergency medical air evacuation site and other public uses; to the Committee on Energy and Natural Resources.

EMERGENCY LANDING STRIP CONVEYANCE

Mr. REID. Mr. President, I rise today to introduce the Town of Kingston Emergency Landing Strip Conveyance Act.

The Town of Kingston, Nevada, currently uses federal land as an emergency landing strip at Kingston in southern Lander County, Nevada. Kingston is a rural town located on a small island of private land in the center of the state and is surrounded by both United States Forest Service and Bureau of Land Management (BLM) public lands. The isolation constrains the growth, economic diversity, and public services available to those who live in or visit Kingston. Medic Air of Reno has an agreement with local Fire and Rescue to provide 24-hour emergency medical service to this landing strip. BLM has extended the existing airport lease to the Kingston Town

Board until September 30, 2000, but cannot renew the lease because the strip does not meet FAA standards.

This Act will convey a total of 144.88 acres to the Town of Kingston. Seventy acres will be conveyed at fair market value and 74.88 acres at no cost. The 70 acres contains the main landing strip. The 74.88 acres contains the balance of the approach and the disposal of this land for no consideration will benefit the United States by disposing of an isolated, segregated parcel that would be difficult to manage for public use. It is my sincere hope that Congress will pass this bill thereby allowing a win-win situation for both the United States and Kingston, Nevada.

Mr. President, I ask unanimous consent that the full text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2618

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

SECTION 1. CONVEYANCE.

(a) FINDINGS.—Congress finds that—

(1) the lease by the Secretary of the Interior of certain land to the town of Kingston, Nevada, for use as an emergency airstrip is about to expire;

(2) rather than renew the airport lease (which would require certification by the Federal Aviation Administration), the Secretary and the Town desire that the parcel on which the main landing strip is situated be sold to the Town for fair market value as determined by the Secretary;

(3) adjacent to that parcel is other land, most of which, if the airstrip parcel is sold to the Town, would be isolated from other land administered by the Secretary and would therefore be difficult for the Secretary to manage;

(4) it would in the best interests of the United States and the Town for the Secretary to convey to the Town both the airstrip parcel and the adjacent parcel, at the fair market value of the airstrip parcel; and

(5) the parcels have been determined to be suitable for disposal in the Shoshone-Eureka Resource Management Plan and Environmental Impact Statement.

(b) DEFINITIONS.—In this section:

(1) ADJACENT PARCEL.—The term ''adjacent parcel'' means the parcels of land in the State of Nevada, comprising 74.88 acres, described as Mount Diablo Meridian, T16N, R44E, section 31, lot 4, E1/2NESE, S1/2SWNESE, S1/2S1/2NWSE.

(2) AIRSTRIP PARCEL.—The term ''airstrip parcel'' means the parcel of land, with a landing strip running on an easterly bearing and a portion of a landing strip running on a southerly bearing, in the State of Nevada, comprising 70.00 acres, described as Mount Diablo Meridian, T16N, R44E, section 31, N1/2SESW, N1/2SWSE, N1/2SESE, SESESE.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(4) TOWN.—The term ''Town'' means the town of Kingston, Nevada.

(c) CONVEYANCE.—In consideration of payment of the fair market value of the airstrip parcel, the Secretary of the Interior shall convey to the Town, subject to valid existing rights, all right, title, and interest of the United States in and to the airstrip parcel and the adjacent parcel, totaling 144.88 acres.

(d) NO RESERVATIONS.—The patent by which the conveyance under subsection (c) is made shall contain no reservations.

(e) LEASE EXTENSION.—If for any reason the conveyance under subsection (c) is not completed before September 30, 2000, the term of the airport lease, as in effect on the date of enactment of this Act, shall be considered to be extended until the date of the conveyance.

By Mr. LEAHY (for himself, Mr. ROBB, and Mr. KENNEDY):

S. 2619. A bill to provide for drug-free prisons; to the Committee on the Judiciary.

THE DRUG-FREE PRISONS ACT OF 2000

Mr LEAHY. Mr. President, today I am introducing legislation—with Senators ROBB and KENNEDY—that will provide state and local governments additional tools to fight drug use in our nation's prisons. It is critical that our prisons be drug-free, both because lawbreaking within our correctional system is a national embarrassment, and because prisoners who are released while still addicted to drugs are far more likely to commit future crimes than prisoners who are released sober. This bill includes numerous provisions that will provide needed help to address drug abuse in prisons throughout the country.

The bill establishes a new grant program that authorizes the Attorney General to make $75 million a year in grants to state and local governments to support comprehensive drug testing and treatment for prisoners and other offenders. It would also permit states that currently receive money under the Violent Offender Incarceration and Truth in Sentencing Grant Program (VOI/TIS) to use those funds to pay for drug testing and treatment, so long as the state receiving the funds has penalties in place to address drug trafficking in prisons. In addition, the bill would reauthorize appropriations for the Residential Substance Abuse for State Prisoners (RSAT) grants program for the next five years, and establish exemptions to the general four-year time limit on Byrne grants for state and local law enforcement programs involving drugs.

The bill also re-establishes the drug courts program and re-authorizes funding for it. The majority repealed the program in the Omnibus Consolidated Rescissions and Appropriations Act of 1996, in a partisan bashing of Democratic programs. In my view, effective programs dealing with drug abuse should not be used as political footballs. That is why the Administration, with the strong support of the Department of Justice, has continued to seek funding for the program, and why the Congress has continued to fund drug courts in every year's appropriations acts. This has been the right decision, and we should undo the repeal.

Drug courts provide the opportunity to deal systematically with nonviolent drug offenders at a substantial savings to taxpayers. Instead of jailing these nonviolent offenders, the courts can order alternative punishments that are mixed with mandatory testing and drug treatment and human services such as education or vocational training. Meanwhile, imprisonment is held out as a stick to ensure good behavior. To qualify for federal assistance, a drug court program must mandate periodic drug testing during any supervised release or probation periods, provide drug abuse treatment for each participant, and must hold out the possibility of prosecution, confinement, or incarceration for noncompliance or failure to show satisfactory process. Violent offenders are defined quite broadly, so we can be confident that we are not funding programs that put dangerous people back on the streets. Drug courts hold out the promise of providing a way that we can reach out to younger offenders who are using drugs before they turn to a life of crime, helping to save lives and significant government resources.

The bill permits state and local governments to spend up to 25 percent of unexpended VOT/TIS grants from fiscal years 1996–2001 to implement graduated sanctions, including victim and community restitution, intensive community supervision, regular drug testing, and short-term incarceration. Such graduated sanctions initiatives would free up additional prison space for violent offenders, and States would have to use this program for that purpose. Indeed, the purpose of this proposal is to ensure that States have sufficient flexibility to guarantee that violent criminals serve their full sentences, the goal of the Truth in Sentencing grants.

Drug abuse in prisons is a serious problem. The National Center on Addiction and Substance Abuse at Columbia University (CASA) recently found that drug and alcohol abuse was implicated in the crimes and incarceration of 80 percent of those currently serving time in America's prisons. This finding shows that we have a prison population that has a history of substance abuse, and will seek out opportunities to continue using drugs while imprisoned. Of course, if prisoners are using drugs in prison, this will create serious behavioral and other problems that corrections officers will have to address, at no small risk to them.

The problem does not end there. The same CASA study shows that inmates who are illegal drug and/or alcohol abusers are the most likely to be repeat offenders. In fact, the study concluded that 61 percent of state prison inmates who have two prior convictions are regular drug users. The strong link between drug use and recidivism cannot be ignored. Prison should provide an opportunity for us to break this cycle and therefore reduce crime. We can do this through a concerted effort to test prisoners for drug

use—and penalize those who test positive—and provide adequate drug treatment so that prisoners can lead productive, non-criminal lives upon their release. As Joseph Califano, former Secretary of the Department of Health, Education, and Welfare and current president of CASA, recently said: ''Releasing drug-addicted inmates without treatment helps maintain the market for illegal drugs and supports drug dealers.'' And there is every indication that the number of prisoners needing drug treatment is increasing even faster than the prison population as a whole. According to CASA, from 1993 to 1996, the number of inmates needing substance abuse treatment rose from 688,000 to 840,000. There is no reason to believe the problem has abated.

Indeed, just last December, the National League of Cities adopted a resolution on the importance of drug testing and treatment in prisons. The League cited studies showing that among inmates who completed drug abuse treatment programs, only 3.3 percent were rearrested within the first six months after release, compared to 12.1 percent of inmates who did not receive treatment.

It is clear that if we do not take steps to stop the revolving doors of our nation's prison system, we will continually be forced to spend more and more public money to construct more and more prisons. To avoid that result, we need to determine through testing which inmates are addicted to drugs and alcohol, reduce the availability of drugs in prisons, and ensure that inmates have access to the treatment they need while incarcerated.

Some have advocated that every prisoner be tested before being released, a proposal that, to my knowledge, no State has adopted. As law enforcement officials in our States know, such testing would be extraordinarily expensive and unnecessarily broad. The better and more realistic approach is to provide resources that will enhance States' ability to do targeted testing, allowing corrections officers to use their judgment as to which prisoners are most likely to be abusing drugs while providing a deterrent effect for prisoners generally. That is the approach of this legislation I introduce today.

I realize some of my colleagues may be concerned about funds originally designated for prison construction costs being used for drug testing and treatment. Let me assure you that states will retain complete flexibility under this bill as to how they allocate their Truth in Sentencing and Violent Offender Incarceration grant funds. But a powerful case can be made that it is in the fiscal interests of the States to take advantage of the opportunity this bill offers. According to the CASA study, it would cost States about $6,500 per year to provide comprehensive and effective residential drug treatment services to an inmate. In return, the study shows that society will see an economic return of $68,800 for each inmate who successfully completes such a program and returns to the community sober and with a job. This figure represents the savings in the first year based on the much lower likelihood that the former inmate will be arrested, prosecuted, or incarcerated, and includes health care savings and the potential earnings of a drug-free individual.

Funding both testing and treatment allows us to take a carrot-and-stick approach to a persistent national problem. We cannot hope to get a handle on our drug problem so long as drug abuse and drug trafficking persist in our prisons. We cannot afford the false choice between treatment and testing; both are needed to keep order in our prisons and safety in our streets.

This view is confirmed by the people who work with these issues every day in my State of Vermont. For example, James Walton, Vermont's Commissioner of Public Safety, and John Perry, the Director of Planning for the Vermont Department of Corrections, wholeheartedly support this proposal. I have always valued their counsel, as they have first-hand knowledge of the real law enforcement needs in my state. They both feel strongly that the bill will give law enforcement the tools it needs to test and treat offender populations, both in jail and in the community. I hope and expect that this bill will have the same effect across the country.

For that reason and all of the above reasons, I urge the Senate to take prompt action on this bill and support this effort to make our prisons drug-free.

By Mr. REID (for himself and Mr. BRYAN):

S. 2620. A bill to designate the facility of the United States Postal Service located at 2000 Vassar Street in Reno, Nevada, as the ''Barbara F. Vucanovich Post Office Building''; to the Committee on Governmental Affairs.

BARBARA F. VUCANOVICH POST OFFICE BUILDING

Mr. REID. Mr. President, I rise today to introduce the Barbara F. Vucanovich Post Office Building Naming Act.

As many of my colleagues know, Congresswoman Barbara Vucanovich was the first female elected to represent the State of Nevada in Congress. She was first elected in 1983 and retired in 1996, after serving in the House of Representatives for 14 years. In her final year, she was an influential member of the House Appropriations Committee and the Chairwoman of the Subcommittee on Military Construction. Barbara and I came to the House together as a result of the 1982 election. We both represented all of Nevada; not solely Congressional Districts. Barbara was a fine member of Congress. I miss her.

Mr. President, it gives me pleasure to introduce this bill to commemorate Barbara Vucanovich's exemplary service to the State of Nevada and the United States of America by renaming the main post office in Reno, Nevada, as the ''Barbara F. Vucanovich Post Office Building.'' Representatives GIBBONS and BERKLEY introduced identical legislation in the House on April 4, 2000. Nevada Governor Kenny Guinn and former Senator Paul Laxalt join Nevada's congressional delegation in thanking Barbara Vucanovich for her dedicated public service.

Mr. President, I ask unanimous consent that the full text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2620

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

SECTION 1. DESIGNATION OF BARBARA F. VUCANOVICH POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 2000 Vassar Street in Reno, Nevada, shall be known and designated as the ''Barbara F. Vucanovich Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Barbara F. Vucanovich Post Office Building''.

By Mr. FEINGOLD (for himself, Mr. LEAHY, Mr. L. CHAFEE, Mr. HARKIN, Mr. KOHL, Mrs. BOXER, Mr. DURBIN, Mr. WYDEN, and Mr. KENNEDY):

S. 2621. A bill to continue the current prohibition of military cooperation with the armed forces of the Republic of Indonesia until the President determines and certifies to the Congress that certain conditions are being met; to the Committee on Foreign Relations.

EAST TIMOR REPATRIATION AND SECURITY ACT OF 2000

Mr. FEINGOLD. Mr. President, I rise today to keep a promise that I made on this floor a few months ago.

In January, I came to the floor to talk about the tragic events that occurred last fall in East Timor. I spoke about the need to encourage the new Indonesian government in its commitment to reform and its resolve to reject the climate of impunity. I withdrew an amendment that would have codified the administration's suspension on military and security assistance for Indonesia East Timor, although I believed then and strongly believe today that Indonesia has not yet met the basic conditions that should be prerequisites for any restoration of military ties with Indonesia.

At that time, Mr. President, I pledged to continue to monitor events in Indonesia and in East Timor closely. And I pledged to come to this floor if what I saw troubled me.

Let me tell you what I see today.

First, I am sorry to say, Mr. President, there have been no trials yet. No one has been brought to justice for the atrocities committed in East Timor

last year. I recognize that the Indonesian government has taken some courageous steps in investigating the atrocities that took place in East Timor, and I commend the Indonesian government for its efforts to date. The Indonesian government and the U.N. have succeeded in signing an agreement to exchange witnesses and evidence that could lead to the prosecution of those responsible for the violence in East Timor. A number of dedicated individuals within the new government continue to work courageously for reform, justice, and accountability. But I note, that obervers have been disturbed by the number of civilian and military police officers that the government has appointed to the team charged with investigating human rights abuses in East Timor. And the simple fact remains—no one has yet been held accountable in a court of law for the acts committed by the military and militias in East Timor last year.

A second concern is there has been no change in the situation in West Timor. Today, half a year after the referendum, some 100,000 people are still living in the refugee camps of West Timor, afraid of what will happen to them should they attempt to return home. Some will likely choose to stay in Indonesia, but all reports from the area indicate that many want to return home but do not because of continued intimidation from militia groups.

Within the refugee camps, since January there have been about a dozen incidents in which international agencies attempting to deliver aid to the refugees were attacked. According to recent reports, one militia group is so well-organized that it prints a newsletter of fabricated horror stories aimed at dissuading refugees from returning to East Timor.

This week the plight of these refugees—at this point the most vulnerable of the original masses—was made even more difficult as they contend with the heavy rains and floods that have already killed at least 148 people. Over a hundred are still missing. When the flood waters recede, these people should have every opportunity to put their lives back together, free from threats and from fear.

I look at these facts and I consider that the administration has chosen to take a first step toward lifting its suspension on all forms of military assistance and contacts by inviting the Indonesians to particiapte in a joint exercise, and I am indeed troubled.

Today I am introducing a bill, the East Timor Repatriation and Security Act of 2000. The bill codifies the suspension of military and security assistance to Indonesia until certain conditions are met—the same conditions that have been articulated in the past; the same conditions contained in last year's foreign operations appropriations bill.

The bill would permit military and security assistance to resume only when the President determines and submits a report to the appropriate congressional committees that the Government of Indonesia and the Indonesian Armed Forces are:

Taking effective measures to bring to justice members of the armed forces and militia groups against whom there is credible evidence of human rights violations;

Taking effective measures to bring to justice members of the armed forces against whom there is credible evidence of aiding or abetting militia groups;

Allowing displaced persons and refugees to return home to East Timor, including providing safe passage for refugees returning from West Timor;

Not impeding the activities of the United Nations Transitional Authority in East Timor;

Demonstrating a commitment to preventing incursions into East Timor by members of militia groups in West Timor; and,

Demonstrating a commitment to accountability by cooperating with investigations and prosecutions of members of the Indonesian Armed Forces and military groups responsible for human rights violations in Indonesia and East Timor.

These certainly are not unreasonable conditions. They work in favor of the forces of reform within Indonesia. And by linking military and security assistance to these benchmarks, Congress will ensure that the U.S. relationship with Jakarta avoids the mistakes of the past, and that U.S. foreign policy comes closer to reflecting our core national values.

To those who believe that all is well, to those who would prefer to forgive and forget, to those who think that the issue is yesterday's news, I would simply reiterate the simple facts. There have been no trials for the perpetrators of abuses in East Timor, and the situation in the refugee camps has remained unacceptable. Quite recently, Admiral Dennis Blair, commander in chief of U.S. forces in the Pacific, reaffirmed what Secretary of Defense Cohen articulated last year—the U.S. will not resume a military relationship with Indonesia until the military personnel responsible for the devastation in East Timor are brought to justice, and the U.S. will not resume a military relationship with Indonesia until the refugee crisis in West Timor has been resolved. Specifically, Admiral Blair called on the Indonesians to disband and cut off support to the militia members still terrorizing the refugees. It is critical that the U.S. insist on nothing less. In fact, we should insist on more—the militia members guilty of atrocities should be brought to justice.

It is clear that these conditions have not yet been met. But the administration's new proposals for joint exercises with the Indonesians undermine Admiral Blair's words. The substance of the exercise currently being planned does not necessarily trouble me, but its significance does. The administration looks as if it suffers from a lack of resolve and from a wavering sense of commitment.

Indonesia is an extraordinarily important country—strategically and economically. Its future course will undoubtedly affect the United States. For this very reason, we must stand firm, and insist upon rebuilding U.S.-Indonesian ties on the firm foundation of respect for the rule of law and for basic human rights.

It is because I believe this so strongly—and I know that many of my colleagues share my views—that I have come back to the floor to raise this issue again. I am keeping my promise. I am watching the situation in East and West Timor very closely, and I still do not like what I see.

By Mr. ROBERTS (for himself and Ms. SNOWE):

S. 2622. A bill to amend the Internal Revenue Code of 1986 to encourage stronger math and science programs at elementary and secondary schools; to the Committee on Finance.

THE NATIONAL SCIENCE EDUCATION INCENTIVE ACT OF 2000

S. 2623. A bill to amend the Elementary and Secondary Education Act of 1965 to establish and expand programs relating to science, mathematics, engineering, and technology education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

THE NATIONAL SCIENCE EDUCATION ENHANCEMENT ACT

S. 2624. A bill to establish and expand programs relating to science, mathematics, engineering, and technology education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

THE NATIONAL SCIENCE EDUCATION ACT

Mr. ROBERTS. Mr. President, I rise today to introduce sweeping legislation to reform and improve math, science, engineering and technology education in American schools.

The fields of science, math, engineering and technology are critical to U.S. economic success. Unfortunately, there is growing concern that we do not measure up as evidenced by studies that show our students cannot compete internationally. In fact, over half of students in our esteemed graduate schools are from other countries. Our economic future depends on science and we must ensure that our schools are preparing students for the technological jobs that await them.

So many aspects of our national success depends on our technological savvy. For instance, our strong economy has certainly prospered because of technology advances. The economic boom, witnessed by average consumers and Wall Street analysts alike, has high stakes in our continued technology success. Meanwhile, our workforce is increasingly staffed by people from other countries. Later this year, Congress will be asked to again raise

the quota of H–1B visas. While these workers are key to our economic success, we must address this problem and grow our own high-tech labor force. Moreover, we cannot forget how adversely our national security could fare if our country were to fall behind in technological pursuits. A key piece of our national security is at stake—the strength of our military is built upon our technological superiority.

There is a fundamental need for this legislation. I have introduced the following three bills to help improve the quality of science and technology teachers and curriculum through incentives and better training:

The National Science Education Act. These provisions, utilizing the National Science Foundation, set up Science Master Teachers and offer grants to place one in every elementary school.

The National Science Education Enhancement Act. Recognizing that we must keep good teachers and help them grow in their career, this bill uses the Elementary and Secondary Education Act to set up Science Teacher Mentors and Summer Professional Development Institutes. It also expands the Eisenhower National clearinghouse to provide that this information be available on the Internet.

The National Science Education Incentive Act. This bill provides tax credits to help teachers with up to $10,000 of tuition and encourage the private sector education contributions such as computers, technology service, teacher training and teacher externships.

My legislation is mirrored in the House of Representatives with bills by Representative VERNON EHLERS, the vice chairman of the House Science Committee and author of ''Unlocking Our Future: Toward a New National Science Policy.'' Furthermore, I am pleased to have the support and able assistance of the Senior Senator from Maine, Senator OLYMPIA J. SNOWE in joining me to introduce this bill.

Mr. President, I strongly encourage my colleagues to join me in support of this effort to reform and improve math, science, engineering and technology education in American schools. I ask unanimous consent that the text of the bills be printed in the RECORD.

There being no objection, the bills were ordered to be printed in the RECORD, as follows:

S. 2622

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Science Education Incentive Act of 2000''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) As concluded in the report of the Committee on Science of the House of Representatives, ''Unlocking Our Future Toward a New National Science Policy,'' which was adopted by the House of Representatives, the United States must maintain and improve its preeminent position in science and technology in order to advance human understanding of the universe and all it contains, and to improve the lives, health, and freedoms of all people.

(2) It is estimated that more than half of the economic growth of the United States today results directly from research and development in science and technology. The most fundamental research is responsible for investigating our perceived universe, to extend our observations to the outer limits of what our minds and methods can achieve, and to seek answers to questions that have never been asked before. Applied research continues the process by applying the answers from basic science to the problems faced by individuals, organizations, and governments in the everyday activities that make our lives more livable. The scientific-technological sector of our economy, which has driven our recent economic boom and led the United States to the longest period of prosperity in history, is fueled by the work and discoveries of the scientific community.

(3) The effectiveness of the United States in maintaining this economic growth will be largely determined by the intellectual capital of the United States. Education is critical to developing this resource.

(4) The education program of the United States needs to provide for 3 different kinds of intellectual capital. First, it needs scientists and engineers to continue the research and development that is central to the economic growth of the United States. Second, it needs technologically proficient workers who are comfortable and capable dealing with the demands of a science-based, high-technology workplace. Last, it needs scientifically literate voters and consumers to make intelligent decisions about public policy.

(5) Student performance on the recent Third International Math and Science Study highlights the shortcomings of current K–12 science and mathematics education in the United States, particularly when compared to other countries. We must expect more from our Nation's educators and students if we are to build on the accomplishments of previous generations. New methods of teaching mathematics and science are required, as well as better curricula and improved training of teachers.

(6) Science is more than a collection of facts, theories, and results. It is a process of inquiry built upon observations and data that leads to a way of knowing and explaining in logically derived concepts and theories.

(7) Students should learn science primarily by doing science. Science education ought to reflect the scientific process and be object-oriented, experiment-centered, and concept-based.

(8) Children are naturally curious and inquisitive. To successfully tap into these innate qualities, education in science must begin at an early age and continue throughout the entire school experience.

(9) Teachers provide the essential connection between students and the content they are learning. High-quality prospective teachers need to be identified and recruited by presenting to them a career that is respected by their peers, is financially and intellectually rewarding, and contains sufficient opportunities for advancement.

(10) Teachers need to have incentives to remain in the classroom and improve their practice, and training of teachers is essential if the results are to be good. Teachers need to be knowledgeable of their content area, of their curriculum, of up-to-date research in teaching and learning, and of techniques that can be used to connect that information to their students in their classroom.

SEC. 3. REFUNDABLE CREDIT FOR PORTION OF TUITION PAID FOR UNDERGRADUATE EDUCATION OF CERTAIN TEACHERS.

(a) IN GENERAL.—Subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to refundable credits) is amended by redesignating section 35 as section 36 and by inserting after section 34 the following new section:

''SEC. 35. TUITION FOR UNDERGRADUATE EDUCATION OF CERTAIN TEACHERS.

''(a) IN GENERAL.—In the case of an individual who is an eligible teacher for the taxable year, there shall be allowed as a credit against the tax imposed by this subtitle an amount equal to 10 percent of qualified undergraduate tuition paid by such individual.

''(b) LIMITATIONS.—

''(1) DOLLAR AMOUNT.—The credit allowed by this section for any taxable year shall not exceed $1,000.

''(2) CREDIT ALLOWED ONLY FOR 10 YEARS.—No credit shall be allowed under this section for any taxable year after the 10th taxable year for which credit is allowed under this section.

''(c) ELIGIBLE TEACHER.—For purposes of this section—

''(1) IN GENERAL.—The term 'eligible teacher' means, with respect to a taxable year, any individual—

''(A) who is a full-time teacher, including a full-time substitute teacher, in any of grades kindergarten through 12th grade for the academic year ending in such taxable year,

''(B)(i) who teaches primarily math, science, engineering, or technology courses in 1 or more of grades 9 through 12 during such academic year, or

''(ii) who teaches math, science, engineering, or technology courses in 1 or more of grades kindergarten through 8 during such academic year.

''(C) who completed a 5-year teaching training program which meets the requirements of paragraph (3), and

''(D) who received a baccalaureate or similar degree with a major in mathematics, science, engineering, or technology from a qualified educational institution.

''(2) SPECIAL RULE FOR ADMINISTRATIVE PERSONNEL.—School administrative functions shall be treated as teaching courses referred to in paragraph (1)(B) if such functions primarily relate to such courses or are for a school which focuses primarily on such courses.

''(3) 5-YEAR TEACHER TRAINING PROGRAM.—For purposes of paragraph (1)(C)—

''(A) ELEMENTARY SCHOOL TEACHERS.—In the case of an elementary school teacher, a teacher training program meets the requirements of this paragraph if—

''(i) the program requires, in addition to education courses, that the student complete courses in physics, chemistry, and biology, and

''(ii) the program recommends completion of an earth science.

''(B) MIDDLE AND HIGH SCHOOL TEACHERS.—In the case of a middle or high school teacher, a teacher training program meets the requirements of this paragraph if the program requires, in addition to education courses, that the student also major in a science referred to in subparagraph (A) and that the student also complete introductory courses in 2 other sciences referred to in subparagraph (A).

''(4) QUALIFIED EDUCATIONAL INSTITUTION.—The term 'qualified educational institution' means any eligible educational institution (as defined in section 25A(f)(2)) if—

''(A) more than 80 percent of such institution's graduates who apply for certification by any State as a teacher are so certified, and

''(B) such institution's school of education (or equivalent unit) has an advisory committee—

''(i) which includes (on a rotating basis or otherwise) practicing mathematicians and scientists and representatives from several of the appropriate science, mathematics, engineering, and technology departments of such institution, and

''(ii) which publishes annually a report detailing curricula reforms for such school (or unit) designed to align teacher training curricula with State requirements and expectations.

''(d) QUALIFIED UNDERGRADUATE TUITION.—For purposes of this section, the term 'qualified undergraduate tuition' means qualified higher education expenses (as defined in section 529(e)(3)) for a qualified educational institution, reduced as provided in section 25A(g)(2) and by any credit allowed by section 25A with respect to such expenses.

''(e) REGULATIONS.—The Secretary shall prescribe such regulations as may be appropriate to carry out the purposes of this section.''.

(b) CONFORMING AMENDMENTS.—

(1) Paragraph (2) of section 1324(b) of title 31, United States Code, is amended by inserting before the period '', or from section 35 of such Code''.

(2) The table of sections for subpart C of part IV of subchapter A of chapter 1 of such Code is amended by striking the last item and inserting the following new items:

''Sec. 35. Tuition for undergraduate education of certain teachers.

''Sec. 36. Overpayments of tax.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act; except that only periods of being an eligible teacher (as defined in section 35(c) of the Internal Revenue Code of 1986, as added by this section) after such date shall be taken into account under section 35(b)(2) of such Code, as so added.

SEC. 4. CREDITS FOR CERTAIN CONTRIBUTIONS BENEFITING SCIENCE, MATHEMATICS, ENGINEERING, AND TECHNOLOGY EDUCATION AT THE ELEMENTARY AND SECONDARY SCHOOL LEVEL.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to business related credits) is amended by adding at the end the following new section:

''SEC. 45D. CONTRIBUTIONS BENEFITING SCIENCE, MATHEMATICS, ENGINEERING, AND TECHNOLOGY EDUCATION AT THE ELEMENTARY AND SECONDARY SCHOOL LEVEL.

''(a) IN GENERAL.—For purposes of section 38, the elementary and secondary science, mathematics, engineering, and technology (SMET) contributions credit determined under this section for the taxable year is an amount equal to 100 percent of the qualified SMET contributions of the taxpayer for such taxable year.

''(b) QUALIFIED SMET CONTRIBUTIONS.—For purposes of this section, the term 'qualified SMET contributions' means—

''(1) SMET school contributions,

''(2) SMET teacher externship expenses, and

''(3) SMET teacher training expenses.

''(c) SMET SCHOOL CONTRIBUTIONS.—For purposes of this section—

''(1) IN GENERAL.—The term 'SMET school contributions' means—

''(A) SMET property contributions, and

''(B) SMET service contributions.

''(2) SMET PROPERTY CONTRIBUTIONS.—The term 'SMET property contributions' means the amount which would (but for subsection (f)) be allowed as a deduction under section 170 for a charitable contribution of SMET inventory property if—

''(A) the donee is an elementary or secondary school described in section 170(b)(1)(A)(ii),

''(B) substantially all of the use of the property by the donee is within the United States for educational purposes in any of the grades K–12 that are related to the purpose or function of the donee,

''(C) the original use of the property begins with the donee,

''(D) the property will fit productively into the donee's education plan,

''(E) the property is not transferred by the donee in exchange for money, other property, or services, except for shipping, installation and transfer costs, and

''(F) the donee's use and disposition of the property will be in accordance with the provisions of subparagraphs (B) and (E).

The determination of the amount of deduction under section 170 for purposes of this paragraph shall be made as if the limitation under section 170(e)(3)(B) applied to all SMET inventory property.

''(3) SMET SERVICE CONTRIBUTIONS.—The term 'SMET service contributions' means the amount paid or incurred during the taxable year for SMET services provided in the United States for the exclusive benefit of students at an elementary or secondary school described in section 170(b)(1)(A)(ii) but only if—

''(A) the taxpayer is engaged in the trade or business of providing such services on a commercial basis, and

''(B) no charge is imposed for providing such services.

''(4) SMET INVENTORY PROPERTY.—The term 'SMET inventory property' means, with respect to any contribution to a school, any property—

''(A) which is described in paragraph (1) or (2) of section 1221(a) with respect to the donor, and

''(B) which is determined by the school to be needed by the school in providing education in grades K–12 in the areas of science, mathematics, engineering, or technology.

''(5) SMET SERVICES.—The term 'SMET services' means, with respect to any contribution to a school, any service determined by the school to be needed by the school in providing education in grades K–12 in the areas of science, mathematics, engineering, or technology, including teaching courses of instruction at such school in any such area.

''(d) SMET TEACHER EXTERNSHIP EXPENSES.—For purposes of this section—

''(1) IN GENERAL.—The term 'SMET teacher externship expenses' means any amount paid or incurred to carry out a SMET externship program of the taxpayer but only to the extent that such amount is attributable to the participation in such program of any eligible SMET teacher, including amounts paid to such a teacher as a stipend while participating in such program.

''(2) SMET EXTERNSHIP PROGRAM.—The term 'SMET externship program' means any program—

''(A) established by a taxpayer engaged in a trade or business within an area of science, mathematics, engineering, or technology, and

''(B) under which eligible SMET teachers receive training to enhance their teaching skills in the areas of science, mathematics, engineering, or technology or otherwise improve their knowledge in such areas.

''(3) ELIGIBLE SMET TEACHER.—The term 'eligible SMET teacher' means any individual—

''(A) who is a teacher in grades K–12 at an educational organization described in section 170(b)(1)(A)(ii) which is located in the United States or which is located on a United States military base outside the United States, and

''(B) whose teaching responsibilities at such school include, or are likely to include, any course in the areas of science, mathematics, engineering, or technology.

''(e) SMET TEACHER TRAINING EXPENSES.—The term 'SMET teacher training expenses' means any amount paid or incurred by a taxpayer engaged in a trade or business within an area of science, mathematics, engineering, or technology which is attributable to the participation of any eligible SMET teacher in a regular training program provided to employees of the taxpayer which is determined by such teacher's school as enhancing such teacher's teaching skills in the areas of science, mathematics, engineering, or technology.

''(f) DENIAL OF DOUBLE BENEFIT.—No deduction shall be allowed under this chapter for any amount allowed as a credit under this section.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 38(b) of such Code is amended—

(A) by striking ''plus'' at the end of paragraph (11),

(B) by striking the period at the end of paragraph (12), and inserting '', plus'', and

(C) by adding at the end the following new paragraph:

''(13) the elementary and secondary science, mathematics, engineering, and technology (SMET) contributions credit determined under section 45D.''.

(2) Subsection (d) of section 39 of such Code (relating to carryback and carryforward of unused credits) is amended by adding at the end the following new paragraph:

''(9) NO CARRYBACK OF SECTION 45D CREDIT BEFORE ENACTMENT OF CREDIT.—No portion of the unused business credit for any taxable year which is attributable to the credit determined under section 45D may be carried back to a taxable year beginning before the date of the enactment of this paragraph.''.

(3) The table of sections for subpart D of part IV of subchapter A of chapter 1 of such Code is amended by adding at the end the following new item:

''Sec. 45D. Contributions benefiting science, mathematics, engineering, and technology education at the elementary and secondary school level.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 5. ASSURANCE OF CONTINUED LOCAL CONTROL.

Nothing in this Act may be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system.

S. 2623

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 ''National Science Education Enhancement Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings.

Sec. 3. Assurance of continued local control.

TITLE I—AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Sec. 101. Support for mentoring activities for science, mathematics, engineering, and technology teachers.
Sec. 102. Expansion of Eisenhower National Clearinghouse.
Sec. 103. Summer Professional Development Institutes.
Sec. 104. Grants for teacher technology training software and instructional materials.
Sec. 105. Reservation for after-school activities.
Sec. 106. After-school science day care at community learning centers.

TITLE II—OTHER PROVISIONS

Sec. 201. Work-study amendments.
Sec. 202. Study.
Sec. 203. Report to Congress.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) As concluded in the report of the Committee on Science of the House of Representatives, ''Unlocking Our Future Toward a New National Science Policy,'' which was adopted by the House of Representatives, the United States must maintain and improve its preeminent position in science and technology in order to advance human understanding of the universe and all it contains, and to improve the lives, health, and freedoms of all people.

(2) It is estimated that more than half of the economic growth of the United States today results directly from research and development in science and technology. The most fundamental research is responsible for investigating our perceived universe, to extend our observations to the outer limits of what our minds and methods can achieve, and to seek answers to questions that have never been asked before. Applied research continues the process by applying the answers from basic science to the problems faced by individuals, organizations, and governments in the everyday activities that make our lives more livable. The scientific-technological sector of our economy, which has driven our recent economic boom and led the United States to the longest period of prosperity in history, is fueled by the work and discoveries of the scientific community.

(3) The effectiveness of the United States in maintaining this economic growth will be largely determined by the intellectual capital of the United States. Education is critical to developing this resource.

(4) The education program of the United States needs to provide for 3 different kinds of intellectual capital. First, it needs scientists and engineers to continue the research and development that is central to the economic growth of the United States. Second, it needs technologically proficient workers who are comfortable and capable dealing with the demands of a science-based, high-technology workplace. Last, it needs scientifically literate voters and consumers to make intelligent decisions about public policy.

(5) Student performance on the recent Third International Math and Science Study highlights the shortcomings of current K–12 science and mathematics education in the United States, particularly when compared to other countries. We must expect more from our Nation's educators and students if we are to build on the accomplishments of previous generations. New methods of teaching mathematics and science are required, as well as better curricula and improved training of teachers.

(6) Science is more than a collection of facts, theories, and results. It is a process of inquiry built upon observations and data that leads to a way of knowing and explaining in logically derived concepts and theories.

(7) Students should learn science primarily by doing science. Science education ought to reflect the scientific process and be object-oriented, experiment-centered, and concept-based.

(8) Children are naturally curious and inquisitive. To successfully tap into these innate qualities, education in science must begin at an early age and continue throughout the entire school experience.

(9) Teachers provide the essential connection between students and the content they are learning. High-quality prospective teachers need to be identified and recruited by presenting to them a career that is respected by their peers, is financially and intellectually rewarding, and contains sufficient opportunities for advancement.

(10) Teachers need to have incentives to remain in the classroom and improve their practice, and training of teachers is essential if the results are to be good. Teachers need to be knowledgeable of their content area, of their curriculum, of up-to-date research in teaching and learning, and of techniques that can be used to connect that information to their students in their classroom.

SEC. 3. ASSURANCE OF CONTINUED LOCAL CONTROL.

Nothing in this Act may be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system.

TITLE I—AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

SEC. 101. SUPPORT FOR MENTORING ACTIVITIES FOR SCIENCE, MATHEMATICS, ENGINEERING, AND TECHNOLOGY TEACHERS.

(a) IMPROVING BASIC PROGRAMS OPERATED BY LOCAL EDUCATIONAL AGENCIES THROUGH PROFESSIONAL DEVELOPMENT.—Section 1119(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301(b)(1)) is amended—

(1) by striking ''and'' at the end of subparagraph (D);

(2) by striking the period at the end of subparagraph (E) and inserting ''; and''; and

(3) by adding at the end the following:

''(F) include mentoring programs focusing on changing science, mathematics, engineering, and technology teacher behaviors and practices to help novice teachers develop and gain confidence in their skills, to increase the likelihood that they will continue in the teaching profession, and generally to improve the quality of their teaching.''.

(b) DISSEMINATION OF MENTORING INFORMATION BY EISENHOWER NATIONAL CLEARINGHOUSE.—Section 2102(a)(3)(C) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6622(a)(3)(C)) is amended by striking ''materials'' and inserting ''materials, including information on model science, mathematics, engineering, and technology teacher mentoring programs,''.

(c) EISENHOWER PROFESSIONAL DEVELOPMENT PROGRAM STATE APPLICATIONS.—Section 2205(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6645(b)(2)) is amended—

(1) by striking ''and'' at the end of subparagraph (N);

(2) by striking the period at the end of subparagraph (O) and inserting ''; and''; and

(3) by adding at the end the following:

''(P) describe how the State will administer a mentoring system to ensure consistent implementation of mentoring programs for science, mathematics, engineering, and technology teachers, provide a structure for local mentoring program evaluation, provide technical assistance to local mentoring programs, ensure compliance by local mentoring programs with State teacher training requirements, and provide incentives for local educational agencies to take mentoring into consideration in assessing instructional staff hiring needs.''.

(d) EISENHOWER PROFESSIONAL DEVELOPMENT PROGRAM LOCAL ACTIVITIES.—Section 2210(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6650(b)(2)) is amended—

(1) by striking ''and'' at the end of subparagraph (D);

(2) by striking the period at the end of subparagraph (E) and inserting ''; and''; and

(3) by adding at the end the following:

''(F) include mentoring programs focusing on changing science, mathematics, engineering, and technology teacher behaviors and practices to help novice teachers develop and gain confidence in their skills, to increase the likelihood that they will continue in the teaching profession, and generally to improve the quality of their teaching.''.

(e) ACCOUNTABILITY.—Section 2401(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6701(a)) is amended by striking ''part.'' and inserting ''part, including the impact of State and local mentoring programs on teaching quality and teacher retention rates.''.

SEC. 102. EXPANSION OF EISENHOWER NATIONAL CLEARINGHOUSE.

(a) ALLOCATION OF APPROPRIATED AMOUNTS.—Section 2003(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6603(b)(1)) is amended by striking ''2103;'' and inserting ''2103, and $10,000,000 shall be available to carry out subparagraphs (A), (F), and (G) of section 2102(b)(3);''.

(b) USE OF FUNDS.—Section 2102(b)(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6622(b)(3)) is amended—

(1) in subparagraph (A), by striking ''(including, to the extent practicable,'' and inserting ''(including'';

(2) in subparagraph (E), by striking ''and'' at the end;

(3) by amending subparagraph (F) to read as follows:

''(F) solicit and gather (in consultation with the Department, national teacher associations, professional associations, and other reviewers and developers of education materials and programs) all qualitative and evaluative materials and all programs, including full text and graphics, for the Clearinghouse, review the evaluation of the materials and programs, rank the effectiveness of the materials and programs on the basis of the evaluations, and distribute the results of the reviews (in a short, standardized, and electronic format that contains electronic links to an electronic version of the original qualitative and evaluative materials), excerpts of the materials and links to Internet-based sites, and information regarding on-line communities of users to teachers in an easily accessible manner, except that nothing in this subparagraph shall be construed to permit the Clearinghouse to directly conduct an evaluation of the materials or programs; and''; and

(4) by adding at the end the following:

''(G) develop and establish an Internet-based site offering a search mechanism to assist site visitors in identifying information available through the Clearinghouse on science, mathematics, engineering, and technology education instructional materials and programs, including electronic links to information on classroom demonstrations and experiments, teachers who have used

materials or participated in programs, vendors, curricula, and textbooks.''.

(c) CLEARINGHOUSE.—Section 2102(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6622(b)) is amended by adding at the end the following:

''(9) EFFECTIVE USE OF TECHNOLOGY.—In reviewing evaluations of materials and programs under this subsection the Clearinghouse shall give particular attention to the effective use of materials and technology in science, mathematics, engineering, and technology education.''.

(d) REPORT.—Not later than two years after the date of the enactment of this Act, the National Academy of Sciences, in conjunction with appropriate related associations and organizations, shall—

(1) conduct a study on the Eisenhower National Clearinghouse and whether the provisions enacted in the amendments made by this section have resulted in the Clearinghouse becoming a more effective entity; and

(2) submit to Congress a report on the study, including any recommendations of the Academy regarding the Clearinghouse.

SEC. 103. SUMMER PROFESSIONAL DEVELOPMENT INSTITUTES.

(a) IN GENERAL.—Section 2211 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6651) is amended by adding at the end the following:

''(d) SUMMER PROFESSIONAL DEVELOPMENT INSTITUTES FOR TEACHERS.—

''(1) PROGRAM AUTHORIZED.—From amounts made available to carry out this subsection, the Secretary is authorized to make grants to State agencies for higher education, working in conjunction with the State educational agency (if such agencies are separate), for activities described in paragraph (3). Such grants shall be awarded on a competitive basis that includes a peer review of the grant applications.

''(2) SUBGRANTS.—

''(A) IN GENERAL.—A recipient of a grant under paragraph (1) shall carry out the activities described in paragraph (3) by making subgrants to, or entering into contracts or cooperative agreements with, institutions of higher education, and nonprofit organizations of demonstrated effectiveness, including museums and educational partnership organizations, which must work in conjunction with a local educational agency, consortium of local educational agencies, or schools.

''(B) PRIORITY.—In making awards under subparagraph (A), a grant recipient shall give priority to applicants whose application includes an assurance that the applicant will use a curriculum recognized by the working group established under section 17 of the National Science Foundation Act of 1950, particularly if the local educational agency (or agencies) described in subparagraph (A), or the State educational agency (if such agency is separate from the grant recipient), has adopted such curriculum.

''(3) ALLOWABLE ACTIVITIES.—

''(A) IN GENERAL.—Each recipient of funds under paragraph (2) shall use the funds for the following:

''(i) The establishment and operation of science, mathematics, engineering, and technology summer institutes that provide professional development to elementary and secondary school teachers. Such institutes shall be content-based, build on school year curricula, and focus only secondarily on pedagogy.

''(ii) To provide teachers with travel expense reimbursement, a stipend, or classroom materials related to such an institute.

''(iii) The establishment of a mechanism to provide supplemental assistance and follow up training during the school year for summer institute graduates.

''(B) REQUIREMENTS FOR CURRICULA.—The curricula referred to in subparagraph (A)(i) shall be object-centered, experiment-oriented, content-based, and grounded in current research.

''(C) REQUIREMENTS FOR INSTITUTES.—The summer institutes referred to in subparagraph (A)(i)—

''(i) shall be conducted during a period of a minimum of two weeks;

''(ii) shall provide for direct interaction between students and faculty;

''(iii) shall have a component that includes use of the Internet; and

''(iv) shall provide for follow-up training in the classroom during the academic year for a period of a minimum of three days, which shall not be required to be consecutive, except that—

''(I) if the program at the summer institute is for a period of only two weeks, the follow-up training shall be for a period of more than 3 days; and

''(II) for teachers in rural school districts, follow-up training through the Internet may be used.

''(4) REVIEW OF APPLICATIONS BY NATIONAL SCIENCE FOUNDATION.—The Secretary shall provide each application for a grant under this subsection to the Director of the National Science Foundation in order that such applications may undergo the peer-review process described in paragraph (5)(B), and shall implement the recommendations of the Director in awarding grants under this subsection.

''(5) REQUIREMENTS ON NATIONAL SCIENCE FOUNDATION.—

''(A) IN GENERAL.—Each year, not later than 6 months before the application deadline for a subgrant, contract, or cooperative agreement described in paragraph (2), the Director of the National Science Foundation shall develop a theme and structure for the summer institutes supported under this subsection. Such applications shall address how funds will be used in accordance with the theme and structure developed by the Director.

''(B) APPLICATION PEER-REVIEW PROCESS.—The Director—

''(i) shall establish a peer-review process for applications for grants received under this subsection; and

''(ii) shall forward the applications selected by the Director through such process to the Secretary.

''(C) PRIORITY.—In making awards under paragraph (2)(A), a grant recipient shall give priority to applicants whose application includes an assurance that the applicant will use a curriculum—

''(i) that is recognized by the working group established under section 17 of the National Science Foundation Act of 1950, particularly if the local educational agency (or agencies) described in paragraph (2)(A), or the State educational agency (if such agency is separate from the grant recipient), has adopted such curriculum; or

''(ii) that is three or four weeks in length.

''(6) OTHER REQUIREMENTS.—Paragraphs (2), (3), and (4) of subsection (a), and subsection (c), shall apply to recipients of funds under this subsection in the same manner as such provisions apply to recipients of funds under subsection (a)(1).

''(7) CREDIT FOR PARTICIPATION.—Participation in an institute supported under this subsection shall earn credit toward—

''(A) State continuing education requirements for teachers; or

''(B) a post-baccalaureate degree program at an institution of higher education.''.

(b) FUNDING.—

(1) ALLOCATION OF APPROPRIATED AMOUNTS.—Section 2003(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6603(b)(2)) is amended by striking ''B;'' and inserting ''B, of which $100,000,000, $150,000,000, $200,000,000, and $200,000,000 shall be available to carry out section 2211(d) for fiscal years 2001, 2002, 2003, and 2004, respectively;''.

(2) RESERVATION OF FUNDS.—Section 2202(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6642(a)) is amended—

(A) in paragraph (1), by striking ''and'';

(B) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(3) the amount made available under section 2003(b)(2) to carry out section 2211(d).''.

SEC. 104. GRANTS FOR TEACHER TECHNOLOGY TRAINING SOFTWARE AND INSTRUCTIONAL MATERIALS.

Section 3134 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6844) is amended—

(1) in paragraph (5), by striking ''and'' at the end;

(2) in paragraph (6), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(7) providing technology training software and instructional materials to teachers.''.

SEC. 105. RESERVATION FOR AFTER-SCHOOL ACTIVITIES.

Section 10904(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8244) is amended—

(1) by striking ''and'' after the semicolon in paragraph (2);

(2) by striking the period at the end of paragraph (3) and inserting ''; and''; and

(3) by adding at the end the following:

''(4) an assurance that if awarded a grant under this part, the grant recipient shall use not less than 5 percent of the amount received to provide after-school day care services that focus on science activities.''.

SEC. 106. AFTER-SCHOOL SCIENCE DAY CARE AT COMMUNITY LEARNING CENTERS.

Section 10905(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8245(3)) is amended by striking ''services.'' and inserting ''services, including after-school day care services that focus on science activities for children in grades kindergarten through the sixth grade.''.

TITLE II—OTHER PROVISIONS

SEC. 201. WORK-STUDY AMENDMENTS.

(a) TECHNOLOGY TRAINING TREATED AS COMMUNITY SERVICE.—Section 441(c) of the Higher Education Act of 1965 (20 U.S.C. 2751(c)) is amended—

(1) in paragraph (1), by inserting ''technology training,'' after ''literacy training,''; and

(2) in paragraph (4)(A), by inserting before the semicolon at the end the following: '', including tutoring teachers in the uses of classroom technology''.

(b) ADDITIONAL SPENDING FOR TECHNOLOGY TRAINING.—Section 443(b)(2)(B) of such Act (20 U.S.C. 2753(b)(2)(B)) is amended—

(1) by striking ''7 percent'' and inserting ''10 percent'';

(2) by inserting ''(i)'' after ''shall ensure that''; and

(3) by inserting after ''requirement of this subparagraph'' the following: '', and (ii) at least 3 percent of the total amount of funds granted to such institution under this section for such fiscal year is used to compensate students employed in technology training or tutoring teachers in the uses of classroom technology (or both),''.

SEC. 202. STUDY.

The Secretary of Commerce, in consultation with other Government agencies, appropriate organizations, and private businesses and corporations, shall conduct a study of—

(1) the feasibility and effectiveness of various incentives, including tax credits, for corporations and businesses to provide—

(A) personnel with regular compensation for time spent as volunteers engaged in the technological training of teachers; and

(B) facilities for the provision of such training of teachers;

(2) alternative methods of providing financial support, through income tax credits, loan forgiveness, or otherwise, to individuals seeking training or retraining in mathematics, science, and technology education;

(3) the effectiveness of colleges and universities in training teachers who are able to use technology and able to integrate technology into lesson plans and curricula, including distance learning;

(4) methods to coordinate a working alliance at various levels of government between the business and academic community; and

(5) additional means of improving the efficiency of the technological training of teachers.

SEC. 203. REPORT TO CONGRESS.

Not later than one year after the date of the enactment of this Act, the Secretary of Commerce shall transmit to the Congress a report outlining the results of the study conducted under section 202. Such report shall include proposals for a comprehensive approach to providing technologically competent teachers to our Nation's schools. With respect to any objectives described in paragraphs (1) though (5) of section 202 that the Secretary determines are feasible and effective, such report shall include a plan for the accomplishing such objectives.

S. 2624

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Science Education Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) As concluded in the report of the Committee on Science of the House of Representatives, ''Unlocking Our Future Toward a New National Science Policy,'' which was adopted by the House of Representatives, the United States must maintain and improve its preeminent position in science and technology in order to advance human understanding of the universe and all it contains, and to improve the lives, health, and freedoms of all people.

(2) It is estimated that more than half of the economic growth of the United States today results directly from research and development in science and technology. The most fundamental research is responsible for investigating our perceived universe, to extend our observations to the outer limits of what our minds and methods can achieve, and to seek answers to questions that have never been asked before. Applied research continues the process by applying the answers from basic science to the problems faced by individuals, organizations, and governments in the everyday activities that make our lives more livable. The scientific-technological sector of our economy, which has driven our recent economic boom and led the United States to the longest period of prosperity in history, is fueled by the work and discoveries of the scientific community.

(3) The effectiveness of the United States in maintaining this economic growth will be largely determined by the intellectual capital of the United States. Education is critical to developing this resource.

(4) The education program of the United States needs to provide for 3 different kinds of intellectual capital. First, it needs scientists and engineers to continue the research and development that is central to the economic growth of the United States. Second, it needs technologically proficient workers who are comfortable and capable dealing with the demands of a science-based, high-technology workplace. Last, it needs scientifically literate voters and consumers to make intelligent decisions about public policy.

(5) Student performance on the recent Third International Math and Science Study highlights the shortcomings of current K–12 science and mathematics education in the United States, particularly when compared to other countries. We must expect more from our Nation's educators and students if we are to build on the accomplishments of previous generations. New methods of teaching mathematics and science are required, as well as better curricula and improved training of teachers.

(6) Science is more than a collection of facts, theories, and results. It is a process of inquiry built upon observations and data that leads to a way of knowing and explaining in logically derived concepts and theories.

(7) Students should learn science primarily by doing science. Science education ought to reflect the scientific process and be object-oriented, experiment-centered, and concept-based.

(8) Children are naturally curious and inquisitive. To successfully tap into these innate qualities, education in science must begin at an early age and continue throughout the entire school experience.

(9) Teachers provide the essential connection between students and the content they are learning. High-quality prospective teachers need to be identified and recruited by presenting to them a career that is respected by their peers, is financially and intellectually rewarding, and contains sufficient opportunities for advancement.

(10) Teachers need to have incentives to remain in the classroom and improve their practice, and training of teachers is essential if the results are to be good. Teachers need to be knowledgeable of their content area, of their curriculum, of up-to-date research in teaching and learning, and of techniques that can be used to connect that information to their students in their classroom.

SEC. 3. ASSURANCE OF CONTINUED LOCAL CONTROL.

Nothing in this Act may be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system.

SEC. 4. MASTER TEACHER GRANT PROGRAM.

The National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.) is amended—

(1) by redesignating section 16 as section 18; and

(2) by inserting after section 15 the following new section:

''§ 16. Grants and awards

''(a)(1) The Director of the National Science Foundation shall conduct a grant program to make grants to a State or local educational agency or to a private elementary or middle school for the purpose of hiring a master teacher described in paragraph (3).

''(2) In order to be eligible to receive a grant under this subsection, a State or local educational agency or private elementary or middle school shall submit to the Director a description of the requirements for a master teacher of the State or local educational agency or school, including certification requirements and job responsibilities of the master teacher, and a description of how professional development will be integrated with the math or science program of the State educational agency or local educational agency or school including a master teacher.

''(3) A master teacher referred to in paragraph (1)—

''(A) shall provide support for not more than 10 teachers at public and private schools in math, science, engineering or technology programs for students in grades kindergarten through the eighth grade; and

''(B) shall be responsible for in-classroom assistance and oversight of hands-on inquiry materials, equipment, and supplies, including supplying and repairing such materials.

''(4) Grants shall be made under this section out of funds available for the National Science Foundation for Education and Human Resources Activities.

''(b) In this section, the terms 'State educational agency' and 'local educational agency' have the meaning given those terms in section 14101 of the Elementary and Secondary Education Act of 1965.''.

SEC. 5. HIGH-QUALITY EDUCATIONAL SOFTWARE FOR ALL SCHOOLS.

The National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.) is further amended in section 16 (as added by section 4) by adding at the end the following new subsection:

''(c)(1) The Director is authorized to award grants, on a competitive basis, to secondary school and college students working with university faculty, software developers, and experts in educational technology, or to university faculty, software developers, and experts in educational technology working with secondary school or college students, for the development of high-quality educational software and Internet web sites by such students, faculty, developers, and experts.

''(2)(A) The Director shall recognize outstanding educational software and Internet web sites developed with assistance provided under this subsection.

''(B) The President is requested to, and the Director shall, issue an official certificate signed by the President and Director, to each student and faculty member who develops outstanding educational software or Internet web sites recognized under this subsection.

''(3) The educational software or Internet web sites that are recognized under this subsection shall focus on core curriculum areas.

''(4) The Director shall give priority to awarding grants for the development of educational software or Internet web sites in the areas of mathematics, science, engineering, and technology.

''(5) The Director shall designate official judges to recognize outstanding educational software or Internet web sites assisted under this section.''.

SEC. 6. ESTABLISHMENT OF WORKING GROUP ON SCIENCE, MATHEMATICS, ENGINEERING, AND TECHNOLOGY EDUCATION.

The National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.) is further amended by inserting after section 16 (as added by section 4) the following new section:

''§ 17. Establishment of working group on science, mathematics, engineering, and technology education

''(a) There is established in the National Science Foundation a working group to review and coordinate regular and supplemental curricula in kindergarten through the twelfth grade for science, mathematics, engineering, and technology, taking into account—

''(1) the content, scope, and sequence of such curricula;

''(2) the research basis for such curricula; and

''(3) the demonstrated results of such curricula.

''(b) There shall be 15 members of the working group established by subsection (a), who shall have experience in the fields of life science, physical science, earth science, chemistry, technology, math, or engineering, and who shall be appointed by the Director for a three-year term that may be extended once for an additional three years. The members shall be appointed as follows:

''(1) 4 members appointed from among representatives from appropriate professional societies representing the scientific disciplines.

''(2) 3 members appointed from among business leaders who are active in education.

''(3) 2 members appointed from among representatives of institutions of higher education.

''(4) 2 members appointed from among representatives of schools of education within such institutions.

''(5) 4 members appointed from among representatives of professional societies that represent science teaching.

''(c)(1) The working group established by subsection (a)—

''(A) shall, beginning not later than three years after the date of the enactment of this Act, award recognition annually in predetermined categories;

''(B) shall publish all criteria upon which a review by the working group under this section is based; and

''(C) shall disseminate information on award-winning programs for the purpose of acting as a resource for State and local educational agencies—

''(i) for determining the best methods for teachers to present science, mathematics, engineering, and technology subject areas to students; and

''(ii) for organizing science, mathematics, engineering, and technology disciplines.

''(2) The information required to be disseminated by paragraph (1)(C) shall include information describing the activities of the award-winning programs and the awards made in each category.''.

SEC. 7. DEMONSTRATION PROGRAM AUTHORIZED.

(a) GENERAL AUTHORITY.—

(1) IN GENERAL.—

(A) GRANT PROGRAM.—The Director shall, subject to appropriations, carry out a demonstration project under which the Director awards grants in accordance with this section to eligible local educational agencies.

(B) USES OF FUNDS.—A local educational agency that receives a grant under this section may use such grant funds to develop an information technology program that builds or expands mathematics, science, and information technology curricula, to purchase equipment necessary to establish such program, and to provide professional development in such fields.

(2) PROGRAM REQUIREMENTS.—The program described in paragraph (1) shall—

(A) provide professional development specifically in information technology, mathematics, and science; and

(B) provide students with specialized training in mathematics, science, and information technology.

(b) ELIGIBLE LOCAL EDUCATIONAL AGENCY.—For purposes of this section, a local educational agency is eligible to receive a grant under this section if the agency—

(1) provides assurances that it has executed conditional agreements with representatives of the private sector to provide services and funds described in subsection (c); and

(2) agrees to enter into an agreement with the Director to comply with the requirements of this section.

(c) PRIVATE SECTOR PARTICIPATION.—The conditional agreement referred to in subsection (b)(1) shall describe participation by the private sector, including—

(1) the donation of computer hardware and software;

(2) the establishment of internship and mentoring opportunities for students who participate in the information technology program; and

(3) the donation of higher education scholarship funds for eligible students who have participated in the information technology program.

(d) APPLICATION.—

(1) IN GENERAL.—Each eligible local educational agency desiring a grant under this section shall submit an application to the Director in accordance with guidelines established by the Director pursuant to paragraph (2).

(2) GUIDELINES.—

(A) REQUIREMENTS.—The guidelines referred to in paragraph (1) shall require, at a minimum, that the application include—

(i) a description of proposed activities consistent with the uses of funds and program requirements under subsection (a)(1)(B) and (a)(2);

(ii) a description of the higher education scholarship program, including criteria for selection, duration of scholarship, number of scholarships to be awarded each year, and funding levels for scholarships; and

(iii) evidence of private sector participation and financial support to establish an internship, mentoring, and scholarship program.

(B) GUIDELINE PUBLICATION.—The Director shall issue and publish such guidelines not later than 6 months after the date of the enactment of this Act.

(3) SELECTION.—The Director shall select a local educational agency to receive an award under this section in accordance with subsection (e) and on the basis of merit to be determined after conducting a comprehensive review.

(e) PRIORITY.—The Director shall give special priority in awarding grants under this section to eligible local educational agencies that—

(1) demonstrate the greatest ability to obtain commitments from representatives of the private sector to provide services and funds described under subsection (c);

(2) demonstrate the greatest economic need; and

(3) use a curriculum recognized by the working group established by section 17 of the National Science Foundation Act of 1950 (as added by section 6).

(f) ASSESSMENT.—The Director shall assess the effectiveness of activities carried out under this section.

(g) STUDY AND REPORT.—The Director—

(1) shall initiate an evaluative study of eligible students selected for scholarships pursuant to this section in order to measure the effectiveness of the demonstration program; and

(2) shall report the findings of the study to Congress not later than 4 years after the award of the first scholarship. Such report shall include the number of students graduating from an institution of higher education with a major in mathematics, science, or information technology and the number of students who find employment in such fields.

(h) DEFINITIONS.—Except as otherwise provided, for purposes of this section—

(1) the term ''Director'' means the Director of the National Science Foundation;

(2) the term ''eligible student'' means a student enrolled in the 12th grade who—

(A) has participated in an information technology program established pursuant to this section;

(B) has demonstrated a commitment to pursue a career in information technology, mathematics, science, or engineering; and

(C) has attained high academic standing and maintains a grade point average of not less than 3.0 on a 4.0 scale for the last 2 years of secondary school (11th and 12th grades); and

(3) the term ''local educational agency'' has the same meaning given such term in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the National Science Foundation to carry out this section, $3,000,000.

(j) MAXIMUM GRANT AWARD.—An award made to an eligible local educational agency under this section may not exceed $300,000.

SEC. 8. DISSEMINATION OF INFORMATION ON REQUIRED COURSE OF STUDY FOR CAREERS IN SCIENCE, MATHEMATICS, ENGINEERING, AND TECHNOLOGY EDUCATION.

The Director of the National Science Foundation shall, jointly with the Secretary of Education, compile and disseminate information (including, but not limited to, through outreach, school counselor education, and visiting speakers) regarding—

(1) standard prerequisites for middle school and high school students who seek to enter a course of study at an institution of higher education in science, mathematics, engineering, or technology education for purposes of teaching in an elementary or secondary school; and

(2) the licensing requirements in each State for science, mathematics, engineering, or technology elementary or secondary school teachers.

SEC. 9. REQUIREMENT TO CONDUCT STUDY EVALUATION.

(a) STUDY REQUIRED.—The Director of the National Science Foundation shall enter into an agreement with the National Academy of Sciences under which the Academy shall compile and evaluate studies on the effectiveness of technology in the classroom on learning and student performance, as measured by State standardized tests. The study evaluation shall include, to the extent available, information on the type of technology used in each classroom, the reason that such technology works, and the teacher training that is conducted in conjunction with the technology.

(b) DEADLINE FOR COMPLETION.—The study evaluation required by subsection (a) shall be completed not later than 180 days after the date of the enactment of this Act.

(c) DEFINITION OF TECHNOLOGY.—In this section, the term ''technology'' has the meaning given that term in section 3113(11) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6813(11)).

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the National Science Foundation $600,000 for the purpose of conducting the study evaluation required by subsection (a).

SEC. 10. TEACHER TECHNOLOGY PROFESSIONAL DEVELOPMENT.

The National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.) is further amended in section 16 (as added by section 4) by adding at the end the following new subsection:

''(d) The Director shall establish a grant program under which grants may be made for instruction of teachers for grades kindergarten through the twelfth grade on the use of technology in the classroom.''.

SEC. 11. MIDDLE SCHOOL COMPUTER LITERACY ASSISTANCE.

The National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.) is further amended in section 16 (as added by section 4) by adding at the end the following new subsection:

''(e)(1) The Director is authorized to award grants to assist States in reaching the goal of making all middle school graduates in the State technology literate.

''(2) Grants awarded under this subsection shall be used for teacher training in technology, with an emphasis on programs that prepare 1 or more teachers in each middle school in the State to become technology leaders who then serve as experts and train other teachers.

''(3) Each State shall encourage schools that receive assistance under this subsection to provide matching funds, with respect to the cost of teacher training in technology to be assisted under this subsection, in order to enhance the impact of the teacher training and to help ensure that all middle school graduates in the State are computer literate.''.

SEC. 12. SCIENCE, MATHEMATICS, ENGINEERING, AND TECHNOLOGY EDUCATION CONFERENCE.

(a) IN GENERAL.—Within 180 days after the date of the enactment of this Act, the Director of the National Science Foundation shall convene a conference of representatives from Federal, State, and local governments, private industries, professional organizations, educators, science, mathematics, engineering, and technology educational resource providers, students, and any other stakeholders the Director decides would provide useful participation in the conference. Such conference shall be known as the National Science Education Forum.

(b) PURPOSES.—The purposes of the conference convened under subsection (a) shall be to—

(1) identify existing science, mathematics, engineering, and technology education programs and resource providers;

(2) examine how well existing programs are coordinated and how much collaboration exists among them;

(3) examine the common goals and differences among the participants at the conference; and

(4) develop strategies that will support partnerships and leverage resources.

(c) REPORT AND PUBLICATION.—At the conclusion of the conference the Director of the National Science Foundation shall—

(1) transmit to the Committee on Science of the House of Representatives and to the Committee on Commerce, Science, and Transportation of the Senate a report on the outcome and conclusions of the conference; and

(2) ensure that a similar report is published and distributed as widely as possible to stakeholders in science, mathematics, engineering, and technology education.

SEC. 13. GRANTS FOR DISTANCE LEARNING.

The National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.) is further amended in section 16 (as added by section 4) by adding at the end the following new subsection:

''(f) The Director may make grants to a State or local educational agency or to a private elementary, middle, or secondary school, under any grant program administered by the Director using funds appropriated for the National Science Foundation for Education and Human Resources Activities, for activities in which distance learning is integrated into the education process in grades kindergarten through the twelfth grade.''.

SEC. 14. AVAILABILITY OF CURRICULAR PROGRAMS THROUGH THE INTERNET.

The Director of the National Science Foundation shall make available through the Internet at no cost a complete field-test version (including text and graphics) of any curricular program, the development for which the National Science Foundation provided funds.

SEC. 15. SCHOLARSHIPS TO PARTICIPATE IN CERTAIN RESEARCH ACTIVITIES.

(a) IN GENERAL.—The President, acting through the National Science Foundation, shall provide scholarships to teachers at public and private schools in grades kindergarten through the twelfth grade in order that such teachers may participate in research programs conducted at private entities or Federal or State Government agencies. The purpose of such scholarships shall be to provide teachers with an opportunity to expand their knowledge of science and research techniques and encourage incorporation of such techniques into the classroom.

(b) REQUIREMENTS.—In order to be eligible to receive a scholarship under this section, a teacher described in subsection (a) shall be required to develop, in conjunction with the private entity or Government agency at which the teacher will be participating in a research program, a proposal to be submitted to the President describing the types of research activities involved, and how techniques with respect to such research may be incorporated into the educational process.

(c) PERIOD OF PROGRAM.—Participation in a research program in accordance with this section may be for a period of one academic year or 2 sequential summers.

(d) INTERNET SITE.—The Director of the National Science Foundation shall establish an Internet web site which may be used by students and teachers participating in the program under this section to incorporate research knowledge and techniques into the educational process.

By Ms. COLLINS (for herself, Mr. DODD, Mr. HUTCHINSON, Mr. WELLSTONE, Mr. TORRICELLI, Mr. MURKOWSKI, Mr. DORGAN, Mr. LIEBERMAN, and Mr. MOYNIHAN):

S. 2625. A bill to amend the Public Health Service Act to revise the performance standards and certification process for organ procurement organizations; to the Committee on Health, Education, Labor, and Pensions.

THE ORGAN PROCUREMENT ORGANIZATION CERTIFICATION ACT OF 2000

Ms. COLLINS. Mr. President, I rise today on behalf of myself, Senator DODD, Senator HUTCHINSON, Senator WELLSTONE, Senator MURKOWSKI, Senator TORRICELLI, Senator DORGAN, Senator LIEBERMAN and Senator MOYNIHAN, to introduce the Organ Procurement Organization Certification Act of 2000 to improve the performance evaluation and certification process that the Health Care Financing Administration currently uses for organ procurement organizations.

Our nation's 60 organ procurement organizations (OPOs) play a critical role in procuring and placing organs and are therefore key to our efforts to increase the number and quality of organs available for transplant. They provide all of the services necessary in a particular geographic region for coordinating the identification of potential donors, requests for donation and recovery and transport of organs. The professionals in the OPOs evaluate potential donors, discuss donation with family members, and arrange for the surgical removal of donated organs. They are also responsible for preserving the organs and making arrangements for their distribution according to national organ sharing policies. Finally, the OPOs provide information and education to medical professionals and the general public to encourage organ and tissue donation to increase the availability of organs for transplantation.

According to the Institute of Medicine's (IOM's) 1999 report on organ procurement and transplantation, a major impediment to greater accountability and improved performance on the part of OPOs is the current lack of a reliable and valid method for assessing donor potential and OPO performance.

The current certification process for OPOs sets an arbitrary, population-based performance standard for certifying OPOs based on donors per million of population in their service areas. It sets a standard for acceptable performance based on five criteria: donors recovered per million, kidneys recovered per million, kidneys transplanted per million, extrarenal organs (heart, liver, pancreas and lungs) recovered per million, and extrarenal organs transplanted per million. The HCFA assesses the OPOs' adherence to these standards every two years. Each OPO must meet at least 75 percent of the national mean for four of these five categories to be recertified as the OPO for a particular area and to receive Medicare and Medicaid payments. Without HCFA certification, an OPO cannot continue to operate.

The GAO, the IOM, the Harvard School of Public Health and others all have criticized HCFA's use of this population-based standard to measure OPO performance. According to the GAO, ''HCFA's current performance standard does not accurately assess OPOs' ability to meet the goal of acquiring all usable organs because it is based on the total population, not the number of potential donors, within the OPO's service areas.''

OPO service areas vary widely in the distribution of deaths by cause, underlying health conditions, age, and race. These variations can pose significant advantages or disadvantages to an OPO's ability to procure organs, and a major problem with HCFA's current performance assessment is that it does not account for these variations. An extremely effective OPO that is getting a high yield of organs from the potential donors in its service area may appear to be performing poorly because it has a disproportionate share of elderly people or a high rate of people infected with HIV or AIDS, which eliminates them for consideration as an organ donor. At the same time, an ineffective OPO may appear to be performing well because it is operating in a service area

with a high proportion of potential donors.

For example, organ donors typically die from head trauma and accidental injuries, and these rates can vary dramatically from region to region. According to the Centers for Disease Control and Prevention (CDC), in 1991, the number of drivers fatally injured in traffic accidents in Maine was 15.54 per 100,000 population. In Mississippi, however, it was 30.56, giving the OPO serving that state a tremendous advantage over the New England Organ Bank, which serves Maine.

Use of this population-based method to evaluate OPO performance may well result in the decertification of OPOs that are actually excellent performers. Moreover, unlike other HCFA certification programs, the certification process for OPOs lacks a clearly defined due process component for resolving conflicts—an OPO that has been decertified has no opportunity for appeal to the Secretary of HHS on either substantive or procedural grounds. The current system therefore forces OPOs to compete on the basis of an imperfect grading system, with no guarantee of an opportunity for fair hearing based on their actual performance. This situation pressures many OPOs to focus on the certification process itself rather than on activities and methods to increase donation, undermining what should be the overriding goal of the program. Moreover, the current two-year cycle—which is shorter than other certification programs administered by HCFA—provides little opportunity to examine trends and even less incentive for OPOs to mount long-term interventions.

The legislation we are introducing today has four major objectives. First, it imposes a moratorium on the current recertification process for OPOs and on the use of population-based performance measurements. Under our bill, the certification of qualified OPOs will remain in place through January 1, 2002, for those OPOs that have been certified as of January 1, 2000, and that meet other qualification requirements apart from the current performance standards. Second, the bill requires the Secretary of Health and Human Services to promulgate new rules governing OPO recertification by January 1, 2002. These new rules are to rely on outcome and process performance measures based on evidence of organ donor potential and other relevant factors, and recertification for OPOs shall not be required until they are promulgated. Third, the bill provides an opportunity for an OPO to appeal a decertification to the Secretary on substantive and procedural grounds, and fourth the bill extends the current two-year certification cycle to four years.

Mr. PRESIDENT, the bill we are introducing today makes much needed improvements in the flawed process that HCFA currently uses to certify and assess OPO performance, and I urge all of our colleagues to join us in supporting it.

By Mr. JEFFORDS:

S. 2626. A bill to amend the Internal Revenue Code of 1986 to improve access to tax-exempt debt for small non-profit health care and educational institutions; to the Committee on Finance.

IMPROVING ACCESS TO TAX-EXEMPT DEBT FOR SMALL NON-PROFIT HEALTH CARE AND EDUCATIONAL INSTITUTIONS.

• Mr. JEFFORDS. Mr. President, today I am introducing legislation that will help small health and educational institutions more effectively finance the cost of essential services and new facility construction. By modifying the laws that restrict the deductibility of ''bank eligible'' bonds, the bill I am introducing today will increase access to tax-exempt financing for small non-profit organizations that need it most, like small local hospitals and small institutions of higher education.

The Tax Reform Act of 1986 unintentionally discriminated against small educational, health care and other non-profit institutions that want to sell small amounts of tax-exempt debt to community banks. Before 1986, banks and financial institutions could deduct the interest incurred to carry a tax-exempt bond. This benefit enabled banks to purchase tax-exempt bonds at attractive rates. The 1986 tax act repealed bank deductibility, although an exception was retained for small issuers that issue bonds of $10 million or less each year.

This exception was designed to preserve bank deductibility for small beneficiaries, but in practice is of assistance only to private placements issued by small local issuers. The small issuer exception has proven to be of little value in many States, like Vermont, where statewide health care and higher education bond issuing authorities typically issue many millions of dollars of debt each year. My bill will modify the small issuer exemption by granting the bond issuers the right to apply the small issuer exemption at the level of the ultimate beneficiary of the funding. Consequently, a small college or health care facility borrowing less than $10 million in tax-exempt debt in any one year could elect tax-exempt status for the debt, even if it is issued by a statewide issuing authority. This would make the debt more attractive to local banks, and could result in significant savings for the beneficiary institution over the life of the bond.

My bill focuses the benefit of the small issuer exemption on smaller non-profits, without regard to whether the bond issuer is government entity issuing more than $10 in bonds per year. Small non-profits are important community institutions; they stand to benefit from greater access to tax-exempt debt. Wall Street and large banks may have little interest in small amounts of debt from small institutions, which can prove costly to administer. The bank across the street from a local college or health care clinic, however, may have greater confidence and insight in the institution. My bill would allow those banks to carry tax-exempt debt at attractive rates and maintain commitments to the people and institutions in their local communities.

I urge my colleagues to support this bill.•

By Mr. BURNS:

S. 2627. A bill to direct the Secretary of the Interior to provide funding for rehabilitation of the Going-to-the-Sun Road in Glacier National Park, to authorize funds for maintenance of utilities related to the Park, and for other purposes; to the Committee on Energy and Natural Resources.

THE GLACIER NATIONAL PARK REHABILITATION DEMONSTRATION

• Mr. BURNS. Mr. President, I rise today to introduce a bill that will direct the Secretary of the Interior to provide funding for the rehabilitation of the Going-to-the-Sun Road in Glacier National Park, authorize funds to address the maintenance backlog facing the park's sewer and drinking water infrastructure, and allow the Secretary to enter into a demonstration project to rehabilitate the historic hotels in Glacier National Park using private funds.

This legislation is a companion to a bill recently introduced by Representative RICK HILL in the House of Representatives. The bill would provide $20 million for much-needed water and sewer infrastructure upgrades, which could extend the park's yearly operating season to six months. Extending the season is extremely important to ensure that revenue will be generated to rehabilitate these historic structures in Glacier National Park.

Additionally, the legislation will allow the Secretary of the Interior to enter into an extended concessionaire agreement so that the concessionaire will be eligible for tax incentives that will make the multi-million dollar investment in these historic lodges affordable. The National Park Service is supportive of this effort and would benefit from the added flexibility to exempt competitive concessions contracts from the current 20-year maximum contract length. Permitting this exemption would allow concessionaires to qualify for historic preservation tax credits and dedicate funds toward Many Glacier Hotel and the Lake McDonald Lodge.

The marriage of public and private investment allowed by this pilot project is the only workable solution that we have found that will save the park's historic structures in a timely manner. With a multi-billion dollar backlog of maintenance projects in our National Parks, it is highly unlikely the rehabilitation projects could be funded using purely public funds. Glacier Park is a place that all Montanans hold dear, and its historic hotels are a significant part of its rich heritage. After years of use, these hotels are now

in dire need of rehabilitation, and unfortunately the funds just aren't available at the federal level. This pilot project offers us a unique opportunity to begin the work necessary to maintain Glacier Park's preeminent place in our national park system and preserve it for generations to come. The legislation still ensures a competitive concessionaire program, but will also ensure that America's citizens are able to enjoy these century old buildings for generations to come.

Finally, the legislation authorizes funding to rehabilitate the Going-to-the-Sun Road. This highway is a true feat of engineering, and one of the most beautiful roadways in the world. It is the centerpiece of Glacier National Park, and must receive this added attention as soon as possible to avoid risking public safety and increasing the eventual cost of rehabilitating the road to acceptable standards.

I look forward to swift consideration of this legislation and the support of my colleagues.●

By Mr. MACK:

S. 2628. A bill to suspend temporarily the duty on R115777; to the Committee on Finance.

LEGISLATION TO SUSPEND TEMPORARILY THE DUTY ON R115777

● Mr. MACK. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2628

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

SECTION 1. R115777.

(a) IN GENERAL.—Subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by inserting in numerical sequence the following new heading:

''	9902.33.40	R115777, (R)-6-[amino(4-chlorophenyl)(1-methyl-1H-imidazol-5-yl)methyl]-4-(3-chlorophenyl)-1-methyl-2(1H)-quinoline, in bulk active form as the active drug to treat pancreatic cancer (CAS No. 192185-72-1)(provided for in subheading 2933.40.26)	Free	No change	No change	On or before 12/31/2003	''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies to goods entered, or withdrawn from warehouse for consumption, on or after the date that is 15 days after the date of enactment of this Act.●

By Mr. HELMS:

S. 2629. A bill to designate the facility of the United States Postal Service located at 114 Ridge Street in Lenoir, North Carolina, as the ''James T. Broyhill Post Office Building''; to the Committee on Governmental Affairs.

JAMES T. BROYHILL POST OFFICE BUILDING

Mr. HELMS. Mr. President, I will shortly offer legislation authorizing the naming of the Post Office 114 Ridge Street Lenoir, N.C., for The Honorable James T. Broyhill, one of North Carolina's more distinguished servants, philanthropists, and businessmen.

Congressman RICHARD BURR and Congressman CASS BALLENGER are offering companion House legislation, which is cosponsored by the entire North Carolina delegation in that body.

He was born in Lenoir, NC on August 19, 1927 to the late J.E. and Satie (Hunt) Broyhill. He is a 1950 graduate of the University of North Carolina at Chapel Hill with a degree in Business Administration.

After graduation he served as Vice-President of Broyhill Furniture Industries and as a member of the Lenoir Chamber of Commerce, which he served as President from 1955 to 1957. As many Senators are aware, Broyhill Furniture Industries has a worldwide reputation as one of the finest furniture manufacturers in the world.

Mr. President, in 1962, Jim Broyhill was elected to the U.S. House of Representatives where he served 12 terms ending in June of 1986. During his service in the House he was the Ranking Member of the House Energy and Commerce Committee and was instrumental in guiding Republican legislative efforts through that committee.

In May 1986 he won the Republican nomination for the U.S. Senate seat vacated by Senator John P. East. Following Senator East's tragic death in June of 1986, Jim Broyhill was appointed to the U.S. Senate by then Governor Jim Martin to serve the remainder of Senator East's term. His committee assignments include seats on the Senate Judiciary Committee and Senate Armed Services Committee.

While he was unsuccessful in his 1986 election bid for the U.S. Senate, but this did not dampen his willing commitment to help others in North Carolina. In addition he was selected (by then Governor Jim Martin) to serve as Chairman of the North Carolina Economic Development Board. In 1989, he was appointed by Governor Martin to serve as North Carolina's Secretary of Commerce, which he held until 1991.

He then retired to Winston-Salem. His wife is the former Louise Robbins and has three fine children; and they have three children: Marylin Beach, James Edgar Broyhill II, and Philip R. Broyhill.

Mr. President, I ask unanimous consent that the enabling legislation (S. 2629) be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2629

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

SECTION 1. JAMES T. BROYHILL POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 114 Ridge Street in Lenoir, North Carolina, shall be known and designated as the ''James T. Broyhill Post Office Building''.

(b) REFERENCES.— Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''James T. Broyhill Post Office Building''.

ADDITIONAL COSPONSORS

S. 662

At the request of Mr. L. CHAFEE, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 662, a bill to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program.

S. 821

At the request of Mr. LAUTENBERG, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 821, a bill to provide for the collection of data on traffic stops.

S. 978

At the request of Mr. WARNER, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 978, a bill to specify that the legal public holiday known as Washington's Birthday be called by that name.

S. 1017

At the request of Mr. MACK, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 1017, a bill to amend the Internal Revenue Code of 1986 to increase the State ceiling on the low-income housing credit.

S. 1074

At the request of Mr. TORRICELLI, the names of the Senator from New Jersey (Mr. LAUTENBERG), the Senator from South Carolina (Mr. HOLLINGS), the Senator from California (Mrs. BOXER), the Senator from Connecticut (Mr. DODD), the Senator from Pennsylvania (Mr. SPECTER), the Senator from North Carolina (Mr. HELMS), and the Senator from North Carolina (Mr. EDWARDS) were added as cosponsors of S. 1074, a bill to amend the Social Security Act to waive the 24-month waiting period for medicare coverage of individuals with amyotrophic lateral sclerosis (ALS), and to provide medicare coverage of drugs and biologicals used for the treatment of ALS or for the alleviation of symptoms relating to ALS.

S. 1333

At the request of Mr. WYDEN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1333, a bill to expand homeownership in the United States.

S. 1351

At the request of Mr. GRASSLEY, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1351, a bill to amend the Internal Revenue Code of 1986 to extend and modify the credit for electricity produced from newable resources.

S. 1361

At the request of Mr. STEVENS, the name of the Senator from Washington (Mr. GORTON) was added as a cosponsor of S. 1361, a bill to amend the Earthquake Hazards Reduction Act of 1977 to provide for an expanded Federal program of hazard mitigation, relief, and insurance against the risk of catastrophic natural disasters, such as hurricanes, earthquakes, and volcanic eruptions, and for other purposes.

S. 1472

At the request of Mr. SARBANES, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1472, a bill to amend chapters 83 and 84 of title 5, United States Code, to modify employee contributions to the Civil Service Retirement System and the Federal Employees Retirement System to the percentages in effect before the statutory temporary increase in calendar year 1999, and for other purposes.

S. 1900

At the request of Mr. LAUTENBERG, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 1900, a bill to amend the Internal Revenue Code of 1986 to allow a credit to holders of qualified bonds issued by Amtrak, and for other purposes.

S. 2003

At the request of Mr. JOHNSON, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 2003, a bill to restore health care coverage to retired members of the uniformed services.

S. 2077

At the request of Mr. SANTORUM, the names of the Senator from Florida (Mr. MACK) and the Senator from Ohio (Mr. DEWINE) were added as cosponsors of S. 2077, a bill to amend the Internal Revenue Code of 1986 to allow nonitemizers a deduction for a portion of their charitable contributions.

S. 2087

At the request of Mr. WARNER, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 2087, a bill to amend title 10, United States Code, to improve access to benefits under the TRICARE program; to extend and improve certain demonstration programs under the Defense Health Program; and for other purposes.

S. 2232

At the request of Mr. GRAHAM, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 2232, a bill to promote primary and secondary health promotion and disease prevention services and activities among the elderly, to amend title XVIII of the Social Security Act to add preventive benefits, and for other purpose.

S. 2256

At the request of Mr. BIDEN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2256, a bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to provide standards and procedures to guide both State and local law enforcement agencies and law enforcement officers during internal investigations, interrogation of law enforcement officers, and administrative disciplinary hearings, to ensure accountability of law enforcement officers, to guarantee the due process rights of law enforcement officers, and to require States to enact law enforcement discipline, accountability, and due process laws.

S. 2274

At the request of Mr. GRASSLEY, the name of the Senator from Nevada (Mr. BRYAN) was added as a cosponsor of S. 2274, a bill to amend title XIX of the Social Security Act to provide families and disabled children with the opportunity to purchase coverage under the medicaid program for such children.

S. 2287

At the request of Mr. L. CHAFEE, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 2287, a bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer.

S. 2311

At the request of Mr. JEFFORDS, the names of the Senator from Nevada (Mr. BRYAN), the Senator from Louisiana (Ms. LANDRIEU) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 2311, a bill to revise and extend the Ryan White CARE Act programs under title XXVI of the Public Health Service Act, to improve access to health care and the quality of health care under such programs, and to provide for the development of increased capacity to provide health care and related support services to individuals and families with HIV disease, and for other purposes.

S. 2334

At the request of Mr. L. CHAFEE, the names of the Senator from Indiana (Mr. LUGAR) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 2334, a bill to amend the Internal Revenue Code of 1986 to extend expensing of environmental remediation costs for an additional 6 years and to include sites in metropolitan statistical areas.

S. 2344

At the request of Mr. BROWNBACK, the names of the Senator from Montana (Mr. BURNS) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 2344, a bill to amend the Internal Revenue Code of 1986 to treat payments under the Conservation Reserve Program as rentals from real estate.

S. 2357

At the request of Mr. REID, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 2357, a bill to amend title 38, United States Code, to permit retired members of the Armed Forces who have a service-connected disability to receive military retired pay concurrently with veterans' disability compensation.

S. 2379

At the request of Mr. HARKIN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2379, a bill to provide for the protection of children from tobacco.

S. 2408

At the request of Mr. BINGAMAN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 2408, a bill to authorize the President to award a gold medal on behalf of the Congress to the Navajo Code Talkers in recognition of their contributions to the Nation.

S. 2416

At the request of Mr. ASHCROFT, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 2416, a bill to designate the Federal building located at 2201 C Street, Northwest, in the District of Columbia, which serves as headquarters for the Department of State, as the ''Harry S. Truman Federal Building''.

S. 2434

At the request of Mr. L. CHAFEE, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 2434, a bill to provide that amounts allotted to a State under section 2401 of the Social Security Act for each of fiscal years 1998 and 1999 shall remain available through fiscal year 2002.

S. 2460

At the request of Mr. FEINGOLD, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2460, a bill to authorize the payment of rewards to individuals furnishing information relating to persons subject to indictment for serious violations of international humanitarian law in Rwanda, and for other purposes.

S. 2528

At the request of Ms. COLLINS, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 2528, a bill to provide funds for the purchase of automatic external defibrillators and the training of individuals in advanced cardiac life support.

S. 2599

At the request of Mr. ABRAHAM, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 2599, a bill to amend section 110 of the Illegal Immigration Reform and

Immigrant Responsibility Act of 1996, and for other purposes.

S. CON. RES. 100

At the request of Mr. HAGEL, the names of the Senator from New Mexico (Mr. DOMENICI), the Senator from Tennessee (Mr. THOMPSON), the Senator from Pennsylvania (Mr. SPECTER), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Virginia (Mr. WARNER), the Senator from Washington (Mr. GORTON), the Senator from Illinois (Mr. DURBIN), the Senator from South Carolina (Mr. THURMOND), the Senator from Georgia (Mr. CLELAND), the Senator from Maine (Ms. COLLINS), the Senator from Minnesota (Mr. GRAMS), and the Senator from Alaska (Mr. STEVENS) were added as cosponsors of S. Con. Res. 100, a concurrent resolution expressing support of Congress for a National Moment of Remembrance to be observed at 3:00 p.m. eastern standard time on each Memorial Day.

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SENATE CONCURRENT RESOLUTION 117—COMMENDING THE REPUBLIC OF SLOVENIA FOR ITS PARTNERSHIP WITH THE UNITED STATES AND NATO, AND EXPRESSING THE SENSE OF CONGRESS THAT SLOVENIA'S ACCESSION TO NATO WOULD ENHANCE NATO'S SECURITY, AND FOR OTHER PURPOSES

Mr. ROTH (for himself, Mr. BIDEN, Mr. LOTT, Mr. HELMS, and Mr. VOINOVICH) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 117

Whereas on June 25, 1991, the Republic of Slovenia declared its independence;

Whereas on December 23, 1991, the Parliament of the Republic of Slovenia adopted the State's new constitution based on the values of human rights, market economy, rule of law, and democracy;

Whereas on April 7, 1992, the United States formally recognized the Republic of Slovenia;

Whereas, since its independence, Slovenia has demonstrated an excellent record on human rights;

Whereas Slovenia has developed a successful and growing market economy and enjoys the highest per capita gross domestic product in Central and Eastern Europe;

Whereas the European Union has recognized Slovenia's economic prosperity and the strength of its democracy by initiating accession negotiations with Slovenia as well as by putting into effect Slovenia's Association Agreement with the European Union;

Whereas Slovenia has demonstrated its commitment to bring peace, security, stability, democracy, and economic prosperity to Southeastern Europe through its membership in NATO's Partnership for Peace, the Central European Initiative, the Central European Free Trade Association (CEFTA), and the Stability Pact for Southeast Europe;

Whereas Slovenia has been an active contributor to peace support operations around the world, including the NATO Stabilization Force in Bosnia and Herzegovina, NATO's Kosovo Force, and United Nations peacekeeping operations in Cyprus and Lebanon;

Whereas Slovenia made invaluable contributions to NATO's Operation ALLIED FORCE by providing NATO access and use of its airspace and ground transportation systems and by assisting the NATO efforts to provide Albania humanitarian relief during the air campaign against Yugoslavia;

Whereas Slovenia has contributed financial and humanitarian aid to the assistance effort in Kosovo, including refuge for more than 3500 people who had fled the region as a consequence of the violence that occurred in Kosovo;

Whereas Slovenia promotes regional cooperation through its contributions to the Trilateral Multinational Land Force, a multinational brigade established with Italy and Hungary;

Whereas Slovenia, a leader in the effort to remove land mines from the war-torn regions of the former Republic of Yugoslavia, established the highly effective International Trust Fund for Demining and Mine Victims Assistance; and

Whereas the NATO Enlargement Facilitation Act of 1996, passed by the Senate on July 25, 1996, identified Slovenia, along with Poland, Hungary, and the Czech Republic, as being among the NATO applicant states most prepared for the burdens and responsibilities of NATO membership; Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That (a) it is the policy of the United States to—

(1) support the integration of the Republic of Slovenia into transatlantic and European political, economic, and security institutions, including the North Atlantic Treaty Organization and the European Union; and

(2) continue and further reinforce the partnership between the United States and Slovenia, particularly their joint efforts to bring lasting peace and stability to all of Europe.

(b) It is the sense of Congress that—

(1) the Republic of Slovenia is to be commended for—

(A) its commitment to democratic principles, human rights, and rule of law;

(B) its transition from a communist, centrally planned economic system to a thriving free market economy; and

(C) its partnership with the United States and NATO during the recent conflicts that have undermined peace and stability in Southeastern Europe; and

(2) the accession of the Republic of Slovenia to full membership in transatlantic and European institutions would be an important step toward a Europe that is undivided, whole and free.

—

AMENDMENTS SUBMITTED

LEGISLATIVE BRANCH APPROPRIATIONS BILL

MIKULSKI (AND OTHERS) AMENDMENT NO. 3166

Ms. MIKULSKI (for herself, Mr. DASCHLE, Mrs. MURRAY, Mr. REID, Mr. SARBANES, Mr. WELLSTONE, Mr. BYRD, Mr. BENNETT, Mrs. FEINSTEIN, Mr. KENNEDY, and Mr. DURBIN) proposed an amendment to the bill (S. 2603) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2001, and for other purposes; as follows:

At the appropriate place, insert:

SEC. ___. SENSE OF SENATE COMMENDING CAPITOL POLICE.

The Senate finds that—

(a)(1) the United States Capitol is the people's house, and, as such, it has always been and will remain open to the public;

(2) millions of people visit the Capitol each year to observe and study the workings of the democratic process;

(3) the Capitol is the most recognizable symbol of liberty and democracy throughout the world and those who guard the Capitol guard our freedom;

(4) on July 24, 1998, Officer Jacob Chestnut and Detective John Michael Gibson of the United States Capitol Police sacrificed their lives to protect the lives of hundreds of tourists, Members of Congress, and staff;

(5) the officers of the United States Capitol Police serve their country with commitment, heroism, and great patriotism;

(6) the employees of the United States working in the United States Capitol are essential to the safe and efficient operation of the Capitol building and the Congress;

(7) the operation of the Capitol and the legislative process are dependent on the professionalism and hard work of those who work here, including the United States Capitol Police, congressional staff, and the staff of the Congressional Research Office, the General Accounting Office, the Congressional Budget Office, the Government Printing Office, and the Architect of the Capitol; and

(8) the House of Representatives should restore the cuts in funding for the United States Capitol Police, congressional staff, and congressional support organizations.

(b) It is the sense of the Senate that—

(1) the United States Capitol Police and all legislative employees are to be commended for their commitment, professionalism, and great patriotism; and

(2) the conferees on the legislative branch appropriations legislation should maintain the Senate position on funding for the United States Capitol Police and all legislative branch employees.

BENNETT (AND FEINSTEIN) AMENDMENTS NOS. 3167–3170

Mr. BENNETT (for himself and Mrs. FEINSTEIN) proposed four amendments to the bill, S. 2603 supra; as follows:

AMENDMENT NO. 3167

At the appropriate place insert:

The first sentence under the subheading ''SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE'' under the heading ''CONTINGENT EXPENSES OF THE SENATE'' under title I of the bill is amended by inserting '', of which $2,500,000 shall remain available until September 30, 2003'' after ''$71,261,000''.

AMENDMENT NO. 3168

At the appropriate place insert:

ADMINISTRATIVE PROVISION

SEC. ___. (a) Section 201 of the Legislative Branch Appropriations Act, 1993 (40 U.S.C. 216c note) is amended by striking ''$10,000,000'' each place it appears and inserting ''$14,500,000''.

(b) Section 201 of such Act is amended—

(1) by inserting ''(a)'' before ''Pursuant'', and

(2) by adding at the end the following:

''(b) The Architect of the Capitol is authorized to solicit, receive, accept, and hold amounts under section 307E(a)(2) of the Legislative Branch Appropriations Act, 1989 (40 U.S.C. 216c(a)(2)) in excess of the $14,500,000 authorized under subsection (a), but such amounts (and any interest thereon) shall not be expended by the Architect without approval in appropriation Acts as required

under section 307E(b)(3) of such Act (40 U.S.C. 216c(b)(3)).''.

AMENDMENT NO. 3169

At the end of title III, insert:

SEC. 312. CENTER FOR RUSSIAN LEADERSHIP DEVELOPMENT.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established in the legislative branch of the Government a center to be known as the ''Center for Russian Leadership Development'' (the ''Center'').

(2) BOARD OF TRUSTEES.—The Center shall be subject to the supervision and direction of a Board of Trustees which shall be composed of 9 members as follows:

(A) 2 members appointed by the Speaker of the House of Representatives, 1 of whom shall be designated by the Majority Leader of the House of Representatives and 1 of whom shall be designated by the Minority Leader of the House of Representatives.

(B) 2 members appointed by the President pro tempore of the Senate, 1 of whom shall be designated by the Majority Leader of the Senate and 1 of whom shall be designated by the Minority Leader of the Senate.

(C) The Librarian of Congress.

(D) 4 private individuals with interests in improving United States and Russian relations, designated by the Librarian of Congress.

Each member appointed under this paragraph shall serve for a term of 3 years. Any vacancy shall be filled in the same manner as the original appointment and the individual so appointed shall serve for the remainder of the term. Members of the Board shall serve without pay, but shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred in the performance of their duties.

(b) PURPOSE AND AUTHORITY OF THE CENTER.—

(1) PURPOSE.—The purpose of the Center is to establish, in accordance with the provisions of paragraph (2), a program to enable emerging political leaders of Russia at all levels of government to gain significant, firsthand exposure to the American free market economic system and the operation of American democratic institutions through visits to governments and communities at comparable levels in the United States.

(2) GRANT PROGRAM.—Subject to the provisions of paragraphs (3) and (4), the Center shall establish a program under which the Center annually awards grants to government or community organizations in the United States that seek to establish programs under which those organizations will host Russian nationals who are emerging political leaders at any level of government.

(3) RESTRICTIONS.—

(A) DURATION.—The period of stay in the United States for any individual supported with grant funds under the program shall not exceed 30 days.

(B) LIMITATION.—The number of individuals supported with grant funds under the program shall not exceed 3,000 in any fiscal year.

(C) USE OF FUNDS.—Grant funds under the program shall be used to pay—

(i) the costs and expenses incurred by each program participant in traveling between Russia and the United States and in traveling within the United States;

(ii) the costs of providing lodging in the United States to each program participant, whether in public accommodations or in private homes; and

(iii) such additional administrative expenses incurred by organizations in carrying out the program as the Center may prescribe.

(4) APPLICATION.—

(A) IN GENERAL.—Each organization in the United States desiring a grant under this section shall submit an application to the Center at such time, in such manner, and accompanied by such information as the Center may reasonably require.

(B) CONTENTS.—Each application submitted pursuant to subparagraph (A) shall—

(i) describe the activities for which assistance under this section is sought;

(ii) include the number of program participants to be supported;

(iii) describe the qualifications of the individuals who will be participating in the program; and

(iv) provide such additional assurances as the Center determines to be essential to ensure compliance with the requirements of this section.

(c) ESTABLISHMENT OF FUND.—

(1) IN GENERAL.—There is established in the Treasury of the United States a trust fund to be known as the ''Russian Leadership Development Center Trust Fund'' (the ''Fund'') which shall consist of amounts which may be appropriated, credited, or transferred to it under this section.

(2) DONATIONS.—Any money or other property donated, bequeathed, or devised to the Center under the authority of this section shall be credited to the Fund.

(3) FUND MANAGEMENT.—

(A) IN GENERAL.—The provisions of subsections (b), (c), and (d) of section 116 of the Legislative Branch Appropriations Act, 1989 (2 U.S.C. 1105 (b), (c), and (d)), and the provisions of section 117(b) of such Act (2 U.S.C. 1106(b)), shall apply to the Fund.

(B) EXPENDITURES.—The Secretary of the Treasury is authorized to pay to the Center from amounts in the Fund such sums as the Board of Trustees of the Center determines are necessary and appropriate to enable the Center to carry out the provisions of this section.

(d) EXECUTIVE DIRECTOR.—The Board shall appoint an Executive Director who shall be the chief executive officer of the Center and who shall carry out the functions of the Center subject to the supervision and direction of the Board of Trustees. The Executive Director of the Center shall be compensated at the annual rate specified by the Board, but in no event shall such rate exceed level III of the Executive Schedule under section 5314 of title 5, United States Code.

(e) ADMINISTRATIVE PROVISIONS.—

(1) IN GENERAL.—The provisions of section 119 of the Legislative Branch Appropriations Act, 1989 (2 U.S.C. 1108) shall apply to the Center.

(2) SUPPORT PROVIDED BY LIBRARY OF CONGRESS.—The Library of Congress may disburse funds appropriated to the Center, compute and disburse the basic pay for all personnel of the Center, provide administrative, legal, financial management, and other appropriate services to the Center, and collect from the Fund the full costs of providing services under this paragraph, as provided under an agreement for services ordered under sections 1535 and 1536 of title 31, United States Code.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

(g) TRANSFER OF FUNDS.—Any amounts appropriated for use in the program established under section 3011 of the 1999 Emergency Supplemental Appropriations Act (Public Law 106–31; 113 Stat 93) shall be transferred to the Fund and shall remain available without fiscal year limitation.

(h) EFFECTIVE DATES.—

(1) IN GENERAL.—This section shall take effect on the date of enactment of this Act.

(2) TRANSFER.—Subsection (g) shall only apply to amounts which remain unexpended on and after the date the Board of Trustees of the Center certifies to the Librarian of Congress that grants are ready to be made under the program established under this section.

AMENDMENT NO. 3170

Section 309(1) of the bill is amended by striking ''fiscal year 2000'' and inserting ''fiscal years 1999 and 2000''.

THE BRING THEM HOME ALIVE ACT OF 1999

HELMS (AND BIDEN) AMENDMENT NO. 3171

Mr. SESSIONS (for Mr. HELMS (for himself and Mr. BIDEN)) proposed the following amendment to the bill (S. 484) to provide for the granting of refugee status in the United States to nationals of certain foreign countries in which American Vietnam War POW/MIAs or American Korean War POW/MIAs may be present, if those nationals assist in the return to the United States of those POW/MIAs alive; as follows:

On page 6, line 23, after ''Radio'' insert the following: '', VOA–TV, VOA Radio,''.

On page 7, line 12, strike ''the 10-day period that begins on'' and insert ''the 30-day period that begins 15 days after''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, May 24, 2000, at 9:30 a.m., in open session to consider the nomination of General John A. Gordon, USAF to be Administrator, National Nuclear Security Administration, Department of Energy.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Wednesday, May 24, 2000.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, May 24, for purposes of conducting a Full Committee business meeting which is scheduled to begin at 9:30 a.m. The purpose of this business meeting is to consider pending calendar business.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENTAL AND PUBLIC WORKS

Mr. BENNETT. Mr. President, I ask unanimous consent that the full Committee on Environment and Public

Works be authorized to meet during the session of the Senate on Wednesday, May 24, at 9:30 a.m., to conduct a hearing to receive testimony on the Administration's Water Resources Development Act of 2000 proposal.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, May 24, 2000 at 9:30 a.m. to hold a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. BENNETT. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on Wednesday, May 24, 2000 at 9:30 a.m. to conduct a hearing on S. 611, the Indian Federal Recognition Administrative Procedures Act of 1999. The hearing will be held in the Committee room, 485 Russell Senate Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON ADMINISTRATIVE OVERSIGHT AND THE COURTS

Mr. BENNETT. Mr. President, I ask unanimous consent that the Subcommittee on Administrative Oversight and the Courts be authorized to meet to conduct a hearing on Wednesday, May 24, 2000, at 9 a.m., in 226 Dirksen.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON WATER AND POWER

Mr. BENNETT. Mr. President, I ask unanimous consent that the Subcommittee on Water and Power of the Senate Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, May 24, at 2:30 p.m. to conduct a hearing. The subcommittee will receive testimony on S. 2163, a bill to provide for a study of the engineering feasibility of a water exchange in lieu of electrification of the Chandler Pumping Plant at Prosser Diversion Dam, Washington; S. 2396, a bill to authorize the Secretary of the Interior to enter into contracts with the Weber Basin Water Conservancy District, Utah, to use Water Basin Project facilities for the impounding, storage, and carriage of nonproject water for domestic, municipal, industrial, and other beneficial purposes; S. 2248, a bill to assist in the development and implementation of projects to provide for the control of drainage water, storm water, flood water, and other water as part of water-related integrated resource management, environmental infrastructure, and resource protection, and development projects in the Colusa Basin Watershed, California; S. 2410, a bill to increase the authorization of appropriations for the Reclamation Safety of Dams Act of 1978, and for other purposes; and S. 2425, a bill to authorize the Bureau of Reclamation to participate in the planning, design, and construction of the Bend Feed Canal Pipeline Project, Oregon, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

—

PRIVILEGE OF THE FLOOR

Mr. DODD. Mr. President, I ask unanimous consent that two rules committee minority staff interns, Melissa Pansiri and Khalil Malouf, be granted the privilege of the floor for the duration of the debate and rollcall votes on the nominees to the Federal Election Commission.

The PRESIDING OFFICER. Without objection, it is so ordered.

—

CONGRATULATING THE REPUBLIC OF LATVIA

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from consideration of S. Con. Res. 110, and that the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 110) congratulating the Republic of Latvia on the tenth anniversary of the reestablishment of its independence from the rule of the former Soviet Union.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the concurrent resolution and the preamble be agreed to, en bloc, the motion to reconsider be laid upon the table, and that any statements relating to the concurrent resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 110) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 110

Whereas the United States had never recognized the forcible incorporation of the Baltic states of Estonia, Latvia, and Lithuania into the former Soviet Union;

Whereas the declaration on May 4, 1990, of the reestablishment of full sovereignty and independence of the Republic of Latvia furthered the disintegration of the former Soviet Union;

Whereas Latvia since then has successfully built democracy, passed legislation on human and minority rights that conform to European and international norms, ensured the rule of law, developed a free market economy, and consistently pursued a course of integration into the community of free and democratic nations by seeking membership in the European Union and the North Atlantic Treaty Organization; and

Whereas Latvia, as a result of the progress of its political and economic reforms, has made, and continues to make, a significant contribution toward the maintenance of international peace and stability by, among other actions, its participation in NATO-led peacekeeping operations in Bosnia and Kosovo: Now, therefore, be it

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

(1) congratulates Latvia on the occasion of the tenth anniversary of the reestablishment of its independence and the role it played in the disintegration of the former Soviet Union; and

(2) commends Latvia for its success in implementing political and economic reforms, which may further speed the process of that country's integration into European and Western institutions.

—

BRING THEM HOME ALIVE ACT OF 1999

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 560, S. 484.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 484) to provide for the granting of refugee status in the United States to nationals of certain foreign countries in which American Vietnam War POW/MIAs or American Korean POW/MIAs may be present, if those nationals assist in the return to the United States of those POW/MIAs alive.

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 3171

(Purpose: To make technical amendments)

Mr. SESSIONS. Mr. President, Senators HELMS and BIDEN have an amendment at the desk, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Alabama [Mr. SESSIONS], for Mr. HELMS, for himself and Mr. BIDEN, proposes an amendment numbered 3171.

The amendment is as follows:

On page 6, line 23, after ''Radio'' insert the following: '', VOA–TV, VOA Radio,''.

On page 7, line 12, strike ''the 10-day period that begins on'' and insert ''the 30-day period that begins 15 days after''.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the amendment be agreed to.

The amendment (No. 3171) was agreed to.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the bill, as amended, be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER (Mr. VOINOVICH). Without objection, it is so ordered.

The bill (S. 484) was read the third time and passed, as follows:

S. 484

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 ''Bring Them Home Alive Act of 2000''.

SEC. 2. AMERICAN VIETNAM WAR POW/MIA ASYLUM PROGRAM.

(a) ASYLUM FOR ELIGIBLE ALIENS.—Notwithstanding any other provision of law, the Attorney General shall grant refugee status in the United States to any alien described in subsection (b), upon the application of that alien.

(b) ELIGIBILITY.—Refugee status shall be granted under subsection (a) to—

(1) any alien who—

(A) is a national of Vietnam, Cambodia, Laos, China, or any of the independent states of the former Soviet Union; and

(B) personally delivers into the custody of the United States Government a living American Vietnam War POW/MIA; and

(2) any parent, spouse, or child of an alien described in paragraph (1).

(c) DEFINITIONS.—In this section:

(1) AMERICAN VIETNAM WAR POW/MIA.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''American Vietnam War POW/MIA'' means an individual—

(i) who is a member of a uniformed service (within the meaning of section 101(3) of title 37, United States Code) in a missing status (as defined in section 551(2) of such title and this subsection) as a result of the Vietnam War; or

(ii) who is an employee (as defined in section 5561(2) of title 5, United States Code) in a missing status (as defined in section 5561(5) of such title) as a result of the Vietnam War.

(B) EXCLUSION.—Such term does not include an individual with respect to whom it is officially determined under section 552(c) of title 37, United States Code, that such individual is officially absent from such individual's post of duty without authority.

(2) MISSING STATUS.—The term ''missing status'', with respect to the Vietnam War, means the status of an individual as a result of the Vietnam War if immediately before that status began the individual—

(A) was performing service in Vietnam; or

(B) was performing service in Southeast Asia in direct support of military operations in Vietnam.

(3) VIETNAM WAR.—The term ''Vietnam War'' means the conflict in Southeast Asia during the period that began on February 28, 1961, and ended on May 7, 1975.

SEC. 3. AMERICAN KOREAN WAR POW/MIA ASYLUM PROGRAM.

(a) ASYLUM FOR ELIGIBLE ALIENS.—Notwithstanding any other provision of law, the Attorney General shall grant refugee status in the United States to any alien described in subsection (b), upon the application of that alien.

(b) ELIGIBILITY.—Refugee status shall be granted under subsection (a) to—

(1) any alien—

(A) who is a national of North Korea, China, or any of the independent states of the former Soviet Union; and

(B) who personally delivers into the custody of the United States Government a living American Korean War POW/MIA; and

(2) any parent, spouse, or child of an alien described in paragraph (1).

(c) DEFINITIONS.—In this section:

(1) AMERICAN KOREAN WAR POW/MIA.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''American Korean War POW/MIA'' means an individual—

(i) who is a member of a uniformed service (within the meaning of section 101(3) of title 37, United States Code) in a missing status (as defined in section 551(2) of such title and this subsection) as a result of the Korean War; or

(ii) who is an employee (as defined in section 5561(2) of title 5, United States Code) in a missing status (as defined in section 5561(5) of such title) as a result of the Korean War.

(B) EXCLUSION.—Such term does not include an individual with respect to whom it is officially determined under section 552(c) of title 37, United States Code, that such individual is officially absent from such individual's post of duty without authority.

(2) KOREAN WAR.—The term ''Korean War'' means the conflict on the Korean peninsula during the period that began on June 27, 1950, and ended January 31, 1955.

(3) MISSING STATUS.—The term ''missing status'', with respect to the Korean War, means the status of an individual as a result of the Korean War if immediately before that status began the individual—

(A) was performing service in the Korean peninsula; or

(B) was performing service in Asia in direct support of military operations in the Korean peninsula.

SEC. 4. BROADCASTING INFORMATION ON THE ''BRING THEM HOME ALIVE'' PROGRAM.

(a) REQUIREMENT.—

(1) IN GENERAL.—The International Broadcasting Bureau shall broadcast, through WORLDNET Television and Film Service and Radio, VOA–TV, VOA Radio, or otherwise, information that promotes the ''Bring Them Home Alive'' refugee program under this Act to foreign countries covered by paragraph (2).

(2) COVERED COUNTRIES.—The foreign countries covered by paragraph (1) are—

(A) Vietnam, Cambodia, Laos, China, and North Korea; and

(B) Russia and the other independent states of the former Soviet Union.

(b) LEVEL OF PROGRAMMING.—The International Broadcasting Bureau shall broadcast—

(1) at least 20 hours of the programming described in subsection (a)(1) during the 30-day period that begins 15 days after the date of enactment of this Act; and

(2) at least 10 hours of the programming described in subsection (a)(1) in each calendar quarter during the period beginning with the first calendar quarter that begins after the date of enactment of this Act and ending five years after the date of enactment of this Act.

(c) AVAILABILITY OF INFORMATION ON THE INTERNET.—International Broadcasting Bureau shall ensure that information regarding the ''Bring Them Home Alive'' refugee program under this Act is readily available on the World Wide Web sites of the Bureau.

(d) SENSE OF CONGRESS.—It is the sense of Congress that RFE/RL, Incorporated, Radio Free Asia, and any other recipient of Federal grants that engages in international broadcasting to the countries covered by subsection (a)(2) should broadcast information similar to the information required to be broadcast by subsection (a)(1).

(e) DEFINITION.—The term ''International Broadcasting Bureau'' means the International Broadcasting Bureau of the United States Information Agency or, on and after the effective date of title XIII of the Foreign Affairs Reform and Restructuring Act of 1998 (as contained in division G of Public Law 105–277), the International Broadcasting Bureau of the Broadcasting Board of Governors.

SEC. 5. INDEPENDENT STATES OF THE FORMER SOVIET UNION DEFINED.

In this Act, the term ''independent states of the former Soviet Union'' has the meaning given the term in section 3 of the FREEDOM Support Act (22 U.S.C. 5801).

—

ORDER FOR COMMITTEES TO FILE

Mr. SESSIONS. Mr. President, I ask unanimous consent that, notwithstanding the adjournment of the Senate, committees have from 11 a.m. until 1 p.m. on Thursday, June 1, in order to file legislative matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

—

MEASURES READ THE FIRST TIME—H.R. 1291, H.R. 3591, H.R. 4051, AND H.R. 4251

Mr. SESSIONS. Mr. President, I understand that the following bills are at the desk: H.R. 1291, H.R. 3591, H.R. 4051, and H.R. 4251. I ask for the first reading of each of these bills, and ask unanimous consent that it be in order to read the titles consecutively.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bills by title.

The assistant legislative clerk read as follows:

A bill (H.R. 1291) to prohibit the imposition of access charges on Internet service providers, and for other purposes.

A bill (H.R. 3591) to provide for the award of a gold medal on behalf of the Congress to former President Ronald Reagan and his wife Nancy Reagan in recognition of their service to the Nation.

A bill (H.R. 4051) to establish a grant program that provides incentives for States to enact mandatory minimum sentences for certain firearms offenses, and for other purposes.

A bill (H.R. 4251) to amend the North Korea Threat Reduction Act of 1999 to enhance congressional oversight of nuclear transfers to North Korea, and for other purposes.

Mr. SESSIONS. Mr. President, I object to further proceedings on these bills at this time.

The PRESIDING OFFICER. The bills will remain at the desk.

—

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the majority and minority leaders of the Senate and the Speaker and minority leader of the House of Representatives, pursuant to section 301(b) of Public Law 104–1, announces the joint appointment of Barbara L. Camens of the District of Columbia and Roberta L. Holzwarth of Illinois to five-year terms on the Board of Directors of the Office of Compliance.

—

ORDERS FOR THURSDAY, MAY 25, 2000

Mr. SESSIONS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. on Thursday, May 25. I further ask that on Thursday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day. I further ask consent that the Senate then proceed to a period of morning business until 10:30 a.m., with Senators speaking for up to

5 minutes each, with the following exceptions: Senator BIDEN, or his designee, 9:30 a.m. to 10 a.m. and Senator THOMAS, or his designee, 10 a.m. to 10:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

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PROGRAM

Mr. SESSIONS. On behalf of the majority leader, and for the information of all Senators, the Senate will convene at 9:30 a.m. on Thursday and be in a period of morning business until 10:30 a.m. Following morning business, the Senate will resume debate on the Mikulski amendment to the legislative branch appropriations bill for 10 minutes prior to a vote on the amendment. Following that vote, the Senate will immediately proceed to a vote on third reading of the bill. Therefore, Senators can expect two back-to-back votes at approximately 10:45 a.m.

I ask unanimous consent that after the votes the Senate return to a period of morning business for 1 hour with Senators ROBERTS and CLELAND in control of the time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, it is hoped that the Senate can consider the crop insurance conference report tomorrow afternoon. Therefore, Senators can expect votes throughout the day.

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ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. SESSIONS. If there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order, following the remarks of Senator LEAHY.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I note that Senator LEAHY is not here. I believe he is not coming, so I renew my unanimous consent request to adjourn.

There being no objection, the Senate, at 5:20 p.m., adjourned until Thursday, May 25, 2000, at 9:30 a.m.

—

CONFIRMATIONS

Executive nominations confirmed by the Senate May 24, 2000:

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

CHRISTOPHER C. GALLAGHER, OF NEW HAMPSHIRE, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2003.

AMY C. ACHOR, OF TEXAS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2003.

DEPARTMENT OF THE TREASURY

JAY JOHNSON, OF WISCONSIN, TO BE DIRECTOR OF THE MINT FOR A TERM OF FIVE YEARS.

EXECUTIVE OFFICE OF THE PRESIDENT

KATHRYN SHAW, OF PENNSYLVANIA, TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS.

FEDERAL ELECTION COMMISSION

DANNY LEE MCDONALD, OF OKLAHOMA, TO BE A MEMBER OF THE FEDERAL ELECTION COMMISSION FOR A TERM EXPIRING APRIL 30, 2005.

BRADLEY A. SMITH, OF OHIO, TO BE A MEMBER OF THE FEDERAL ELECTION COMMISSION FOR A TERM EXPIRING APRIL 30, 2005.

DEPARTMENT OF STATE

ALAN PHILLIP LARSON, OF IOWA, TO BE UNITED STATES ALTERNATE GOVERNOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT FOR A TERM OF FIVE YEARS; UNITED STATES ALTERNATE GOVERNOR OF THE INTER-AMERICAN DEVELOPMENT BANK FOR A TERM OF FIVE YEARS; UNITED STATES ALTERNATE GOVERNOR OF THE AFRICAN DEVELOPMENT BANK FOR A TERM OF FIVE YEARS; UNITED STATES ALTERNATE GOVERNOR OF THE AFRICAN DEVELOPMENT FUND; UNITED STATES ALTERNATE GOVERNOR OF THE ASIAN DEVELOPMENT BANK; AND UNITED STATES ALTERNATE GOVERNOR OF THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT.

ASIAN DEVELOPMENT BANK

N. CINNAMON DORNSIFE, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES DIRECTOR OF THE ASIAN DEVELOPMENT BANK, WITH THE RANK OF AMBASSADOR.

DEPARTMENT OF STATE

EARL ANTHONY WAYNE, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AN ASSISTANT SECRETARY OF STATE (ECONOMIC AND BUSINESS AFFAIRS).

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

BOBBY L. ROBERTS, OF ARKANSAS, TO BE A MEMBER OF THE NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE FOR A TERM EXPIRING JULY 19, 2003.

NATIONAL SCIENCE FOUNDATION

MICHAEL G. ROSSMANN, OF INDIANA, TO BE A MEMBER OF THE NATIONAL SCIENCE BOARD, NATIONAL SCIENCE FOUNDATION FOR A TERM EXPIRING MAY 10, 2006.

DANIEL SIMBERLOFF, OF TENNESSEE, TO BE A MEMBER OF THE NATIONAL SCIENCE BOARD, NATIONAL SCIENCE FOUNDATION FOR A TERM EXPIRING MAY 10, 2006.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

LESLIE LENKOWSKY, OF INDIANA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING FEBRUARY 8, 2004.

JUANITA SIMS DOTY, OF MISSISSIPPI, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING JUNE 10, 2004.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

JOAN R. CHALLINOR, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE FOR A TERM EXPIRING JULY 19, 2004.

RAILROAD RETIREMENT BOARD

JEROME F. KEVER, OF ILLINOIS, TO BE A MEMBER OF THE RAILROAD RETIREMENT BOARD FOR A TERM EXPIRING AUGUST 28, 2003.

VIRGIL M. SPEAKMAN, JR., OF OHIO, TO BE A MEMBER OF THE RAILROAD RETIREMENT BOARD FOR A TERM EXPIRING AUGUST 28, 2004.

NATIONAL SECURITY EDUCATION BOARD

HERSCHELLE S. CHALLENOR, OF GEORGIA, TO BE A MEMBER OF THE NATIONAL SECURITY EDUCATION BOARD FOR A TERM OF FOUR YEARS.

DEPARTMENT OF THE INTERIOR

THOMAS A. FRY, III, OF TEXAS, TO BE DIRECTOR OF THE BUREAU OF LAND MANAGEMENT.

THOMAS N. SLONAKER, OF ARIZONA, TO BE SPECIAL TRUSTEE, OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS, DEPARTMENT OF THE INTERIOR.

DEPARTMENT OF LABOR

EDWARD B. MONTGOMERY, OF MARYLAND, TO BE DEPUTY SECRETARY OF LABOR.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

MEL CARNAHAN, OF MISSOURI, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 2005.

SCOTT O. WRIGHT, OF MISSOURI, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION FOR THE REMAINDER OF THE TERM EXPIRING DECEMBER 10, 2003.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

MARC RACICOT, OF MONTANA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2004.

ALAN D. SOLOMONT, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2004.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATHAN O. HATCH, OF INDIANA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2006.

METROPOLITAN WASHINGTON AIRPORTS AUTHORITY

JOHN PAUL HAMMERSCHMIDT, OF ARKANSAS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY FOR A TERM OF FOUR YEARS.

NORMAN Y. MINETA, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY FOR A TERM OF SIX YEARS.

ROBERT CLARKE BROWN, OF OHIO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY FOR A TERM EXPIRING NOVEMBER 22, 2005.

NATIONAL TRANSPORTATION SAFETY BOARD

JOHN GOGLIA, OF MASSACHUSETTS, TO BE A MEMBER OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR A TERM EXPIRING DECEMBER 31, 2003.

CAROL JONES CARMODY, OF LOUISIANA, TO BE A MEMBER OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR A TERM EXPIRING DECEMBER 31, 2004.

NUCLEAR REGULATORY COMMISSION

EDWARD MCGAFFIGAN, JR., OF VIRGINIA, TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION FOR THE TERM OF FIVE YEARS EXPIRING JUNE 30, 2005.

OVERSEAS PRIVATE INVESTMENT CORPORATION

GARY A. BARRON, OF FLORIDA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2002.

DEPARTMENT OF STATE

THOMAS G. WESTON, OF MICHIGAN, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS SPECIAL COORDINATOR FOR CYPRUS.

CAREY CAVANAUGH, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS SPECIAL NEGOTIATOR FOR NAGORNO-KARABAKH AND NEW INDEPENDENT STATES REGIONAL CONFLICTS.

CHRISTOPHER ROBERT HILL, OF RHODE ISLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF POLAND.

DONALD ARTHUR MAHLEY, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS SPECIAL NEGOTIATOR FOR CHEMICAL AND BIOLOGICAL ARMS CONTROL ISSUES.

GREGORY G. GOVAN, OF VIRGINIA, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS CHIEF U.S. DELEGATE TO THE JOINT CONSULTATIVE GROUP.

DEPARTMENT OF THE TREASURY

MICHELLE ANDREWS SMITH, OF TEXAS, TO BE AN ASSISTANT SECRETARY OF THE TREASURY.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

THE JUDICIARY

TIMOTHY B. DYK, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT.

JAMES D. WHITTEMORE, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA.

RICHARD C. TALLMAN, OF WASHINGTON, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT.

MARIANNE O. BATTANI, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN.

DAVID M. LAWSON, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN.

JOHN ANTOON II, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA.

DEPARTMENT OF JUSTICE

MARK REID TUCKER, OF NORTH CAROLINA, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF NORTH CAROLINA FOR THE TERM OF FOUR YEARS.

DEPARTMENT OF DEFENSE

BRUCE SUNDLUN, OF RHODE ISLAND, TO BE A MEMBER OF THE NATIONAL SECURITY EDUCATION BOARD FOR A TERM OF FOUR YEARS.

MANUEL TRINIDAD PACHECO, OF ARIZONA, TO BE A MEMBER OF THE NATIONAL SECURITY EDUCATION BOARD FOR A TERM OF FOUR YEARS.

THE JUDICIARY

PHYLLIS J. HAMILTON, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA.

NICHOLAS G. GARAUFIS, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK.

GERARD E. LYNCH, OF NEW YORK, TO BE A UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK.

ROGER L. HUNT, OF NEVADA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA.

KENT J. DAWSON, OF NEVADA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA.

DEPARTMENT OF JUSTICE

AUDREY G. FLEISSIG, OF MISSOURI, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF MISSOURI FOR THE TERM OF FOUR YEARS.

STEVEN S. REED, OF KENTUCKY, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF KENTUCKY FOR THE TERM OF FOUR YEARS.

DONALD W. HORTON, OF MARYLAND, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF COLUMBIA FOR THE TERM OF FOUR YEARS.

E. DOUGLAS HAMILTON, OF KENTUCKY, TO BE UNITED STATES MARSHAL FOR THE WESTERN DISTRICT OF KENTUCKY FOR THE TERM OF FOUR YEARS.

JOSE ANTONIO PEREZ, OF CALIFORNIA, TO BE UNITED STATES MARSHAL FOR THE CENTRAL DISTRICT OF CALIFORNIA FOR THE TERM OF FOUR YEARS.

DONNIE R. MARSHALL, OF TEXAS, TO BE ADMINISTRATOR OF DRUG ENFORCEMENT.

THE JUDICIARY

JAMES J. BRADY, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF LOUISIANA.

MARY A. MCLAUGHLIN, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA.

BERLE M. SCHILLER, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA.

RICHARD BARCLAY SURRICK, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA.

PETRESE B. TUCKER, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING JOHN PATRICE GROARKE, AND ENDING JAMES CURTIS STRUBLE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 1999.

FOREIGN SERVICE NOMINATIONS BEGINNING MATTIE R. SHARPLESS, AND ENDING HOWARD R. WETZEL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 24, 2000.

FOREIGN SERVICE NOMINATIONS BEGINNING NANCY M. MCKAY, AND ENDING NANCY MORGAN SERPA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 24, 2000.

PUBLIC HEALTH SERVICE

PUBLIC HEALTH SERVICE NOMINATIONS BEGINNING EDWIN L. JONES III, AND ENDING COLLEEN E. WHITE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 19, 1999.

PUBLIC HEALTH SERVICE NOMINATIONS BEGINNING SUSAN J. BLUMENTHAL, AND ENDING WILLIAM TOOL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 19, 1999.

EXTENSIONS OF REMARKS

COLORADO STATE SENATOR ELSIE LACY

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mr. McINNIS. Mr. Speaker, I wanted to take this moment to recognize the career of one of Colorado's leading statesmen, Senator Elsie Lacy. In doing so, I would like to honor this individual who, for so many years, has exemplified the notion of public service and civic duty. It is clear that Senator Lacy's dynamic leadership will be greatly missed and difficult to replace.

Elected to the State Senate in 1992, Elsie was the chairwoman of the Appropriations committee and the chairwoman of the Joint Budget Committee. Her main focus was on transportation, health and education issues. Before being elected to State Senate, Elsie was elected to the Aurora City Council, where she served for four years.

Senator Lacy is very involved in the community. She is a member of the Aurora Chamber of Commerce, a member of the Village East Neighborhood Association, and Boy Scout of America Merit Badge Counselor and Troop 630 committee chair, just to name a few.

This year marked the end of Senator Lacy's tenure in elected office. Her career embodied the citizen-legislator ideal and was a model that every official in elected office should seek to emulate. The citizens of Colorado owe Senator Lacy a debt of gratitude and I wish her well.

PERSONAL EXPLANATION

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mr. OWENS. Mr. Speaker, on Friday, I was unavoidably absent on a matter of critical importance and missed the following votes:

On the amendment to H.R. 4475, to prohibit use of funds for engineering work related to an additional runway at New Orleans International Airport, introduced by the gentleman from Louisiana, Mr. VITTER, I would have voted ''nay.''

On passage of the bill, H.R. 4475, the transportation appropriations for fiscal year 2001, introduced by the gentleman from Virginia, Mr. WOLF, I would have voted ''yea.''

FLOYD D. SPENCE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

SPEECH OF

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 18, 2000

The House in Committee of the Whole House on the State of the Union had under consideration 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.

Mr. DAVIS of Illinois. Mr. Chairman, for many years my colleagues and I have expressed opposition to the U.S. School of Americas. This year's defense authorization measure includes provisions that close the U.S. Army School of Americas and establish the Defense Institute for Hemispheric Security Cooperation. This supposedly new school for international military education will still train most of the third world's military tyrants.

Mr. Chairman this is only a cosmetic change. A name change with no attempt to address the growing public outcry and congressional concern over the SOA's link to human rights atrocities in Latin America.

The people in my district are well aware of the brutal inhuman products of this school. The members of the death school have horribly executed human rights activists in El Salvador, Guatemala, and Pakistan.

Mr. Chairman there is no reason to continue funding this macabre institution. That is why I support the Moakley amendment. The Moakley amendment will evaluate the effect of United States military training on the human rights performance of Latin American soldiers. Commando and combat courses have long been core curricula at the SOA and I believe that the training contributes to human rights atrocities.

Therefore, Mr. Chairman I strongly urge all Members to vote against any legislation supporting the School of Americas and urge all Members to vote for the Moakley amendment.

COLORADO STATE SENATOR TOM BLICKENSDERFER

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mr. McINNIS. Mr. Speaker, I wanted to take this moment to recognize the career of one of Colorado's leading statesmen, Senator Tom Blickensderfer. In doing so, I would like to honor this individual who, for so many years, has exemplified the notion of public service and civic duty. It is clear that Senator Blickensderfer's dynamic leadership will be greatly missed and difficult to replace.

Elected to the State Senate in 1992, he served as a Senate majority leader. Tom distinguished himself by focusing on water issues and other issues that are important in rural communities. He is a strong leader and is recognized throughout the State of Colorado for his contributions to the Republican party.

Senator Blickensderfer received many honors. In 1992, he was honored by CACI as the Business Legislator of the Year. He has also received honors from the Colorado Mental Health Association, and the NFIB Guardian of Small Business award, as well as, citations by Colorado Psychological Association and Health Ethics Lobby.

This year marked the end of Senator Blickensderfer's tenure in elected office. His career embodied the citizen-legislator ideal and was a model that every official in elected office should seek to emulate. The citizens of Colorado owe Senator Blickensderfer a debt of gratitude and I wish him well.

TRIBUTE TO YOSHI HONKAWA

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mr. WAXMAN. Mr. Speaker, today I pay tribute to a dear friend, Yoshi Honkawa, who is retiring after a thirty-six year career as a health care advocate in Los Angeles County. Yoshi's name has become synonymous with health care policy and advocacy for the residents of Los Angeles County. Over the years he has been an indispensable resource to me, my office, and the many institutions he has worked with. His wisdom and insight will certainly be missed as he enters his much-deserved retirement.

Yoshi began his impressive health care career in 1964 at the Los Angeles County-University of Southern California (LAC–USC) Medical Center. He served as the medical center's comptroller and assistant administrator for five years. His talent did not go unnoticed, and he was promoted to associate administrator in 1969.

Later that year, Yoshi became affiliated with the Los Angeles County Department of Hospitals and served as director of fiscal and hospital program planning until 1972. He then joined the Los Angeles County Department of Health Services where he was the deputy director of finance and legislative services.

In 1975, Yoshi became the director of finance at Cedars-Sinai Medical Center, where he remained to serve in various capacities. He was the vice president for government and industry relations from 1978 through 1993. In 1994, he was promoted to the position of consultant for health care advocacy.

Yoshi's contributions in the health care field have always gone far beyond his employment. First and foremost, he knows and counts as friends virtually every major player in the health care arena, both in California and in

Washington, DC. He has access everywhere. Second, he has contributed his time and experience to serve as a mentor to many, many young people entering the health care field. Truly, his legacy continues through them. Finally, he has made it his special mission to increase the diversity of people making health care management their career, serving as a founding board member of the Institute for Diversity in Health Care Management, and serving tirelessly in many capacities in that organization.

He has been a long-time advocate and friend for graduate medical education, both through his activities at Cedars-Sinai and his membership of the Government Relations Steering Committee at the Association of American Medical Colleges. At the national level, he was also an active member of the National Health Planning and Development Council.

In addition, Yoshi has been actively involved in health care policy development and implementation for Los Angeles and California. He was a Commissioner on the California Health Policy and Data Advisory Commission for ten years from 1987 through 1997. While serving on the commission, he was instrumental in shaping California's health policy, and he has been appointed to countless other posts, sharing his experience and knowledge with pivotal commissions and committees.

Yoshi's tremendous contributions have been recognized many times through the awards and honors he has received. He has been honored by the American Hospital Association, the USC Alumni Association, the California Healthcare Association, and the USC Health Services Administration Alumni Association, to name a few.

The citizens of Los Angeles and our health care institutions owe Yoshi a great debt of gratitude, as do all of his friends and associates who have relied for so long on his guidance and help.

We know that his retirement may be beginning, but his involvement and influence in the field of health care will continue. I ask my colleagues to join me today in wishing all the best to Yoshi and his wife May.

PERSONAL EXPLANATION

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mr. OBERSTAR. Mr. Speaker, during the consideration of the Department of Defense authorization legislation (H.R. 4205) last week, I inadvertently voted yes when I intended to vote no on rollcall vote 203. I have consistently voted in support of life.

LEGISLATION COMMENDING ISRAEL'S WITHDRAWAL FROM LEBANON, H. CON. RES. 331

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mr. GILMAN. Mr. Speaker, I want to alert my colleagues to the introduction of H. Con. Res. 331, by our distinguished Majority Leader, Representative ARMEY of Texas, which commends Israel's decision to withdraw its forces from Southern Lebanon. I am more than pleased to lend my cosponsorship and strong support to this resolution, which also calls on the U.N. Security Council to recognize Israel's fulfillment of Resolution 425, and to insist that all foreign forces be withdrawn from Lebanon. Also cosponsoring H. Con. Res. 331 are the distinguished minority leader, Mr. GEPHARDT of Missouri, as well as the ranking minority member of our House International Relations Committee, Mr. GEJDENSON of Connecticut.

Israel's courageous decision to pull out of Lebanon demonstrates its strong commitment to a peaceful resolution to the conflicts that trouble the region. I hope that Israel's courage is reciprocated by Syria and Iran in their dealings with Lebanon. By withdrawing from Lebanon, Israel will be in full compliance with United Nations Security Council Resolution 425.

Mr. Speaker, given the prior use of Southern Lebanon as a launching pad for attacks on Israel, the United Nations and the government of Lebanon must provide the necessary resources for UNIFIL and the Lebanese Armed Forces to stabilize Southern Lebanon. A major priority must also be to affirm Israel's right, as noted in Chapter 7, Article 51 of the United Nations Charter, to defend itself and its civilians from attack. I'm pleased that H. Con. Res. 331 sends a strong, bipartisan message of peace and stability to the region, and I urge our colleagues to cosponsor this important, timely resolution.

COLORADO STATE SENATOR DOROTHY ''DOTTIE'' WHAM

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mr. McINNIS. Mr. Speaker, I wanted to take this moment to recognize the career of one of Colorado's leading statesmen, State Senator Dottie Wham. In doing so, I would like to honor this individual who, for so many years, has exemplified the notion of public service and civic duty. It is clear that Senator Wham's dynamic leadership will be greatly missed and difficult to replace.

Appointed to the Colorado Senate in 1987 and then elected from 1988 until present, she worked hard on juvenile justice and on the children's code of Colorado. She also dedicated a lot of energy on AIDS legislation, proposed adoption, and the salaries of elected county officials. Dottie served as the chairman of the Judiciary Committee, vice chair of Capital Development and chairman of the Criminal Justice Commission.

This year marked the end of Senator Wham's tenure in elected office. Her career embodied the citizen-legislator ideal and was a model that every official in elected office should seek to emulate. The citizens of Colorado owe Senator Wham a debt of gratitude and I wish her well.

HOW TO DISCOVER NEW PHARMACEUTICAL CURES AT AFFORDABLE PRICES TO THE PUBLIC? THE BRITISH ADMIRALTY'S 1714 SOLUTION AND INTRODUCTION OF LEGISLATION TO SPEED THE CURE FOR DISEASES

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mr. STARK. Mr. Speaker, today, I am introducing legislation based on the highly successful Act of Parliament of 1714 which established a prize for the invention of an absolutely essential tool: the modern sextant necessary to prevent shipwrecks.

My legislation would establish a series of prizes for the discovery of cures to many of the major diseases and illnesses that plague mankind. The prizes would be appropriate to the horror of the illness—$10 billion tax free for a cure or prevention for Alzheimer's; $10 billion for MS, $10 billion for AIDS, etc.

The condition—the quid pro quo—is that the prize would go to an inventor/company (and cooperative consultation would be encouraged) in exchange for making the medical breakthrough available to the world at the cost of production.

An unusual bill? Yes.

But it worked before. And we desperately need to find a way to bring disease-curing, break-through drugs to market faster, but at a price that is affordable to the people who need them.

I'm including in the RECORD a description of how the British Admiralty, quite tired of its fleets ramming into land unexpectedly and sinking with massive loss of life, offered the huge sum of 20,000 in 1714 for the person who could ''discover longitude.'' The Library of Congress tells me that 20,000 Pounds Sterling in 1750 would be worth $401.4 million today. I assume that if the data allowed a conversion of Pounds to Dollars back to 1714, the amount would be about half a billion dollars. This huge prize led to a flurry of research and invention that produced the sextant and other devices and modernized the world of commerce and travel.

To cure Alzheimer's, or MS, or AIDS, or Cancer, or the other major diseases is, I believe, worth more than half a billion dollars, and I would propose a tax free $10 billion prize per major disease. On just Alzheimer's, for example, by 2025 with the aging of the Baby Boomers, it is expected that 14 million Americans will have Alzheimer's. Conservatively assuming $50,000 a year in current dollars for the various costs to ''manage'' an Alzheimer's patient, the cost to society will be about $700 billion a year for this one disease! Clearly, a $10 billion prize would be a bargain. The NIH could guide us on the size of prizes for other designated diseases.

Why not rely on the current private sector process of finding cures?

First, a lot of current private industry research is wasted in the research on ''me too'' drugs, vanity drugs, and marginal improvements in existing products. The U.S. pharmaceutical companies profit levels are about 50 percent higher than their R&D budgets, and their overhead, sales, and lobbying expenses are twice as high. We need to focus the companies and the scientific community on major breakthroughs, not me toos.

Second, when a major breakthrough is invented, it is priced—at least in the United States—at such sky-high levels that access to life-saving drugs has become the major source of inflation in the economy and is unaffordable to the poor and sick. The industrialized world's drug companies resist allowing low cost production in the world's poorest nations, thus leaving millions to suffer and die needlessly, and even in America, the poor find their pharmaceutical care severely rationed.

The tax-free prize I am proposing would give any company or scientist the appropriate honor and monetary reward in exchange for ensuring the life-saving invention is available to society at a reasonable price.

Following is an excerpt from ''Evolution of the Sextant'' by Rod Cardoza of the Sea West Company.

Until the very early years of the 18th century a mariner's navigation consisted of sunshots to determine the latitude and dead reckoning, coupled with piloting, to estimate the longitude. Latitude, the distance north or south of the equator, is the horizontal component of the imaginary grid system encircling the earth, unaffected by the earth's rotation relative to the stars. Longitude, the distance east or west on the earth's surface, is the vertical component of these lines of position. It changes constantly, with respect to the heavens, as the earth rotates. Thus a key element in most methods of determining longitude is precise time keeping.

The onset of the 18th century saw new methods and instruments innovated for finding the elusive longitude. Among these, the lunar distance method found favor with the English, culminating in the perfection of the reflecting circle by Mayer, Borda, and Troughton toward the end of the century. Another method, longitude by change in compass variation, promised an easy solution in theory, but was not precise enough to be of any value in practice.

The search for the longitude generated some bizarre proposals. In one case Sir Kenelm Digby claimed that he had caused one of his medical patients to jump with a start, even though the two were separated by a great distance. This was accomplished by placing some specially invented ''powder of sympathy'' into a bucket of water and then adding a bandage taken from the patient's wound. This ''fact'' led to the suggestion that every ship should be equipped with a wounded dog. On shore, a diligent individual equipped with a standard pendulum clock and a powdered bandage from the dog's wound, would dip the bandage into water at the stroke of each hour causing the dog aboard the ship to yelp at the appropriate instant!

The impractical application of all these systems was becoming tragically obvious. Several instances of entire squadrons of British ships being lost due to imprecise navigation occurred in 1691, 1707, and again in 1711. These losses provided a final impetus to the British Admiralty to pass a bill ''for providing a publick reward for such person or persons as shall discover the Longitude,'' in 1714. The amount of the reward was £20,000—a phenomenal sum at the time—indicative of the importance placed upon perfecting an accurate means of navigating.

Finally in 1735, John Harrison, a Yorkshire carpenter, successfully constructed the first marine chronometer having some components of wood and weighing 125 pounds! Because of its precise timekeeping ability, the chronometer, in perfected form, was later to become an indispensable addition to nearly every ocean-going vessel afloat. As a result of his successful contribution Harrison eventually received the reward. In the interim, the modern era in navigation had begun.

The increased activity in ''the search for the longitude'' also spurred innovative interest in other areas of navigation. In 1731 John Hadley demonstrated his new reflecting quadrant to fellow members of the Royal Society in London. His quadrant was based on the principle of light reflection and angles of incidence described by Robert Hooke, Issac Newton, and Edmund Halley nearly a century earlier.

PERMANENT NORMAL TRADE RELATIONS WITH CHINA

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mr. BEREUTER. Mr. Speaker, on Wednesday this body is scheduled to consider H.R. 4444, the legislation that would provide the People's Republic of China with Permanent Normal Trade Relations (PNTR) status in the context of China's accession to the World Trade Organization. This Member believes that Sino-American relations are increasingly problematic and uncertain. China is not our enemy, though certain forces in the U.S. and China want it to be. China is certainly not our strategic partner, either. China is a strategic competitor with whom responsible engagement and cooperation is necessary to ensure peace and stability in the East Asia region.

This Member believes that the forthcoming vote on PNTR will have significant ramifications for Sino-American relations and how successfully we manage the challenges posed by China. It is in this regard that this Member recommends the following article from the Financial Times, a respected international newspaper, which provides an insightful analysis of the impact of the PNTR vote.

[From the Financial Times, May 18, 2000]

TRADE STATUS MAY HOLD THE KEY TO END OF ROLLER-COASTER RIDE IN US-CHINA RELATIONSHIP

(By James Kynge)

The last 21 years of US-China relations have been a roller coaster ride. Periods of bright optimism have swiftly subsided into mutual acrimony and, in 1996, a military stand-off in the Taiwan strait. But rarely, if ever, has a potential tear in the fraying fabric of bilateral ties been so visible—and avoidable—as now.

The decisive test will come next week, when the US House of Representatives votes on President Bill Clinton's proposal to safeguard China's US exports against possible discrimination by giving it permanent normal trade relations (PNTR) status. The proposal, which would abolish Congress's annual review of China's trade status, is prompted by the country's imminent admission to the World Trade Organization.

If Congress rejected PNTR, China could still enter the WTO but foreign diplomats and Chinese officials say rejection could cause a rupture in relations with the US more enduring and perilous than that which followed NATO's bombing of China's Belgrade embassy last year.

The most obvious impact would be felt by US corporations exporting to and operating in the world's most populous country. Beijing would be likely to exercise its right, under WTO rules, to deny them the unprecedented trade liberalisation and market access concessions that it has promised to make once it joins the WTO.

Adding insult to injury, the European and other companies that compete so intensely with US companies in China would enjoy the full benefits of the WTO package. ''[It] would be absolutely disastrous for US companies. There is no other word for it. Disastrous,'' said a US executive.

US multinationals are not the only potential victims. For a Chinese leadership facing crucial challenges at home and in foreign policy, a congressional ''no'' would deal a harsh blow to the very people seen as relatively pro-US, reformist and supportive of a faster integration into the wider world.

Zhu Rongji, the premier, has already endured the opprobrium that flows from being seen as too pro-American. His political career languished for several months last year after he returned from Washington having failed to clinch a WTO deal despite offering concessions so deep that many Chinese saw them as ''traitorous''.

This time, Mr. Zhu, President Jiang Zemin and hundreds of other lower level officials who have displayed their reformist colours are potentially vulnerable.

This is mainly because one of the main arguments that reformers in China employed last year to persuade conservatives of the wisdom of WTO accession was that it would mean the end of an annual review of Beijing's human rights record in the U.S. Congress. If PNTR is not awarded, the review—an annual humiliation for Beijing—would stay.

Sandra Kristoff, a former White House staff member and now senior vice-president of New York Life, said after meetings in Beijing this week that there was potential for the whole U.S.-China relationship to become unhinged. ''[If there is a no vote] there would be no way that we could convince them that this does not mean that the U.S. wants to contain them,'' she said.

A resurgence of resentful nationalism, evident in Beijing after the Chinese embassy bombing, could add to the already unstable mix of emotions that conditions China's responses on Taiwan, diplomats said. Beijing has sworn to prevent Taiwan independence, by using force if necessary.

To many Chinese officials, U.S. hostility towards Beijing and Taiwan's steady drift towards independence are two sides of the same coin. Thus any hopes of the U.S. acting as an honest facilitator for talks between Taipei and Beijing would be undermined if PNTR was rejected.

From the perspective of China's economic reforms, however, the effects of a decision not to award PNTR are less clear. A recent acceleration in free market reform is being driven by the prospect of WTO accession and by the objective requirements of an economy in urgent need of restructuring.

Neither of these two factors would, in theory, be affected by a refusal to normalise trade relations with the U.S. But in practice, there are distinct risks.

One is that conservatives and military hawks, empowered by a rupture in relations with the U.S. could convince Mr. Jiang to stall WTO accession and defer some of the more painful and controversial aspects of reform.

Such a scenario is far from unthinkable. Mr. Jiang is a master of compromise politics, and there is already some internal opposition to crucial reforms that appear to be whittling away the economic power base of the Communist party.

Perhaps that is one reason why Chinese dissidents such as Dai Qing are so in favour of PNTR. ''Permanent normal trade relations would send the Chinese people a powerful message: the most powerful

industrialised nation today will work with the Chinese people to build a new world order,'' said Mr. Dai.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

SPEECH OF

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 19, 2000

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4475) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

Mr. VENTO. Mr. Chairman, I rise to express my concerns regarding the FY 2001 Transportation Appropriation rider, which would continue to freeze the Corporate Average Fuel Economy (CAFE) standards at current levels.

The CAFE standards passed by Congress in 1975 comprise one of the most successful environmental policies enacted in the past thirty years. Fuel efficiency standards save consumers millions of dollars at the gas pump while decreasing pollution and U.S. dependence on fossil fuels and foreign oil. Current CAFE standards save more than 3 million barrels of oil per day, and more than $40 billion at the gas pump each year.

While the current provisions have been effective, the increase in the number of light trucks and sport utility vehicles (SUVs) on the road warrants a revision of CAFE emission standards. Light trucks and SUVs now account for 47.5% of vehicles sold in the United States. Yet, they are held to a lower fuel efficiency standard than passenger automobiles. The result is that the fuel efficiency of vehicles sold in the United States has hit its lowest point since 1980. This is in itself circumvention of the policy path, as these vehicles are certainly a substitute for the family automobile. When you add the freeze of CAFE standards, it compounds the energy inefficiency of our present policy and law.

The environmental benefits of reducing emissions cannot be underestimated. Holding SUVs to the same standards as passenger cars would reduce emission of carbon dioxide by 30 tons over the life of the automobile. Increasing CAFE standards for light trucks would reduce urban smog and the buildup of greenhouse gases, an important step in the battle against global warming. Furthermore, increasing CAFE standards would bring the United States closer to a 7% reduction from 1990 carbon dioxide levels, as required by the Kyoto Agreement.

The recent spike in oil prices highlights anew the need to reduce U.S. dependence on fossil fuels and foreign oil supplies. The United States has the technological capability to produce clean and efficient energy. It is essential that Congress support these goals, and stop prohibiting revision of CAFE standards. I urge my colleagues to work today to preserve the environment for tomorrow. Oppose the CAFE-freeze rider attached to the FY 2001 Transportation Appropriation bill.

RECOGNIZING TINA TAHMASSEBI OF DAVIE, FLORIDA

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mr. DEUTSCH. Mr. Speaker, I rise today to recognize the efforts of Tina Tahmassebi, of Davie, Florida. Tina was recently honored by the Third Annual Seventeen/Cover Girl Volunteerism Awards as a first place prize winner in the 18–21 age category. Indeed, Tina is very deserving of recognition for her role in founding the Universal Aid for Children REACH OUT program.

The Seventeen/Cover Girl Volunteerism Award rewards and honors teens and young women who have made extraordinary achievements in the fields of volunteerism and public service. In concert with the Volunteerism Awards, Seventeen Magazine and Cover Girl Cosmetics Company have awarded more than $90,000 in scholarship money, U.S. Savings Bonds and charitable donations. After examining Tina's extraordinary work, it is clear that her story exemplifies the tenets espoused by the Volunteerism Awards.

Tina founded the REACH OUT program while only a junior in high school. This student-run organization assists an orphanage and a vocational school in El Salvador by supplying medical supplies, office supplies, and clothing while simultaneously attending to the educational needs of the children involved in these programs. To purchase these much needed supplies, Tina and her group have held bake sales, car washes, and other fundraising events. Shipping more than $40,000 in relief to El Salvador to this date, Tina's efforts have undoubtedly made a lasting impression on those in the community.

Mr. Speaker, I would like to congratulate Tina Tahmassebi for her exemplary achievements in volunteering and public service. Tina has made a remarkable impact on the lives of the children in El Salvador, and her hard work is something that both she and the entire community can be proud of.

COLORADO STATE HOUSE REPRESENTATIVE DOROTHY GOTLIEB

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mr. McINNIS. Mr. Speaker, I wanted to take this moment to recognize the career of one of Colorado's leading statesmen, Colorado Representative, Dorothy Gotlieb. In doing so, I would like to honor this individual who, for so many years, has exemplified the notion of public service and civic duty. It is clear that Representative Gotlieb's dynamic leadership will be greatly missed and difficult to replace.

Elected to the State House of Representatives in 1992, she has served on the Education, Transportation and the Energy Committees. Dorothy distinguished herself by working on issues concerning the budget. Dorothy pushes hard to make children the top priority in the legislature

The number of honors and distinctions that Representative Gotlieb earned during her years of outstanding service are too numerous to list, too few to do justice to her contributions to the State of Colorado.

2000 marked the end of Representative Gotlieb's tenure in the State House of Representatives. Her tenure embodied the citizen-legislator ideal and was a model that every official in elected office should seek to emulate. The citizens of Colorado owe Representative Gotlieb a debt of gratitude and I wish her well.

TRIBUTE TO JOHN C. SAWHILL

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mr. PORTMAN. Mr. Speaker, last Thursday, May 18, our nation and our world lost a remarkable leader with the passing of John C. Sawhill, the president and chief executive officer of The Nature Conservancy.

I had the good fortune to work with John and his staff over the last three years as we developed the Tropical Forest Conservation Act—legislation designed to protect the world's most threatened tropical forests. Under John's leadership, the Conservancy provided us with the technical expertise, research and political savvy to help ensure that the TFCA was enacted into law.

During John's long and distinguished career in public service, academia, and the private sector, he held senior positions in the Nixon, Ford, and Carter administration; served as president of New York University; and was a partner in the international consulting firm of McKinsey and Company.

John joined The Nature Conservancy in January 1990. Under his leadership, the Conservancy grew into the world's largest private conservation group and the nation's 14th largest nonprofit institution, with annual revenues of $780 million, over one million members, and a network of 1300 private nature reserves. Its mission is to preserve biodiversity by protecting wildlife habitat.

Samuel C. Johnson, the chairman of The Conservancy's National Board of Governors, noted that John's passing is sad news not only for the Nature Conservancy family, but also for the cause of conservation. I could not agree more. The Conservancy's remarkable record of achievement over the past decade is an eloquent testimony to John's energy, vision, intellect, and commitment to the mission of conservation.

During John's tenure, The Conservancy protected more than 7 million acres of land in the United States alone, including such landmark purchases as the 502-square-mile Gray Ranch in New Mexico in 1990 and the $37 million acquisition of Palmyra Atoll in the Pacific, announced only two weeks ago. His stewardship of the organization also saw the number of staff triple to the current level of 3,000 employees; total assets triple to $2.3 billion; and membership more than double.

Born in Cleveland, Ohio, on June 12, 1936, John was raised in Baltimore, Maryland. At the time of his death, he resided in Washington, D.C. and Washington, Virginia. He graduated *cum laude* from Princeton University's Woodrow Wilson School of Public and International Affairs in 1958 and received his Ph.D. in economics from New York University in 1963.

From 1960 to 1963, he was assistant dean and assistant professor in the department of economics at NYU.

John served as a director of a number of major American corporations, including Consolidated Edison, RCA, Philip Morris, Crane Corporation, General American Investors, American International Group, Automatic Data Processing, and North American Coal. At the time of his death, he was serving as a director of the Procter and Gamble Company, Pacific Gas and Electric Company, and the Vanguard Group of Mutual Funds.

He was involved with a number of nonprofit organizations. He was chairman of the board of the H. John Heinz III Center for Science, Economics and the Environment. He served as a member of the President's Council on Sustainable Development and the Environment for the Americas Board, the group that oversees debt-for-nature swaps and the establishment of conservation trust funds in several Latin American countries.

In addition, he served on the Commission on the Future of the Smithsonian and chaired the task force on governance, management and financial resources. He also served as a trustee of Princeton University and was chairman emeritus of the Whitehead Institute for Biomedical Research in Cambridge, Massachusetts.

In September 1997, John became senior lecturer of business administration at the Harvard Business School where he taught and conducted research on not-for-profit institutions. John also published a number of books, articles, and reports about energy and energy-related subjects.

John is survived by his wife, Isabel V. Sawhill, a senior fellow at the Brookings Institution and president of the National Campaign to Prevent Teen Pregnancy; his son, James W. Sawhill, a senior vice president at Wells Fargo Bank in San Francisco; a grandson, John C. Sawhill II; a brother, James M. Sawhill, of Newport News, Virginia, and two sisters, Sally Supplee of Palo Alto, California and Monroe Hodder of London, England.

John was an inspiration to me personally. I considered him not only a colleague but a friend. He will be greatly missed.

CONGRATULATING UMPQUA TRAINING AND EMPLOYMENT, INC.

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mr. DEFAZIO. Mr. Speaker, I rise today to extend my congratulations to Umpqua Training and Employment, Inc. (UT&E), which celebrates its 25th anniversary on June 11, 2000. UT&E has been a pillar in the community, offering employment training, guidance, and aid to the citizens of Douglas County.

On June 11, 1975, the State of Oregon's Corporation Division of the Department of Commerce issued a certificate of incorporation to the District 6 Manpower Program. The nonprofit corporation was organized by a group of Douglas County residents who believed that federal employment and training programs should be administered by a private corporation governed by local directors. In 1981, the corporation began doing business under the name Umpqua Training and Employment, Inc.

Although UT&E's original focus was training the structurally unemployed—those who have difficulty getting and keeping jobs under any economic circumstances—they saw an increase in business during the recession of the 1980's. The unemployment rate shot past the 20 percent mark, and residents increasingly began to utilize UT&E services, which include labor market information, testing and assessment, job search training, career counseling, work experience opportunities, and occupational training both in the classroom and on-the-job.

In the mid-1980's Alcan Cable moved to Douglas County and established a unique partnership with UT&E by locating their human resource department in UT&E's offices. Applicants who may never have been considered for employment,found good jobs with an excellent local company, and UT&E began to actively participate in industrial recruitment efforts. They have assisted virtually every new employer who has located in Douglas County since 1987, including WinCo Foods, which is currently establishing their food distribution center, and Roseburg Forest Products which is building their new LVL and I-Joist plant.

In the early 1990's as the timber industry downsized, UT&E, the local office of the Employment Department, and Umpqua Community College formed a ''rapid response unit'' to assist workers displaced by plant closures and large lay-offs. With federal funds granted to especially hard-hit areas like Douglas County, UT&E helped almost 1,500 residents acquire new skills and new jobs.

UT&E has been recognized for its excellence by the Board of Douglas County Commissioners, the State of Oregon, and the Oregon Consortium. I join my colleagues in offering my personal congratulations to all those involved with Umpqua Training and Employment, Inc. on its 25th anniversary. Their tireless work in the community has provided countless jobs for the citizens of Douglas County, and I wish the members and beneficiaries of UT&E continue success in their future endeavors.

STATE CHILDREN'S HEALTH INSURANCE PROGRAM

HON. RUBEN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mr. HINOJOSA. Mr. Speaker, I am happy to announce that for the first time, a Children's Health Insurance Program, or CHIP, is available in South Texas. CHIP is low-cost health coverage provided under a state-subsidized insurance program. Any Texas uninsured child, newborns through age 18, are eligible. All costs are flexible, and based on family income. For example, a family of four qualifies if the household income is $34,000 or less. If you make more than that, you can qualify for greatly-reduced insurance through another program, Texas HealthyKids.

The CHIP operates like a Health Maintenance Organization, or MHO. It is run by the TexCare Partnership which partners with all 254 Texas counties to sponsor services through one of three different plans: CHIP, Medicaid, or Texas HealthyKids. CHIP provides services such as hospital care, surgery, x-rays, therapies, prescription drugs, mental health and substance abuse treatment, emergency services, eye tests and glasses, dental care, and regular health check-ups and vaccinations.

For Texas, CHIP is funded from the proceeds of our tobacco settlement with the tobacco companies a couple of years ago. It is critically important in our state because Texas has the highest rate of uninsured in the country. And unfortunately, Texas has the nation's second-highest number of uninsured children. The worst problem we have is that not enough parents are using this great program.

South Texas, in particular, has carried the burden of uninsured children for many years. About 1.4 million of Texas' 5.8 million children lack health insurance, but 470,000 of them are now eligible for coverage under CHIP. Almost one-fourth—109,000—of the newly-eligible kids live on the Texas-Mexico border. When children don't have health insurance, they have to rely on costly medical treatment at the last minute. This threatens the child's future well-being. But now we have a true opportunity to change that. CHIP will give a lot of children the opportunity to lead healthy lives, without the fear of getting sick.

Let me share a quote with you from a parent from my district who recently went through the enrollment process: ''My husband and I are hardworking middle-income people who were disqualified from Medicaid because I became employed. We have two incomes and * * * can't afford (insurance). Now we are told by TexCare Partnership we will have insurance for our children with low premiums and low co-payments that we can afford. My children have health care when they need it.''

CHIP was first implemented in 1998 to address a national crisis—almost 12 million children that were without insurance. In Texas, we are now able to offer insurance to approximately 1.8 million children that otherwise would have none.

While we can make this offer, it is up to each parent or guardian to enroll, or at least inquire about getting, their children in this program. Believe it or not, the hardest part of the CHIP program is getting parents to enroll their children. More parents need to take advantage of this genuinely great program. I want to stress that even if a parent has never qualified for health insurance for their child before, now they can.

CHIP solves the cost problem for many Texas families. In CHIP, many families will only pay an annual fee of $15 to cover all their children in the plan. Some higher-income families will pay monthly premiums of $15 or 418, which covers all children in the family. Most families will also have co-payments for doctor/dental visits, prescription drugs, and emergency care. And families must re-enroll their children once a year. Children can only get this insurance if their parents apply, and I hope all parents will take the initiative and make certain your children are enrolled.

The application process is simple and straight-forward—any Texan can call 1–800–647–6558 between 9 a.m. and 9 p.m. Monday through Friday, and 9 a.m. to 3 p.m. Saturday. If parents want local assistance or information in my congressional district, they can call the organization ''ADVANCE'' at 956–618–1642, or visit any public library in Hidalgo County to pick up a bilingual brochure and application.

COLORADO STATE REPRESENTATIVE STEVE TOOL

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mr. McINNIS. Mr. Speaker, I wanted to take this moment to recognize the career of one of Colorado's leading statesmen, Colorado Representative, Steve Tool. In doing so, I would like to honor this individual who, for so many years, has exemplified the notion of public service and civic duty. It is clear that Representative Tool's dynamic leadership will be greatly missed and difficult to replace.

Elected to the State House of Representatives in 1992, Steve served on the Finance, Judiciary, and the Health Environment and Welfare and Institutions Committees. He has sponsored legislation regarding the penalty one might receive for child abuse resulting in death. Steve has also worked very aggressively in regards to school finance and trying to balance school finance in the State of Colorado so that there is equal distribution of funds to all communities.

The number of honors and distinctions that Representative Tool earned during her years of outstanding service are too numerous to list, too few to do justice to his contributions to the State of Colorado.

2000 marked the end of Representative Tool's tenure in elected office. His career embodied the citizen-legislator ideal and was a model that every official in elected office should seek to emulate. The citizens of Colorado owe Representative Tool a debt of gratitude and I wish him well.

IN HONOR OF ESTHER KIM AND KAY POE ON THE OCCASION OF THE 2000 U.S. OLYMPIC TAEKWONDO TRIALS

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mrs. MALONEY of New York. Mr. Speaker, I rise today to recognize Esther Kim and Kay Poe of the US Taekwondo team, who recently participated in the U.S. Olympic Taekwondo Trials in Colorado Springs, Colorado. Ms. Kim and Ms. Poe deserve this body's special recognition for their outstanding display of courage and sportsmanship.

Ms. Poe was set to fight her best friend Esther Kim, whom she has known for thirteen years, in the final match of the tournament, when Ms. Kim then made a most monumental decision, which will undoubtedly affect the lives of both taekwondo stars forever. Knowing that Ms. Poe was injured and unable to fight competitively, Ms. Kim forfeited the women's flyweight championship match and title in honor of her best friend.

Ms. Kim's ''bow down'' ended her chances of competing for the U.S. in Sidney this September at the Olympic Games. Mr. Speaker, this action clearly demonstrates Ms. Kim's courage and conviction, as well as her indescribable admiration and love for a friend.

Ms. Kim believed that Ms. Poe had worked harder at the sport and deserved the opportunity to represent her country. Poe was seeded number one in the world, while Ms. Kim was ranked tenth.

Rather then dishonoring her best friend by defeating an injured opponent, Ms. Kim chose to respect not only Ms. Poe's ability in the sport, but her determination in defeating her semi-final opponent after suffering an injury.

The Olympic Games are a pillar for international unity, as a plethora of athletic ambassadors compete for a chance to bring back a medal of outstanding athletic achievement for their respective nations. The U.S. teams' goals are very similar, in that our athletes make great sacrifices, with the hope that their efforts will be rewarded with a medal that can be brought back to our grateful nation.

Ms. Kim's father, Mr. Jin, who trained both Ms. Poe and Ms. Kim was honored by his daughter's decision. He believed that both athletes emerged victorious, as they worked together in honoring the team's final Olympic birth.

I salute Ms. Poe and Ms. Kim for their dedication and sacrifice and I ask my colleagues to join me in commending both Esther Kim and Kay Poe for their efforts at the U.S. Olympic Taekwondo Trials in Colorado Springs, Colorado.

HONORING JOHN CIFICHIELLO

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mr. CROWLEY. Mr. Speaker, I rise today to honor John Cifichiello from the Bronx. This Thursday, Mr. Cifichiello will be honored by Community Board #11 in the Bronx for his lifetime of service to God, country, and family.

Mr. Cifichiello is a lifelong rsident of New York City. He was born on August 24th, 1906 to Italian immigrants Vito and Rosa in their Greenwich Village apartment.

At a young age, his family moved to the Fordham section of the Bronx. Vito and Rosa, along with their daughter Josephine, sons John, Neal, and Fred worked hard and eventually bought their own home on Crotona Avenue. John worked in the printing trade and married Caroline Ciani of Pelham Parkway.

During World War II, he served in the Navy in Ireland and England and upon his discharge began a career in the Postal Service while helping to raise a son John, and a daughter, Carolyn.

Since the end of the war, Mr. Cifichiello has been a community and church activist. He is a past Commander of the Catholic War Veterans and, he has escorted veterans to mass each Sunday at the Kingsbridge Veterans Hospital. He has also been active in Mount Carmel's Holy Name Society and St. Vincent De Paul Society.

Mr. Cifichiello continues to serve as a member of Community Board #11 and is a past president of St. Lucy's Senior Citizens Association. He was a long term member of the Red Cross, participating in numerous blood drives for St. Lucy's and is also a past member of the Catholic Guild for the Blind. He served with the Pelham Parkway Little League for over twenty years, first as a coach and then as president.

Upon retiring from the Post Office in 1975, he began as a volunteer at the New York Botanical Gardens where he continues to serve. He continues to march in the Bronx annual Columbus Day Parade.

Mr. Cifichiello is also the proud grandfather of Peter, Matthew, Michael, John Melissa, and Carolyn.

Mr. Speaker, please join me in commending this volunteer and family man for his many years of service to his church, family, and his nation.

PERSONAL EXPLANATION

HON. JIM RYUN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mr. RYUN. Mr. Speaker, yesterday, May 22, I was unavoidably detained and was not present for rollcall vote Nos. 211, 212, and 213. Had I been present, I would have voted ''yes'' on the rollcall No. 211, ''yes'' on rollcall No. 212, and ''yes'' on rollcall No. 213.

COLORADO STATE HOUSE REPRESENTATIVE ANDY McELHANY

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mr. McINNIS. Mr. Speaker, I wanted to take this moment to recognize the career of one of Colorado's leading statesmen, Colorado Representative, Andy McElhany. In doing so, I would like to honor this individual who, for so many years, has exemplified the notion of public service and civic duty. It is clear that Representative McElhany's dynamic leadership will be greatly missed and difficult to replace.

Elected to the State House of Representatives in 1992, Andy served as chairman of the State, Veterans and Military Affairs Committees. He was the sponsor of the 'Deadbeat Parent' bill and worked hard on the issues of health care reform, transportation, government efficiencies and tax reform.

Representative McElhany received many honors. One of his many honors was the the Colorado Library Association Legislator of the Year award.

2000 marked the end of Representative McElhany's tenure in the State House of Representatives. His career embodied the citizen-legislator ideal and was a model that every official in elected office should seek to emulate. The citizens of Colorado owe Representative McElhany a debt of gratitude and I wish him well.

PERSONAL EXPLANATION

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mr. GUTIERREZ. Mr. Speaker, yesterday I was unavoidably absent from the House floor when the following votes were taken: rollcall vote No. 211, rollcall vote No. 212, and rollcall vote No. 213. Had I been present in this

chamber when these votes were cast, I would have voted ''yes'' on each of the votes.

HONORING THE SERVICE OF WALTER W. SHERVINGTON TO THE MEDICAL PROFESSION AND HEALTH CARE

HON. DONNA MC CHRISTENSEN

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mrs. CHRISTENSEN. Mr. Speaker, I rise to pay tribute to Dr. Walter W. Shervington, a noted psychiatrist and a hero of health care, for dedicating his life to the needs of both the communities in which he lived and worked and the Nation.

Dr. Shervington received his undergraduate degree from the University of Pennsylvania and his medical degree from the University of Maryland School of Medicine. His distinctive medical career involved active participation in numerous professional associations, which included the Black Psychiatrists of America, the National Association of State Mental Health Program Directors, the American Psychiatric Association and the American College of Psychiatrists. In February of this year, he was appointed to the Board of Directors of a new U.S. Olympic Committee, with oversight of drug screening for U.S. athletes participating in the Olympics.

In August of 1999 he was sworn into office as the 99th President of the National Medical Association (NMA). The NMA is a professional, scientific and educational organization that represents the interests of more than Twenty Five Thousand (25,000) African American physicians and the patients that they serve. It is an organization that is dedicated to establishing parity in medicine and the elimination of health disparities.

Dr. Shervington's three decade tenure with the NMA is a legacy of service, dedicated commitment, accomplishment and reflects the multiple and diverse positions that he held. He served as Chairman of the Section on Psychiatry and Behavioral Science; Delegate, Secretary, Vice Speaker and Speaker of the House of Delegates; Chairman of the Board, Vice President and President-Elect, before being sworn into office as President during the Association's 104th Annual Convention and Scientific Assembly.

His term as President brought national attention to the negative impact of Managed Care on African Americans, issues of parity and the access of African American patients to HIV/AIDS treatment. His expertise in the field of psychiatry enabled him to write and lecture extensively on mental health and the impact of HIV/AIDS on the African American community. He served as principal investigator and co-principal investigator on several HIV/AIDS projects and participated in the New Orleans Regional AIDS Planning Council, while being a member of the National AIDS Advisory Committee of the U.S. Department of Health and Human Services.

Until his death he served as Chief Executive Officer of the New Orleans Adolescent Hospital, a psychiatric hospital for children and adolescents serving the Greater New Orleans area. He formerly served as Medical Regional Director for the Office of Mental Health in the Louisiana Department of health and Hospitals. In 1992 he was appointed Assistant Secretary, Office of Mental Health, by Governor Edwin Edwards of Louisiana and was also an Associate Professor of Psychiatry at Louisiana State University School of Medicine. His death on April 15, 2000, ended the illustrious performance of an individual's contributions to various communities and the field of medicine.

On behalf of the Congress of the United States of America, I salute Dr. Walter W. Shervington for his dedicated service to his country, his profession and especially the African American community. I thank his wife Denise and daughters Shanga and Iman for sharing him with us.

HONORING LAURIE SPRACKLIN-NOEL

HON. KENNY C. HULSHOF

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mr. HULSHOF. Mr. Speaker, the word courage is used to describe many things. President John F. Kennedy wrote the best selling book ''Profiles In Courage,'' and we in the House of Representatives are often asked to vote the courage of our convictions. Courage is often associated with our national war heroes. To a lesser degree, the word ''courage'' is used to describe athletes who persevere despite injury.

Winston Churchill defined courage as the first human quality because it is the quality which guarantees all others. While Sir Winston did not know Laurie Spracklin-Noel, his words surely describe her.

Laurie, a constituent, was recently diagnosed with stage-three cancer. As a wife, a mother of four, an OB/GYN nurse, an award winning actress and speaker, Laurie has shown her ability to succeed in many areas. At the same time, her most important accomplishment is yet to come. When this event happens Laurie will add the distinction of cancer survivor to her list! Laurie is determined to overcome her cancer through the combination of chemotherapy, the strong support of her family and friends in Moberly, Missouri, and her positive attitude and yes, her undaunted courage. In fact, Laurie has said, ''even if this cancer were in stage four, I'm going to beat it.''

While Laurie knows she is in the fight of her life, her attitude, disposition, and faith make this fight winnable.

Napoleon said, ''Courage is like love; it must have hope to nourish it.'' Laurie is an inspiration to her family and community. They have hope that through her courageous efforts Laurie will win her battle.

Mr. Speaker, the thoughts and prayers of my colleagues and I go out to Laurie and her family and we wish them well for the future.

RUSSELL GEORGE, SPEAKER OF THE HOUSE OF COLORADO

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mr. McINNIS. Mr. Speaker, I wanted to take this moment to recognize the career of one of Colorado's leading statesmen, and my very dear friend, Colorado Speaker of the House, Russell George. In doing so, I would like to honor this individual who, for so many years, has exemplified the notion of public service and civic duty. It is clear that Speaker George's dynamic leadership will be greatly missed and difficult to replace.

Elected to the State House of Representatives in 1992, he served on the Agriculture, Judiciary, Joint Legislative Sunrise/Sunset, UMTRA Oversight, Children's Code Oversight, Capital Development, and G.A. Board of Ethics Committees. In 1996, he sponsored numerous legislation, including, revision of Child Welfare Laws, water augmentation, right to farm, Colorado Children's Trust Funds.

Speaker George received many honors. He has received honors from the Colorado Association of School Boards, Colorado Bankers Association, Colorado Association of Naturopathic Physicians, Colorado Restaurant Association, Colorado Rehabilitation Coalition, Colorado Crime Stoppers, CCI Domestic Violence Coalition, Colorado Academy of Audiologists. In 1994 and 1996, he was the recipient of the AP Legislator of the Year award.

This year marked the end of Speaker George's tenure in elected office. His career embodied the citizen-legislator ideal and was a model that every official in elected office should seek to emulate. The citizens of Colorado owe Speaker George a debt of gratitude and I wish him well.

HONORING BOBBY W. BEASLEY

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mr. ETHERIDGE. Mr. Speaker, today I pay tribute to one of my constituents, Bobby W. Beasley, the superintendent of Harnett County Schools. Mr. Beasley is retiring on June 30, 200, after 36 years of dedicated service to the children of North Carolina. He has served the people well, and his leadership will be sorely missed in my home county.

Bobby Beasley, like many of those educators who have moved North Carolina to the forefront of education reform over the past 20 years, was born in one of our rural counties, Union County near Charlotte, and grew to manhood in Laurinburg, a small town in the Sandhills of the state. After graduation from Laurinburg High School, he enrolled at East Carolina University in Greenville intent on becoming a teacher. Four years later, he began his career as a math teacher and coach at Stokes-Pactolus School in Pitt County.

After only 3 years as a teacher, Mr. Beasley was appointed principal of Bethel Elementary and Bethel Middle School, also in Pitt County, and he remained a school administrator for the rest of his career. Along the way, he also continued his formal education, obtaining the master's degree from East Carolina University and, later the six-year certification in school administration.

Mr. Beasley came to Harnett County in 1974, recruited by Superintendent R.L. Gray to be principal of Angier High School. Those were momentous times in Harnett County, a largely rural tobacco county about to be caught up in a tremendous school consolidation effort designed to make its schools the

equal of those just north of it in Wake County, home of the state's Capital City. Mr. Beasley was a key advisor at this consolidation took place, moving in a principal of one of the new schools, Western Harnett High School, when it opened in 1977.

Quiet, well liked by students, and a curriculum and instruction specialist, Mr. Beasley ran Western Harnett High School for 10 eventfully years before being appointed assistant superintendent for curriculum and instruction in the Central Office in 1987. His focus began countywide as the school system evolved from rural to urban. With the retirement of Superintendent Ivo Wortman in 1994, Mr. Beasley was handed the reins of leadership for the Harnett County system.

Mr. Beasley's terms as assistant superintendent and superintendent coincided with a decided push for education excellence on the part of North Carolina and its school systems. A testing and accountability system that has made the state an education leader in the nation was instituted in 1990 after the state dropped to the bottom of the nation in the SAT rankings in 1989. SAT average scores began a run upward in 1990 and have led the Nation in improvement. In addition, the state's scores on the National assessment of Educational Progress have been among the nation's best.

Harnett County schools have responded well to this accountability demand. Under Mr. Beasley's direction, the average SAT scores have improved dramatically, this year topping the state's average. Writing scores of 4th graders are above the state average, and test scores across the board show that Harnett County students have responded to the need to work harder, score higher, and prepare themselves better for the technologically complex world in which they will live.

Harnett County has invested more than $77 million in new schools and school improvements during Mr. Beasley's tenure as superintendent. He has shown himself to be an effective voice for school improvement, to be a public servant our leaders trust and admire, and to be a visionary man who knows what our county can and should become.

It has been said that an elementary teacher may touch up to 1,000 students over a lifetime of teaching, that a high school teacher may influence 3,000, that a high school principal may impact perhaps 10,000 individuals. Bobby Beasley has served in each of these capacities—one after the other. He has gone on take the awesome responsibility of running an entire system at a critical time in the life of Harnett County and been intimately successful.

It has been said that a man and his times must coincide if great progress is to result. This quiet man who believed in the students he taught and those who attended the schools he administered was in harmony with what was needed.

And Harnett County was better in the past—and will be eminently better in the future—because of Bobby Beasley's efforts.

HONORING FATHER PHILIP J. CASCIA OF PROSPECT, CONNECTICUT

HON. JAMES H. MALONEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mr. MALONEY of Connecticut. Mr. Speaker, today I honor the remarkable contributions made by Father Philip J. Cascia of Prospect, CT, in the important cause of world peace. In setting up Intersport USA, a non-profit sports exchange program, he has for over a decade played a prominent role in promoting friendly relations between the people of the United States and those of other nations around the globe.

Father Philip J. Cascia was born in Springfield, MA, in 1951, later moving to Connecticut where he graduated from St. Thomas High School in Bloomfield. After his college education and theological training in Maryland, Father Cascia returned to Connecticut where in 1977, he was ordained as a Catholic priest for the Archdiocese of Hartford. His early assignments took him to Waterbury and Prospect, and in 1985 Father Cascia became the spiritual director at Sacred Heart High School in Waterbury. During this period Father Cascia's dedication to his local communities led to the establishment of a soup kitchen, a homeless shelter, a thrift store, and an affordable housing program. It is a mark of his leadership that all of these community services remain active to this day.

It was during his time at Sacred Heart that Father Cascia took the wrestling team that he had established for inner-city children at the school to the former Soviet Union. As the first trip of its kind, the initiative earned national recognition in both America and the USSR, as well as the attention of President Reagan, whose encouragement inspired Father Cascia to establish Intersport USA. Expanding the program, Father Cascia has taken his youth athlete exchange programs to China, Vietnam, South Africa, and Cuba, and is now working to organize programs with Libya, North Korea, and Japan. Many of Intersport's programs have evolved into regular exchange visits.

Intersport USA has profoundly shaped the experiences of young athletes, allowing them to mingle freely with their counterparts from other countries, both competitively and socially. Father Cascia continues to be at the forefront of this work, fostering mutual respect among all participants, and allowing goodwill to replace ignorance and hostility.

Through this sports-based diplomacy, Father Cascia has acted as a tireless ambassador for peace, laying the foundations for friendlier relations between America and the countries in which he has visited. One example was his visit in 1990 to Hanoi, where at the entrance to the sports arena, the Vietnamese Government raised the American flag for the first time ever in that city. He has not only met his stated goal of ''plant(ing) the seed of peace and understanding in the minds and hearts of young athletes,'' but has also helped secure a more peaceful future for America's citizens. Mr. Speaker, I welcome you and the House of Representatives joining with me today in commending Father Cascia on his work and on his success in promoting greater understanding between nations around the world.

SUSAN KLINE NAMED RECIPIENT OF THE 18TH ANNUAL KODIMOH BROTHERHOOD HUMANITARIAN AWARD

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mr. NEAL of Massachusetts. Mr. Speaker, I would like to take this opportunity today to honor my constituent, Ms. Susan Kline, who on Tuesday, June 20th will be named the recipient of the Kodimoh Brotherhood Humanitarian Award by Congregation Kodimoh in Springfield, Massachusetts.

It was 18 years ago when Max Gruber, Kodimoh past president, established the Kodimoh Brotherhood Humanitarian award. The purpose of this award is to honor persons in the community who have distinguished themselves for their outstanding commitment and service to worthy causes.

This year, Susan Kline, past president of Kodimoh and long-time member of the Executive Board, has been selected to receive this distinguished honor.

Ms. Kline is an active volunteer and lifetime member of the Kodimoh Sisterhood. She is a trustee of the Harold Grinspoon Supporting Foundation and is president of the board of the Resource Center for Jewish Education. Ms. Kline also serves on the board of the Greater Springfield Jewish Federation and is a member of its Community Planning Committee.

Susan Kline serves as a board member of Spectrum Home Health Care, and is involved in Hadassah and other women's organizations. She is an avid tennis player and is president of the Field Club of Longmeadow.

A native of Auburn, Maine, Susan Kline was educated at Harvard University where she earned a Bachelor of Arts in modern European History and Literature and a Master of Arts in Teaching. She and her husband Edward live in Longmeadow. They have two grown daughters, Judith and Elinor.

I would like to take this opportunity today to congratulate both Susan Kline upon receiving this honor and Congregation Kodimoh for one more year of honoring and instilling the ever so important notion of community and national service.

COLORADO STATE SENATOR DAVID WATTENBERG

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mr. McINNIS. Mr. Speaker, I wanted to take this moment to recognize the career of one of Colorado's leading statesmen, State Senator Dave Wattenberg. In doing so, I would like to honor this individual who, for so many years, has exemplified the notion of public service and civic duty. It is clear that Senator Wattenberg's dynamic leadership will be greatly missed and difficult to replace.

Elected to the Colorado Senate in 1984, he served as the chairman of the Agriculture, Natural Resources, Energy Committee. Dave also served on the Business Affairs and the

Labor Committees. He sponsored bills on things such as, horse racing, water issues, mining, transportation and tort reform. His main focus was on agriculture, water, ranching issues and banking issues.

Senator Wattenberg received many honors. In 1989 and 1990, he received the Legislator of the Year from CACI. In 1988 he received awards from Colorado Ski Country USA, and the Consulting Engineers Council. He was also honored with the NFIB Guardian of Small Business award.

This year marked the end of Senator Wattenberg's tenure in elected office. His career embodied the citizen-legislator ideal and was a model that every official in elected office should seek to emulate. The citizens of Colorado owe Senator Wattenberg a debt of gratitude and I wish him well.

PERSONAL EXPLANATION

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Ms. WOOLSEY. Mr. Speaker, due to a previously scheduled family event, I missed rollcall votes Nos. 207–210. Had I been present, I would have voted: Rollcall No. 207—''yea''; rollcall No. 208—''no''; rollcall No. 209—''no''; rollcall No. 210—''yea.''

INTRODUCING A HOUSE CONCURRENT RESOLUTION PROVIDING FOR THE PLACEMENT OF THE CHIEF WASHAKIE STATUE IN STATUARY HALL LOCATED IN THE UNITED STATES CAPITOL

HON. BARBARA CUBIN

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mrs. CUBIN. Mr. Speaker, I am honored today to present to the Members of the U.S. House of Representatives a concurrent resolution providing for the placement of the Chief Washakie statue in Statuary Hall located in the U.S. Capitol.

As the resolution states, Chief Washakie, leader of the Eastern Shoshone Tribe, contributed greatly to the settlement of the west by allowing the Oregon and Mormon trails to pass through Shoshone lands.

Chief Washakie was well known as a distinguished leader and a stately warrior who bravely defended the Shoshone and their allies. Additionally, Chief Washakie was the only chief to be awarded a full military funeral.

On behalf of the people of Wyoming I am proud to put forth this legislation providing this commemoration of one of the State's most celebrated names.

REMEMBERING THE PRICE OF FREEDOM

HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mr. BILIRAKIS. Mr. Speaker, on this Memorial Day, as on similar days in years past, we remember the contributions of the millions of men and women who served in our Armed Forces. It is also a day to instill in younger Americans the tradition of honoring those who died in service to their country.

This year we commemorate two important events—the 50th anniversary of the Korean war and the 25th anniversary of the end of the Vietnam war. These anniversaries remind us of how important it is to remember our history and to honor those who died to protect our future.

Memorial Day is a time for new generations to learn about the price America has paid to preserve freedom and lead other nations to democracy. Those of us who lived through the cold war have a responsibility to educate our children and grandchildren about the dangers still present in the world—and the need to maintain defenses strong enough to deter potential adversaries.

The words ''freedom'' and ''democracy'' are most often used to explain why members of our Armed Forces gave their lives to defend our country. And in far-off places such as Bosnia and South Korea, American men and women are still fighting for these principles.

There are no words to adequately describe the supreme sacrifice made by brave Americans who died in service to this Nation. But we can demonstrate our deep respect for them—and their families—by remembering their struggle.

Each of us has an obligation to honor the sacrifices of those who have worn the uniform of our Armed Forces. On Memorial Day, take time to remember that our freedom was paid for in blood on battlefields around the world.

PERSONAL EXPLANATION

HON. CHRISTOPHER SHAYS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mr. SHAYS. Mr. Speaker, I am not recorded on rollcall votes 211, 212, and 213. Had I been present, I would have voted ''aye'' on H.R. 3852, a bill extending the deadline for commencement of construction of a hydroelectric project in Alabama; ''aye'' on S. 1236, a bill extending the deadline for commencement of construction of a hydroelectric project in Idaho; and ''aye'' on H. Con. Res. 302, which provides for a national moment of remembrance to honor men and women who died in pursuit of freedom and peace.

PERSONAL EXPLANATION

HON. CASS BALLENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mr. BALLENGER. Mr. Speaker, on Monday, May 22, 2000, I missed rollcall votes 211 (H.R. 3852) and 212 (S. 1236). Had I been present I would have voted ''yea'' on both.

TRIBUTE TO THE LATE JOSEPHINE BARNETT LACKEY

HON. CHARLES W. ''CHIP'' PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mr. PICKERING. Mr. Speaker, my heart is heavy and saddened today at the passing of Mrs. Josephine Barnett Lackey, affectionately known as ''Miss Jo'', who passed away unexpectedly on Sunday May 14, 2000, at the St. Thomas Hospital in Nashville, TN, after suffering cardiac arrest. ''Miss Jo'', a constituent of mine from Forest, Mississippi, was the wife of Jimmy Lackey, owner of Lackey Home Center in Forest, and one of the more prominent Tennessee Walking Horse Breeders, and Exhibitors in our state. Her death was untimely, and has certainly shocked and devastated the Forest community.

''Miss Jo'' grew up in the Standing Pine community in Leake County, and graduated from Walnut Grove High School. She graduated from Delta State University with a degree in Elementary Education in the spring of 1950, and shortly thereafter moved to Forest where she taught in the Forest School System. She and Mr. Lackey were married in 1953, and on July 12, 2000, they would have celebrated their 47th wedding anniversary. For more than 50 years, she was a resident of Forest.

''Miss Jo'' delighted in meeting, greeting and helping people. That was her hallmark. That is why the Gift and Bridal Registery Shop she operated in the Lackey Home Center was such a fascination and delight to her. She loved being with people, and offering suggestions that would make their life happier and enjoyable. Sid Salter, editor-publisher of the Scott County Times, summed it up real well when he said in his May 17, 2000, editorial, Josephine Lackey, ''there are few homes in Forest that don't have a piece of fine crystal or china hand chosen by Jo Lackey as a gift. For rich and poor alike, she gave her best advice and treated every customer at Lackey Home Center as a friend.''

''Miss Jo'' was president of the Forest Garden Club, and was a member of the Hontokalo Chapter of the National Society of the Daughters of the American Revolution. She was a member of the Forest Baptist Church and was a substitute Sunday School teacher. Her love and faith in God, and the Lord Jesus Christ, was most evident in the two scripture passages that were used by her Pastor Reverend Gordon Sansing, and her former Pastor Sonny Adkins as the text for their remarks at her funeral. The passages were: Psalms 71:17–18 ''O God, thou has taught me from my youth; and hitherto have I declared thy wondrous works. Now that I am old and greyheaded, O God forsake me not, until I have shewed thy strength unto this generation, and thy power to every one that is to come'', and Proverbs 3:5–6 ''Trust in the Lord with all thine heart, and lean not unto thine own understanding. In all thy ways acknowledge Him, and He will direct thy paths.''

Again, quoting Sid Salter, ''Josephine Barnett Lackey was—by every rational measure of mind, body and spirit—a beautiful, elegant woman. Blessed with the beauty nature gave her as a young woman, Josephine Lackey merited the still beautiful face of a faithful wife,

devoted mother and grandmother, hard-working business woman and dependable friend she had earned at the age of 70 when her great heart finally failed her.

Our community is diminished by her passing and we will—with her family—sorely miss her.''

''Miss Jo'' had a deep love for her family that included husband, Jimmy, son Jim, daughters Julie and Jenny along with their husbands, and five grandchildren. Another daughter, Joy, preceded her in death in 1996.

Without a doubt, the legacy that ''Miss Jo'' would want us to remember her by is the love she had for her Lord, her Family, her Church, her Friends, her Country, her State, and by all means her love for Forest and Scott County. She was truly a dedicated Christian lady, and a great American. I extend my heartfelt sympathy to her family. Also, I want to express my appreciation, and that of all citizens of the 3rd district for her life of service, and contributions to the betterment of our world.

TRENDS CONCERNING THE ASIAN DEVELOPMENT BANK

HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. BACHUS. Mr. Speaker, I rise today to inform my colleagues about several recent disturbing trends at the Asian Development Bank [ADB]. The Bank recently concluded its annual meeting in Chiang Mai, Thailand. Two of my Banking Committee staff recently attended the annual meeting at the invitation of the U.S. Department of the Treasury.

By way of general background, the Asian Development Bank [ADB] was established in 1966. The Bank also operates a concessional, below market rate, lending facility; the Asian Development Fund [ADF] created in 1974. There are 58 member countries, 42 of which are based in the Asia-Pacific region and 16 are non-regional. The United States and Japan are the largest shareholders in the Bank, each with a 16 percent ownership share.

The purpose of the ADB is to promote sustainable development in the poorer countries of the Asia-Pacific region through project investment lending, policy reform lending and advice, and technical assistance. Through 1999, the United States has received over $4.6 billion in business procurement from the Asian Bank Group.

By tradition, Japan nominates the president who also serves as chairman of the board. In many ways, the ADB is a very Japanese institution. The president selects board committee members and committee chairs. He appoints Japanese nationals from the Ministry of Finance in Tokyo to serve as the treasurer, and the head of the important Budget and Personnel Department. Japanese staff occupies other key management positions, notably the head of the Strategy and Policy Department and at least one of the two powerful programming department directorates.

Under the leadership of the Bank's previous president, Mitsuo Sato, the ADB established an enviable track record as one of the most progressive and reform-minded of any of the multilateral development banks. President Sato worked closely with the United States and other shareholders to inaugurate a series of sweeping and forward-leaning policy changes designed to increase substantially the institution's development effectiveness.

Among these reforms was a decision to invest more in basic human capital (for example, basic education, health and sanitation), an effort to strengthen project quality, increase the transparency and accountability of its own operations, establish an information policy based on the presumption of disclosure, the creation of an inspection panel, the formulation of an explicit governance and anti-corruption policy, a coordinated effort together with UNICEF to improve child nutrition and early childhood development, a proactive policy for outreach to non-governmental organizations [NGOs], as well as a gender and development policy.

But President Sato stepped down in early 1999. He was succeeded by Tadao Chino, a former Vice Minister of Finance for International Affairs. In style, outlook, and temperament, he appears quite different from his predecessor. More consequential, he appears to be taking the institution in the wrong direction—a direction that is far less multilateral and less inclusive.

From the outset of his tenure, the ADB has become notably less open to the views of others, including the United States. Indeed, Bank management has aggressively advanced its own agenda over the concerns and even strong objections of the United States and other shareholders.

Examples of the high-handed management style of the Bank's new leadership includes unilateral exclusion of the United States from chairing the Board's Budget Review Committee even after repeated protest from the Treasury Department; programming excessively high lending levels in order to accelerate discussion of a general capital increase; and resistance to formalized cooperation with the World Bank. More broadly, key policy and operational issues are advanced quickly over the objection of major donor shareholders when it suits Bank management, and capriciously stalled when it does not.

The United States during the 1999 annual meeting raised many of these internal governance and management issues. But it would appear that precious little progress has been made. Whereas the Bank was once a reform leader, it now lags not only the World Bank but every other regional multilateral development bank [MDB] in embracing needed reforms and has been resisting calls for more substantive change in the Asian Development Fund negotiations [ADF–8].

To be fair, the Bank under President Chino has embraced poverty reduction as its overarching mandate. But this occurred only after repeated calls from the United States and other major shareholders that a poverty reduction policy paper be presented to the board by the time the ADF–8 replenishment negotiation began in October 1999. The Bank remains far behind in turning this policy commitment into operational practice.

Most recently, President Chino is resisting the United States nominee for the Bank's American vice president. By tradition, there has always been a U.S. national as vice president, a European vice president, and a vice president representing a non-borrowing regional. The current U.S. vice president, Peter Sullivan, will retire this summer. Chino is mounting an unprecedented challenge to Treasury's candidate. Never before has a Japanese Bank president challenged the right of the United States to name its candidate for vice president. Why the resistance? I have no first hand knowledge, but would note that a recent issue of Emerging Markets speculates that if the strong-minded, experienced candidate were appointed to a vice-presidential slot at the Bank, ''she could begin chipping away at the power exercised from 'behind the throne' by the small clique of Japanese 'advisors' to the president.'' Whatever the case, it is incumbent on the United States to support its nominee and insist that U.S. prerogatives be respected.

Moreover, I understand that President Chino has literally created a fourth vice president with wide-ranging powers without consulting the board. He disregarded concerns repeatedly raised by the U.S. Executive Director's office that the reorganization of the functions of the Strategic Policy Department should not be undertaken without consulting the board. The department director is a Japanese national.

More broadly, President Chino's pattern of stonewalling the United States and other member donors has been repeatedly in his non-responsiveness to the concerns of interested parties outside the Bank. It has been reported that he refused to receive representatives of student and NGO protesters at the annual meeting in Thailand. He may even have been less than courteous to his Thai hosts at an important official function involving members of the royal family.

In addition to numerous internal governance and the above personnel issues, there is also a growing concern that Bank management is trying to turn the ADB into a defacto secretariat for a future ''Asian Monetary Fund.'' As Members may recall, Japan earlier proposed to create an ''Asian IMF'' during the worst of the global financial crisis of 1997–1998—an idea that had only tepid support within the region and which was opposed by the United States.

However, elements of this approach have begun to insinuate themselves into the organizational structure of the ADB. First, in March 1999 the Bank approved the ''Asian Currency Crisis Support Facility.'' This $3 billion fund, financed entirely by Japan but administered by the Bank, was established to provide guarantees to Asian crisis countries on sovereign bond issues, in conjunction with ADB loans. Among other issues, this mechanism inappropriately would allow obligations under the facilities to be accorded preferred creditor status.

In addition, the Finance Ministers of the Association of Southeast Asian Nations [ASEAN] asked in 1999 that the Bank temporarily house its economic monitoring secretariat. Over U.S. resistance, the ADB established and expanded this surveillance unit, in possible competition with the IMF. Contrary to view of some United States economists, like Stephen Roach of Morgan Stanley, I suspect few Asian countries would want to participate in a Japan-led regional monetary fund, in large measure because of what is perceived by many in the region as Japan's ongoing failure to confront and deal with its militarist past. On the other hand, many of these countries are borrowers from both the ADB and Japan. They may be persuaded to go along with Tokyo in a desire

not to disadvantage themselves when they request the Japanese Government at the ADB for loans and to position themselves to receive additional foreign aid credits from Japan.

Mr. Speaker, it sadly appears that the Asian Development Bank is at a crossroads. Confidence is eroding in the capacity of the institution to pursue effective development strategies in a manner that is accountable, participatory, and transparent.

At the risk of presumption, it would appear high time that the administration make clear in no uncertain terms its deep concern over the present leadership at the Bank. As the chairman of the authorizing subcommittee with jurisdiction over the international financial institutions, I would simply note that both Treasury and the ADB should be on notice that an institution that pursues the narrow objectives of a few, adopts a haughty and intolerant management style, and now lags all other regional MDBs in key reforms is unlikely to command broad congressional support.

In conclusion, Mr. Speaker, wise leaders on both sides of the Pacific understand that, despite our occasional differences, the two major shareholders of the ADB—Japan and the United States—must work together if the Bank is to effectively address poverty reduction as well as help meet the many other needs and challenges of the Asia-Pacific region in the 21st century. I hope and expect our two great countries can work hand in hand at the ADB, as we have so often in the past, to uplift the lives of people throughout the region and reach our common goals to foster sustainable development.

A SPECIAL TRIBUTE TO WILLIAM N. MORGAN ON THE OCCASION OF HIS RETIREMENT FROM THE OHIO BANKERS ASSOCIATION AND IN CELEBRATION OF HIS PUBLIC SERVICE TO THE STATE OF OHIO

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. GILLMOR. Mr. Speaker, it is with great pleasure that I rise today to pay special tribute to an outstanding individual and a devoted public servant from the State of Ohio. Later this summer, William N. Morgan will retire from his position as senior vice president of the Ohio Bankers Association after more than 25 years of dedicated service.

Bill Morgan's call to duty and service began as he enlisted in the U.S. Army in 1957. After three years of work with the Military Police Criminal Investigation branch in Germany, Bill left the military and prepared for his future taking a position as chief deputy sheriff in Perry County. Bill also served as chief probation officer with the New Lexington Juvenile Court.

With a keen interest in government and politics, Bill was elected mayor of the city of Shawnee in 1966. Bill's commitment to public service continued when he was named deputy director of the Tax Collection Department within the Ohio Treasurer's Office. Four years later, in 1970, Bill assumed the role of director of public affairs for the Ohio Association of Insurance Agents. Then, in 1974, Bill began his distinguished tenure with the Ohio Bankers Association.

Mr. Speaker, I have known Bill Morgan for many years and have had the opportunity to work with Bill on a variety of issues during my tenure in the U.S. Congress and as president of the Ohio Senate. I am not alone in saying that Bill Morgan is a man of honor and integrity and has given freely of his time and talents to further public policy. Bill has been a good friend and his public service to the State of Ohio will be sorley missed.

At this point, Mr. Speaker, I would urge my colleagues in the 106th Congress to rise and join me in paying special tribute to Bill Morgan on the occasion of his retirement. We wish him, his wife, Virginia, and his entire family the very best now and in the future.

HONORING VELUPPILLAI SIVAPALASINGAM

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. ENGEL. Mr. Speaker, I am joining Montefiore Medical Center, a keystone of health care for the Bronx community, in honoring Veluppillai Sivapalasingam for his quarter century of conscientious and compassionate service to the citizens of the Bronx, especially those from the Norwood neighborhood.

He joined Montefiore's Radiation Oncology Department 25 years ago and began a career of helping his professional, administrative and support staff, his students, and most especially, his patients.

When he joined Montefiore he was the first Clinical Instructor for the School of Radiation Therapy Technology and in the ensuing 25 years he has taught all of the graduates as well as the current students the clinical skills required to use a Linear Accelerator for patients diagnosed with cancer. He has dedicated his time and talents to the technical and medical staff and has served as a tireless advocate for patients.

His devotion to family, friends, colleagues and patients over his quarter century with Montefiore has earned him the honored sobriquet of a true gentleman. Mr. Sivapalasingam has given much to this community. I congratulate him for all of his good work and wish him many more years with us.

165TH ANNIVERSARY OF THE FIRST BAPTIST CHURCH OF ROME, GEORGIA

HON. BOB BARR

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. BARR of Georgia. Mr. Speaker, the history of the Seventh District of Georgia is rich in the accomplishments of its citizens and institutions. Today I recognize the celebration of the 165th anniversary of Georgia's Rome First Baptist Church. The Church has played a historic role in Rome and Floyd County in northwest Georgia.

The ''Rome Baptist Church'' was organized on May 16, 1835, by six charter members. The first church home was a frame building at the corner of West Eighth Avenue and West First Street. In 1855, the second sanctuary was constructed on the corner of East Fourth Avenue and East First Street. This church was damaged during the course of the War Between the States, and was closed from 1864 to 1865. The Church was re-opened in the spring of 1867 after extensive repairs were made. In October 1882, the church voted to ''take down the present building and put up a new one in proper style; a house that would seat seven to eight hundred persons and would be a credit to our denomination and city and would probably cost $18,000 to $20,000.'' This new, bigger building was dedicated in 1883. The name was changed in 1893 to ''First Baptist Church.'' Later, in 1924, the Sunday School annex was added to the Sanctuary, and in 1947 the new chapel was dedicated. The present sanctuary was constructed in 1958. The First Baptist currently has approximately 1,000 resident members.

The First Baptist Church of Rome has always been involved in missions. Luther R. Gwaltney, pastor of First Baptist from 1869–1876, was instrumental in founding Cherokee Baptist Female College (now Shorter College) with the help of Alfred and Martha Shorter in 1873. Several other churches in Rome grew out of First Baptist, including Thankful Baptist Church, founded by many former slave members of Rome Baptist Church in 1867; DeSoto Baptist Church (later called Fifth Avenue Baptist Church) in 1882; Lindale First Baptist Church in 1898; East Side Baptist (later called Second Avenue Baptist) in 1907; South Broad Baptist in 1909; DeSoto Park Baptist in 1910; Lahaina Baptist Church, Maui, Hawaii in 1973; Lebanon Valley Baptist Church, Pennsylvania in 1979; and Towne View Baptist Church in Kennesaw, Georgia in 1989.

The church has sponsored numerous members on mission trips to many parts of the world, such as Liberia in 1986, and Honduras in 1988; a youth mission trip to Lake Placid, New York; a mission trip to Panama; a mission team to Prague in 1995; a mission trip to Spain in 1996; mission trips to Romania, Czech Republic, Tennessee, and South Dakota in 1997; a medical mission to Honduras in 1998; a mission trip to the Middle East in 1998; and trips to England and Alaska in 1999. In addition, the Koinonia Soup Kitchen was founded in 1982 by the downtown churches and meals have been served the last week of each month in the fellowship hall since that time.

The mission of the First Baptist Church is to be a community of believers who seek to mold their lives after the heart of Jesus Christ, and where they seek to be His hands in missions and ministry. ''Seeking His heart . . . being His hands.''

When speaking of the South, the phrase ''the Bible Belt'' is often used. The importance of family values and family worship is of profound importance to the majority of the people in Georgia, and they are proud of their religious beliefs and heritage. Congratulations to the staff and congregation of the First Baptist Church of Rome, for their devotion to God and their service to our community and fellow citizens.

IN HONOR OF THE TEACHERS, PARENTS, ADMINISTRATORS AND STUDENTS OF VALLEY VIEW MIDDLE SCHOOL

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. GALLEGLY. Mr. Speaker, today I recognize the parents, students, faculty, and staff whose dedication to excellence has earned Valley View Middle School, in my hometown of Simi Valley, California, recognition as a national Blue Ribbon School.

Valley View Middle School is a shining example of what can happen when parents, teachers, and administrators collaborate on the best approaches for providing a quality education. Each year the school formulates a new motto. This school year it was ''Learn from the Past . . . Look to the Future.'' That motto says a lot about how the school has progressed over the past several years.

The Northridge earthquake hit in 1994. Valley View is six miles from the epicenter. A month later, a student was stabbed to death at the school. From that physical and emotional devastation grew a renewed commitment to make the school safe for the students. It also inspired the Valley View community—parents, students, educators, and staff—to evaluate their situation and develop a vision for the future.

They did it through IDEALS: Independence, Diligence, Exploration, Academics, Leadership, and Social Skills. In their words, IDEALS gave the Valley View community ''a common focus that builds unity in our efforts to provide the best possible learning opportunities for our students.''

Valley View helps students understand the options available to them. It instills in them a sense that choices have consequences, and good choices lead to a good, productive life. Valley View strives for academic excellence in a safe, secure, and stimulating environment.

Valley View's recognition as a Blue Ribbon School is but one small measure of their success. The more important measure is the students who leave the school with knowledge, confidence, and faith in their futures.

Mr. Speaker, as our nation works in concert to better our education system, it would serve us well to study the successes of our Blue Ribbon Schools. They are the best of the best and a key to our future. Their creativity and response to their communities' needs prove what can be accomplished. I know my colleagues will join me in applauding Valley View Principal Jan Britz, her entire staff, and the parents and students of Valley View for striving for—and reaching—this level of excellence.

ASIAN PACIFIC AMERICAN HERITAGE MONTH

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. LANTOS. Mr. Speaker, I rise today to call the attention of my colleagues to a special remembrance during May of Asian/Pacific American Heritage Month. I would especially like to express appreciation and respect for Asian/Pacific Americans and their invaluable contributions to our country. Asian/Pacific Americans are an integral part of the diversity of this country. Mr. Speaker, the greatness of this country rests upon all its members embracing both the common bond of freedom and democracy, and equally, the fact that nearly all Americans are either immigrants themselves or descendants of immigrants, participating in a country and society of remarkable history and myriad cultural traditions. The Asian American community itself reflects the wonderful diversity of this country. Southeast Asians, South Asians, East Asians, and Pacific Islanders are all groups which have faced different obstacles and overcome different odds to their lives as Americans.

The term Asian/Pacific American encompasses such a wide range of categories that it is doubly ironic that they have faced so many stereotypes, damaging assumptions, and injustices, in this country. Mr. Speaker, our country witnessed the honorable service of those patriotic Japanese American soldiers who fought in World War II, while their family members and friends were forced into internment camps. We should never forget the loyalty of Hmong veterans, Chinese-Americans who gave their lives building railroads across this country, South-Asian immigrants denied equal employment opportunities, and those Asian/Pacific Americans who were the innocent victims of hate crimes.

Despite the struggle that Asian/Pacific Americans have faced in this country, they have been among our nation's finest and greatest contributors, scientifically, economically, artistically, and politically. Mr. Speaker, I am extremely fortunate to work side-by-side with such great Asian/Pacific-Islander contributors as Congressman FALEOMAVAEGA, ROBERT MATSUI, PATSY MINK, DAVID WU, and also, Mr. UNDERWOOD. They are not the only Asian Pacific-Islander leaders of note. I am especially privileged to work with such great humanitarians as Bill Lann Lee, the Acting Assistant Attorney General of Civil Rights and Harold Koh the Assistant Secretary of Democracy, Labor, and Human Rights. By appointing more Asian Pacific Americans than any former President has, President Clinton has, I hope, only begun what will become an increasing trend in political appointments.

Mr. Speaker, there is a long list of Asian/Pacific Americans who have contributed intellectually and culturally to this country. Perhaps some of the most inspired and famous of these contributors are Asian/Pacific American women. ABC news correspondent Connie Chung has been a respected media presence for years. Doris Matsui, who is the current Deputy Assistant to the President has long been a prominent public service figure. Architect Maya Lin has given America an unforgettable monument to the Vietnam War. Writers Iris Chang, Jhumpa Lahiri, winner of this year's Pulitzer Prize for Fiction, and Janice Mirikatani, the current Poet Laureate of San Francisco have gained wide-spread critical and popular recognition for their work. Two years ago, Kalpana Chawla became the first Indian American astronaut in space. Mr. Speaker, Asian/Pacific American women have truly taken the public spotlight with their accomplishments and courage.

On a national level, we are all familiar with the scientific work of Dr. David Ho, an innovative researcher who has battled to fight the AIDS virus. Throughout the world, Mr. Speaker, we have the privilege of being surrounded by breath-taking architecture, and among the most amazing buildings are the exquisite structures which reflect the visions of I.M. Pei—the magnificent East Wing of the National Gallery of Art here in Washington, the John F. Kennedy Presidential Library in Boston, the entrance to the Louvre in Paris, and many others. Across the United States, people have been moved by the thoughtful essays of Ronald Takaki, the memoir-based fiction of Chang-Rae Lee, and the musical inspiration of Zubin Mehta and Yo-Yo Ma. We are all awed by the strength and grace of athletes such as Michelle Kwan, former 49er Jesse Sapolu, and golfer Tiger Woods.

Mr. Speaker, I especially wanted to highlight three wonderful Asian/Pacific American heroes in my home district of San Mateo/San Francisco. They are Alice Bulos, an activist for Filipino-American issues, Ann Ito, the co-founder of the League of Women Voters, and David Louie a premiere reporter seen on the local Channel 7 News. Mr. Speaker, these local pioneers are incredible contributors to the cultural vitality of the San Francisco Bay Area and an integral part of the active Asian/Pacific American population which is a hallmark of the Bay Area.

Mr. Speaker, to individually recognize each of the Asian/Pacific Americans who have made outstanding civic and social contributions to this society would be an endless task. However, I believe that this month we should take the time to understand and realize that every Asian/Pacific American in this country has faced varying levels of ignorance and harmful bias in this country. It is our duty as Members of Congress to fight against any intolerance or prejudice in this country and to congratulate the achievements of Asian/Pacific Americans which are, in the light of the past and present injustices perpetrated against them, especially triumphant. Mr. Speaker, I ask all my colleagues to join with me in celebrating the stirring history and the breath-taking diversity that Asian/Pacific Americans have given to this country.

MUHAMMAD ALI BOXING REFORM ACT

SPEECH OF

HON. TOM BLILEY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 22, 2000

Mr. BLILEY. Mr. Speaker, I rise in support of H.R. 1832, the Muhammad Ali Boxing Reform Act, by my good colleague and friend Mr. OXLEY from Ohio.

Last year, the Commerce Committee received a letter signed by 19 bipartisan U.S. State Attorneys General asking that this legislation be enacted. The Attorneys General wrote that ''this legislation will curb anti-competitive and fraudulent business practices and prevent blatant exploitation of professional boxers.''

The International Boxing Digest stated ''We support the new [boxing] bill, and urge all honest people in professional boxing to do likewise. Fighters need to be protected, and not

simply from what happens in the ring. This bill does it like it's never done before.'' Ring Magazine said ''Imagine a world in which fighters are not taken advantage of financially, title shots are awarded to legitimate contenders, and bogus alphabet organizations slowly fade from existence. If the Ali Act passes . . . that boxing heaven may just be located right here on earth.''

H.R. 1832 would stop promoters from taking long term advantage of boxers. It prohibits coercive contracts, and limits acceptable conflicts of interests. H.R. 1832 also cleans up boxing's sanctioning bodies. All boxing ranking must be done based on objective and consistent written and published criteria, and sanctioning body employees are prohibited from receiving bribes from boxers and promoters. Under the philosophy that sunlight is the best disinfectant for corruption, promoters, sanctioning bodies, and boxing judges and referees are all required to disclose their sources of benefits and compensation to prevent any backroom underhanded dealing.

Former heavyweight champion Muhammad Ali agreed to lend his name to this bill because he believes that boxers need to be protected from the ''dishonest ways'' of some promoters and managers. Boxing News wrote that ''Pure, unvarnished greed is killing the game . . . Boxing desperately needs [a Federal] law . . . to cut down on the terrible corruption.'' H.R. 1832 by Congressman OXLEY cuts down on the corruption and brings honesty and fair and open dealing back to the sport of boxing.

I urge your support for this legislation.

SUPPORTING DAY OF HONOR FOR MINORITY WORLD WAR II VETERANS

SPEECH OF

HON. J.C. WATTS, JR.

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mr. WATTS of Oklahoma. Mr. Speaker, I rise today in support of House Joint Resolution 98 to support Minority Veterans who fought in WW II.

I ask you to join me in commending a group of well deserving military veterans. On April 12, this resolution was introduced with bipartisan support, to recognize the extraordinary contribution of minority veterans during World War II. Several U.S. Senators including military veterans JOHN MCCAIN, JOHN WARNER, and STROM THURMOND have co-sponsored an identical resolution in the U.S. Senate which passed with unanimous consent on May 18, 2000.

During World War II more than 1.5 million minorities recognized that the United States was an imperfect nation but also realized that it was their nation. Even though there was racism and segregation present throughout the country, like the famous Massachusetts 54th, these individuals anted up to serve their country in the Armed Forces in the belief that our nation could and would change. As a result of their unselfish call to duty, many of them sacrificed their lives.

A ''Day of Honor'' in recognition of their courageous service is long overdue. The Day of Honor 2000 Project is sponsored by a committed group of individuals, including minority veterans, who truly understand the importance of this effort. They are helping organize this initiative in communities throughout the nation.

These veterans through their effectiveness in combat and their devotion to duty helped destroy the color barrier within the Armed Forces and in American society in general.

IN HONOR OF MR. AND MRS. CLAYTON PETTY, SR., ON THEIR 50TH WEDDING ANNIVERSARY

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. MENENDEZ. Mr. Speaker, today I honor Clayton and Marion Petty on their Fiftieth Wedding Anniversary. This special celebration is a great testament to their extraordinary dedication to each other and their family.

Fifty years ago the world was a different place. President Truman was in the White House and Europe was still trying to overcome the destruction of World War II. And fifty years ago a young couple named Clayton and Marion began their married life. Fifty years later, that couple is surrounded by friends and loved ones celebrating a union more lasting and meaningful than newspaper headlines and trivia found in history books.

Today, with so much change in the world, traditional values and long term commitments may at times seem lost and forgotten. However, on May 27, 2000 what will not be forgotten, but reaffirmed and celebrated, is the marriage of Clayton and Marion Petty and their commitment to their family and the community of Bayonne, New Jersey. They are an example for us all.

Mr. and Mrs. Petty have contributed greatly to their community; and an example of that community involvement is their recent induction into the S.P.O.R.T. Bayonne High School Hall of Fame, an organization the Pettys helped found for local kids who love to play soccer. The Pettys are involved in many other organizations as well, including: Soccer Bees; F.A. Mackenzie Post; the Mackenzie Post Auxiliary; United Cerebral Palsy; Assumption Catholic War Vets; Korean War Vets; and the Bayonne Youth Foundation.

Mr. and Mrs. Petty always place family first. They are the proud parents of five children, Patrick, Kathleen, Lauren, Robert, and the late Timothy. Their Children have brought them tremendous joy over the years.

I extend my sincere congratulations and admiration to the Pettys. May your life together continue to be full of love and family. I also ask that my colleagues join me in honoring them on this very special occasion.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, May 25, 2000 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 26

10 a.m.
Governmental Affairs
To hold hearings to examine export control implementation issues with respect to high performance computers.
SD–342

JUNE 6

10 a.m.
Environment and Public Works
To hold hearings on S. 1311, to direct the Administrator of the Environmental Protection Agency to establish an eleventh region of the Environmental Protection Agency, comprised solely of the State of Alaska.
SD–406

JUNE 7

9:30 a.m.
Indian Affairs
To hold hearings on S. 2508, to amend the Colorado Ute Indian Water Rights Settlement Act of 1988 to provide for a final settlement of the claims of the Colorado Ute Indian Tribes.
SR–485

Joint Economic Committee
To hold hearings on the High-Technology National Summit, focusing on removing barriers to the new economy.
SH–216

11 a.m.
Foreign Relations
Business meeting to consider pending calendar business.
SD–419

2:30 p.m.
Energy and Natural Resources
Forests and Public Land Management Subcommittee
To hold hearings on S. 2300, to amend the Mineral Leasing Act to increase the maximum acreage of Federal leases for coal that may be held by an entity in any 1 State; S. 2069, to permit the conveyance of certain land in Powell, Wyoming; and S. 1331, to give Lincoln County, Nevada, the right to purchase at fair market value certain public land in the county.
SD–366

Foreign Relations
International Economic Policy, Export and Trade Promotion Subcommittee
To hold oversight hearings to examine satellite export controls.
SD–419

JUNE 8

2:30 p.m.
Energy and Natural Resources
National Parks, Historic Preservation, and Recreation Subcommittee
To hold oversight hearings to review the final rules and regulations issued by the National Park Service relating to Title IV of the National Parks Omnibus Management Act of 1998.
SD–366

JUNE 13

10 a.m.
Environment and Public Works
To hold hearings on the nomination of James V. Aidala, of Virginia, to be Assistant Administrator for Toxic Substances of the Environmental Protection Agency; the nomination of Arthur C. Campbell, of Tennessee, to be Assistant Secretary of Commerce for Economic Development; and the nomination of Ella Wong-Rusinko, of Virginia, to be Alternate Federal Cochairman of the Appalachian Regional Commission.
SD–406

JUNE 14

9:30 a.m.
Indian Affairs
To hold hearings on S. 2282, to encourage the efficient use of existing resources and assets related to Indian agricultural research, development and exports within the United States Department of Agriculture.
SR–485

JUNE 21

9:30 a.m.
Indian Affairs
To hold hearings on certain Indian Trust Corporation activities.
Room to be announced

JUNE 22

9:30 a.m.
Commerce, Science, and Transportation
To hold hearings to examine issues dealing with aviation and the internet, focusing on purchasing airline tickets through the internet, and whether or not this benefits the consumer.
SR–253

JUNE 28

9:30 a.m.
Indian Affairs
To hold hearings on S. 2283, to amend the Transportation Equity Act for the 21st Century to make certain amendments with respect to Indian tribes.
SR–485

JULY 12

9:30 a.m.
Indian Affairs
To hold oversight hearings on risk management and tort liability relating to Indian matters.
SR–485

JULY 19

9:30 a.m.
Indian Affairs
To hold oversight hearings on activities of the National Indian Gaming Commission.
SR–485

JULY 26

9:30 a.m.
Indian Affairs
To hold hearings on S. 2526, to amend the Indian Health Care Improvement Act to revise and extend such Act.
SR–485

SEPTEMBER 26

9:30 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs on the Legislative recommendation of the American Legion.
345 Cannon Building

Daily Digest

HIGHLIGHTS

The House passed H.R. 4444, to Authorize Normal Trade Relations Treatment to China.

House Committees ordered reported 19 sundry measures, including the Labor, Health and Human Services, and Education appropriations for fiscal year 2001.

Senate

Chamber Action

Routine Proceedings, pages S4337–S4398

Measures Introduced: Fourteen bills and one resolution were introduced, as follows: S. 2616–2629, and S. Con. Res. 117. **Pages S4378–79**

Measures Passed:

Congratulating Republic of Latvia: Committee on Foreign Relations was discharged from further consideration of S. Con. Res. 110, congratulating the Republic of Latvia on the tenth anniversary of the reestablishment of its independence from the rule of the former Soviet Union, and the resolution was then agreed to. **Page S4395**

Bring Them Home Alive Act: Senate passed S. 484, to provide for the granting of refugee status in the United States to nationals of certain foreign countries in which American Vietnam War POW/MIAs or American Korean War POW/MIAs may be present, if those nationals assist in the return to the United States of those POW/MIAs alive, after agreeing to the following amendment proposed thereto: **Pages S4395–96**

Sessions (for Helms/Biden) Amendment No. 3171, to make certain technical corrections. **Pages S4395–96**

Legislative Branch Appropriations: Senate began consideration of S. 2603, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2001, taking action on the following amendments proposed thereto: **Pages S4341–58**

Adopted:

Bennett/Feinstein Amendment No. 3167, to make certain funds available for the Sergeant at Arms and Doorkeeper of the Senate until September 30, 2003. **Pages S4351–52**

Bennett/Feinstein Amendment No. 3168, to authorize the Architect of the Capitol to solicit, receive, accept, and hold certain amounts in excess of $14,500,000, but such amounts shall not be expended by the Architect without approval in appropriation Acts. **Pages S4351–52**

Bennett/Feinstein Amendment No. 3169, to establish the Center for Russian Leadership Development to enable emerging political leaders of Russia at all levels of government to gain significant, first-hand exposure to the American free market economic system and the operation of American democratic institutions. **Pages S4351–52**

Bennett/Feinstein Amendment No. 3170, to make a technical correction. **Pages S4351–52**

Pending:

Mikulski Amendment No. 3166, to express the sense of the Senate commending the United States Capitol Police. **Pages S4343–51**

A unanimous-consent agreement was reached providing for votes to occur in relation to the pending amendment and third reading of the bill, on Thursday, May 25, 2000. **Pages S4347, S4358**

Appointments:

Board of Directors of the Office of Compliance: The Chair, on behalf of the Majority and Minority Leaders of the Senate and the Speaker and Minority Leader of the House of Representatives, pursuant to Section 301(b) of Public Law 104–1, announced the

joint appointment of Barbara L. Camens, of the District of Columbia, and Roberta L. Holzwarth, of Illinois, to five-year terms on the Board of Directors of the Office of Compliance. **Page S4396**

Authority for Committees: All committees were authorized to file legislative reports during the adjournment of the Senate on Thursday, June 1, 2000, from 11:00 a.m. to 1:00 p.m. **Page S4396**

Nominations Confirmed: Senate confirmed the following nominations:

By 64 yeas 35 nays (Vote No. EX. 107), Bradley A. Smith, of Ohio, to be a Member of the Federal Election Commission. **Pages S4359–64**

By 98 yeas 1 nay (Vote No. EX. 108), Danny Lee McDonald, of Oklahoma, to be a Member of the Federal Election Commission. **Page S4364**

By 74 yeas 25 nays (Vote No. EX. 109), Timothy B. Dyk, of the District of Columbia, to be United States Circuit Judge for the Federal Circuit. **Pages S4364–65**

By 63 yeas 36 nays (Vote No. EX. 110), Gerard E. Lynch, of New York, to be a United States District Judge for the Southern District of New York. **Page S4365**

By 83 yeas to 16 nays (Vote No. EX. 111), James J. Brady, of Louisiana, to be United States District Judge for the Middle District of Louisiana. **Pages S4365–66**

By 86 yeas 14 nays (Vote No. EX. 112), Mary A. McLaughlin, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania. **Page S4366**

John Paul Hammerschmidt, of Arkansas, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority for a term of four years. (New Position)

Norman Y. Mineta, of California, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority for a term of six years. (New Position)

Robert Clarke Brown, of Ohio, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority for a term expiring November 22, 2005. (Reappointment)

Christopher C. Gallagher, of New Hampshire, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2003. (Reappointment)

Amy C. Achor, of Texas, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2003.

Petrese B. Tucker, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania vice Thomas N. O'Neill, Jr., retired.

John Goglia, of Massachusetts, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2003. (Reappointment)

Marianne O. Battani, of Michigan, to be United States District Judge for the Eastern District of Michigan vice Anna Diggs Taylor, retired.

David M. Lawson, of Michigan, to be United States District Judge for the Eastern District of Michigan vice Avern Cohn, retired.

Jay Johnson, of Wisconsin, to be Director of the Mint for a term of five years.

Mark Reid Tucker, of North Carolina, to be United States Marshal for the Eastern District of North Carolina for the term of four years.

Herschelle S. Challenor, of Georgia, to be a Member of the National Security Education Board for a term of four years. (Reappointment)

James D. Whittemore, of Florida, to be United States District Judge for the Middle District of Florida vice William Terrell Hodges, retired.

Richard C. Tallman, of Washington, to be United States Circuit Judge for the Ninth Circuit.

Thomas A. Fry, III, of Texas, to be Director of the Bureau of Land Management.

N. Cinnamon Dornsife, of the District of Columbia, to be United States Director of the Asian Development Bank, with the rank of Ambassador.

Earl Anthony Wayne, of Maryland, to be an Assistant Secretary of State (Economic and Business Affairs), vice Alan Philip Larson.

Bobby L. Roberts, of Arkansas, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2003. (Reappointment)

Michael G. Rossmann, of Indiana, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2006.

Daniel Simberloff, of Tennessee, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2006.

Carol Jones Carmody, of Louisiana, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2004.

Donald W. Horton, of Maryland, to be United States Marshal for the District of Columbia for the term of four years.

Mel Carnahan, of Missouri, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2005. (Reappointment)

Leslie Lenkowsky, of Indiana, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring February 8, 2004.

Juanita Sims Doty, of Mississippi, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring June 10, 2004.

Gary A. Barron, of Florida, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2002.

Alan Phillip Larson, of Iowa, to be United States Alternate Governor of the International Bank for Reconstruction and Development for a term of five years; United States Alternate Governor of the Inter-American Development Bank for a term of five years; United States Alternate Governor of the African Development Bank for a term of five years; United States Alternate Governor of the African Development Fund; United States Alternate Governor of the Asian Development Bank; and United States Alternate Governor of the European Bank for Reconstruction and Development.

Joan R. Challinor, of the District of Columbia, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2004. (Reappointment)

Jerome F. Kever, of Illinois, to be a Member of the Railroad Retirement Board for a term expiring August 28, 2003. (Reappointment)

Virgil M. Speakman, Jr., of Ohio, to be a Member of the Railroad Retirement Board for a term expiring August 28, 2004. (Reappointment)

Kathryn Shaw, of Pennsylvania, to be a Member of the Council of Economic Advisers.

E. Douglas Hamilton, of Kentucky, to be United States Marshal for the Western District of Kentucky for the term of four years.

Edward B. Montgomery, of Maryland, to be Deputy Secretary of Labor.

Scott O. Wright, of Missouri, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for the remainder of the term expiring December 10, 2003.

Nathan O. Hatch, of Indiana, to be a Member of the National Council on the Humanities for a term expiring January 26, 2006.

Thomas G. Weston, of Michigan, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, for the rank of Ambassador during his tenure of service as Special Coordinator for Cyprus.

Edward McGaffigan, Jr., of Virginia, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2005. (Reappointment)

Carey Cavanaugh, of Florida, a Career Member of the Senior Foreign Service, Class of Counselor, for the rank of Ambassador during his tenure of service as Special Negotiator for Nagorno-Karabakh and New Independent States Regional Conflicts.

Christopher Robert Hill, of Rhode Island, to be Ambassador to the Republic of Poland.

Marc Racicot, of Montana, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2004.

Alan D. Solomont, of Massachusetts, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2004.

John Antoon II, of Florida, to be United States District Judge for the Middle District of Florida.

Phyllis J. Hamilton, of California, to be United States District Judge for the Northern District of California.

Audrey G. Fleissig, of Missouri, to be United States Attorney for the Eastern District of Missouri for the term of four years.

Donnie R. Marshall, of Texas, to be Administrator of Drug Enforcement.

Thomas N. Slonaker, of Arizona, to be Special Trustee, Office of Special Trustee for American Indians, Department of the Interior.

Michelle Andrews Smith, of Texas, to be an Assistant Secretary of the Treasury.

Nicholas G. Garaufis, of New York, to be United States District Judge for the Eastern District of New York vice Charles P. Sifton, retired.

Donald Arthur Mahley, of Virginia, Donald Arthur Mahley, of Virginia, a Career Member of the Senior Executive Service, for the rank of Ambassador during his tenure of service as Special Negotiator for Chemical and Biological Arms Control Issues.

Bruce Sundlun, of Rhode Island, to be a Member of the National Security Education Board for a term of four years.

Manuel Trinidad Pacheco, of Arizona, to be a Member of the National Security Education Board for a term of four years. (Reappointment)

Steven S. Reed, of Kentucky, to be United States Attorney for the Western District of Kentucky for the term of four years.

Gregory G. Govan, of Virginia, for the rank of Ambassador during his tenure of service as Chief U.S. Delegate to the Joint Consultative Group. (New Position)

Roger L. Hunt, of Nevada, to be United States District Judge for the District of Nevada.

Kent J. Dawson, of Nevada, to be United States District Judge for the District of Nevada.

Berle M. Schiller, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania vice Robert S. Gawthrop, deceased.

Richard Barclay Surrick, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania vice Lowell A. Reed, Jr., retired.

Jose Antonio Perez, of California, to be United States Marshal for the Central District of California for the term of four years vice Michael R. Ramon, resigned.

Routine lists in the Foreign Service, Public Health Service. **Pages S4366–70, S4397–98**

Messages From the House: **Page S4375**

Measures Referred: **Page S4375**

Measures Placed on Calendar: **Page S4375**

Measures Read First Time: **Pages S4375–76**

Communications: **Pages S4376–77**

Petitions: **Pages S4377–78**

Executive Reports of Committees: **Page S4378**

Statements on Introduced Bills: **Pages S4379–91**

Additional Cosponsors: **Pages S4391–93**

Amendments Submitted: **Pages S4393–94**

Authority for Committees: **Pages S4394–95**

Additional Statements: **Pages S4372–75**

Record Votes: Six record votes were taken today. (Total—112) **Pages S4364–66**

Adjournment: Senate convened at 10 a.m., and adjourned at 5:20 p.m., until 9:30 a.m., on Thursday, May 25, 2000. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S4397.)

Committee Meetings

(Committees not listed did not meet)

NOMINATION

Committee on Armed Services: Committee ordered favorably reported the nomination of Gen. John A. Gordon, United States Air Force, to be Under Secretary for Nuclear Security, Department of Energy, and two military nominations in the Army and Navy. Prior to this action, Committee concluded hearings on the nomination of Gen. Gordon, (listed above), after the nominee, who was introduced by Senator Domenici, testified and answered questions in his own behalf.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the nomination of Mildred Spiewak Dresselhaus, of Massachusetts, to be Director of the Office of Science, Department of Energy.

Also, Committee resumed markup of S. 2098, to facilitate the transition to more competitive and efficient electric power markets, and to ensure electric reliability, but did not complete action thereon and recessed subject to call.

WATER AND POWER

Committee on Energy and Natural Resources: Subcommittee on Water and Power concluded hearings on S. 2163, to provide for a study of the engineering feasibility of a water exchange in lieu of electrification of the Chandler Pumping Plant at Prosser Diversion Dam, Washington, S. 2396, to authorize the Secretary of the Interior to enter into contracts with the Weber Basin Water Conservancy District, Utah, to use Weber Basin Project facilities for the impounding, storage, and carriage of nonproject water for domestic, municipal, industrial, S. 2248, to assist in the development and implementation of projects to provide for the control of drainage water, storm water, flood water, and other water as part of water-related integrated resource management, environmental infrastructure, and resource protection and development projects in the Colusa Basin Watershed, California, S. 2410, to increase the authorization of appropriations for the Reclamation Safety of Dams Act of 1978, and S. 2425, to authorize the Bureau of Reclamation to participate in the planning, design, and construction of the Bend Feed Canal Pipeline Project, Oregon, after receiving testimony from Eluid L. Martinez, Commissioner, Bureau of Reclamation, Department of the Interior; Randy Settler, Yakama Nation, Toppenish, Washington; Charles W. Garner, Kennewick Irrigation District, Kennewick, Washington; Gaye Lopez, Colusa Basin Drainage District, Woodland, California; Ivan Flint, Weber Basin Water Conservancy District, Layton, Utah; David McCarley, Langell Valley Irrigation District, Bonanza, Oregon; and Elmer McDaniels, Tumalo Irrigation District, Bend, Oregon.

COASTAL CONSERVATION AND REINVESTMENT PROGRAMS

Committee on Environment and Public Works: Committee concluded hearings on proposed legislation that would use revenue generated from Outer Continental Shelf oil and gas production to fund coastal conservation and restoration, and related activities, including related provisions of S. 25, to provide Coastal Impact Assistance to State and local governments, to amend the Outer Continental Shelf Lands Act Amendments of 1978, the Land and Water Conservation Fund Act of 1965, the Urban Park and Recreation Recovery Act, and the Federal Aid in Wildlife Restoration Act (commonly referred to as the Pittman-Robertson Act) to establish a fund to meet the outdoor conservation and recreation needs of the American people, S. 2123, to provide Outer Continental Shelf Impact assistance to State and local

governments, to amend the Land and Water Conservation Fund Act of 1965, the Urban Park and Recreation Recovery Act of 1978, and the Federal Aid in Wildlife Restoration Act (commonly referred to as the Pittman-Robertson Act) to establish a fund to meet the outdoor conservation and recreation needs of the American people, and S. 2181, to amend the Land and Water Conservation Fund Act to provide full funding for the Land and Water Conservation Fund, and to provide dedicated funding for other conservation programs, including coastal stewardship, wildlife habitat protection, State and local park and open space preservation, historic preservation, forestry conservation programs, and youth conservation corps, after receiving testimony from Senators Cochran and Landrieu; Representatives Don Young, George Miller, Chenoweth-Hage, Shadegg, and Tauzin; Jamie R. Clark, Director, U.S. Fish and Wildlife Service, Department of the Interior; David Waller, Georgia Division of Wildlife, Social Circle, and Wayne Vetter, New Hampshire Fish and Game Department, Concord, both on behalf of the International Association of Fish and Wildlife Agencies; Rindy O'Brien, Wilderness Society, Rodger Schlickeisen, Defenders of Wildlife, Michael Hardiman, American Land Rights Association, and Rollin D. Sparrowe, Wildlife Management Institute, all of Washington, D.C.; and Charles R. Niebling, Society for the Protection of New Hampshire Forests, Concord.

NOMINATION

Committee on Foreign Relations: Committee concluded hearings on the nomination of Marc Grossman, of Virginia, to be Director General of the Foreign Service, Department of State, after the nominee, who was introduced by Senator Sarbanes, testified and answered questions in his own behalf.

CAMPAIGN FINANCE

Committee on the Judiciary: Subcommittee on Administrative Oversight and the Courts concluded oversight hearings on the 1996 campaign finance investigations relating to the Independent Counsel Act and its application to campaign financing matters, after receiving testimony from Larry Parkinson, General Counsel, and Neil Gallagher, Assistant Director, National Security Division, both of the Federal Bureau of Investigation, and Lee J. Radek, Chief, Public Integrity Section, Criminal Division, all of the Department of Justice.

INDIAN FEDERAL RECOGNITION ADMINISTRATIVE PROCEDURES

Committee on Indian Affairs: Committee concluded hearings on S. 611, to provide for administrative procedures to extend Federal recognition to certain Indian groups, after receiving testimony from Kevin Gover, Assistant Secretary of the Interior for Indian Affairs; Richard L. Velky, Schaghticoke Tribal Nation, Kent, Connecticut; Louis Roybal, Piro/Manso/Tiwa Indian Tribe, Pueblo of San Juan de Guadalupe, Las Cruces, New Mexico; Leon Jones, Eastern Band of Cherokee Indians, Cherokee, North Carolina; Mark C. Tilden, Native American Rights Fund, Boulder, Colorado; and Arlinda Locklear, Knoxville, Maryland, on behalf of the Miami Nation of Indiana.

House of Representatives

Chamber Action

Bills Introduced: 12 public bills, H.R. 4528–4539; and 2 resolutions, H. Con. Res. 334–335, were introduced. **Pages H3812–13**

Reports Filed: Reports were filed today as follows:

Conference report on H.R. 2559, to amend the Federal Crop Insurance Act to strengthen the safety net for agricultural producers by providing greater access to more affordable risk management tools and improved protection from production and income loss, to improve the efficiency and integrity of the Federal crop insurance program (H. Rept. 106–639);

H. Res. 512, waiving points of order against the conference report to accompany H.R. 2559, to amend the Federal Crop Insurance Act to strengthen the safety net for agricultural producers by providing greater access to more affordable risk management tools and improved protection from production and income loss, to improve the efficiency and integrity of the Federal crop insurance program (H. Rept. 106–640); and

H. Res. 513, providing for consideration of H.R. 4461, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2001 (H. Rept. 106–641).

Pages H3763–H3804, H3812

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative LaTourette to act as Speaker pro tempore for today. **Page H3651**

Journal: Agreed to the Speaker's approval of the Journal of Tuesday, May 23 by a yea and nay vote of 345 yeas to 54 nays with one voting ''present'', Roll No. 224. **Pages H3651–52**

Normal Trade Relations Treatment to China: The House passed H.R. 4444, to authorize extension of nondiscriminatory treatment (normal trade relations treatment) to the People's Republic of China by a recorded vote of 237 ayes to 197 noes, Roll No. 228. Agreed to amend the title. **Pages H3662–H3747**

Rejected the Bonior motion to recommit the bill to the Committees on Ways and Means and International Relations with instructions to report it back forthwith with an amendment that revokes normal trade relations with China if Taiwan is attacked or invaded by a recorded vote of 176 ayes to 258 noes, Roll No. 227. **Pages H3744–46**

Pursuant to the rule, the House agreed to the amendment in the nature of a substitute printed in H. Rept. 106–636.

The House agreed to H. Res. 510, the rule that provided for further consideration of the bill by a yea and nay vote of 294 yeas to 136 nays, Roll No. 225. **Pages H3652–62**

Office of Compliance Board of Directors: The Chair announced the joint appointment by the Speaker and Minority Leader of the House of Representatives and the Majority and Minority Leaders of the Senate of Ms. Barbara L. Camens of Washington, D.C. and Ms. Roberta L. Holzwarth of Rockford, Illinois to the Board of Directors of the Office of Compliance. **Page H3662**

Commending Israel For Its Withdrawal From Southern Lebanon: The House completed debate on H. Con. Res. 331, commending Israel's redeployment from southern Lebanon.

Further proceedings will resume on May 25. **Pages H3747–51**

Recess: The House recessed at 8:10 p.m. and reconvened at 10:41 p.m. **Page H3763**

Recess: The House recessed at 10:42 p.m. and reconvened at 12:32 a.m. **Page H3804**

Senate Messages: Message received from the Senate appears on page H3652.

Referrals: S. Con. Res. 116 was referred to the Committee on International Relations. **Page H3805**

Amendments: Amendments ordered printed pursuant to the rule appear on page H3814.

Quorum Calls—Votes: One quorum call (Roll No. 226), two yea and nay votes and two recorded votes developed during the proceedings of the House today and appear on pages H3651–52, H3661–62, H3711, H3745–46, and H3746–47.

Adjournment: The House met at 10:00 a.m. and adjourned at 12:34 a.m. on Thursday, May 25.

Committee Meetings

LABOR, HHS, AND EDUCATION APPROPRIATIONS

Committee on Appropriations: Ordered reported the Labor, Health and Human Services, and Education appropriations for fiscal year 2001.

PREDATORY LENDING PRACTICES

Committee on Banking and Financial Services: Held a hearing on Predatory Lending Practices. Testimony was heard from the following officials of the Department of the Treasury: Gary Gensler, Under Secretary, Domestic Finance; Ellen S. Seidman, Director, Office of Thrift Supervision; and John D. Hawke, Jr., Comptroller of the Currency; Bill Apgar, Assistant Secretary, Housing-FHA Commissioner, Department of Housing and Urban Development; Edward Gramlich, member, Board of Governors, Federal Reserve System; Donna Tanoue, Chairman, FDIC; David Medine, Associate Director, Division of Financial Practices, FTC; Andrew G. Celli, Bureau Chief, Civil Rights, Office of the Attorney General, State of New York; and public witnesses.

EDUCATION DEPARTMENT'S FINANCIAL RECORDS

Committee on the Budget: Education Task Force held a hearing on ''Education Department Fails Accounting 101: The Department of Education's Unreliable Financial Records.'' Testimony was heard from Gloria L. Jarmon, Director, Civil Audits, GAO; Lorraine Lewis, Inspector General, Department of Education; and public witnesses.

NATIONAL PARKS—CONCESSION CONTRACTS

Committee on the Budget: Natural Resources and the Environment Task Force held a hearing on ''Management Failures at the National Parks, Oversight Weaknesses with Concession Contracts.'' Testimony was heard from Barry T. Hill, Associate Director, Energy, Resources and Science Issues, GAO; Maureen Finnerty, Associate Director, Operations and Education, National Park Service, Department of the Interior; and a public witness.

NATIONAL ENERGY POLICY

Committee on Commerce: Subcommittee on Energy and Power held a hearing on National Energy Policy: Ensuring Adequate Supply of Natural Gas and Crude Oil. Testimony was heard from the following officials of the Department of Energy: Jay Hakes, Administrator, Energy Information Administration;

and Melanie Kenderdine, Acting Director, Office of Policy; and public witnesses.

DOD CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM

Committee on Government Reform: Subcommittee on National Security, Veterans Affairs, and International Relations held a hearing on "DoD Chemical and Biological Defense Program: Management and Oversight." Testimony was heard from Kwai-Cheung Chan, Director, Special Studies and Evaluations, GAO; and Anna Johnson-Winegar, Deputy Assistant to the Secretary, Chemical/Biological Defense, Department of Defense.

COMMENDING ISRAEL's REDEPLOYMENT FROM SOUTHERN LEBANON

Committee on International Relations: Favorably considered the following resolution and adopted a motion urging the Chairman to request that it be considered on the Suspension Calendar: H. Con. Res. 331, commending Israel's redeployment from southern Lebanon.

U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM: FIRST ANNUAL REPORT

Committee on International Relations: Held a hearing on the U.S. Commission on International Religious Freedom: First Annual Report. Testimony was heard from the following officials of the U.S. Commission on International Religious Freedom: Rabbi David Saperstein, Chair; Elliot Abrams and Nina Shea, both Commissioners.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Ordered reported the following bills: H.R. 3048, amended, Presidential Threat Protection Act of 1999; H.R. 4108, amended, Secure Our Schools Act; H.R. 4391, Mobile Telecommunications Sourcing Act; H.R. 3489, amended, Wireless Telecommunications Sourcing and Privacy Act; and S. 1515, Radiation Exposure Compensation Act Amendments of 1999.

MISCELLANEOUS MEASURES

Committee on Resources: Ordered reported the following bills: S. 1211, to amend the Colorado River Basin Salinity Control Act to authorize additional measures to carry out the control of salinity upstream of Imperial Dam in a cost-effective manner; S. 1629, Oregon Exchange Act of 2000; H.R. 1775, amended, Estuary Habitat Restoration Partnership Act of 1999; S. 1892, to authorize the acquisition of the Valles Caldera, to provide for an effective land and wildlife management program for this resource within the Department of Agriculture; H.R. 3023, amended, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to convey property to the Greater Yuma Port Authority of Yuma County, Arizona, for use as an international port of entry; H.R. 3176, to direct the Secretary of the Interior to conduct a study to determine ways of restoring the natural wetlands conditions in the Kealia Pond National Wildlife Refuge, Hawaii; H.R. 3291, amended, Shivwits Band of the Paiute Indian Tribe of Utah Water Rights Settlement Act; H.R. 3292, amended, to provide for the establishment of the Cat Island National Wildlife Refuge in West Feliciana Parish, Louisiana; H.R. 3468, Duchesne City Water Rights Conveyance Act; H.R. 3535, amended, Shark Finning Prohibition Act; H.R. 3999, amended, Virgin Islands and Guam Constitutional Self-Government Act of 2000; H.R. 4132, to reauthorize grants for water resources research and technology institutes established under the Water Resources Research Act of 1984; and H.R. 4435, to clarify certain boundaries on the map relating to Unit NCO1 of the Coastal Barrier Resources System.

AGRICULTURE APPROPRIATIONS 2001

Committee on Rules: Granted, by voice vote, an open rule providing one hour of general debate on H.R. 4461, Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. The rule provides that the amendments printed in the report of the Committee on Rules accompanying the resolution shall be considered as adopted. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized or legislative provisions in a general appropriations bill), except as specified in the rule. The rule allows the Chairman of the Committee of the Whole to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. The rule allows the Chairman of the Committee of the Whole to postpone a request for a recorded vote on any amendment and reduce voting time to five minutes on a postponed question, provided that the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes. Finally, the rule provides one motion to recommit with or without instructions.

CROP INSURANCE CONFERENCE REPORT

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report on H.R. 2559, Agricultural Risk Protection

Act, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Chairman Combest.

QUALITY HEALTH-CARE COALITION ACT

Committee on Rules: Held a hearing on H.R. 1304, Quality Health-Care Coalition Act. Testimony was heard from Chairman Hyde and Representatives Thomas, Campbell, Coburn and Conyers.

U.S. BILATERAL SPACE LAUNCH TRADE AGREEMENTS

Committee on Science: Subcommittee on Space and Aeronautics held a hearing on U.S. Bilateral Space Launch Trade Agreements. Testimony was heard from public witnesses.

ONLINE MUSIC

Committee on Small Business: Held a hearing on "Online Music: Will Small Music Labels and Entrepreneurs Prosper in the Internet Age?" Testimony was heard from public witnesses.

OBSOLETE MARITIME ADMINISTRATION VESSELS DISPOSAL

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held a hearing on the Disposal of Obsolete Maritime Administration Vessels. Testimony was heard from the following officials of the Department of Transportation: Bonnie M. Green, Deputy Administrator, Inland Waterways and Great Lakes, Maritime Administration; and Thomas J. Howard, Deputy Assistant Inspector General, Maritime and Departmental Programs; Rear Adm. Anthony W. Lengerich, USN, Director, Industrial Capability, Maintenance Policy and Acquisition Logistics Division, Department of the Navy, Department of Defense; and public witnesses.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D506)*

H.R. 2412, to designate the Federal building and United States courthouse located at 1300 South Harrison Street in Fort Wayne, Indiana, as the "E. Ross Adair Federal Building and United States Courthouse". Signed May 22, 2000. (P.L. 106–203)

S. 2370, to designate the Federal building located at 500 Pearl Street in New York City, New York, as the "Daniel Patrick Moynihan United States Courthouse". Signed May 23, 2000. (P.L. 106–204)

COMMITTEE MEETINGS FOR THURSDAY, MAY 25, 2000

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Financial Institutions, to hold hearings on the competition and innovation in the credit card industry, focusing on the consumer and network level, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: to hold hearings to examine a Federal Trade Commission survey of Internet privacy policies, 9:30 a.m., SR–253.

Committee on Energy and Natural Resources: to hold oversight hearings to examine the outlook for America's natural gas demand, 9:30 a.m., SD–366.

Subcommittee on National Parks, Historic Preservation, and Recreation, to hold oversight hearings on the potential ban on snowmobiles in Yellowstone and Grand Teton National Parks and the recent decision by the Department of the Interior to prohibit snowmobile activities in other units of the National Park System, 2:30 p.m., SD–366.

Committee on Governmental Affairs: Subcommittee on International Security, Proliferation and Federal Services, to hold hearings to examine the issuance of semipostal stamps by the U.S. Postal Service, 10 a.m., SD–342.

Committee on Health, Education, Labor, and Pensions: Subcommittee on Public Health, to hold hearings to examine gene therapy issues, 9:30 a.m., SD–430.

Committee on the Judiciary: to hold hearings to examine internet security and privacy, 10 a.m., SD–226.

Full Committee, to hold hearings on pending nominations, 2 p.m., SD–226.

House

Committee on Appropriations, to mark up the following appropriations for fiscal year 2001: Defense; and Interior, 9:30 a.m., 2359 Rayburn.

Committee on Banking and Financial Services, Subcommittee on Domestic and International Monetary Policy, hearing on Nigeria in Transition, 10:30 a.m., 2128 Rayburn.

Committee on the Budget, Housing and Infrastructure Task Force, hearing on "Lack of Income Verification in HUD Assisted Housing", the Need to Eliminate Overpayments, 10 a.m., 210 Cannon.

Committee on Commerce, Subcommittee on Oversight and Investigations, hearing entitled: "Enforcing the Laws on Internet Pharmaceutical Sales: Where are the Feds?" 10 a.m., 2322 Rayburn.

Subcommittee on Telecommunications, Trade, and Consumer Protection, oversight hearing on the deployment of broadband technologies, 11 a.m., 2123 Rayburn.

Committee on Education and the Workforce, to mark up the following bills: H.R. 4504, Higher Education Technical Amendments of 2000; and H.R. 4079, to require the Comptroller General of the United States to conduct a comprehensive fraud audit of the Department of Education, 9:30 a.m., 2175 Rayburn.

Committee on the Judiciary, Subcommittee on Courts and Intellectual Property, oversight hearing on ''The United States Copyright Office and Sound Recordings as Work for Hire,'' 10 a.m., 2141 Rayburn.

Subcommittee on Crime, oversight hearing on ''Breaches of Security at Federal Agencies and Airports,'' 2 p.m., 2141 Rayburn.

Subcommittee on Immigration and Claims, oversight hearing on ''The Status of Regulations Implementing the American Competitiveness and Workforce Improvement Act of 1998,'' 9:30 a.m., 2226 Rayburn.

Committee on Resources, Subcommittee on Fisheries Conservation, Wildlife and Oceans and the Subcommittee on Military Research and Development of the Committee on Armed Services, joint oversight hearing on the Ocean Research Advisory Panel report, An Integrated Ocean Observing System: A Strategy for Implementing the First Steps of a U.S. Plan, 10 a.m., 1334 Longworth.

Subcommittee on National Parks and Public Lands, oversight hearing on Snowmobile Recreation in National Parks, particularly Yellowstone National Park, 10 a.m., 1324 Longworth.

Committee on Small Business, to mark up the following: the New Markets Venture Capital Program of 2000; and H.R. 4464, 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, 10 a.m., 311 Cannon.

Committee on Transportation and Infrastructure, Subcommittee on Aviation, hearing on the Future of the Small Community Essential Air Service Program, 10 a.m., 2167 Rayburn.

Subcommittee on Oversight, Investigations, and Emergency Management, to mark up H.R. 4210, Preparedness Against Terrorism Act of 2000, 1:45 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Oversight and Investigations, hearing on the Department of Veterans Affairs and the Department of Defense joint pharmacy procurement, 10 a.m., 334 Cannon.

Committee on Ways and Means, to mark up H.R. 8, Death Tax Elimination Act, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, executive, briefing on Global Developments, 1 p.m., H–405 Capitol.

Joint Meetings

Commission on Security and Cooperation in Europe: to hold hearings to examine elections, democratization and human rights in Azerbaijan, 2 p.m., 2255, Rayburn Building.

Next Meeting of the SENATE

9:30 a.m., Thursday, May 25

Senate Chamber

Program for Thursday: After the recognition of two Senators for speeches and the transaction of any morning business (not to extend beyond 10:30 a.m.), Senate will continue consideration of S. 2603, Legislative Branch Appropriations for Fiscal Year 2001, with votes to occur in relation to the Mikulski Amendment No. 3166 and third reading of the bill.

Also, Senate may consider the conference report on H.R. 2559, Agricultural Risk Protection Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday May 25

House Chamber

Program for Thursday: Consideration of conference report on H.R. 2559, Agricultural Risk Protection Act (rule waiving points of order, one hour of debate);

Consideration H.R. 4461, Agriculture Appropriations 2001 (rule only);

Consideration of H.R. 3916, Repeal of telephone excise tax (closed rule, one hour of debate).

Extensions of Remarks, as inserted in this issue

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