United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, SECOND SESSION

Vol. 146 WASHINGTON, THURSDAY, MAY 25, 2000 No. 67

House of Representatives

The House met at 10 a.m.

The Reverend Alpheus Townsend, Unity Temple of Peace, Bronx, New York, offered the following prayer:

''O God our help in ages past our hope for years to come our shelter from the stormy blast and our eternal home.''

Lord of Majesty, mercy and love we are grateful for this day and for the blessings it affords. We thank You for the bounty of this Nation and for its form of government. Thank You for inspiring its leaders over the years.

We ask Your blessing and guidance upon the membership of this assembly who are entrusted with the awesome task of helping to foster and preserve peace and justice in our world.

Father, bless and strengthen families, our youth, our schools and businesses with integrity and success, now and ever more for Your honor and glory, amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. NETHERCUTT 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 bill and a concurrent resolution of the following titles in which the concurrence of the House is requested:

S. 484. An act 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.

S. Con. Res. 110. Concurrent resolution congratulating the Republic of Latvia on the tenth anniversary of the reestablishment of its independence from the rule of the former Soviet Union.

The message also announced that pursuant to section 301(b) of Public Law 104–1, the Chair, on behalf of the Majority and Minority Leaders of the Senate and the Speaker and Minority Leader of the House of Representatives, announces the joint appointment of 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.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. At this time the Chair will recognize the gentleman from New York (Mr. ENGEL). Other 1-minute speeches will be at the end of the day.

WELCOMING REVEREND ALPHEUS TOWNSEND TO THE HOUSE OF REPRESENTATIVES

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

Mr. ENGEL. Mr. Speaker, it is my great pleasure today to introduce my good friend, my constituent, and my minister who gave the prayer this morning, Reverend Alpheus Townsend of the Unity Temple of Peace in my district in the Bronx, New York.

Pastor Townsend is a wonderful American success story. He resides in my District with his wife Millicent and son William, and is truly a champion, living the American dream, as so many immigrants who have come to our shores and helped to make our country the great Nation that it is.

Reverend Townsend was born in Jamaica and came to the United States in 1965 and worked at a number of jobs in New York, at Bankers Trust on Wall Street for 5 years as an operations specialist and at Lenox Hill Hospital in Manhattan. But he knew that the ministry was really his call.

He attended Unity Ministerial School in Missouri and was ordained in 1981. He founded the Unity Temple of Peace in the Bronx, New York, in my district, in 1982 and continues to pastor there.

Just recently, he was elected president of the Clergy Coalition of the 47th Precinct in the Northeast Bronx, which serves all five boroughs of New York City. It is a wonderful organization, assists many, many people, young, old, all types of people. He assisted in writing the bylaws and charter for the organization.

He has provided college scholarships to high school students, and I have been pleased to work with him in this regard and to contribute to these scholarships because young people, as we know, of course, are our future. And Pastor Townsend has especially ministered to young people. He has worked with the council and the community and works with the police to enhance the quality of life in the community.

Mr. Speaker, I am honored and privileged to not only call Pastor Townsend, my constituent, but am honored and privileged to call him my friend. We have worked very, very closely together. He honors me and all of us with his presence today.

Printed on recycled paper.

I thank the Speaker for allowing him to give the prayer this morning so that the entire House of Representatives and, indeed the entire country of the United States, can see what a wonderful pastor he is and how truly he is doing God's work and truly doing work for all of us.

Again, it is people like the Reverend Townsend who have come here to this country as an immigrant, who have participated and have really helped to make this country the great country that it is. I thank the reverend.

CONFERENCE REPORT ON H.R. 2559, AGRICULTURAL RISK PROTECTION ACT OF 2000

Mr. REYNOLDS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 512 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 512

Resolved, That upon adoption of this resolution it shall be in order to consider 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. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

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

Mr. REYNOLDS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend, the gentleman from Massachusetts (Mr. MOAKLEY), pending which I yield myself such time as I may consume.

Mr. Speaker, during consideration of this resolution, all time yielded is for the purpose of debate only.

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

Mr. REYNOLDS. Mr. Speaker, the legislation before us today provides for consideration of the conference report to H.R. 2559, the Agriculture Risk Protection Act of 1999.

Mr. Speaker, House Resolution 512 is a standard conference report rule that waives all points of order against the conference report and against its consideration.

Additionally, the rule provides that the conference report shall be considered as read.

Passage of this rule will allow the House to consider the conference report to the Agriculture Risk Protection Act.

The Agriculture Risk Protection Act enjoys broad bipartisan support from colleagues representing farmers and ranchers from all regions of the country. It is the right legislative response to the current plight of our Nation's farmers and ranchers.

Mr. Speaker, it is no secret that farmers, growers, and ranchers are not experiencing the prosperity that many other Americans enjoy today. Confronted by adverse weather and low prices, they are facing a second year of extreme economic crisis.

In fact, apple growers alone lost a staggering $760 million nationwide over the past 3 years, according to USDA statistics.

Representing Wayne County, New York, the largest apple producer in New York State and one of the largest in the Nation, this type of statistic is particularly troubling.

Growers in my district have been especially hard hit in recent years. Floods, storms, drought, and other severe weather have had a crippling effect on area specialty crop farmers.

Just last week, flooding destroyed onion crops that had been planted only days earlier in the Elba mucklands in Genesee County in my congressional district.

One local farmer estimated a 75 percent loss on 3,000 acres of onion crop, with an estimated value of $15 million annually.

Despite these and other disasters, crop insurance programs have historically been tailored to farmers who grow so-called traditional crops, such as wheat, corn, and soybeans.

It is for that reason that I am especially pleased with the conference report which, for the first time, earmarks funds and encourages the development of products for underserved commodities, including specialty crops.

This Nation has had a long and proud agricultural history. Agriculture has been and remains a vital part of our Nation's economy and way of life. America's farmers feed not only our Nation but also the world.

We must give agriculture producers the tools to manage risk responsibly, and this legislation does just that.

This bill provides better insurance coverage at a lower cost for our Nation's farmers. It provides affordable coverage at every level, with strong incentives to purchase higher levels of protection and new flexibility for producers to choose the level of coverage that best meets their needs.

This legislation promotes the development of new products for managing risk, empowering universities, co-ops, and individual farmers who work to develop successful policies.

It makes sure that every farmer and rancher has the tools necessary for risk preparation. Proactive steps such as these are needed at the Federal level.

Under current conditions, too many farmers are unable to afford crop insurance. When natural disasters strike, the Federal Government assists victims with taxpayer dollars.

By increasing Federal contributions to crop insurance, such insurance becomes more affordable and there is less need for taxpayer dollars for reactive solutions.

H.R. 2559 makes across-the-board reductions in farmer-paid premiums. The bill makes insurance that protects price as well as production more affordable to our farmers.

The bill also helps farmers who are hit hard by multiyear disasters to insure more of the yield of what they have proven that they can grow. These changes will help farmers from all regions growing all crops.

In short, Mr. Speaker, the Agriculture Risk Protection Act is a common sense, fiscally conservative bill. In passing the conference report, Congress goes a long way to properly prepare for natural disasters that impact agriculture production.

In conclusion, I would like to commend the gentleman from Texas (Mr. COMBEST), Chairman of the Committee on Agriculture, and the gentleman from Texas (Mr. STENHOLM) for bringing this measure before the House today.

Mr. Speaker, I urge my colleagues to support the rule and the underlying measure.

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

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

Mr. Speaker, I thank my dear friend, the gentleman from New York (Mr. REYNOLDS), for yielding me the time.

Mr. Speaker, I am in support of this rule. This rule waives all points of order against consideration of the conference report, H.R. 2559, the Agriculture Risk Protection Act of 1999.

This rule is necessary to allow the House to consider this conference report and will provide critically needed funding for rural America.

In essence, Mr. Speaker, this conference agreement will allow producers who participate in Federal crop insurance programs to buy better coverage for less money.

However, the conference report spends the funds set aside in the budget for crop insurance reform and for supplemental economic assistance. While these funds are badly needed in our ailing farm sector, the fact that for 3 years in a row the Congress has provided supplemental payments to agriculture points to the simple fact that our current farm policy is failing and needs a very thorough review.

Until there is such a review, Mr. Speaker, this conference agreement will help make crop insurance more useful to farmers who need protection from natural disasters and it will also provide a badly needed supplement to short-term farm income.

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

□ 1015

Mr. REYNOLDS. Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. NETHERCUTT).

Mr. NETHERCUTT. I thank the gentleman for yielding me this time.

Mr. Speaker, I rise today in support of this rule and in support of the underlying conference report not only because of what the rule provides; I also want to make a comment about what the rule and the underlying measure do not provide. What they do not provide, what the underlying measure does not provide is the ability for this country and the agriculture economy that it serves to have an opportunity to have sanctions relief on food and medicine for five countries that we currently embargo unilaterally considered in the bill.

I have been actively engaged with our leadership and members of all committees of jurisdiction relative to the issue of lifting sanctions on food and medicine to try to accommodate some solution and reach some conclusion that would allow this marketing freedom to occur to our farmers. Unfortunately, my own leadership said no at the last minute. I am on the Committee on Appropriations and its Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies.

At the subcommittee level, we were able to insert language by an overwhelming vote that allowed sanctions on food and medicine to be lifted to assist our farmers and for humanitarian reasons as well. We went to the full committee a week or so ago and by a vote of 35–24 rejected a challenge to strip out this language that is going to help our farmers.

Now here we have come to the Committee on Rules and I understand later today there will be a rule on the agriculture appropriations bill. The language that was fairly and squarely passed through the appropriations process for literally the third year we have been working on this, but last night it was set up to be stripped out of the bill. So I am here to register my objection and my active participation in defeating the agriculture appropriations rule, not this rule. I am going to vote for this one and I am going to vote for the conference report.

But in reality, the lifting of food and medicine sanctions should be in this conference report. It is a vehicle that could have passed, but it was thwarted by our leadership. I am going to object to the Rules Committee action and hope my colleagues will vote against the rule on agriculture appropriations which comes up later today.

Mr. REYNOLDS. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. COMBEST), the distinguished chairman of the Committee on Agriculture.

Mr. COMBEST. Mr. Speaker, I thank the gentleman for yielding me this time and for his comments and the comments of the gentleman from Massachusetts.

I want to say that I strongly support this rule and urge its passage and the accompanying conference report. I appreciate the Committee on Rules meeting so late yesterday evening and into the night in order to give us this opportunity today. This is a measure that we have been working on for about a year and a half. It is something that in fact needs as soon as possible to get into law so that the regulations can be written, so that the provisions of this program can be implemented for the coming crop year.

It is vitally important that American producers understand the assistance package that is coming, and it is very critical that this happen at this particular time. I want to again extend my appreciation for all of those members on the Committee on Rules who made this possible.

Mr. REYNOLDS. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota (Mr. GUTKNECHT).

Mr. GUTKNECHT. Mr. Speaker, I thank the gentleman for yielding me this time. This really is the second great day in a row for American farmers. Yesterday we passed PNTR, which will give us, our farmers better access to markets in China. Today we have a conference committee report that was signed by all 18 conferees. That does not happen very often here in Washington. And so in 2 consecutive days, we are seeing a tremendous display of bipartisanship on behalf of American farmers. Crop insurance reform is a very important issue. For too long it has been neglected by this Congress here in Washington, and so I am very happy to rise in support not only of the rule but of the bill. This is a great day for American agriculture. It follows on another great day yesterday. Hopefully, we can get those commodity prices up where they belong.

Mr. REYNOLDS. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. COMBEST. Mr. Speaker, pursuant to House Resolution 512, I call up the conference report 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.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. PEASE). Pursuant to House Resolution 512, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of May 24, 2000, at page H3763).

The SPEAKER pro tempore. The gentleman from Texas (Mr. COMBEST) and the gentleman from Texas (Mr. STENHOLM) each will control 30 minutes.

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

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

Mr. Speaker, I am extremely proud today to bring this conference report to the floor. With this single piece of legislation, we have the opportunity to strengthen farmers' ability to manage the risk the future may bring and to provide them the financial assistance that they badly need to cope with their immediate financial crisis.

H.R. 2559 began last year when the House provided the budget resources to overhaul and reinvigorate our ailing agricultural risk management system. The Committee on Agriculture then crafted, on a truly bipartisan basis, the most significant improvements in the crop insurance program in its history. The result last year was the House passage of legislation that makes risk management more affordable and more effective for more farmers. While the Senate was unable to pass a similar bill until this year, passage of this conference report today will ensure that producers will see the benefits of this major initiative beginning with the next year's crop.

In addition to sustaining the drive to secure future farm financial stability, this year's budget resolution also provides $7.1 billion in emergency economic assistance to farmers facing their third straight year of historically low prices. Recovering Asian markets and trade openings like yesterday's passage of permanent normal trade relations with China are optimistic signs for future prices.

But this year, farmers face a bleak situation. Providing temporary economic assistance now will bring a measure of economic stability to farm families as they struggle to regain markets and secure improved prices. Altogether, the elements contained in this conference report signal Congress' commitment to help America's farmers get through their current price crisis and to provide a more stable foundation of risk management for their future.

This has been a massive undertaking that would not have been possible without a broad bipartisan effort. I want to thank the gentleman from Texas (Mr. STENHOLM), the ranking Democrat on the committee who set aside partisan considerations to work for a year and a half to bring us to today's vote. His effort typifies the spirit of all 51 members of the House Committee on Agriculture to work tirelessly on behalf of American farmers. Our committee also owes a debt of gratitude to the whole House, who in two successive budget cycles recognized the need to focus special attention on one sector of our booming economy that is struggling. The work of the gentleman from Georgia (Mr. CHAMBLISS) and his colleagues on the Committee on the Budget made available the resources needed to bring this bill to the floor today.

Mr. Speaker, it is an honor to be a part of such a broad, sustained, and bipartisan effort to provide economic assistance and lay a stronger foundation

for the future of American farm families. I urge all of my colleagues to support the conference report to H.R. 2559.

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

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

Mr. Speaker, I rise in support of the conference report and to congratulate my colleagues on the Committee on Agriculture. I particularly want to thank the chairman for his work that he has put into this bill and for the inclusion of the minority and of all the members of the committee in the development of its provisions. The gentleman from Texas (Mr. COMBEST), the gentleman from Illinois (Mr. EWING), the subcommittee chairman, and the gentleman from California (Mr. CONDIT), the ranking Democrat on the subcommittee, are all to be commended for their efforts. While I support the conference report and encourage its adoption, I do have reservations about the manner in which the budgeted funds are being spent.

Mr. Speaker, the conference report's crop insurance provisions succeed in spending the funds that were allocated in fiscal year 2000 and 2001 budgets for risk management and income assistance. The bill's supplemental provisions succeed in spending the $7.1 billion reserve fund for agriculture as set forth in the fiscal year 2001 budget.

As someone who represents a rural agricultural area, I know how badly these additional resources are needed. Throughout the process of developing the crop insurance provisions of this bill, I have supported the idea that our crop insurance program needs to be strengthened and improved. While it was the will of our committee and of the House and Senate conferees that these funds should be dedicated to improvements in our current crop insurance program, the budget resolution made funds available for the broader purposes of income assistance and for risk management. In so doing, it provided a level of flexibility that would permit nearly any kind of agricultural assistance. I feel that this flexibility should have been used to meet a broader set of needs.

Likewise, Mr. Speaker, the reserve fund for agriculture in this year's budget could have been used for any manner of assistance for farm producers. Again, the conference report before us today ignores that flexibility. By spending the $5.5 billion available for this year entirely on additional AMTA payments, the bill fails to recognize other unmet needs. For example, payments to producers under last year's natural disaster assistance program were pro-rated because sufficient funds were not appropriated to make them whole. I would have dedicated some of the $5.5 billion to raising these payments, which would have provided assistance to producers of all commodities who suffered from disaster.

Without a doubt, the supplemental AMTA payments will provide assistance to agricultural producers who are suffering from economic disasters because of our failure to live up to our promises to provide them with opportunities from the marketplace. The criteria for receiving assistance are merely the possession of an AMTA contract, however; and this allows producers to receive a payment without demonstrating real need. I strongly believe that more fully funding the disaster payments would have been a better method for directing these funds to agriculture producers most in need. But my view was a minority view.

Mr. Speaker, I also believe that these allotted funds could be better utilized to establish an adequate safety net for producers. This year marks the third year in a row that Congress has been called upon to take extraordinary action to make up for the deficiencies of our current farm program. It is getting expensive. The fact that for 3 years in a row we are compensating producers for low prices seems to me to be a stark admission that our basic farm program is not working, just as multiple years of yield disaster aid shows that crop insurance is not working. Increases in the budget are a clear signal by our colleagues that these problems, income reductions as well as yield reductions, need to be addressed, and the crop insurance provisions of this conference report today do move in that direction.

In addition, Mr. Speaker, I must express my reservations in regard to the timing of this economic disaster assistance. As of right now, all we know for certain is that commodity prices are low. We have no hard numbers in regard to the extent to which we will need disaster assistance this year. Current outlook suggests that drought in the Midwest and the South will severely affect production. There is a possibility that supply and price relations could result in a situation where we have strengthened prices later this year.

I understand that these funds must be spent in a timely manner in order to meet budget requirements. However, I would have been more comfortable taking our time in order to fully assess the complete picture later this year. I am concerned that we may not be allocating the provision of economic loss versus crop loss in a manner that is most responsible to the actual conditions facing producers this year.

Our Nation deserves a long-term reliable farm policy. Taxpayers and agricultural producers alike should be able to know up front what kind of assistance they can expect and what the rules will be for distributing it. In terms of yield insurance, this bill makes some progress. Higher subsidy rates, for example, will lead to higher levels of participation in crop insurance, better indemnity performance for the producers who participate and hopefully less need for Congress to respond to weather disasters with emergency spending.

Absent from the bill, Mr. Speaker, is the other half of the picture. In this and the previous 2 years, our programs have left producers overexposed to price and weather disasters. The bill makes progress towards addressing yield disaster, but what about future price disasters? How much more will our government spend on ad hoc supplemental AMTA payments before we realize that a more rational, predictable policy needs to be in force?

Mr. Speaker, having pressed my reservations, I once again want to commend the gentleman from Texas (Mr. COMBEST) and all the members of the Committee on Agriculture and the conference committee for their work on this bill. Going into this progress, we agreed that short-term changes in crop insurance in this cycle would pave the way for a broad look at the entire program in the years ahead. I look forward to working with my colleagues in developing a crop insurance program that works better and a farm revenue program that meets producer and taxpayer needs.

Mr. Speaker, I strongly urge that my colleagues vote to adopt the conference report before the House today.

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

□ 1030

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

Mr. Speaker, one of the pleasures we have had in the past year and a half personally from this Member's standpoint has been the opportunity to work with and to have very open and frank discussions with not only my colleague on the committee, but my friend and my neighbor, the gentleman from Texas (Mr. STENHOLM), my neighbor not only the committee, but neighbor in Texas as well.

But there are a couple of points that I want to make, Mr. Speaker, in regards to the comments of the gentleman from Texas. I agree with the gentleman in the fact that we have problems in agriculture and problems that the program has its deficiencies. It was that recognition after the second year of the amount of money that was required in order to keep agriculture afloat in this country that our committee embarked on a series of hearings across this country to listen to farmers, to get their input on what is good and what is bad about current farm policy.

We have just concluded in the past 2 weeks 10 of those hearings, and I will say my friend and partner, the gentleman from Texas (Mr. STENHOLM), accompanied me on all 10 of those. We were the only two members on the committee able to attend them all. But it was for the express purpose of going out and listening to farmers.

We heard a number of suggestions, but a couple of the things we did hear, that I think resonated throughout, was the fact that it has been the assistance that Congress has provided over the

last couple of years that helped tremendously, keeping farmers in business. Another was the need for a dramatic reform in crop insurance. I think today's activity and legislation addresses both of those in a very significant way.

I think we need to have a better way to make this delivery, but I will say that given the fact that this is paid in this fiscal year, given the fact that it has to be deliverable in a timely fashion, there have been a lot of discussions with people from the outside and others about a need to make a change in the delivery process. I am very open to looking at that change. There has been a lot of discussion about it. It has not come forward. We will continue to look at it in any possible way we can do the job better.

But I do not want those listening to this conversation to believe that this is not something that is strongly supported by commodity groups all across this country. There has been virtually unanimous request for making the payments from commodity groups in the fashion that is provided for in this legislation. It does ensure that farmers do know exactly what it is they are going to get, they know exactly when they are going to get it, and that helps them tremendously in their financial obligations and considerations and concerns that they have to deal with today.

I think that, given the fact that we are dealing in an area that has tremendous concerns and problems, agriculture, that this is a very healthy and a very positive response to those concerns.

Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. BARRETT), the vice chairman of the committee.

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

Mr. Speaker, after 8 weeks of negotiations and countless hours of discussions between the House and the Senate Agriculture Committees, I am more than pleased to rise today in support of the conference report on the Agriculture Risk Protection Act. The conference report on H.R. 2559 is really an excellent piece of legislation that accomplishes what we set out to accomplish, that is, making crop insurance more affordable and easier to use for all of our producers.

Under the leadership of the gentleman from Texas (Chairman COMBEST), and, yes, the ranking member, the gentleman from Texas (Mr. STENHOLM), the House Committee on Agriculture listened to producers' suggestions, complaints and stories of fraud. We then developed and passed the bill, with the help of the Committee on the Budget, to address those concerns and greatly improve the program.

I am pleased that the conference report will increase premium subsidies for producers, address actual production history discrepancies, fund research and development for new insurance policies and products, and make certain that the program is not fraudulently used or abused. Producers have asked for many of these changes for many years, and I believe we have something that they will want to use and that is in fact helpful to them.

Also the conference report includes a much-needed economic assistance package for agriculture. As has been mentioned, while the economy as a whole has been booming, American producers have faced low prices for nearly 3 long years. With this conference report, we are responding with concrete policies and necessary financial assistance. Congress' willingness to provide assistance again this year demonstrates our commitment to farmers, ranchers and to rural America.

Even though many of my colleagues may not have farms or ranches in their districts, agriculture is vital to every American and every congressional district. So thank the farmer, when you can. They feed us all.

Mr. Speaker, I urge my colleagues to support this conference report. Combined with the economic assistance package, it will provide the help producers need to meet the challenges of today's poor agriculture economy.

Mr. STENHOLM. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. BERRY).

Mr. BERRY. Mr. Speaker, I want to, first of all, thank the distinguished chairman of the Committee on Agriculture, the gentleman from Texas (Mr. COMBEST), and the distinguished ranking member, the gentleman from Texas (Mr. STENHOLM), for the great work they have done and the leadership they have provided for all of American agriculture.

Mr. Speaker, I rise today in support of the Agriculture Risk Protection Act and in support of the emergency assistance contained in this bill. Food and fiber production in this country is a national security interest, second only to national defense. Every citizen of this country benefits from the safest, most affordable and most abundant food supply in the history of the world.

Americans spend less of their income on food than almost any other country in the world. This is a direct result of the productivity of American agriculture. When agriculture is suffering through difficult times, such as the times of low commodity prices that we face now, it is essential that Congress and the President act to preserve agriculture productivity. Farmers need emergency assistance right now to stay in business.

Mr. Speaker, I urge my colleagues to vote in favor of this bill, so that American agriculture is able to continue to fuel the economic development of this country by providing a reliable, reasonably priced food supply.

This bill also makes the Federal Crop Insurance Program a better risk management tool for America's farmers. Farmers will pay less for crop insurance at every level of coverage as a result of this bill. By offering increased premium subsidies, this bill encourages farmers to purchase crop insurance and protect themselves against low yields and weather disasters.

This bill also goes a long way towards reducing fraud and abuse in the crop insurance system. For years this has been a problem that has plagued the system by those who attempt to fraudulently gain payment through crop insurance. This bill provides stiffer penalties to attempt to root out this abuse. I have always believed that crop insurance was not a viable tool because it was ridden by this fraud and abuse, but this bill greatly helps this problem.

Mr. Speaker, I urge my colleagues to vote yes on this bill.

Mr. COMBEST. Mr. Speaker, I yield 1½ minutes to the gentleman from Michigan (Mr. SMITH).

(Mr. SMITH of Michigan asked and was given permission to revise and extend his remarks.)

Mr. SMITH of Michigan. Mr. Speaker, American farmers and ranchers are at risk. Let me briefly try to explain what I see as the problem and how this legislation partially provides a solution to part of that problem. We are at record low commodity prices, some lower than they have been for 30 years. The world is overproducing some of these commodities and prices are way down.

Part of the problem for the survival of our agricultural industry in this country is going to be how much other countries subsidize their farmers. Right now we are in a situation where Europe, for example, subsidizes their farmers five times as much as we subsidize our farmers, and much of that encouraged production goes into what otherwise might be our markets. So the American consumer, America, this Congress, is faced with some decisions of are we going to do what is necessary to keep a viable, strong agricultural industry in America.

This legislation encourages farmers to take out more insurance, insurance that covers not only yields, helps to ensure against low-yield disasters, but also helps to ensure against the prices they might receive for that particular commodity. We do that by increasing subsidies for some of these farmers so that in the beginning, as we start experimenting in this new crop revenue insurance endeavor, we are better able to encourage more farmers to move into that arena.

This kind of legislation, I think, is very important as part of our effort to start remodeling, refashioning where we go in future agricultural policy.

Mr. Speaker, I thank the chairman and the ranking member for their leadership.

Mr. STENHOLM. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. UDALL), a sponsor of the biomass legislation in the House, H.R. 2819, and who also contributed to the biomass provisions that are contained

in this conference report. I want to thank the gentleman for his hard work on this issue.

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

Mr. UDALL of Colorado. Mr. Speaker, let me just begin by thanking the gentleman from Texas (Mr. COMBEST) and the gentleman from Texas (Mr. STENHOLM) for their work on this important measure. I want to remember my friend Lou Entz from Colorado, who suggested in the spirit of this legislation that if you eat, you are involved in agriculture, and those of us that live in suburban districts need to remember that.

But let me talk about title IV, the Biomass Research and Development Act. Last year the gentleman from New York (Mr. BOEHLERT) and the gentleman from Minnesota (Mr. MINGE) joined me in introducing the House version of this legislation. We were joined shortly thereafter by the gentleman from Illinois (Mr. EWING), who introduced his own version of the legislation.

The two bills had much in common. Both recognized the increased contribution that biobased industrial products can make to our economy, if and only if appropriate research was put into place. Both realized the increased need for cooperation among the Departments of Energy and Agriculture and the private sector in conducting the research and ensuring it leads to new product and new jobs. Both recognized the importance of the conversion of cellulosic biomass, which consists of any plant or plant product.

Cellulosic conversion is particularly important to the State of Colorado because of the potential threat of wildfires. We have seen the effect of wildfires over the recent weeks in New Mexico, and there is much more we could do to make these materials available through commercial markets.

In Colorado, the Colorado Forest Service, the U.S. Department of Agriculture's Forest Service Laboratory, and the National Renewable Energy Lab began to study the possibility of developing ethanol or other bioproducts economically from this wood fiber.

I am especially pleased to see that the version of the legislation before us incorporates important concepts from the Udall-Boehlert-Minge bill. Peer-reviewed research, sensitivity to the effects of increased bioproduction on the environment, and an emphasis on the economics of bioenergy and biobased industrial projects are all featured prominently in the legislation.

The definition of biomass is limited to organic matter that is available on a renewing or recurring basis, and therefore would not include old growth forests or other environmentally sensitive ecosystems.

Mr. Speaker, I urge passage of this important bill.

Mr. COMBEST. Mr. Speaker, I yield 1 minute to the gentleman from Oklahoma (Mr. LUCAS), a member of the committee who has been very involved in this entire process.

Mr. LUCAS of Oklahoma. Mr. Speaker, I would like to thank the chairman and ranking member for all their work and all their efforts on this legislation. It includes three initiatives that will greatly benefit Oklahoma producers. We reform the crop insurance system, we double the AMTA payments, and we include LDP graze-out language. This legislation is a big win for Oklahoma producers.

I would especially like to thank the gentleman from Texas (Chairman COMBEST) for his help in including the LDP graze-out language, which I introduced last August. This legislation is the single most important issue for Oklahoma producers.

Currently, producers are eligible for a loan deficiency payment if their wheat crop is hayed, put into silage, or cut for grain. However, if a producer chooses to graze out his wheat crop, he does not qualify for the LDP payment and is left at an extreme disadvantage. Oklahoma producers have been calling for Congress to correct this inequity for some time. H.R. 2559 includes language that will allow producers to collect a payment equivalent to LDP if they opt to graze out instead of putting their wheat into hay or through the combine.

I encourage all my colleagues to support this very important legislation. This legislation provides more flexibility and options for our producers.

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

(Mrs. CLAYTON asked and was given permission to revise and extend her remarks.)

Mrs. CLAYTON. Mr. Speaker, I also want to congratulate and compliment the chairman and the ranking member for their cooperation in working on this legislation, but also I want to congratulate all the conferees who were involved in this, because this has been an issue that our farmers nationwide have suffered through, in not having a way of managing risk. We are gathering some information right now from North Carolina to compliment what I am saying because I know in North Carolina the current structure did not allow for this risk management that we have now to speak to the needs.

□ 1045

We went through endless floods in North Carolina, so our farmers indeed not only suffered the risks of droughts they had years before, but they also had to manage losing their crops, and many of them lost their crops and found no way of having any compensation.

This bill is not perfect, but it is certainly moving in the right direction; it includes a broad base of opportunity for a larger number of people; it takes out some of the inequities that are in the current law; and it also is a welcome opportunity for the farm service people who are administering this program, because they find they are able now to respond more appropriately to the farmers.

Again, I want to congratulate all of the people who were involved in making sure that this came to the floor in a timely manner, and I hope that it will become law very soon so that our farmers can indeed benefit from this.

Mr. COMBEST. Mr. Speaker, I yield 1½ minutes to the gentleman from Florida (Mr. CANADY).

Mr. CANADY of Florida. Mr. Speaker, I am very pleased to rise today in support of the conference report on this important legislation. I particularly want to focus attention on a provision in this conference committee report in title 4, which encompasses legislation I previously introduced known as the Plant Protection Act.

This legislation is designed to address a very real problem facing American agriculture. The United States loses thousands of acres and billions of dollars in farm production each year due to invasive species. Exacerbating this serious problem are the outdated and fragmented quarantine statutes that govern interdiction of prohibited plants and plant pests. Our agricultural sector needs a modern, effective statutory authority that will protect our crops from these destructive invasive species.

It was for this reason that I introduced the Plant Protection Act. This legislation, crafted in consultation with the USDA, will help to prevent the introduction and dissemination of invasive plants and pests by giving the Animal and Plant Health Inspection Service greatly enhanced investigatory and enforcement tools. The Plant Protection Act will streamline and consolidate existing statutes into one comprehensive law and eliminate outdated and ambiguous provisions. It will also boost deterrents against trafficking of prohibited species by increasing monetary penalties for smuggling, and it will provide USDA with a comprehensive set of investigatory tools and ensure transparency for our trading partners.

Mr. Speaker, I believe that this provision of the conference committee report is an important step forward in protecting American agriculture, and I thank the chairman for his support for this.

Mr. STENHOLM. Mr. Speaker, I have no additional speakers on the floor at this time, and I reserve the balance of my time.

Mr. COMBEST. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CHAMBLISS), the vice chairman of the Committee on the Budget.

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

In 1996, we crafted a new farm bill wherein we told the American farmer

that the Federal Government is going to change the way that we participate in farming operations. At the same time we did that, we said we are going to do some other things. We are going to provide the farmer with tax relief. We are going to provide the farmer with regulatory relief. We are going to provide the farmer with crop insurance reform, and we are going to provide the farmer with better trade agreements so that farmers can, in fact, sell their products for a decent return on the open market.

Well, unfortunately, it has taken us a while to get there, but yesterday, with the vote that we had on the China trade agreement, we are now opening markets in China to the American farmer and it will be a tremendous benefit for farmers all across America.

Today, we are taking another giant step in the right direction. The gentleman from Texas (Mr. STENHOLM) is right in a couple of areas when he says we are not doing everything from a legislative standpoint to make farming easier and make farming more prosperous, because we cannot do that, but these are steps in the right direction.

What we are doing today with crop insurance reform is really significant, and every American farmer knows and understands that. This has been a team effort. It has been a team effort between leadership and the Committee on Budget as well as the Committee on Agriculture, and our two captains, the gentleman from Texas (Mr. COMBEST) and the gentleman from Texas (Mr. STENHOLM) have done a great job of leading the team down the field. I commend them for the work they have done on this with respect to crop insurance reform.

The other part of this bill in providing up-front money to our farmers for this year is extremely important also, because we know that 2000 is going to be a tough year for farmers all across America. I do not know how much money it is going to take to make sure that they can survive this year, but this is going to be another meaningful step in the right direction, because it is going to be money in the hands of the producer. That is critically important. It is critically important now, as we are facing droughts, as we are facing lowest commodity prices that we have ever seen.

So again, this bill provides a double hit for the American farmer with respect to crop insurance reform, as well as with respect to money in the hands of producers to help improve the year 2000. I commend the chairman and the ranking member for their great leadership.

Mr. STENHOLM. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CONDIT), the ranking member of the Subcommittee on Risk Management, Research and Specialty Crops, that did yeoman's work on the crop insurance portions of this.

Mr. CONDIT. Mr. Speaker, I would like, if I may, to engage the gentleman from Texas (Mr. COMBEST), the chairman of the committee, in a colloquy if he would agree to do that.

Before I do that, I would first like to thank the chairman for the hard work he has put in in bringing this conference report to the floor. He kept us focused and kept us at the table, and I appreciate that. I also would like to congratulate and commend the gentleman from Texas (Mr. STENHOLM) for his hard work and the time that he put in keeping us focused and at the table, as well as staff on both sides of the aisle. They are to be commended for their time and effort in this area.

Mr. Speaker, I know that the chairman is aware of the illegal activities undertaken by the Department of Agriculture employees at Hunts Point Terminal. These illegal activities have resulted in grave economic losses for produce growers throughout the country. I look forward to working with the chairman to determine the exact scope of the illegal activities so that we may adequately reimburse produce growers for their losses.

It is my hope that the committee can fully examine this matter as soon as possible, and I would encourage the chairman and wait for his response to indicate that he would be willing to take a look at this.

Mr. COMBEST. Mr. Speaker, will the gentleman yield?

Mr. CONDIT. I yield to the gentleman from Texas.

Mr. COMBEST. Mr. Speaker, I appreciate the gentleman's comments. Not only is the chair aware but extremely concerned about what did go on in the grading program. While I regret that we were unable to include funding in this particular package for the economic damage that these growers incurred, I agree that both the House and the Senate committees should immediately consider ways that we can help these growers recover their economic loss. It is a travesty that this loss occurred as a result of illegal action by Federal employees. I assure the gentleman I will work with him in every way I possibly can.

Mr. CONDIT. Mr. Speaker, I thank the gentleman.

Mr. COMBEST. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore (Mr. PEASE). The gentleman from Texas (Mr. COMBEST) has 15½ minutes remaining, and the gentleman from Texas (Mr. STENHOLM) has 16 minutes remaining.

Mr. COMBEST. Mr. Speaker, I yield 2 minutes to the gentleman from South Dakota (Mr. THUNE), a very important and active member of the committee.

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

Mr. Speaker, I want to thank the gentleman from Texas (Mr. COMBEST) and the gentleman from Texas (Mr. STENHOLM) for their leadership in bringing this to the floor.

Let me make a couple of observations, if I might, about this legislation. First of all, crop insurance should be the risk management tool that is used by our producers. Unfortunately, it has not been because it has not worked. Producers have expressed a lot of frustration about the crop insurance program and have asked for changes. In response to that, last year I introduced, along with the gentleman from North Dakota (Mr. POMEROY), legislation to do just that.

Many of the changes that are incorporated in the product that we will vote on today are consistent with those proposals, one of which deals with the premium schedule in providing more incentives for producers to buy up the higher level of coverage, and this legislation addresses that important point.

The second point that was a real concern to producers in South Dakota and other places in the Midwest was the computation of the actual production history. This legislation also makes important changes in that area that will make it more usable for producers.

So, Mr. Speaker, I would say that this is important legislation. The reforms that are included in here will be very helpful to our producers. It will give them what they need in terms of having a risk management tool in place that will allow them to ride out the storms that are often the case in agriculture across this country.

The other thing I would say, Mr. Speaker, is that the disaster legislation includes a provision which is very important to me and which I have been fighting for. And I appreciate the conferees and the chairman for including a piece in this disaster legislation on value-added agriculture, because I do believe that our producers need to be reaching up the marketing chain capturing more of that value by processing our raw commodities at the point of production. We need to encourage that in this country.

So this legislation, I think for the first time, lays down a marker and provides incentives for our producers to become more involved in value-added operations; and, furthermore, I think will help strengthen our rural economies by helping to create additional jobs and opportunity in rural America.

So, Mr. Speaker, I would simply say that this is a good piece of legislation. I appreciate the leadership by our chairman and ranking member, and I urge my colleagues to support it.

Mr. STENHOLM. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. PETERSON).

Mr. PETERSON of Minnesota. Mr. Speaker, I thank the gentleman for yielding me this time.

I rise today in support of this, and I appreciate the work of everybody that was involved. I want to especially thank the chairman and ranking member for all of their leadership in bringing this important piece of legislation to my district to the floor.

This crop insurance reform has been something we have been working toward for a long time, and it is going to

make some significant improvements. It is not as good as our people would like, but it is going to move us a long way in the right direction. We are going to be able to get at some of the problems that my producers have had where we have had losses 6 years out of the last 7; and the current system just, frankly, is too expensive and they cannot get enough coverage.

I particularly appreciate the conference committee yesterday including a provision that I have been concerned about that affects a lot of producers around the country where if one has a change in one's identification number, just because maybe one of two brothers were farming together and one of them happened to get out of the business and the one remaining changed that identification number, the remaining farmer is precluded from receiving disaster payments. In the conference report yesterday we adopted an amendment that I proposed that will allow those people access to the disaster program that they were denied.

Another provision that is in the bill that is going to be helpful to us allows the people that have had problems with scab disease up in our part of the world are going to be able to improve the APH so that they can get more coverage and be able to better and more adequately insure the risk to their crops. We are very appreciative that that language is in the bill as well.

This bill, as I said, does not go as far as I would like, but it is going to significantly improve the situation. I hope that we can continue to work on crop insurance to try to get a workable revenue coverage so that we can get farmers to be able to cover all of their crops.

Lastly, Mr. Speaker, I would like to comment on the assistance part of this. Yesterday in the conference committee, we tried to change a little bit of the assistance package. We are very appreciative that the assistance is in here. But if we were to use the 2000 payment levels, we would have had an additional $366 million that we tried to use to buy up last year's disasters where people were limited to 69 percent of the disaster that they actually had occur and bring that level up to 85 percent which is what we did in 1998.

Unfortunately, that was not accepted, and I think this would have been a much better bill. Had we made that change, we would have put more of this money out to people that really needed it that have had multiple-year disasters and are having a very tough time such as up in my part of the world, in the Northeast and Southeast and so forth.

Mr. Speaker, on the whole, this is a very good piece of legislation and I want to commend the chairman and ranking member and everybody else for their work; and I encourage the adoption of this conference report.

Mr. COMBEST. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. CAMP), a former member of the Committee on Agriculture and a gentleman who still has an extreme interest and is a tremendous amount of assistance on agricultural matters.

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

Mr. CAMP. Mr. Speaker, I rise today in support of this conference report. This legislation will provide needed protection for our farmers who have struggled with low commodity prices and weather-related disasters. I want to thank the chairman for his continued work to help our family farmers.

There is another part of this legislation that is very important to the farmers in my district and throughout the State of Michigan. This legislation will provide $6 million in emergency funds to combat bovine tuberculosis.

□ 1100

Bovine tuberculosis has historically been a very rare disease in wild deer. However, extensive testing in Michigan found the disease had spread throughout the deer population, and these deer have passed on the disease to our cattle herds.

There is no vaccine for bovine TB, and cattle infected with TB are destroyed. In addition to the fear of losing their herds, Michigan farmers are now facing the news that USDA has taken steps to remove Michigan's bovine TB-free status. The loss of that status is expected to cost farmers $156 million over the next few years, and that is a conservative estimate.

The State of Michigan, USDA, and Michigan State University have worked hard to address this escalating problem. These emergency funds being appropriated today will assist in providing the tools necessary to continue fighting this disease and provide relief to Michigan farmers.

Again, I want to thank the gentleman from Texas (Mr. COMBEST). I would like to thank the entire Michigan delegation for their work on this issue, and I would especially like to recognize the efforts of the gentleman from Michigan (Mr. STUPAK) from the first district of Michigan. The first outbreaks of this disease began in the first and fourth districts, the districts he and I represent; and since that time his commitment to this issue has been unwavering and a great help.

Again, I urge my colleagues to support final passage.

Mr. STENHOLM. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. ETHERIDGE).

Mr. ETHERIDGE. Mr. Speaker, I thank the gentleman from Texas (Mr. STENHOLM) for yielding me this time.

Mr. Speaker, I rise today to voice my support for this conference report and express my gratitude to those who have included in this the $7.1 billion economic relief package for farmers. I do not need to tell anyone here how sorely this assistance is needed. For decades, North Carolina has been one of the most prosperous and productive agricultural States in our country, but then came the Asian economic crisis that sent commodity prices crashing down, followed by Hurricane Dennis, then Hurricane Floyd. Then came the floods which paralyzed eastern North Carolina. Then came Hurricane Irene. Then came steep cuts in tobacco programs.

Now what do we have to look forward to during this summer? The forecasters say that it will be another severe drought and another active hurricane season. Our farmers have been through a lot, and this emergency funding could not come any too soon.

Farming is more than a way of making a living. It is a way of life. It is our responsibility to take these actions that will protect the heritage and character of rural America and preserve our farming communities.

I want to thank the bill managers, the chairman from Texas (Mr. COMBEST) and the gentleman from Texas (Mr. STENHOLM), the ranking member, for their leadership in helping to craft and guide this assistance package. The Committee on Agriculture has a long history of bipartisan cooperation, and I am proud to be a part of that honorable tradition.

I believe the underlying crop insurance bill will reduce fraud and abuse and expand the insurance coverage and make premiums more affordable to our farmers. However, it will not solve all the problems facing the agricultural community.

Crop insurance reform and emergency funding is only a bridge leading us to the real issue, and that is fundamental reform of the 1996 Freedom to Farm Act which expires in 2002.

As Congress continues the debate on Federal farm policy, I remain hopeful that Congress can produce legislation that will strengthen our Nation's safety net for our farmers so emergency aid packages will no longer be necessary except in the most dire of circumstances. I look forward to that debate.

Mr. COMBEST. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. MORAN), a very active and significant member of this committee.

Mr. MORAN of Kansas. Mr. Speaker, I thank the gentleman from Texas (Mr. COMBEST) for yielding me this time.

Mr. Speaker, I thank the gentleman from Texas (Mr. COMBEST) and the gentleman from Texas (Mr. STENHOLM) for their leadership. The longer I serve on the Committee on Agriculture, the greater respect I have for the leadership that is provided.

I particularly appreciate the hearings that have been held across the country and the willingness to listen to everyday producers, farmers, and ranchers across our Nation, including the hearing we held at the Kansas State Fair in September of 1999.

The provisions included in the crop insurance reform aspect of this conference report alone would be something that we could come to the House

floor very proud of today, and they do move us in the right direction. Crop insurance has needed reform for a long time, and this committee on the House side has worked long and hard to make that happen.

In addition to that, and I hope it does not get overshadowed, in addition to that this conference report will provide disaster assistance for farmers desperately in need of that assistance.

With the failure for us to reach agreements in WTO and reducing subsidies by the European communities and others, with the failure of our ability to reduce taxes and reduce rules and regulations that affect farmers in their everyday lives and their pocketbooks, and with continued low commodity prices, on top of increasing costs for fuel and the Federal Reserve continually raising the interest rate, there is no question but what we would lose another generation of farmers without the assistance provided in this package.

I am particularly delighted that it comes to us early in this session. I thank the Committee on the Budget, and I thank the Committee on Agriculture and the leadership of the House for making certain that our farmers and their bankers know early in this year whether or not there is going to be assistance that is provided to them.

So this is a good day. Crop insurances, disaster assistance and the many provisions contained in this legislation will make a difference in the everyday lives of farmers and ranchers across the country; and we will keep, in place, this generation of farmers now and for the future.

I look forward to working with this committee because our farmers want something more than disaster assistance. That is not what they really want. They want a price for their commodity.

We have a long way to go to help insure that that opportunity is there. This is a step in the right direction, and we have our work cut out for us. I look forward to working with the gentleman from Texas (Mr. COMBEST) today, tomorrow, and every year. I thank the gentleman for this conference report.

Mr. STENHOLM. Mr. Speaker, I yield 1½ minutes to the gentleman from Georgia (Mr. BISHOP).

Mr. BISHOP. Mr. Speaker, I would say to the chairman, the ranking member, the conference committee, I cannot express enough gratitude to them for finally completing the work in bringing this very, very important piece of legislation to the floor for the consideration of the full House.

We need a risk protection tool to repair the safety net that our farmers have had torn away from them. We have been working on this bill for some time, and I am just delighted that finally we are able to get to the point where we can go home and tell our farmers that we have accomplished our work.

This will repair that safety net. It will reward good farming experience, much as we reward good drivers for driving safely. It is more affordable. There will be more coverage, and it will pay for the cost of production losses when there is a disaster.

The most important thing that I like, and what our farmers in Georgia like, is the APH, the adjusted production history, which is a part of this bill; and we are very, very, very pleased with that.

We are pleased with the short-term relief that is being given in the emergency payments for the oil seed producers, the cotton seed producers, and for the disaster assistance for our peanut farmers.

I think we have done a very good job here, and I want to commend, again, the chairman, the ranking member, and the conference committee for a job well done; and I am so glad that we are finally able to get it accomplished.

Mr. COMBEST. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CALVERT), another very active member of our committee.

Mr. CALVERT. Mr. Speaker, I rise today in strong support of this conference report, the Agricultural Risk Protection Act of 2000. This legislation goes a long way to assisting our farmers. I want to thank both the chairman and the ranking member, the gentlemen from the great State of Texas, for moving this conference report forward. I am especially pleased that $25 million was included to compensate growers for losses resulting from Pierce's Disease, plum pox, and citrus canker. My district has been hit hard by Pierce's Disease, which is transmitted by the glassy-winged sharpshooter. The disease attacks grapevines and is spreading at a rapid rate through Southern California, the gateway of one of the premier wine regions in California, as well as threatening the wine regions in the northern part of the State.

It is estimated that 25 percent of the 3,000 acres of vineyards in Temecula have been destroyed to Pierce's Disease. Pests are not new to California and to this country. It is estimated in California alone we will lose about $3 billion in losses just because of pests. Pests are introduced in California, new pests, every 60 days. This assistance will help our growers to fight these pests and to struggle through a tough period.

Mr. STENHOLM. Mr. Speaker, I yield 1½ minutes to the gentleman from North Dakota (Mr. POMEROY).

Mr. POMEROY. Mr. Speaker, I thank the gentleman from Texas (Mr. STENHOLM) for yielding me this time.

Mr. Speaker, I want to begin by commending the gentleman from Texas (Chairman COMBEST) and the gentleman from Texas (Mr. STENHOLM), the ranking member, for this legislation and the inclusive process they initiated that brought this legislation about.

This is my fourth term as a Member of this Congress. In my view, the crop insurance piece of this package before us reflects the very finest dimensions of bipartisan corporation on difficult problems that I have ever experienced as a Member of this body. It really took extraordinary leadership from the gentleman from Texas (Mr. COMBEST) and I appreciate it very much.

Bottom line, this legislation brings farmers higher levels of coverage of premiums they can afford. Farmers risk an awful lot of capital every year, and they need to protect that risk with crop insurance that gets the job done. This higher coverage at affordable premiums will take a big part of that.

Additionally, when farmers lose several years in a row because of weather cycles beyond their circumstance, they require the ability to continue to have adequate coverage. We fix the APH flaw in the existing program with this legislation, and it will mean much better protection going forward for farmers in that regard.

Finally, as has been alluded to by previous speakers, the disaster response contained in this legislation responding to the continued low-price environment our farmers face is also extremely important. Imagine, when it costs more to grow the crop than one can get paid for at the elevator after harvest time. Nobody can stay in business very long under those circumstances.

We need to build over the long haul countercyclical price protection in the farm program so that we do not have to go through this exercise of appropriating every year disaster assistance; but in the meantime this help is desperately needed, very meaningful.

Mr. COMBEST. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. EWING), the chairman of the subcommittee where this process all started back a year and a half ago.

Mr. EWING. Mr. Speaker, my thanks to the gentleman from Texas (Mr. COMBEST) and to the gentleman from Texas (Mr. STENHOLM) for all the work and effort they have put in in coming up with a bill which really has a lot in it for American agriculture.

This is truly a remarkable week for agriculture. With the passage of permanent normal trade relations with China yesterday, today the passage of this bill, which has more in it than just crop insurance reform, and then possibly on to the appropriations process for agriculture, this truly is a remarkable week.

I want to comment just briefly on the bill and its underlying basic part, that dealing with crop insurance, because this is what we promised our farmers when we passed Freedom to Farm, one of the important things.

We would give them a safety net, and I believe that the provisions of the crop insurance bill, as amended in this bill, provide truly a magnificent improvement to that safety net.

We are going to allow our farmers to insure at higher levels. We are going to guarantee they can insure what they

grow or what they should be able to grow on their land, and we are going to do it at a cost that is significantly reduced.

Also in this bill, though, is a very important thing and other speakers have talked about how we are going to let our farmers know that they are going to have some help in these bad times, again in 2000. The lost market payments that are in this bill are very important to agriculture across the country and certainly in Illinois.

Finally, in this bill is a provision that was part of the bill that I introduced. We called it the biomass bill. Senator LUGAR introduced it in the other body and it has been incorporated into this bill, and it is going to provide research to find uses for what we grow in America, alternate products. This bill contains a lot of good parts and I certainly encourage everyone to vote for it.

The Conference Report to the Agricultural Risk Protection Act is of immense importance for America's agricultural producers. The $8.2 billion provided in the bill for crop insurance over the next 5 years will lead to increased program participation and help to decrease the need for ad hoc disaster bills.

This legislation will increase by 30 percent the amount of government assistance in purchasing crop insurance. Many producers have wanted to purchase higher levels of coverage, but because of the high costs of premiums they have been unable to afford the high costs of premiums. The bill will allow producers to buy levels of crop insurance that actually protect them from the unpredictable forces of mother nature.

The conference agreement also ensures that farmers' actual production history will be adjusted so that APH won't drop by more than 60 percent of the transitional yield in any particular year.

Further improvements will allow livestock producers to develop pilot insurance programs for the first time. This will be extremely important to those producers since livestock revenue accounts for nearly half of this nation's producer revenue.

One of the issues we heard over and over during Subcommittee and full Committee hearings throughout the country was that producers wanted cost of production policies. This bill provides the ability for the development of cost of production policies.

Additionally, the Conference Report makes revenue insurance such as CRC, which is important to producers in Illinois and many other areas of the country more affordable, thereby giving them the ability to protect their projected revenue flow.

Everyone involved in the federal crop insurance has stressed the importance of preventing fraud and abuse. The Agricultural Risk Protection Act deals with concerns voiced over program integrity.

The Risk Management Agency and the Farm Service Agency will be required to work together to ensure that records for crop insurance and other programs are accurate.

The Secretary of Agriculture is required to submit an annual report that identifies specific instances of fraud, waste, and abuse and outlines the steps taken to correct these problems.

The Secretary will have the power to use a broad range of sanctions against producers, agents, loss adjusters, and insurance providers who are committing fraud or abuse.

The conference agreement reflects the intention of the Committee to make the program more efficient and accountable in both its administration and development of new policies.

Rather than having the government develop all new insurance policies, this legislation gives producers and their representative organizations the ability to work with companies, agents, and universities to development crop insurance policies that they believe are more attractive and workable. These groups will be reimbursed for their costs if the end product is approved by the Federal Crop Insurance Corporation's broad and then offered to producers by an approved crop insurance provider.

Many specialty crops have indicated their desire to have policies that are better suited to their particular needs and this provision will help to accommodate their wishes.

For those underserved crops with limited resources, the FCIC may contract with private groups to help develop new policies.

These provisions are designed to provide that producers will be able to have policies that help them address their business risks.

The Conference Report to the Agricultural Risk Protection Act also contains a number of provisions that reach beyond crop insurance. I will briefly outline these provisions that are of considerable importance to my producers in Illinois.

Contained in the agreement is $7.1 billion in economic assistance to the agricultural sector. Nearly $5.5 billion dollars in Agricultural Market Transition Act (AMTA) payments will help our family farmers remain financially solvent as they weather through current low commodity prices in our agricultural economy. Many of my farming constituents have told me that without these market loss payments they have received in the past two years, their family farms would have been extremely difficult to hold onto.

This legislation also provides for a $500 million oilseed payment which will benefit farmers in my district as they continue to deal with soybean prices that are hovering at a nearly thirty year low.

The bill invests funds into the research of technology for reducing, modifying, recycling, and utilizing waste streams from livestock production and eliminating associated air, water, and soil quality problems. This research is vital as our suburbs expand into our rural areas, and the concerns of odor and sanitation issues take on a new importance.

The Conference Report contains legislative language comparable to a bill I introduced last year, H.R. 2827, the National Sustainable Fuels and Chemicals Act of 1999. Much of the language is similar and all of the goals are identical. The Biomass Research and Development Act of 2000 is a bicameral, bipartisan effort to authorize research into the transformation of biomass into biobased industrial products.

Biomass is any organic matter that is available on a renewable or recurring basis, including agricultural crops and trees, wood and wood wastes and residues (including material removed from so-called old growth forests), plants, grasses, residues, fibers, animal wastes, municipal wastes, and other waste materials. By investing in research of biomass, we may be creating an additional market for farmers' products in the long term. Research created by this legislation will help to add in the expedited development of alternative fuels that are environmentally friendly.

The conference agreement both authorizes and appropriates funds to complete the construction of a corn-based ethanol pilot plant in Edwardsville, Illinois, at Southern Illinois University. This pilot plant will be beneficial to the ethanol industry and corn producers.

I urge my colleagues to support the Agricultural Risk Protection Act to help producers help themselves to better risk management strategies. The Conference Report to the Agricultural Risk Protection Act is of vital importance to all of agriculture.

Mr. STENHOLM. Mr. Speaker, I yield 2 minutes to the gentleman from Maine (Mr. BALDACCI).

Mr. BALDACCI. Mr. Speaker, I would like to thank the ranking member and the staff for all of their hard work, and also the chairman of the subcommittee and the full committee for being able to work together in regards to these reforms. They have been a long time coming. The Agricultural Risk Protection Act of 2000 has a lot to commend it, but more can and should be done in the future.

We are seeing the failure of our current farm policy. The legislation that we have before us does not go far enough in providing risk management reforms to strengthen that safety net, but I would like to thank all those involved in working together to try to help raise the farmers' income, primarily with specialty crops.

The bill contains improvements to the noninsured disaster assistance program. It provides solid investment in research and development for new policies while benefiting specialty crops in underserved States. Those are reforms that my farmers can appreciate.

I am disappointed that we did not change the formula for the AMTA payments, and I would have rather seen a portion of that money being spent on the disaster programs that have occurred and particularly with apples and with potatoes.

Our farmers should not have to live with payments amounting to just 65 percent of their disaster losses.

Helping farmers add value to their crops is one sure way to stabilize the economies of rural America.

□ 1115

I would like to thank the conferees. I have submitted legislation and amendments dealing with value added, and the component of $15 million will go a long way in helping producers to be able to add values, both to their harvest and markets, and to help them to find those markets all with forest products, with potatoes, with blueberries, and cranberries.

The enactment of this section will go a long way to making sure that farmer cooperatives are going to be able to have value added and be able to have access to those markets. I think they are vitally important.

I want to thank the gentleman from Texas (Mr. COMBEST), chairman, and the gentleman from Texas (Mr. STENHOLM), ranking member, and the staff itself for working together on this; and I seek to work with them also as we advance into agriculture appropriations.

Mr. COMBEST. Mr. Speaker, I am happy to yield 2 minutes to the gentleman from North Carolina (Mr. HAYES), a very valued member of our committee.

Mr. HAYES. Mr. Speaker, I thank the gentleman from Texas (Chairman COMBEST) for his tireless and enthusiastic effort for our farmers from Lubbock, Texas and the gentleman from Ericksdahl, Texas (Mr. STENHOLM), the ranking member.

Mr. Speaker, today I rise in enthusiastic support of the first comprehensive crop insurance reform since 1994 as well as much needed economic assistance to our farmers, and it could not have come at a better time.

Our Nation's farmers and ranchers are suffering from over 3 years of record-low commodity prices, drought, and many other natural disasters leading to financial stress. In North Carolina, USDA estimates an 18 percent drop in farm income this year for 1999 levels. In addition, our producers will continue to be greatly affected by increasing interest rates that make farm loans more and more expensive. I am happy to see that we have addressed these problems with disaster assistance also included in this bill.

The $7.1 billion slated to be paid to producers will help to offset the financial difficulties they are going through. The reforms made to crop insurance will also aid our farmers.

More than 2 years ago, the gentleman from Illinois (Mr. EWING) joined me in Laurinburg in the North Carolina eighth district to work on this issue of crop insurance, and here we are today. It is a great day for farm community. The chairman and ranking member and all the staff worked so hard for years to produce this very, very effective bill.

The bill increases premium subsidies in such a way to provide producers the incentive to buy higher levels of coverage and improve participation in the program.

In addition, the bill provides incentives through the development of new and innovative insurance products so that we continue to provide our producers with the best tools possible. Fraud, waste, and abuse also addressed in the bill go a long way towards restoring integrity to the program.

Mr. Speaker, again, I thank the gentleman from Texas (Mr. COMBEST), chairman, and the gentleman from Texas (Mr. STENHOLM), ranking member, and all involved for a wonderful bill. I encourage my colleagues' support.

Mr. STENHOLM. Mr. Speaker, I yield 1½ minutes to the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. Mr. Speaker, I rise today to thank the conferees for bringing forth this bill and the $6 million included in this bill for Michigan to fight bovine tuberculosis.

These funds are an important first step in combating an outbreak of bovine tuberculosis in Michigan. Bovine TB is spreading in Michigan's Lower Peninsula and threatening our beef and dairy cattle.

USDA has announced that Michigan will lose its bovine TB-free status effective June 1. This decision will have dire economic consequences.

It will require the testing of all 1.25 million Michigan beef and dairy cattle. It will place greater restrictions on their travel into other States. It is estimated that Michigan's economy will suffer losses of $156 million over the next 10 years.

Michigan's situation is complicated because the virus has been found in deer herds, which are more mobile and pose a greater risk to beef and dairy cattle. A quarantine zone exists in Michigan; however, positive deer have been found outside of the zone.

In addition, the disease has appeared in badgers, bobcats, coyotes, raccoons, and red foxes. When the disease is rampant, immediate action is necessary.

Compounding Michigan's crisis are the restrictions placed on Michigan's beef and dairy cattle from entering other States for sale or slaughter. In the last 4 years, more than 18,000 Michigan cattle have been exported to other States. Now over 43 States have restrictions on accepting Michigan cattle. Michigan farmers have lost their markets and cannot recoup them until TB is eradicated. Help is needed now, not tomorrow, not next month, and definitely not next year.

So it is essential that we stop bovine tuberculosis before it spreads to neighboring States. Prior to being downgraded, Michigan had been bovine free since 1979. We cannot, however, afford to wait another 21 years to regain a TB-free status, and these funds will help in that effort.

I thank all of the conferees for their work.

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

Mr. Speaker, when we started off on this endeavor, the idea was to listen to what farmers said was a problem in the current crop insurance program and to do everything we could to try to make for certain that we could correct as much of that as possible within the constraints that we had. As always is the case, when there is a pot of money, it becomes very tempting to try to divvy that up in a variety of ways.

The conference that was concluded yesterday was concluded in 2 hours and 45 minutes. Nine members of the Senate, nine members of the House and all 18 Members of that conference committee signed that report.

I think it does two things. Number one, I think it shows the significance of what this bill is doing. But I also think that it shows the significance of the amount of bipartisan effort that went into this bill; and as much as anything, it shows how well the staff of the House committee, both minority and majority, worked very closely together on this throughout the entire process and their work with the Senate staff and members of the Senate, and having us to a point that something of this magnitude could be concluded in such a short period of time.

Without the work that has gone on literally for weeks, many, many late hours by the staff, both the House and the Senate, majority and minority, this would have not been possible. There is no way that I can thank them enough for those long hours that they put in in creating this product that I think is going to have a significant bearing on the future of American agriculture.

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

Mr. STENHOLM. Mr. Speaker, I yield 1½ minutes to the gentleman from Louisiana (Mr. JOHN).

Mr. JOHN. Mr. Speaker, I thank the gentleman from Texas for yielding me 1½ minutes.

Being on the Subcommittee of Risk Management, Research, and Specialty Crops that began the deliberations on this bill, I am proud to stand up here before the House today and support the conference committee report.

I want to thank the gentleman from Texas (Chairman COMBEST), and the subcommittee, and the gentleman from Texas (Mr. STENHOLM), the ranking member of the full committee, for their tireless work in putting this piece of legislation together. This is a very important piece of legislation because I think it heals the promises that were made in the 1996 farm bill.

My understanding, I was not here at the time, but my understanding of when we passed the Freedom to Farms bills, the Congress' obligation was twofold: First to provide a safety net and, second, to open new markets.

I think yesterday we took a major step in opening new markets for our rice producers and the other farmers across America; and maybe even today we will have another opportunity to continue opening markets in the area of Cuba and other areas in other countries.

But the second part was creating a safety net, a safety net that is so important to our rice producers and also our farmers across the country.

So I stand here to support the conference committee report because it makes it accessible and it makes it affordable. But, specifically, I want to thank the gentlemen from Texas, Mr. COMBEST and Mr. STENHOLM, both of which worked with me to provide a provision to help south Louisiana's rice farmers.

This year, we had a drought of a magnitude that we have not seen in many, many years in southwest Louisiana. Under present law, rice farmers were not covered under the drought

provisions. I just wanted to thank them for being able to put the rice provision in there for our rice farmers because it is so important to them.

Mr. Speaker, I urge my colleagues to support the conference committee report.

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

The SPEAKER pro tempore (Mr. PEASE). The gentleman from Texas (Mr. COMBEST) has 2½ minutes remaining. The gentleman from Texas (Mr. STENHOLM) has 3 minutes remaining.

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

Mr. Speaker, just let me say in closing, again, I commend the gentleman from Illinois (Chairman EWING) and the ranking members on this side for the tremendous hard work that has gone into this package. There is no question that our producers all across the Nation will be very appreciative of this financial assistance once again this year.

I thank the actions, as the gentleman from Texas (Chairman COMBEST) has mentioned a moment ago, tremendous work of the staffs on both sides of the aisle who have been able to work together in resolving many difficult issues in which we do not always agree 100 percent. But this committee, under the leadership of the gentleman from Texas (Chairman COMBEST), I think, does as good and perhaps I would say best job of any committee in the House of working out differences between both sides when we, perhaps, have differences, not partisan differences, but honest differences in the manner in which various pieces of the legislation should be written.

This was a difficult task with the additions and all, but it has been done in a way in which I feel that can be recommended to our colleagues on both sides of the aisle for their support. Again, I thank the gentleman from Texas (Chairman COMBEST) for his work and cooperation.

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

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

Again, I thank the gentleman from Texas (Mr. STENHOLM), my friend and my neighbor there, for all the good work and the efforts that have gone into this, and, again, to the staff on the minority side for the efforts and for their work.

If I might just take a moment, Mr. Speaker, to, not only talk about the significance of this bill, but the significance of what happened in the House yesterday. One of the glaring concerns that agriculture has faced over the last 3 years has been a concern about the ability or inability to expand markets.

While I recognize and appreciate the deep-held feelings of those people who were opposed to the granting of permanent normal trade relations with China, I think it was one of the most significant votes that we could take in this House on, not only what is good for America, but what is good for our farmers when we have 1.3 billion people, the largest market in the world, that is now opening up to American production.

All of the groups that have come forward and have talked about the amount of increase and income for their producers and the amount of increase in the price of hogs or cattle, the number of exports that will become available to us, it was really, in my opinion, a no choice, that we have now made ourselves available to a market that everyone else in the world would have taken advantage of.

The gentleman from Texas (Mr. STENHOLM) in every one of the field hearings that we held across the country, not only asked the panel, but he asked the members in the audience, and this has been several thousand over 10 hearings, their position on providing PNTR. In all of those hearings, total combined, well over 90 percent of the people indicated that they supported that activity.

I think that shows the kind of recognition and support that American agriculture has, but I think it also shows the understanding that people have, number one, about what a great trade agreement that was, and number two, about its impact on agriculture.

It was, I think, a very thoughtful question that my colleague asked and carried through that, through the entire hearing process, and I think, continued to focus on it in its significance. It also, I think, gave us a recognition of the amount of support that was out there that otherwise would not have been done.

So I think, as was stated earlier, the last 2 days have been extremely positive days for American agriculture. I was glad to be a part of it and glad to be a part of it on a team that works so bipartisan.

Mr. GOODLING. Mr. Speaker, I rise in support of the conference report on H.R. 2559, the Agriculture Risk Protection Act. This legislation will provide important assistance to our nation's agricultural community and it will help our nation's children as well.

I was reared on a farm and know the hardships faced by our nation's farmers. I was also an educator and know the importance of ensuring that children eat nutritious meals. It is simple. Hungry children don't pay attention to their schoolwork, they pay attention to their growling stomachs.

Currently farmers in my Congressional district are experiencing problems with plum pox. I want to thank the conferees for including indemnification authorization for fruit growers affected by the plum pox virus in Adams County, Pennsylvania, as directed by Secretary Glickman in his March 2, 2000 declaration of Extraordinary Emergency.

Mr. Speaker, this legislation also includes several provisions affecting our federal child nutrition programs. I would like to highlight several of the key provisions.

The first provision is based on H.R. 3614, the Emergency Commodity Distribution Act of 2000. This legislation was introduced to restore recent cuts to the School Lunch Program. Since the 103rd Congress, 12 percent of the cost of school lunches was to be in the form of agricultural products purchased for schools.

Last session, this law was modified to allow the 12 percent commodity requirement to be met through a combination of entitlement and bonus commodities. The savings achieved as a result of this revision was used to help fund the ''Ticket to Work and Work Incentives Improvement Act of 1999.'' As a consequences, schools will receive fewer commodities because bonus commodities will be counted as part of the 12 percent commodity requirement rather than in addition to the commodities schools would receive under this requirement. At the same time, purchases of agriculture commodities will also be reduced.

The conference agreement restores $110 million for the purchase of commodities for school meal programs. Both the children and the agriculture community benefit from these purchases and I thank the conferees for agreeing to partially restore this important commodity funding.

The conference report also includes key provisions of H.R. 4520, the Child and Adult Care Food Program Integrity Act of 2000, legislation to combat fraud and abuse in the Child and Adult Care Food Program (CACFP). The Child and Adult Care Food Program provides nutritious meals and snacks to children in day care facilities and family day care homes. It operates in 37,000 day care centers and 175,000 day care homes.

Unfortunately, in recent years both the Inspector General of the U.S. Department of Agriculture and the General Accounting Office (GAO) have issued reports of widespread fraud and abuse and deficient management practices in the program. As a result, the full value of nutrition benefits the program delivers has been denied to many of the 2.7 million participating children nationwide.

Provisions included in the conference report, based on H.R. 4520, would address fraud and abuse in CACFP and improve program management. For example, the legislation will require the Agriculture Department to develop a plan for ongoing periodic training of state and sponsor staff in the prevention of fraud and abuse; require a minimum number of unannounced site visits for inspections; and permit the Secretary of Agriculture to withhold administrative funds to states that have not met their oversight responsibilities. It will also require child care provisions to notify parents if they are participating in the Child and Adult Care Food Program, so they can take action if they suspect fraud and abuse. These are but a few of the key provisions directed at eliminating fraud and abuse in the Child and Adult Care Food Program.

Enactment of this legislation will ensure that CACFP funds will be used to feed children and not end up in the hands of unscrupulous program sponsors and care providers.

Mr. Speaker, I urge my colleagues to support H.R. 2559, the Agriculture Risk Protection Act. It provides important assistance to our country's farmers and ensures the provision of vital nutrition assistance to our nation's children.

Mr. CONDIT. Mr. Speaker, I'd like to begin by thanking the Agriculture Committee members and staff for their hard work on the Agricultural Risk Protection Act of 2000. This bill goes far in providing much needed assistance

to farmers nationally, and for the first time effectively addresses the unique conditions of California specialty crops.

A main concern of specialty crop producers is the lack of insurance programs that meet their risk management needs. This bill prioritizes $25 million for research and development of new and improved insurance products for these growers. Additionally, new mandates on RMA to contract out and reimburse private sector research and development of crop insurance programs will expedite product development and reform. The streamlining of RMA's review and development procedures encourages new product availability in response to proposals and requests from producers and approved insurance providers. A specialty crop coordinator will be appointed to expand existing policies and coverage for specialty crops.

To increase specialty crop participation in crop insurance programs, cooperatives and non-profit trade associations are permitted to offer Catastrophic and additional levels of insurance to their members where state law allows licensing fees. Members of these cooperatives who are located in adjacent states also benefit from this provision. California farmers will benefit tremendously from this provision, since cooperatives will now be allowed to encourage farmer participation in crop insurance programs and assist in the payment of fees.

Participation is also increased by the elimination of an area-wide loss before disaster payments can be made to producers of currently non-insurable crops. In states with less than 50 percent of national participation average, the USDA Secretary is also instructed to take steps to study and develop other ways to increase participation.

I am very pleased with the reforms made in this year's crop insurance legislation and thank you on behalf of all California farmers for responding to their needs.

Mrs. CAPPS. Mr. Speaker, I rise today in support of Agriculture Risk Protection Act Conference Report. This bill provides important support for our Nation's farmers an ensures that Americans will have a steady, affordable food supply.

I want to address an issue that is of particular importance to my district—the spread of Pierce's Disease. I am pleased that this bill includes much-needed funding to combat Pierce's disease and the Glassy-winged Sharpshooter which spread it. This disease is having a devastating effect on California vintners, and needs to be brought under control before it does even greater damage.

Although outbreaks in my district have been limited, recent sightings of the Glassy-winged Sharpshooter are very worrisome. Just the other day eggs of the Glassy-winged Sharpshooter were found on plants at two northern San Luis Obispo County nurseries.

While we have been experimenting with different ways to combat Pierce's Disease, currently there is no known cure. Central Coast wine grape growers are banding together and contributing funds to fight this disease. We in the federal government need to support these efforts.

I joined members of the Wine Caucus in urging the Agriculture Subcommittee of the Appropriations Committee to increase funding for combating Pierce's Disease. I am pleased that the Subcommittee saw the importance of this issue and provided appropriate funding in the Agriculture Risk Protection Act Conference Report.

This bill provides the necessary support for our vintners with $7.14 million in funding for control and containment activities in California and $25 million to compensate growers for losses due to three different diseases including Pierce's Disease.

We cannot rest until a cure for this disease is found and the Glassy-winged Sharpshooter is eradicated. I'm glad that this bill takes a major step in that direction.

Mr. KIND. Mr. Speaker, I am extremely disappointed in H.R. 2559, the conference report on the Agriculture Risk Protection Act. While originally intended as a simple crop insurance measure, H.R. 2559 instead is a sad commentary of the state of our nation's current dysfunctional farm policy.

The crop insurance reform bill that this body is set to vote upon codifies some of the basic principles that many of us have been advocating—affordability, and buy-up coverage. I am happy that the measure authorizes an increase in the number of counties that can participate in the dairy options pilot program (DOPP), authorizes the creation of livestock insurance program, and improved coverage of specialty crops—including cranberries, apples, and vegetable crops grown in Wisconsin.

Unfortunately, the conference committee has unnecessarily included $7.1 billion in emergency farm payments in the bill. This legislation is not the proper vehicle for such outlays. Instead, the House should deal with these matters separately, in a more thorough and thoughtful manner.

The emergency farm assistance fails the American farmer and rural communities in a number of ways. Specifically, it fails to target the assistance to those producers and commodities that need it most. By distributing these funds through the inequitable Agriculture Marketing Transition Act (AMTA) formula, this legislation places a priority on wheat and feed grains grown on large operations in the Great Plains and fails to address the needs of family-sized operations.

According to a recent computer investigation by the Environmental Working Group, ''taxpayers have provided $22.9 billion in emergency subsidies (payments above normal farm bill receipts) during the first three years of the 'Freedom to Farm' law, but 10 percent of the recipients (144,000 participants) collected 61 percent of the money.'' Even President Clinton's Agriculture Secretary opposes this delivery mechanism, claiming that AMTA payments treat ''the farm economy as monolith, failing to consider the varying degree of market weakness across commodities.'' Sadly, this bill fails to correct this economic injustice.

In addition, the AMTA payments do not increase farm conservation programs. In a period when a growing segment of the American population is calling for improvements in clean water and air, as well as more sustainable agriculture practices in general, it is irresponsible not to allocate adequate funds to programs that address the growing concentrated animal agriculture industry and its related phosphorous and nutrient management problems as well as hazards associated with crop fertilizer use.

American farmers deserve more than this short-sighted, inequitable, shot-gun approach to farm policy. This nation, and this body, needs to have a thoughtful discussion of the commodity price problems facing rural America. H.R. 2559 short-circuits the deliberative process that is the great hallmark of democracy. Hopefully, rural America will see through this half-hearted approach and call on Congress to act in a more responsible manner.

Mr. BEREUTER. Mr. Speaker, this Member rises in strong support of the conference report for H.R. 2559, the Agricultural Risk Protection Act, which provides for the reform of our Federal crop insurance program, and urges his colleagues to vote for it.

This Member would like to begin by expressing appreciation to the distinguished gentleman from Texas (Mr. COMBEST), the Chairman of the Agriculture Committee, and the distinguished gentleman from Texas (Mr. STENHOLM), the Ranking Member of the Committee, for their hard work on this important legislation.

As an original cosponsor of H.R. 2559, this Member is pleased that this conference report is being considered today. Agricultural producers throughout the country continue to suffer from disastrously low commodity prices and in some regions from adverse weather conditions. For instance, Nebraska farmers are confronting one of the most serious droughts in decades.

This Member believes that this conference report is an important step toward developing a more effective long-term approach to assisting agricultural producers. Improving crop insurance is certainly not the only solution to the current problems, but it does provide a more adequate safety net to farmers who are too often confronted with natural disasters and low prices.

The Agricultural Risk Protection Act will make crop insurance coverage more affordable at every level. It will offer producers significant incentives to purchase higher levels of protection and provide farmers with the flexibility to purchase the coverage that best meets their needs.

It is important to note that this crop insurance reform bill also improves the current risk management structure by providing better coverage for both production and revenue. It does so by making possible more affordable policies to protect farmers against price and income loss. The legislation also initiates a livestock pilot program to test the effectiveness of risk management tools to protect livestock producers.

This Member's constituents have made it clear that crop insurance is a necessary risk management tool. Unfortunately, it is often too expensive or offers too little protection to be of real value. This legislation takes these concerns into account and offers agricultural producers what they need—meaningful and more affordable crop insurance.

This Member is also pleased that this conference report includes funding for emergency payments to farmers. The 1996 Freedom to Farm Act was based on the premise of expanding international markets for the commodities produced by our nation's farmers. This clearly has not happened. Certainly, one of the root causes of the current low commodity prices was the drop in exports, especially to Asia as a result of the region's economic down-turn. Nobody could have predicted the Asian financial crisis or the contagion effect which is still being felt.

Also, because of the strength of our national economy relative to most other countries, the

value of our currency compared to others now makes our exports less price-competitive in Asian markets than our competitor exporters like Canada, Australia, Brazil, or the nations of the European Union. Thus, there is not only a dramatically reduced agricultural export market in Asia, we are also getting a reduced portion of the remaining Asian import business.

Clearly, an emergency agriculture relief package is needed immediately. Producers are in desperate need of a quick infusion of cash to help them deal with low prices and increasing costs. However, as important as that relief is, it is only a temporary fix. A long-term approach is clearly needed. This conference report, which includes significant improvements in the crop insurance program, is an important component of that effort.

This Member urges his colleagues to vote for the conference report for H.R. 2559.

Mr. LAHOOD. Mr. Speaker, I rise today in support of the conference report for H.R. 2559, the Agricultural Risk Protection Act of 2000. I believe that this legislation is paramount to providing much needed assistance to our nations farmers and ranchers.

In 1996, Congress passed the Freedom to Farm bill, which was designed to limit government's role in agriculture. This legislation addresses some of the short falls of Freedom to Farm by providing temporary economic relief to our farm community, as well as implementing crop insurance reform.

The reforms to the crop insurance program will strengthen the farm safety net by providing producers improved risk management tools to address the inherit risks associated with farming. I believe that these reforms are necessary, and that they will remove need for the type of emergency assistance Congress has provided agricultural producers over the past two years.

I am especially appreciative that this conference report contains the House crop insurance reform language calling for the implementation of livestock pilot programs. These pilot programs would provide livestock producers with the necessary risk management tools to cope with disasters, weather shifts, and other natural acts beyond their control without fear that the cost of doing the right thing will put them out of business.

I am also supportive of the anti-fraud provisions in the crop insurance legislation. These provisions direct the Federal Crop Insurance Corporation and the Farm Service Agency to work together to reconcile producer information on an annual basis, to identify producers and insurers who are abusing the program.

As I stated earlier, I believe that this is sound legislation. I want to commend all the conferees and committee staff for their hard work and dedication, particularly Chairman COMBEST and Ranking Member STENHOLM.

Mr. CLEMENT. Mr. Speaker, first of all, I would like to congratulate Congressman COMBEST of Texas for introducing the Agricultural Risk Protection Act of 2000. The conference report that we are voting on today will provide a badly needed overhaul of our crop insurance system.

All of us who represent and have grown up in rural areas know the importance of our nation's farmers. The weather over the past couple of years has not been very generous to Tennessee's farmers and now, more than ever, they need federal policy to help them these tough times.

Farming is not only a job that requires endless hours of hard work and planning. It also requires a substantial amount of courage to be a farmer. Our farmers take risks every year by putting their livelihood on the line in order to produce for their communities. They invest the money they have worked so hard to save in a crop or a number of crops with the hope that the rains will come and that a tornado and the insects will not.

But, as we all know, those conditions are never guaranteed. But my fellow Congressmen and I can guarantee them an affordable safety net. Providing our dwindling farming population with a cheaper and broader insurance program is the least we can do for the men and women who work to provide for each one of us in this House.

The provision in this conference report that makes catastrophic coverage available for all farmers for a simple fee is certainly appealing to Tennessee's farmers who have been hit by a recent wave of tornadoes and droughts over the past several years.

Tennessee's single crop and lower yield farmers are especially excited about the change in their actual production history formula. These farmers will now be able to insure more of their investments and feel more secure about their ability to support their families. Ladies and gentlemen these are only a few examples of the benefits of this legislation.

I call on each one of my fellow members of Congress to join me and support this conference report for America's courageous farmers.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the conference report.

There was no objection.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. COMBEST. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report to accompany H.R. 2559 just passed.

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

There was no objection.

ADJOURNMENT OF THE HOUSE FROM THURSDAY, MAY 25, 2000 OR FRIDAY, MAY 26, 2000 TO TUESDAY, JUNE 6, 2000, AND RECESS OR ADJOURNMENT OF SENATE FROM THURSDAY, MAY 25, 2000 OR FRIDAY, MAY 26, 2000 OR SATURDAY, MAY 27, 2000 OR SUNDAY, MAY 28, 2000 TO MONDAY, JUNE 5, 2000 OR TUESDAY, JUNE 6, 2000

Mr. LINDER. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 336) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 336

Resolved by the House of Representatives (The Senate concurring), That when the House adjourns on the legislative day of Thursday, May 25, 2000, or Friday, May 26, 20000, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 10:30 a.m. on Tuesday, June 6, 2000, for morning-hour debate, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Thursday, May 25, 2000, Friday, May 26, 2000, Saturday, May 27, 2000, or Sunday, May 28, 2000, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, June 5, 2000, or Tuesday, June 6, 2000, as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or at such other time on that day as may be specified by its Majority Leader or his designee in the motion, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

□ 1130

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

MAPPING OF HUMAN GENOME

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

Ms. SLAUGHTER. Mr. Speaker, I would like to speak for a moment this morning on a measure that affects all Americans and about which I am afraid this Congress is doing nothing, and that is the mapping of the human genome.

It is expected to be finished within the next month. We will know more about our human body than we have ever known before, and it will be a wonderful way to present health care.

We expect that, once we understand the human makeup, we will be able to do much more for prevention of diseases, and diseases that have plagued us over the centuries will be no more.

Unfortunately, there is a downside to this wonderful scientific venture, and that is the issue of health insurance. Discrimination is already taking place against people who are afraid to find out what their genetic makeup is for fear that it would cause them to lose their health insurance or that the rates and conditions would change to such an extent that they could no longer afford it.

We have a bill, Mr. Speaker, H.R. 306, which has good bipartisan support in the House by 220 sponsors at this time, more than enough to pass. I would like very much to see this come to the floor on the suspension calendar, on which I am sure it would pass, simply to give the peace of mind to every American

that the genetic makeup with which they were born would not cause them to lose their health insurance.

It is important for us to make sure that people understand we are not talking about a different population, we are talking about us. Each one of us is believed to be born with between five and 30 faulty genes. And it is the rankest form of discrimination to deny health insurance on genetic grounds, because simply having a faulty gene does not ensure that they will get the condition and, if they did, it might be 40 years down the road. That discrimination is already taking place, Mr. Speaker.

I want to urge this House to take up as expeditiously as possible H.R. 306 so that we can assure Americans that their health insurance will be kept intact.

PARTIAL-BIRTH ABORTION BAN ACT OF 2000

Mr. CANADY of Florida. Mr. Speaker, pursuant to House Resolution 457, I call up from the Speaker's table the Senate bill (S. 1692) to amend title 18, United States Code, to ban partial-birth abortions, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The text of S. 1692 is as follows:

S. 1692

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 ''Partial-Birth Abortion Ban Act of 1999''.

SEC. 2. PROHIBITION ON PARTIAL-BIRTH ABORTIONS.

(a) IN GENERAL.—Title 18, United States Code, is amended by inserting after chapter 73 the following:

"CHAPTER 74—PARTIAL-BIRTH ABORTIONS

''Sec.
''1531. Partial-birth abortions prohibited.

"§ 1531. Partial-birth abortions prohibited

''(a) Any physician who, in or affecting interstate or foreign commerce, knowingly performs a partial-birth abortion and thereby kills a human fetus shall be fined under this title or imprisoned not more than two years, or both. This paragraph shall not apply to a partial-birth abortion that is necessary to save the life of a mother whose life is endangered by a physical disorder, illness, or injury. This paragraph shall become effective one day after enactment.

''(b)(1) As used in this section, the term 'partial-birth abortion' means an abortion in which the person performing the abortion deliberately and intentionally—

''(A) vaginally delivers some portion of an intact living fetus until the fetus is partially outside the body of the mother, for the purpose of performing an overt act that the person knows will kill the fetus while the fetus is partially outside the body of the mother; and

''(B) performs the overt act that kills the fetus while the intact living fetus is partially outside the body of the mother.

''(2) As used in this section, the term 'physician' means a doctor of medicine or osteopathy legally authorized to practice medicine and surgery by the State in which the doctor performs such activity, or any other individual legally authorized by the State to perform abortions: *Provided, however,* That any individual who is not a physician or not otherwise legally authorized by the State to perform abortions, but who nevertheless directly performs a partial-birth abortion, shall be subject to the provisions of this section.

''(c)(1) The father, if married to the mother at the time she receives a partial-birth abortion procedure, and if the mother has not attained the age of 18 years at the time of the abortion, the maternal grandparents of the fetus, may in a civil action obtain appropriate relief, unless the pregnancy resulted from the plaintiff's criminal conduct or the plaintiff consented to the abortion.

''(2) Such relief shall include—

''(A) money damages for all injuries, psychological and physical, occasioned by the violation of this section; and

''(B) statutory damages equal to three times the cost of the partial-birth abortion.

''(d)(1) A defendant accused of an offense under this section may seek a hearing before the State Medical Board on whether the physician's conduct was necessary to save the life of the mother whose life was endangered by a physical disorder, illness or injury.

''(2) The findings on that issue are admissible on that issue at the trial of the defendant. Upon a motion of the defendant, the court shall delay the beginning of the trial for not more than 30 days to permit such a hearing to take place.

''(e) A woman upon whom a partial-birth abortion is performed may not be prosecuted under this section, for a conspiracy to violate this section, or for an offense under section 2, 3, or 4 of this title based on a violation of this section.''.

(b) CLERICAL AMENDMENT.—The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 73 the following new item:

"74. Partial-birth abortions ..... 1531".

SEC. 3. SENSE OF CONGRESS CONCERNING ROE V. WADE AND PARTIAL BIRTH ABORTION BANS.

(a) FINDINGS.—Congress finds that—

(1) abortion has been a legal and constitutionally protected medical procedure throughout the United States since the Supreme Court decision in Roe v. Wade (410 U.S. 113 (1973)); and

(2) no partial birth abortion ban shall apply to a partial-birth abortion that is necessary to save the life of a mother whose life is endangered by a physical disorder, illness, or injury.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that partial birth abortions are horrific and gruesome procedures that should be banned.

SEC. 4. SENSE OF CONGRESS CONCERNING A WOMAN'S LIFE AND HEALTH.

It is the sense of the Congress that, consistent with the rulings of the Supreme Court, a woman's life and health must always be protected in any reproductive health legislation passed by Congress.

SEC. 5. SENSE OF CONGRESS CONCERNING ROE V. WADE.

(a) FINDINGS.—Congress finds that—

(1) reproductive rights are central to the ability of women to exercise their full rights under Federal and State law;

(2) abortion has been a legal and constitutionally protected medical procedure throughout the United States since the Supreme Court decision in Roe v. Wade (410 U.S. 113 (1973));

(3) the 1973 Supreme Court decision in Roe v. Wade established constitutionally based limits on the power of States to restrict the right of a woman to choose to terminate a pregnancy; and

(4) women should not be forced into illegal and dangerous abortions as they often were prior to the Roe v. Wade decision.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) Roe v. Wade was an appropriate decision and secures an important constitutional right; and

(2) such decision should not be overturned.

MOTION OFFERED BY MR. CANADY OF FLORIDA

Mr. CANADY of Florida. Mr. Speaker, pursuant to the rule, I offer a motion.

The Clerk read as follows:

Mr. CANADY of Florida moves to strike all after the enacting clause of the bill, S. 1692, and to insert in lieu thereof the text of the bill, H.R. 3660, as passed by the House.

The motion was agreed to.

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

MOTION TO GO TO CONFERENCE

Mr. CANADY of Florida. Mr. Speaker, pursuant to the rule, I offer a motion.

The Clerk read as follows:

Mr. CANADY of Florida moves that the House insist on its amendment to the bill, S. 1692, and request a conference with the Senate thereon.

The motion was agreed to.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES

Mr. CONYERS. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. CONYERS moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the House amendment to the Senate bill, S. 1692, be instructed to meet promptly with the managers on the part of the Senate on all issues committed to conference.

The SPEAKER pro tempore. Pursuant to rule XX, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Florida (Mr. CANADY) each will be recognized for 30 minutes.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I support the current motion to recommit by Mr. CONYERS.

Like the House Bill that was unfortunately passed in April, this act, despite its title is nothing more than an attempt to inhibit a woman's constitutional right to choose.

Although the majority conveniently skirts the issue of the 1973 Supreme Court decision of Roe v. Wade, this law is still in effect and we must recognize a woman's right to have an abortion especially if her life is threatened.

Yes, it is true that technological advancement in the medical field has enabled women to better monitor their pregnancies so that they may bring healthy children into this world. However, some pregnancies may involve problems that may threaten the life and/or health of the mother.

For example, continuing the pregnancy may result in severe heart disease, malignancies and kidney failure. In these situations, when a woman is faced with a life or death decision,

she must have the right to make a choice whether to continue her pregnancy.

The procedure referred to in S. 1692/H.R. 3660 has been used to protect the mother's life but many times these late term abortions are primarily done when the abnormalities of the fetus are so extreme that independent life is not possible.

Many times in the issue of abortion we tend to glorify a potential life but refuse to acknowledge the actual living human being that has conceived that life.

This actual living human being has rights enumerated in the Constitution that can not be infringed upon regardless of what type of abortion is being performed especially if it is to save the life of mother.

If society picks and chooses which type of abortion one should have then once again we are taking away the right of a woman to choose.

If this conference report is supported by the majority, this S. 1692/H.R. 3660 would put the government in the doctor's office and leave the health of women unprotected.

I would be amiss if I did not highlight the fact that the terminology being employed by proponents of this bill is a term with absolutely no medical or scientific meaning.

On the contrary, this term is a being used solely to enrange and misguide the public. In fact, this term was actually adopted from a speech given by an anti-abortion advocate. Hence, the attempt to assuage our concerns that this legislation is not an attempt to circumvent a woman's constitutional right is simply untrue.

Therefore, I will not use this propagandist term ''partial birth'' abortion, but instead give this bill the title it deserves, the ''Abortion Ban of 2000.''

S. 1692/H.R. 3660 is another attempt to put politics before women's health. The overwhelming majority of courts have to have ruled on challenges to state so-called ''partial-birth abortion'' bans have declared those bans unconstitutional.

Despite the passage of abortion bans in state legislatures throughout the country, on election day in both 1998 and 1999, ballot initiatives that would have enacted this type of law were defeated in Washington, Colorado and finally Maine. The people of this country do no support this type of law.

In fact, only 12 states have abortion bans in effect, but 9 of these states have not yet been challenged.

Furthermore, Six federal district courts have issued permanent injunctions against statutes virtually identical to S. 1692/H.R. 3660 and the Supreme Court is set to decide on this issue in Stenberg v. Carhart.

I agree with my democratic colleagues that any action by Congress would be premature and even mooted by the Court's decision.

Notwithstanding the potentially mootness of this discussion, proponents of this legislation not only mischaracterize the reasons underlying the use of late term abortions, but they failed to even recognize the constitutional rights espoused by the Supreme Court in roe and reaffirmed in Casey.

The ambiguity of this legislation further frustrates the rights of women in the Nation and chills legitimately protected rights.

This legislation could essentially ban more one type of procedure because is fails to distinguish between abortions before and after viability.

These are just some of the many problems with S. 1692/H.R. 3660 and these alone should make anyone question the appropriateness of such legislation.

We can not straddle the fence on this issue. It is either to protect the rights of women or take them away completely.

Women have fought hard and long to have autonomy over their bodies and by putting restrictions on what type of abortions she is allowed to receive would put women back in the era of Pre-Roe v. Wade.

By banning partial birth abortions not only are we taking the right of women to have autonomy over their bodies and the right of families to determine their future, but we are also taking the right of women to live their lives as healthy American citizens and treating them like prisoners in their own country.

Mr. CONYERS. Mr. Speaker, we have no speakers, and I yield back the balance of my time.

Mr. CANADY of Florida. Mr. Speaker, I have no objection to the motion to instruct conferees, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Michigan (Mr. CONYERS).

The motion to instruct was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. HYDE, CANADY of Florida, GOODLATTE, CONYERS, and WATT of North Carolina.

There was no objection.

□ 1145

RECESS

The SPEAKER pro tempore (Mr. LATOURETTE). Pursuant to clause 12 of rule I, the Chair declares the House in recess for 10 minutes.

Accordingly (at 11 o'clock and 46 minutes a.m.), the House stood in recess for 10 minutes.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LATOURETTE) at 11 o'clock and 57 minutes a.m.

PROVIDING FOR CONSIDERATION OF H.R. 3916, TELEPHONE EXCISE TAX REPEAL ACT

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 511 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 511

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 3916) to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communication services. The bill shall be considered as read for amendment. The amendment recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. LINDER) is recognized for 1 hour.

Mr. LINDER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 511 is a closed rule providing for consideration of H.R. 3916, the Telephone Excise Tax Repeal Act. This bill is designed to amend the Internal Revenue Code to repeal the excise tax on telephone and other communications services.

H. Res. 511 provides for 1 hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the bill. The rule provides that the amendment recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted upon adoption of the resolution. Finally, the rule provides one motion to recommit, with or without instructions, as is the right of the minority.

Mr. Speaker, when it comes to unintended consequences in crafting tax policy, the Federal Government has shown a tendency to lead the way. If you remember, in 1991 the U.S. Congress passed a luxury tax on yachts to punish the rich, a tax that subsequently bankrupted American companies, forced sales in that sector to drop 75 percent, and resulted in the loss of about 30,000 jobs. That Congress thought that the luxury tax was a tax on the rich, and the unintended consequences of their actions resulted in a tax on American workers and the loss of their jobs.

□ 1200

Today we are going to discuss the telecommunications tax, a tax that is currently having the unintended consequence of limiting the opportunities of lower- and middle-income Americans to have affordable access to the information superhighway. In effect, it is a tax on talking and on access to the Internet.

This particular telecommunications tax was enacted by Congress in 1898 to help pay for the Spanish-American

War. While the war has been over for 102 years, like most temporary taxes, it is now a permanent tax. In 1990, the same tax-happy Congress that brought you the disastrous luxury boat tax, decided in its wisdom to make the telecommunications tax permanent.

The tax originally consisted of a penny tax on long distance calls costing more than 15 cents. It is important to note that in 1898 there were approximately 1,376 telephones in this entire country, and that, of course, this luxury tax would affect only the very, very rich. However, in the 21st century, 102 years after this temporary tax was initially enacted, this tax hits not just the rich, but all Americans.

In fact, this regressive tax hammers lower-income Americans the hardest. According to the Bureau of Labor Statistics, families earning between $10,000 and $30,000 a year spend between 3 and 4 percent of their incomes on telecommunications. Those Americans making $70,000 or more each year spend about 1 percent of their income on telecommunications.

Nonetheless, the truth is that all Americans must now pay a 3 percent tax on their phone bill, an estimated 252 million business and residential phone lines. The tax can be applied to telecommunications services such as general household phone lines, cellular phones, fax lines, computer modem lines, subscriber line charges, add-on features such as call waiting and caller ID, toll call services and directory assistance. As you may have guessed, all Americans, rich and poor, now have to pay the tax.

Mr. Speaker, this is just one more tax that makes the costs prohibitive for lower-income Americans to go online and participate in the new high-tech economy. As one who supports reducing the overall tax burden on American families, I wholeheartedly support this bill. H.R. 3916, which will reduce the tax to 2 percent beginning 30 days after enactment, reduces the tax to 1 percent on October 1, 2001, and repeals the tax entirely on October 1, 2002.

The high-tech revolution has changed the way that every American works and lives and has provided Americans with more freedom, prosperity, and job opportunities for the future. The foolish and shortsighted tax policies of the 101st Congress should not be permitted to act as an unreasonable toll against low- and middle-income Americans attempting to get on the information superhighway.

This Congress will repeal the telecom tax and ensure that excessive government taxation does not threaten the ability of all Americans to participate in opportunities that will be presented in the high-tech future.

This rule was unanimously approved by the Committee on Rules on Tuesday, and I urge my colleagues to support it so we may proceed with general debate and consideration of this bipartisan bill.

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

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

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman from Georgia for yielding me the customary 30 minutes.

Mr. Speaker, this is a noncontroversial measure that came out of the Committee on Ways and Means unanimously. The measure would repeal over 3 years the 3 percent telephone excise tax imposed originally to finance the Spanish-American War. Under the bill, the 3 percent tax would be reduced to 2 percent 30 days after it becomes law, it will drop to 1 percent October 1, 2001, and would be fully repealed on October 1, 2002.

The tax has been repealed on two previous occasions, but was brought back in different forms to pay for World War I and World War II, and then increased to help fund the Vietnam War. It was made permanent in 1990, with the money going into the general treasury.

Phasing out this excise tax is a worthy objective, as is it is becoming increasingly difficult to administer as technological advances blur the distinction between taxable and nontaxable communications services. I would echo the concerns expressed by the administration, however, that this revision should be enacted as part of an overall budget framework for maintaining fiscal discipline, for paying down the national debt and for extending the solvency of Medicare and Social Security. The administration estimates that Federal receipts would be reduced by $1.5 billion in fiscal year 2001 and $20 billion over fiscal years 2000 to 2005.

Mr. Speaker, again, I do not oppose the underlying bill, but the Committee on Rules missed a golden opportunity during consideration of this measure, an opportunity to address what is rapidly becoming a digital divide in our Nation between those who have access to technology and those who do not. Several of my colleagues offered amendments to tackle this divide, but the majority in the Committee on Rules chose to disallow their consideration.

I am going to urge Members to vote no on the previous question, and, if the previous question is defeated, I will offer an amendment to the rule to make in order the Towns-Waters-Dingell substitute and the Wynn substitute. Both of these proposals immediately cut the telephone excise tax from 3 percent to 1 percent, and then eliminate it altogether by September 30, 2002.

The Democratic amendments would use the revenues from the phased-out telecommunications excise tax to fund various programs and grants designed to bridge the digital divide. No one doubts that electronic commerce has the opportunity to dominate our country's economic future, but this will happen only if electronic commerce is available to everyone in the country. Electronic commerce cannot work if low-income populations in our urban centers, in our rural communities, as well as Native Americans, do not have access to it. The Federal Government has the responsibility for ensuring that our children and adults have the opportunity to acquire the skills needed to succeed in a digital work world.

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

Mr. LINDER. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Missouri (Mr. BLUNT.)

Mr. BLUNT. Mr. Speaker, here we are to talk about repealing a tax that was put on in 1898 to fight the Spanish-American War. We thought the war lasted 8 months. I used to teach history at high school and then later at college, and I suggested that was one of our quickest wars, only to find out as we look at how many dollars have been collected on this tax over the years that in any measure of dollars, the Spanish-American War turned out to be the most expensive war in the country's history; $5 billion collected last year in a tax that was put on in 1898 to fight the Spanish-American War.

Of course, it was a tax on only the rich, because in 1898 only the rich had telephones. Now it is a tax on the people whose telephone is the lifeline of their life. It is a tax on people who use the telephone only for the most basic necessity, because it is a tax on the local service only. If you are on a fixed income, if you are a senior citizen, if you have a telephone to call your family, to call the doctor, to make an emergency call, if you never make a long distance call, if you try to pay only the smallest amount you can possibly pay and have a telephone, you pay this tax.

Because we have a surplus, because we have balanced the budget, the old arguments of we need this money, how would we replace it, what program would we cut, no longer work.

This is a reaction to what can happen when you show fiscal responsibility. It is a reaction to what happens when the Congress begins to use the yardstick of common sense. It is a reaction of what can happen when you take a tax that has now been on the books for almost every telephone bill for the last 102 years, occasionally phased out for a brief period of time, but always snatched right back. If we pass this bill, this rule today, which I am for, and if we pass this bill today, within the next few months, Americans that have on their telephone bill the line that says Federal tax or excise tax on their local phone service, will no longer have that. We eliminate this tax on the rich from 1898 that became a tax on those in the most difficult circumstances in the year 2000.

I am pleased that the Committee on Rules has brought this rule to the floor today, and pleased that the Committee

on Commerce is bringing this bill to the floor. I urge passage of both.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. DINGELL), the ranking member of the Committee on Commerce.

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

Mr. DINGELL. Mr. Speaker, I rise to support the repeal of the telephone excise tax, to thank the dear gentlewoman from New York (Ms. SLAUGHTER), but to oppose the rule.

I do not quite understand why my Republican colleagues, who profess to wish to give the consumers a tax cut, have denied us an opportunity to offer an amendment which would give consumers an even bigger tax cut than the bill reported by the Committee on Ways and Means in the amendment which would have been offered by the gentleman from New York (Mr. TOWNS), the gentlewoman from California (Ms. WATERS), and myself.

The interesting thing is the leadership on the majority side seriously miscalculated if they believed that this is a tax reform that most Americans want. I know constituents care about tax cuts, but they want them to put money in the pockets of the citizenry, rather than making Republican Congressmen look good.

The Towns-Waters-Dingell amendment, which is widely supported on this side, would save consumers about $1.5 billion more than the committee bill over the next 2½ years. During the phase-out period, our amendment also puts revenues from the excise tax into a trust fund to pay for programs that create digital opportunity for Americans who live in underserved rural and urban areas.

Why are my colleagues on the other side of the aisle afraid? Why do they not desire our approach? We give the tax cut earlier on in larger amounts, but we also put the money to work in spending for creating a tax fund which would enable us to begin to provide for access to the Internet and advanced telecommunications services for people of low income in rural and in underserved urban areas. That is what we should be really doing here.

Unfortunately, the need which has to be met cannot be met without active assistance of the Government in terms of opening up these kinds of services by putting revenues collected from this excise tax into funds which will expand opportunity to receive services and to eliminate the digital divide. Without government help, Mr. Speaker, there are major areas of the country, major urban areas, as well as rural communities, where broad band services will simply not be provided. For our children to know how to use on-line services, resources and devices, we have to have this kind of intercession; not to establish any Federal preference, but, rather, to expand opportunities for service and to expand opportunities for all people involved in delivering this kind of service and an opportunity to compete fairly.

I hope that when the previous question is raised, my colleagues will vote no. I hope that when the question is raised, Members will vote no on the rule, so that we can get down to a proposal which in fact will benefit the country.

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

Mr. Speaker, I would like to point out to the gentleman that in 1993 and 1994 with overwhelming majorities in both bodies and a Democrat President, he could have done anything he wanted with that 3 percent and solved all of those problems.

Mr. Speaker, I yield such time as he might consume to the gentleman from California (Mr. DREIER), the chairman of the Committee on Rules.

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

Mr. DREIER. Mr. Speaker, I thank my friend from Atlanta for yielding me time.

Mr. Speaker, I would first like to, since he has entered the Chamber, congratulate my very good friend, the gentleman from Cincinnati, Ohio (Mr. PORTMAN), for having taken the lead on this extremely important issue. He has done a great job in pointing to the importance of it and putting together a coalition that has included my colleague, the gentleman from California (Mr. MATSUI).

Mr. Speaker, creating digital opportunity is the priority that we have. I do not like to call it the digital divide. What we want to do is we want to make sure that we create opportunities for every single American to be able to have access to this information economy.

We have this information-based economy, and we all know that it is tied to virtually everything that goes through some sort of telecommunications area, and the hindrance that is there is a tax. Our great historian, the gentleman from Missouri (Mr. BLUNT), talked about the cost of the Spanish-American War and the fact that last year $5 billion was collected for that. We are finally going to declare victory; and at the same time, we are going to reduce that one burden that has stood in the way of enhancing digital opportunity.

The fact is, again, telecommunications is the foundation of this information-age economy that we have developed. In my State alone, it is amazing to look at the number of jobs, the number of families that are able to maintain and expand their standard of living because of these opportunities. It is about 800,000 in my State that have been created since 1993; and nationwide it is approaching 5 million, about 4.8 million.

□ 1215

We want to do everything we can to expand that.

Again, in California, 45 percent of small businesses, and the small business sector, as we all know, is the backbone of our economy; 45 percent of those small businesses say that they use the Internet to do business, and anything that stands in the way to expand that, we very much want to repeal and address.

So I believe that we have a great opportunity here to strike a blow for our quest to expand opportunities for every single American, to get in and enjoy this economy, because when we look at a family that has earned $25,000 or less, they have said that the one thing that stands in the way of their getting into this information-age economy is the cost. So this is one step, a very important step, that we can take towards decreasing that cost and enhancing opportunity.

Mr. Speaker, I urge an aye vote. This will be another wonderful accomplishment when we move this through to the leadership, the Speaker of the House, the gentleman from Illinois (Mr. HASTERT) and this great and very, very, very successful 106th Congress.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana (Mr. JEFFERSON).

Mr. JEFFERSON. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, I rise to urge defeat of the previous question, because it undermines our efforts to bridge the digital divide. I want to thank the gentleman from New York (Mr. TOWNS), the gentlewoman from California (Ms. WATERS), and the gentleman from Michigan (Mr. DINGELL) for coming up with an ingenious and innovative approach to providing a response to this very important and very serious problem.

It is good to eliminate the excise tax and reduce telephone bills across the country, but what if one does not have a telephone in the first place, as we found on so many of our Indian reservations around the country where 50 percent of the people did not have telephones at all and, where in so many of our low-income communities, rural and urban, that same problem persists where telephone lines are not available to even begin to think about Internet access.

More and more, America is transforming into a technology-driven nation, with every institution being impacted by the Internet and e-mail. In this new tech-driven economy, computers are becoming the crucial link to education, to defense, to information, and training, and to commerce.

For all Americans, personal and economic success will depend upon having the ability to understand and use these powerful information tools. However, according to the Commerce Department report, Defining the Digital Divide, a large segment of the population have no access to technology at all.

Unless this changes, these poor families in both urban and rural areas will

be left behind. Millions of Americans will not have the tools necessary to compete in the new economy and will become the first second-class citizens of the information age.

But let us not kid ourselves. The digital divide is not just a problem for the residents of these distressed and rural areas and these urban communities. It is a problem for the entire national economy as a whole. If we do not extend technology access to all Americans, our skilled labor force will continue to be depleted, millions of tech jobs will continue to go unfilled, and private industries and the military will continue to have problems recruiting and retaining highly skilled individuals.

H1B visas are not the answer. Hiring foreign workers will not solve our growing, long-term needs for highly skilled workers. Surrendering our Nation's pre-eminence is also not an option. The answer is to eliminate this digital divide and ensure that all Americans are given access to technology and training.

The private and public sector both understand the importance of bridging the digital divide in America and are taking steps to bring technology to schools and libraries across America. I applaud them for their efforts. However, these efforts are not enough.

To truly bridge the digital divide and improve the way our children learn, the Federal Government must step in and help provide funds to bolster these efforts and extend technology access to every home in America. Only then can we assure that all of our children will have the tools necessary to compete in this tech-driven economy.

I and many of my colleagues have numerous bipartisan legislative proposals to address the digital divide and extend technology for access to schools, libraries, computer centers and homes of all Americans. Many of these proposals would require Federal funding.

Mr. Speaker, a defeat of the previous question will allow my colleagues and I to vote on the amendment of the gentleman from New York (Mr. TOWNS) to set aside the phasing out of the telephone excise tax in a separate digital divide fund, a fund that can be used to finance the massive effort needed to extend technology. We cannot and should not let the opportunity to set aside these revenues pass us by. I urge defeat of the previous question.

Mr. LINDER. Mr. Speaker, I yield such time as he may consume to the gentleman from Cincinnati, Ohio (Mr. PORTMAN), the sponsor of the underlying bill.

Mr. PORTMAN. Mr. Speaker, I thank the gentleman from Georgia very much for his support of this legislation and for allowing me to speak today on the rule. We are talking about the telephone excise tax. I want to get back to that and then perhaps address a couple of the points that have been made by my friends on the other side.

First of all, to take us back to where we are here, this is a bipartisan effort that the gentleman from California (Mr. MATSUI) and I started some time ago; it has been bipartisan from the start. It is an attempt to look at our Tax Code in a time of prosperity and budget surpluses and see what makes sense and what does not. It is our sense that this is a perfect candidate for repeal.

The gentleman from California (Mr. DREIER) spoke earlier, the chairman of the Committee on Rules, and he has also been a leader on this and also on the general issue of bringing to the attention of this Congress that telecommunications is indeed, as he said, a foundation of our economic growth. This is one part of that.

This particular tax started back in 1898 at a time when the U.S. was engaged in a war with the Spanish and we wanted to get a little revenue, so we went after a luxury item called a telephone that very few Americans had, only the wealthy; and we said, let us put a tax on this telephone, that very few people have, to help pay for this war. Teddy Roosevelt was just emerging as a national figure, as a war hero, and it was 102 years ago. It has gone up and down over the years.

The history is actually very interesting, including the fact that during the Vietnam War, this tax was increased to 10 percent to help defray the costs of the Vietnam War. In fact, people were burning their phone bills on the street, as well as their draft cards, to try to protest the Vietnam War. But it is also a great example of what seems to me to be a truism, which is once you put a tax in place in this town, it is very difficult to get rid of it. In this case, it was a temporary luxury tax on an item that is no longer a luxury, a telephone.

From a tax policy perspective, it is even worse. First, it is, of course, regressive. Families with lower incomes pay a disproportionate share of their family budget for the phone bill. Practically every family in America has a phone now. Ninety four percent of Americans have telephones. The seniors are particularly hard hit by this. They are on fixed incomes. They rely on the telephone as a lifeline, as a lifeline to the outside world, so their budget is particularly hard hit by this. So it is regressive.

Second, it is not like other Federal excise taxes used for any purpose. It goes into general revenues. It is a revenue-grab, rather than, for example, the gas tax which goes to repair our roads and bridges. It is not even a sin tax, and there are some Federal excise taxes on alcohol and cigarettes. Again, this one goes to no particular purpose. So from a tax policy perspective, at a time when we have the luxury to sit back and look at our Tax Code, what makes sense and what does not, it makes all the sense in the world to repeal this one.

Finally, and most importantly, I think, in addressing the questions that have been raised today, it is a tax on telecommunications. Mr. Speaker, 96 percent of the Internet goes over phone lines, as we heard earlier today. The gentleman from California (Mr. DREIER) talked about it as the foundation of our economic growth. There is no more important catalyst to the economic growth. We are hearing today about our first quarter results, over 5 percent growth, this is because of technology; and telecommunications as a real driver in our economic growth.

This is a tax on every single Internet user. It is a tax on every small company in America. The large companies often have private lines, they are not paying this tax, but the small companies get hid the hardest. So at a time when we are concerned about the digital divide and access to the Internet, I think this is a great product.

Now, I understand there is another proposal coming from the gentleman from New York (Mr. TOWNS); and he is a friend, a good friend. I have not talked to him about the proposal. It has not been through our committee, I do not think it has been through the Committee on Commerce yet either, nor have there been any hearings on it. So I, frankly, do not know much about it.

Again, we have been at this for several months, and I have not heard of it yet. But I am perfectly willing to sit down with the gentleman and others and talk about this, because I agree that we need to address the digital divide. The gentleman from California (Mr. BECERRA) and I, for instance, have a bill that we have been trying to get through that expands the ability to give a computer to a school. Right now it is a tax deduction, we think it ought to be a tax credit. We think other computers in the current status, which is computers only 2 years old, ought to be eligible. So I am very sympathetic to that general notion.

But the thought of taking this phone tax and getting rid of it and giving those revenues back to those families, particularly those families again on the lower income scale that really pay a disproportionate share to me is what we ought to be doing here today, not taking that money and putting it into a trust fund that the government may use, as the gentleman from Michigan (Mr. DINGELL) said, I understand, for underserved areas, rural areas and so on. Let us look at that another day. Let us let this process proceed.

Mr. Speaker, I hear a lot on this floor about how, gee, we are so partisan in the House of Representatives, and then when we bring a good bipartisan bill to the floor that has been bipartisan from the start, and I see my colleague from Texas who has been part of this from the start, and others, I think we ought to, as a group, come together and actually get something done for the American people and send it to the Senate with a strong bipartisan vote. Let us not slow this down or stop it or make it a confused product by adding new things at this point that are not items

that have been vetted in the process or frankly that have been part of this process. Let us move this on to the Senate with a strong bipartisan vote so that we can actually get it to the President's desk and get it done for our constituents.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. TOWNS).

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

Mr. TOWNS. Mr. Speaker, I rise today to urge my colleagues to defeat the previous question and to allow the House to make in order a substitute that I would like to offer with the gentlewoman from California (Ms. WATERS), the gentleman from Michigan (Mr. DINGELL).

Given the opportunity, I do believe many of my colleagues on both sides of the aisle would enthusiastically support our substitute which would give Americans a bigger tax cut than H.R. 3961 and begin to close the digital divide, with no new costs to taxpayers. We cannot ignore the digital divide issue; we must improve the way our children learn.

Specifically, our proposed amendment would immediately reduce the telecommunications excise tax from 3 percent to 1 percent, and would repeal the tax entirely by September 30, 2002. This tax cut would give Americans over $1.5 billion, that is B as in boy, more in tax relief than they would get under H.R. 3961.

Mr. Speaker, I think all Americans would benefit from the repeal of this regressive tax on talking, and a vote in support of the previous question is a vote against giving Americans greater tax relief than the bill currently gives. I believe this is an important improvement.

Our proposed amendment would also dedicate the funds collected by this tax to telecommunications projects to help close the digital divide. Just as money collected from the gasoline tax is used to improve our Nation's highway infrastructure, money collected from the telephone excise tax should be devoted to improving our telecommunications infrastructure.

For example, money in our Digital Divide Bridge trust fund could be used to fund grants and loan guarantees to accelerate private sector deployment of broadband networks in rural areas such as California, Louisiana, and the western United States. The projects may also include supporting wireless high-speed Internet development to schools in underserved urban areas like Brooklyn, for instance.

We believe the revenue generated from this telecommunications tax should be earmarked for telecommunications projects, instead of getting lost in the general revenue and allowing the digital divide to continue to go unabated. Therefore, Mr. Speaker, I conclude by urging my colleagues to defeat the previous question and to make our proposed amendment in order.

Mr. Speaker, I would like to say to my good friend from Ohio that this amendment would really, really move us in the right direction and begin to make certain that people that are left out will now be in. I think he would support that, so I am hoping that he will read it quickly and then join the band.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 1½ minutes to the gentleman from Maryland (Mr. WYNN).

Mr. WYNN. Mr. Speaker, I thank the gentlewoman for yielding me this time.

I rise to take a strong stand to urge defeat of the previous question. There is a lot of rhetoric about the digital divide, but no one is really doing anything about it. We now have an opportunity to back up our rhetoric with an investment in our future.

Specifically, there are proposals, one by my colleague, the gentleman from New York (Mr. TOWNS), which I support and one which I have introduced which would say that yes, we ought to cut the excise tax, but we ought to take a small portion of the excise tax and make an investment in closing the digital divide.

Is the digital divide real? Absolutely. Consider a family making over $75,000 is 20 times more likely to have a computer than a poor family.

□ 1230

Consider that in public schools, wealthy school districts have a ratio of seven students to one computer. Poor school districts have a ratio of 16 students to one computer. We can do something about it by taking a small portion of this tax and directing it not to the general fund but to the specific purpose of bringing our young people into the 21st century by providing computers that can be used in schools, in recreation centers, for training programs, for broad-band, for other uses. We are making a sound investment in our future.

It is time that we eliminate the empty rhetoric about the digital divide and really did something about it. This is our opportunity. I hope my colleagues will defeat the previous question, allow the substitute amendments to be considered by this body and allow us to really work toward closing the digital divide that everyone is so happy to talk about.

Mr. LINDER. Mr. Speaker, I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BENTSEN).

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

Mr. BENTSEN. Mr. Speaker, I thank the gentlewoman from New York (Ms. SLAUGHTER) for yielding me this time.

Mr. Speaker, I rise in strong support of H.R. 3916, the Telephone Excise Tax Repeal Act of 2000. I am pleased to be an original co-sponsor of this bill.

Mr. Speaker, this is a tax whose time has come and it is time to be repealed. It was started over 100 years ago, during the Spanish-American War, to raise revenues; and it was started as, in effect, a luxury tax when only 2 percent of Americans had telephone service.

I can remember as a boy some years ago being at my grandparents' place up in east Texas, and they still used a party line, and people did not have many phones. Well, today about 97 percent of Americans have phone service in their home or they have cellular service, and also now with the rise in the use of the Internet people are being taxed there.

I think it is a little bit more simplistic than our colleague, the chairman of the Committee on Rules, pointed out, that somehow this is going to leverage an increasing boom in the high-tech market; but I think it is very important that this is one of the first tax breaks that we have seen come to the floor that is not a targeted tax break in one direction or does not just benefit the top 2 percent of the people with higher income. This is going to benefit the broad majority of American citizens out there since most Americans have some form of telephone service, some are on the Internet; but this is something that is going to put money back in the pockets of working American families, and that is why I cosponsored this bill. It is time to get rid of this tax.

I do want to say to my colleague from New York, I think he raises a very important issue, and his approach may well do more in trying to deal with the digital divide, but underlying all of this it is time that we repeal this tax and put some money back in the pockets of working Americans and send this tax back to where it goes. We have dealt with the deficit. We are not in a period of war, and so it is time that we do away with it; and I urge my colleagues at the end of the day, depending on what we do with the rule, to pass this bill.

Mr. LINDER. Mr. Speaker, I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. STENHOLM).

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

Mr. STENHOLM. Mr. Speaker, I rise in opposition to this rule because it allows us to continue the pattern of fiscally irresponsible legislation that will squander the budget surplus drip by drip. Once again, we are being asked to waive the Budget Act in our rush to pass politically popular and, I might add, common sense legislation without regard for the consequences on our promises to retire the national debt and on our ability to strengthen Social Security and Medicare.

I submitted an amendment to the Committee on Rules that would have

added very modest protection to ensure that this legislation does not jeopardize fiscal discipline. My amendment would allow the repeal of the telephone excise tax to take effect so long as Congress and the President maintain our course of fiscal discipline. Specifically, my amendment would have made the implementation of the telephone excise tax repeal contingent upon certification that Congress and the President have taken actions to ensure that we are on a path to eliminate the publicly held debt by 2013 and to protect the integrity of Social Security and Medicare.

This amendment represents a common sense principle that should be supported by Members on both sides of the aisle. In fact, a bipartisan majority of this House has already voted in favor of the provisions of my amendment when we adopted the Shadegg amendment to H.R. 701, the Conservation and Reinvestment Act. I agreed with many of my colleagues on the other side of the aisle when they argued during the debate on CARA that they should make sure that we are on a course to pay off the national debt and protect Social Security and Medicare before we spend the surplus on a new program.

I would ask my colleagues on the other side of the aisle who agreed with me on that principle when it applied to spending bills, why they are not willing to even consider applying this principle to tax cuts? If they believe that repeal of the telephone excise tax is more important than eliminating the national debt and protecting the integrity of Medicare and Social Security, vote for this rule.

Mr. LINDER. Mr. Speaker, I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, I am here to applaud the Committee on Rules for giving us the opportunity today on the floor of this House to have the first, and given the way the Republican leadership runs this place, perhaps the only vote in this new millennium on genuine campaign finance reform. We are going to do that today through the motion to recommit, because what has happened in American politics is more distasteful than ever. It made a little fun of it last year in Roll Call referring to the 527 loophole airbus. It is a giant loophole that has been committed in our campaign finance laws, and now it is being used to hammer people into giving huge contributions to political organizations to conduct character assassination of people with hate ads on the airwaves throughout this country.

One can hammer a person to give $100,000 or a million dollars after they think they have gotten what they call fair treatment in this House. What they can tell that person they are hammering is that no one will be able to trace the money because they are going to run it through something called a 527, a giant loophole in the campaign finance laws. Some have referred to this loophole as the political equivalent of a Swiss bank account, and we have already begun to see how these 527 organizations operate. They operate in secret.

Common Cause has referred to them as stealth PACs. One leading reformer in this country has said, this is the latest manifestation of corruption in American politics. That is JOHN MCCAIN, and we are going to put a stop to it today, at least in part, thanks to the Committee on Rules providing for a motion to recommit.

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from Staten Island, New York (Mr. FOSSELLA).

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

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

Mr. Speaker, again, the focus here is 102 years, 102 years of a temporary tax. I do not know about other Members here, but I can say that people back home, when they get that phone bill and they have difficulty understanding all those charges that appear and they ask why, and we are forced to tell them, well, believe it or not 102 years ago Congress passed a temporary tax. Now this Congress, I sense in a bipartisan way, will do the right thing and repeal that unnecessary tax that impacts every American family, and there may be people who have and will come to the floor to defend it and that is their right; but one has to ask themselves, I think, if we are not willing to repeal a 102-year-old temporary tax today, when we are enjoying the surplus generated by the American people, then when will we do it?

So I applaud those who have introduced this legislation.

Mr. KLECZKA. Mr. Speaker, will the gentleman yield?

Mr. FOSSELLA. I yield to the gentleman from Wisconsin.

Mr. KLECZKA. As I looked over the history of this tax, I thought I read that after the Spanish-American War this tax was repealed, and then at the start of World War I it was put back on; repealed after World War I; then it was put back on for World War II and then broadened to include the entire phone bill and that is where we are today. It is still around. Is that accurate?

Mr. FOSSELLA. The gentleman's point being that we should not repeal it today?

Mr. KLECZKA. No. The point being that it is not 102 years old and around since the Spanish-American War. It was repealed after that war in 1902. So the gentleman is inaccurate on that point.

Mr. FOSSELLA. Reclaiming my time. So much for semantics. The gentleman has every right to cast his vote to keep this tax alive, to say to the American people that he wants to keep this tax alive. I, in good measure and in good faith, say to the people of America that they deserve a break.

Ms. SLAUGHTER. Mr. Speaker, I yield 2½ minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I want to thank the Committee on Rules for allowing this motion to recommit on the issue of section 527 political organizations, because this will be the first vote of the new year, really the first vote of the new millennium, on the issue of campaign finance reform.

Time and time again I hear the Republican leadership state that the only way to fix our campaign finance system is through disclosure, but it is very cynical and hypocritical that they make that claim when at the same time they conduct themselves and their political cronies through the auspices of these section 527 political organizations.

We have seen report after report of the Republican Party structure creating and funding secret political organizations to funnel corporate dollars to further the agenda of the extreme right. To do this, they use section 527 of the Tax Code which allows the right wing to hide the names of their donors and also hide how their money is spent.

What is particularly disturbing about this is that the Republican leadership is allowing this cynicism to pervade the campaigns of their new candidates throughout the country.

In my own reelection campaign in 1998, my Republican opponent used one of these section 527 groups to funnel $5 million, I stress $5 million, in undisclosed and unaccountable dollars to malign me and try to defeat me.

My campaign had a lot of success in tracking down the corporate sources given to the group on our own. It was not disclosed, but we were able to find out about some of them, and many of the corporate CEOs whose corporations gave to these groups; and I spoke to them, had no idea how their own dollars were being donated and spent because of the lack of disclosure.

Two years after my campaign now, this same young Republican candidate that I ran against has now moved to a new district in New Jersey and is using these same methods in another run for the House, and here in the Capitol I am reading news reports that Republican leaders of the Congress are publicly pressuring lobbyists to donate to these same secret groups.

Mr. Speaker, it is nice to have a vote on the floor to repeal an antiquated tax provision like the telephone excise tax. I am, in fact, a co-sponsor of H.R. 3916. However, I also think it is equally important to strip our Tax Code of these provisions which undermine our political process and our electoral integrity, and I challenge the Republican leadership, the self-described disciples of disclosure, they keep talking about disclosure, to bring a bill to the floor to end the abuses of section 527.

Mr. LINDER. Mr. Speaker, I yield 2 minutes 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 from Georgia (Mr. LINDER), and I thank the ranking member of the Committee on Rules for the opportunity to be able to speak to the legislation and the speed and expeditiousness of the Committee on Rules to bring this to the floor. Let me thank them very much for their hard work, realizing the work we had yesterday, the importance of their meeting to get this done.

This is a great day for Americans, and this is a great day for Texans and a great day for the constituents that I represent in the 18th Congressional District. It is not often that we can come forward in a bipartisan way to say to those who monthly and sometimes weekly, depending on the structure they have for their telephone bill, to try to look in the hidden print and find a small percentage of dollars that are taken out of their hard-earned income; and we are now glad to say today we pronounce with the passage of this legislation the opportunity to return those dollars to them.

The removal of the telephone excise tax is a value to all Americans, and because it was a tax that was indiscriminate and thereby reached those hardest hit Americans who work every day to make ends meet, to provide for their children, work at hourly wage jobs, of which we hope to increase the minimum wage, this is, of course, a bounty and a much appreciated repeal.

The key here is that this tax was even. No matter what one's income was, it was an excise tax that one probably could not track as to what it actually did, and I hope that as we repeal this tax we will also give consideration to the idea of utilizing dollars to end the digital divide. It is an area of interest, as a member of the Committee on Science and Committee on the Judiciary dealing with H1B visas, that I realize is key; but I think that this valuable repeal of the tax is one that helps to give consumers right now a tax cut that they can experience and appreciate, and I would hope that as we do this we would realize that these random, undisclosed taxes, are ones that we can repeal in a bipartisan manner.

I am gratified that this bill is on the floor, and I hope that it will ultimately pass to give relief to all taxpayers in America.

Mr. Speaker, I rise in support of H.R. 3961. This is a good bill that would close the digital divide. I also support the Towns-Dingell amendment that would reduce the telecommunications excise tax from 3% to 1%, and would repeal the tax entirely—effective September 30, 2002. This tax cut would give Americans over $1.5 billion more in tax relief than they would get under H.R. 3961.

In addition, this amendment would dedicate the funds collected by this tax for telecommunications projects to close the Digital Divide. See—just as money is collected from gasoline taxes to improve our Nation's highway infrastructure, money collected from the telephone excise tax should be devoted to improving our telecommunications infrastructure. For example, money in the Digital Bridge Trust Fund could be used to fund grants and loan guarantees to accelerate private sector deployment of broadband networks rural areas throughout the United States. In addition, the projects may also include supporting wireless high-speed Internet deployment to schools in underserved urban areas like Houston. See—no matter the specific project, the revenue generated from this telecommunications tax should be earmarked for telecommunications projects and closing the digital divide, instead of getting lost in the general revenue.

As you may know, Houston is home to over 1,000 technology companies and NASA. In fact, there are many technology companies that have developed due to the presence of the Johnson Space Center. Despite the heavy concentration of technology companies in Houston, not all our citizens are reaping the benefits of the digital economy. In fact, to ensure that all in society participate in the 21st century economy, it is imperative that information technology be accessible to all. Access to computers and use of the Internet is necessary for one's full participation in America's economic, political and social life. Today, use of information technology is rapidly becoming a requisite skill for employment, and the technology industry generally pays 80 percent more than the average private sector job.

Like many other locales in our nation, the City of Houston is experiencing a ''digital divide''—a gap between those individuals and communities that have access and training in information technology and those who do not. A defeat of the previous question and a vote on the Towns-Dingell-Waters substitute will ensure that in this new millennium, Congress is indeed serious about providing equal access to technologies for all Americans.

In closing and for these reasons, I urge my colleagues to defeat the previous question and to make the Towns-Dingell-Waters amendment in order.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I thank the gentlewoman from New York (Ms. SLAUGHTER) for yielding me this time.

Mr. Speaker, I welcome this reform to the Tax Code, and I am pleased that this motion to recommit will be the first vote on campaign finance reform this year. The shadowy political hit squads being set up under section 527 of the Tax Code should be required to disclose their contributors. I agree with the majority whip, the gentleman from Texas (Mr. DELAY), who during the campaign finance debate last year said, and I quote, ''What reform can restore accountability more than an open book?''

□ 1245

So it is baffling why he opposes opening the books on these section 527 groups.

The gentleman from Kansas (Mr. MOORE) and the gentleman from Texas (Mr. DOGGETT) have legislation to require disclosure of these stealth political groups. Good government demands that we approve that bill.

One section 527 organization is called Citizens for Better Medicare. This is a front group set up by the pharmaceutical industry designed to give the impression that regular citizens want to keep seniors' drug prices as high to maintain the industries profit margins.

Here is how they work. Citizens for Better Medicare gathers the database of names that it claims are concerned citizens and then sends postcards on their behalf, often without their knowledge, to Congress with the message that seniors do not deserve prescription drug discounts.

Then they hire a telemarketing firm to make unsolicited phone calls to these seniors to tell them why their drugs should not be cheaper and then swiftly connect them to Members of Congress. This practice is confusing and deceptive.

The latest telephone scheme by Citizens for Better Medicare is to prey on children. A new web site, callyourgrandma.com, offers children phone cards with 10 free minutes of long distance so they can call their grandmother and explain why she does not deserve cheaper drugs. The catch, the kid has to submit personal information, a name, address, and phone number.

Developing a database of children to exploit and in order to justify their discriminatory pricing practices, that is what the drug companies are doing through Citizens for Better Medicare. I am pleased that we are going to have a chance today to stop that practice.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. MOORE).

Mr. MOORE. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, I rise in strong support of the motion to recommit and in support of the base bill. This motion to recommit would add to the pending bill language requiring full disclosure by 527 organizations, these 527 groups that collect secret money and never disclose who gave or how much they gave.

Our system of government is based on openness, disclosure, and accountability. Our system of government is threatened by secret money. Nondisclosure allows special interest groups with unlimited funds to bid for seats in Congress and to buy seats in Congress.

A patriot from Arizona who ran for President of United States this year is a champion and a strong supporter of full disclosure.

This should not be a partisan issue. People on both sides of the aisle should come to the support of this kind of responsive campaign finance reform.

Mr. Speaker, we owe this to the American people.

Mr. LINDER. Mr. Speaker, I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, I want to give one of the examples of what our motion to recommit will address. It is called Shape the Debate. This is the Web page from Shape the Debate, one of these clandestine organizations whose specialty is character assassination.

Shape the Debate advertises to those who might contribute $100,000, $1 million or more. It advertises on the World Wide Web, so this can be Iraqi money or Cuban money or Chinese money or just homegrown special interest corporate treasury money, that the good thing about contributing to Shape the Debate is that it will not disclose to anyone who gave how much.

That is the beauty to those who have discovered the 527 loophole, because their idea of shaping the debate is to do something that no one else of any political persuasion is doing in America today, and that is to use a secret stealth attack. The hitman can take the blood money to engage in that character assassination and one never knows, one never is able to trace the money.

That is why our Republican colleagues think they cannot control the House in the future unless they rely on the money passing secretly by stealth to these 527 committees that totally subvert the Federal election laws.

We have called on them. I have called on them. The gentleman from Kansas (Mr. MOORE) has called on them to join us in a bipartisan correction of this loophole. At every opportunity, no matter how much we had pled, they said, no, wait till next year. Wait until we have won the next election by using character assassination with secret money that no one will be able to trace. Wait till that happens, and maybe next year we will think about doing something about it.

I think the American people want reform now. That is what this motion to recommit is all about; it represents the first vote of the new millennium on the floor of this House for campaign finance reform. Despite the efforts of this Committee on Rules at every turn to block us from discussing campaign reform, despite the fact that the use of 527 secretly funded ads has been called another example of corruption in American politics by JOHN MCCAIN, the Republican leadership has blocked us from considering reform. Today, finally we have a tiny opening to do what is right for the American people by beginning to clean up this mess.

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

Mr. Speaker, I will have to confess, when he started talking about all that Chinese money, I thought he was showing us President Clinton's 1996 disclosure.

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

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

Mr. Speaker, I urge Members to vote no on the previous question. If the previous question is defeated, I will offer an amendment to the rule to make in order two substitutes. The Towns substitute phases out the telecommunications excise tax more quickly than the underlying bill and sets aside the proceeds in a Digital Bridge Trust fund.

The Wynn substitute also sets aside the revenues to fund various programs to overcome the digital divide.

If the previous question is defeated, Members will have the opportunity to vote up or down on those proposals.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment to the resolution and extraneous materials into the CONGRESSIONAL RECORD immediately prior to the vote.

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

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I urge a no vote on the previous question so that we may debate all the issues.

Mr. Speaker, I include the amendment to the resolution and extraneous material that I referred to earlier, as follows:

AMENDMENT TO H. RES. 511, THE RULE PROVIDING FOR CONSIDERATION OF H.R. 3916, TO REPEAL THE TELEPHONE EXCISE TAX

On page 2, line 7, after ''Ways and Means;'' strike ''and (2)'' and add the following:

''(2) without intervention of any point of order, one hour of debate on the amendment in the nature of a substitute printed in section 2 of this resolution to be offered by Representative Towns of New York, equally divided and controlled by the proponent and an opponent; (3) without intervention of any point of order, one hour of debate on the amendment in the nature of a substitute printed in section 3 of this resolution to be offered by Representative Wynn of Maryland, equally divided and controlled by the proponent and an opponent; and (4)''

On page 2, after line 8, add the following:

Section 2.

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 3916, AS REPORTED

OFFERED BY MR. TOWNS OF NEW YORK, MS. WATERS OF CALIFORNIA, OR MR. DINGELL OF MICHIGAN

Strike all after the enacting clause and insert the following:

SECTION 1. REPEAL OF FEDERAL COMMUNICATIONS EXCISE TAX.

(a) IN GENERAL.—Chapter 33 of the Internal Revenue Code of 1986 (relating to facilities and services) is amended by striking subchapter B.

(b) PHASE-OUT OF TAX.—Paragraph (2) of section 4251(b) of such Code (defining applicable percentage) is amended to read as follows:

''(2) APPLICABLE PERCENTAGE.—The term 'applicable percentage' means 1 percent with respect to amounts paid pursuant to bills first rendered on or after the 30th day after the date of the enactment of this subparagraph and before October 1, 2002.''.

(c) CONFORMING AMENDMENTS.—

(1) Section 4293 of such Code is amended by striking ''chapter 32 (other than the taxes imposed by sections 4064 and 4121) and subchapter B of chapter 33,'' and inserting ''and chapter 32 (other than the taxes imposed by sections 4064 and 4121),''.

(2)(A) Paragraph (1) of section 6302(e) of such Code is amended by striking ''section 4251 or''.

(B) Paragraph (2) of section 6302(e) of such Code is amended—

(i) by striking ''imposed by—'' and all that follows through ''with respect to'' and inserting ''imposed by section 4261 or 4271 with respect to'', and

(ii) by striking ''bills rendered or''.

(C) The subsection heading for section 6302(e) of such Code is amended by striking ''COMMUNICATIONS SERVICES AND''.

(3) Section 6415 of such Code is amended by striking ''4251, 4261, or 4271'' each place it appears and inserting ''4261 or 4271''.

(4) Paragraph (2) of section 7871(a) of such Code is amended by inserting ''or'' at the end of subparagraph (B), by striking subparagraph (C), and by redesignating subparagraph (D) as subparagraph (C).

(5) The table of subchapters for chapter 33 of such Code is amended by striking the item relating to subchapter B.

(d) EFFECTIVE DATES.—

(1) REPEAL.—The amendments made by subsections (a) and (c) shall apply to amounts paid pursuant to bills first rendered after September 30, 2002.

(2) PHASE-OUT.—The amendment made by subsection (b) shall apply to amounts paid pursuant to bills first rendered on or after the 30th day after the date of the enactment of this Act.

SEC. 2. DIGITAL BRIDGE TRUST FUND.

(a) IN GENERAL.—The National Telecommunications and Information Administration Organization Act is amended—

(1) by redesignating part C as part D; and

(2) by inserting after part B (47 U.S.C. 921 et seq.) the following new part:

''PART C—DIGITAL BRIDGE TRUST FUND

''SEC. 131. TRUST FUND.

''(a) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund to be known as the Digital Bridge Trust Fund, consisting of such amounts as may be appropriated or credited pursuant to subsection (b) or (d).

''(b) TRANSFER OF AMOUNTS EQUIVALENT TO CERTAIN TAXES.—There are hereby appropriated to the Digital Bridge Trust Fund amounts equivalent to 100 percent of the taxes received in the Treasury under section 4251 of the Internal Revenue Code of 1986 (relating to tax on communications) pursuant to bills first rendered on or after the 30th day after the date of the enactment of this part.

''(c) EXPENDITURES.—Amounts in the Digital Bridge Trust Fund may be made available only for the benefit of rural and urban areas, and Native Americans, in a manner that targets such assistance for areas, communities, and populations (including low-income families and individuals) that are underserved with respect to information technology needs, employment, and education, and only in accordance with provisions of law enacted after the date of the enactment of this section that provide for the availability of such amounts.

''(d) TREATMENT AS TRUST FUND.—For purposes of subchapter B of chapter 98 of the Internal Revenue Code of 1986, the Digital Bridge Trust Fund shall be considered to be a trust fund established by subchapter A of such chapter.''.

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 3916, AS REPORTED

OFFERED BY MR. WYNN OF MARYLAND

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Computers in Our Community Act''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) There is a growing gap, commonly referred to as the digital divide, between individuals who have access to computers and the Internet and individuals who do not have such access.

(2) Households with incomes of $75,000 or greater are more than 20 times more likely to have access to the Internet, and more than 9 times more likely to have a computer at home, than households with the lowest income levels.

(3) Although 58.9 percent of Americans earning over $75,000 annually frequently use the Internet, only 16 percent of Americans earning between $5,000 and $10,000 annually use the Internet.

(4) Black and Hispanic households are ⅖ as likely to have home Internet access as white households.

(5) The digital divide is an emergency that will detrimentally affect the economy and society of the Nation absent immediate corrective action.

(6) The e-rate program of the Federal Communications Commission ensures that schools and libraries receive telecommunications services at a discounted rate. Although tremendously successful, this program is insufficient because there is twice the demand for funding as there is funding available.

(7) According to statistics by the Department of Education, there is a dire need for additional computers in some schools. Schools with the highest concentrations of poverty had an average of 16 students per instructional computer with Internet access, compared to 7 students for each such computer in schools with the lowest concentrations of poverty.

(8) The computer industry is the fastest growing industry in our country. There is a documented shortage of information technology workers. Increasingly, workers in all fields of employment will need to be computer literate. Ensuring that classrooms have computers that are used effectively to teach students will help meet this need.

SEC. 3. AMENDMENT TO THE NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION ORGANIZATION ACT.

The National Telecommunications and Information Administration Organization Act (47 U.S.C. 901 et seq.) is amended—

(1) by redesignating part C as part D; and

(2) by inserting after part B the following new part:

"PART C—COMPUTERS IN OUR COMMUNITY PROGRAM

"SEC. 131. PURPOSE.

''It is the purpose of this part to establish programs to advance the computer skills of American workers in the global economy and to use computer technology to advance the general educational performance of American students.

"SEC. 132. STATE EDUCATIONAL AGENCY GRANT PROGRAM.

''(a) PROGRAM AUTHORITY.—From 85 percent of the amount made available under section 137 for any fiscal year, the Secretary, acting through the Assistant Secretary, shall make grants to each participating State educational agency for allocation among local educational agencies in such State.

''(b) ALLOCATION OF FUNDS.—

''(1) STATE ALLOCATIONS.—The Secretary shall allocate to each participating State educational agency an amount that bears the same ratio to such 85 percent of the amount made available under section 137 for a fiscal year as the total amount allocated to such State educational agency under title I of the Elementary and Secondary Education Act of 1965 for such fiscal year bears to the total amount allocated to all such participating State educational agencies under such title I for such fiscal year.

''(2) LOCAL ALLOCATIONS.—Each participating State educational agency shall allocate to each participating local educational agency an amount that bears the same ratio to the amount allocated to such State for a fiscal year as the total amount allocated to such local educational agency under title I of the Elementary and Secondary Education Act of 1965 for such fiscal year bears to the total amount allocated to all such participating local educational agencies in such State under such title I for such fiscal year.

''(c) ELIGIBILITY.—

''(1) PARTICIPATING STATE EDUCATIONAL AGENCIES.—In order to qualify as a participating State educational agency for purposes of this section, a State educational agency shall create or modify and submit to the Secretary a technology plan that—

''(A) identifies the current ratio of students to computers in each school district in the State, and specifies the Internet connectivity of the computer systems in such districts; and

''(B) complies with such other criteria as the Secretary, in conjunction with the Secretary of Education, shall prescribe to assure that the funds provided under this section are being used properly in schools to advance the use of technology to effectively teach students computer skills and improve the general educational performance of students.

''(2) PARTICIPATING LOCAL EDUCATIONAL AGENCIES.—In order to qualify as a participating local educational agency for purposes of this section, a local educational agency shall create or modify and submit to the State educational agency a technology plan that proves such local educational agency is meeting the goals of the technology plan of the State educational agency.

''(d) USE OF FUNDS.—Funds provided under this section may be used for the following:

''(1) The purchase of computers that meet a minimum standard as determined by the Secretary.

''(2) The electrical wiring that schools may require to connect computers to each other and to the Internet.

''(3) Hiring technological assistants to ensure that each school has access to a trained computer professional to provide technology training for teachers and perform maintenance of computer systems. A maximum of 1 technological assistant per 5 elementary schools, 1 technological assistant per 3 middle schools, and 1 technological assistant per 2 high schools may be paid for with such funds.

"SEC. 133. DIGITAL DIVIDE WORKFORCE TRAINING INITIATIVE.

''(a) PROGRAM AUTHORITY.—From 5 percent of the amount made available under section 137 for any fiscal year, the Secretary, acting through the Assistant Secretary, shall carry out a program to award grants, on a competitive basis, to nonprofit organizations for the establishment of job training programs for preparing individuals for computer and technology related jobs.

''(b) CRITERIA.—The Secretary, after consultation with the Secretary of Labor, shall establish the criteria for administering the grants under this section, which shall include the following:

''(1) Grants under this section shall be for 2 years.

''(2) Grant applicants shall serve low income individuals, as such term is defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801).

''(3) Grant applicants may submit an application under this section only after consulting with the appropriate local workforce investment board under such Act, and obtaining a favorable recommendation of the application by such board.

''(c) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to applications that—

''(1) are submitted by nonprofit organizations that have experience in providing technological training;

''(2) propose job training programs that will serve individuals most in need of computer and technology training, as determined by the Secretary; and

''(3) provide flexibility in training in order to accommodate a greater number of individuals.

''(d) APPLICATION.—To seek a grant under this section, an applicant shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary, in conjunction with the Secretary of Labor, may reasonably prescribe. Each such application shall provide a system for tracking the employment success of individuals who attend any proposed job training program.

''(e) FOLLOW-UP.—The Secretary shall review the success of the program under this section and submit a report to Congress thereon not later than 2 years after amounts are first available for implementation of the program.

"SEC. 134. COMMUNITY CENTERS AND LIBRARIES TECHNOLOGY ACCESS GRANTS.

''(a) PROGRAM AUTHORITY.—From 5 percent of the amount made available under section 137 for any fiscal year, the Secretary, acting through the Assistant Secretary, shall carry out a program to award grants, on a competitive basis, to provide assistance to community centers and libraries to provide greater access to, instruction on, and assistance with computers and the Internet

''(b) CRITERIA.—The Secretary shall establish the criteria for administering the grants under this section, which shall include the following:

''(1) Any entity requesting funds under this section shall provide such assurances as the Secretary may require to demonstrate that the entity will provide, from other sources (which may include contributions from State or local government), an equal amount of funds for carrying out the purposes of the grant.

''(2) Eligible recipients of grants under this section shall be community centers that receive Federal, State, or local government funding, public libraries, and nonprofit organizations working in conjunction with such centers and libraries.

''(3) Each recipient of grant funds under this section shall use such funds to establish a program for providing greater access to, instruction on, and assistance with computers and the Internet.

''(4) Grants under this section shall be for 3 years.

''(c) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to applications that demonstrate that the program for which funds are sought—

''(1) will be able to sustain funding in the absence of Federal funding; and

''(2) will serve areas with a low rate of access to computers and the Internet.

''(d) APPLICATION.—To seek a grant under this section, an applicant shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably prescribe. Each such application shall include—

''(1) a description of the proposed program, including how the program would will make technology available to areas with a low rate of access to computers and the Internet;

''(2) a demonstration of the need for computers and access to the Internet in the area to be served; and

''(3) a description of the type technology that will be provided.

''SEC. 135. COMPUTER CURRICULUM PARTNERSHIP.

''(a) PROGRAM AUTHORITY.—From 5 percent of the amount made available under section 137 for any fiscal year, the Secretary, acting through the Assistant Secretary, shall carry out a program to award grants, on a competitive basis, to institutions of higher education that create successful partnerships between their education and computer departments to create software or Internet applications—

''(1) to train teachers in using computers, and using computers to teach students; or

''(2) to use in the classroom to teach students.

''(b) CRITERIA.—The Secretary, after consultation with the Secretary of Education, shall establish the criteria for administering the grants under this section. Such criteria shall include priorities for awarding funds under this section—

''(1) based on the need of the schools being served and their educational priorities; and

''(2) giving preference to those applicants that will operate their programs in conjunction with local educational agencies.

''(c) CLEARINGHOUSE.—The Secretary shall, in conjunction with the Secretary of Education, develop a clearinghouse to make available information derived from the activities of recipients of funds under this section to other schools throughout the United States.

''(d) APPLICATION.—To seek a grant under this section, an applicant shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary, in conjunction with the Secretary of Education, may reasonably prescribe. Each application shall include a description of the format of the software or Internet applications to be created.

''SEC. 136. ADMINISTRATIVE COSTS.

''Of amounts available to carry out a program to award grants under each of sections 133, 134, and 135, the Secretary may not use more than 1 percent to pay administration costs under that section.

''SEC. 137. REGULATIONS.

''The Secretary may prescribe such regulations as may be necessary to carry out this part.

''SEC. 138. APPROPRIATIONS AUTHORIZED.

''There are authorized to be appropriated to carry out this part for any fiscal year an amount not to exceed the amount deposited to the Computers in Our Communities Trust Fund for such fiscal year pursuant to section 9511 of the Internal Revenue Code of 1986.

''SEC. 139. DEFINITIONS.

''As used in this part—

''(1) the terms 'State educational agency' and 'local educational agency' have the meanings provided such terms in section 14101 of the Elementary and Secondary Education Act of 1965; and

''(2) the term 'institution of higher education' has the meaning provided such term in section 102 of the Higher Education Act of 1965.''.

SEC. 4. COMPUTERS IN OUR COMMUNITIES TRUST FUND.

(a) IN GENERAL.—Subchapter A of chapter 98 of the Internal Revenue Code of 1986 is amended by inserting after section 9510 the following:

''SEC. 9511. COMPUTERS IN OUR COMMUNITIES TRUST FUND.

''(a) CREATION OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the 'Computers in Our Communities Trust Fund', consisting of such amounts as may be appropriated or credited pursuant to this section or section 9602(b).

''(b) TRANSFER TO COMPUTERS IN OUR COMMUNITIES TRUST FUND AMOUNTS EQUIVALENT TO CERTAIN TAXES.—There are hereby appropriated to the Computers in Our Communities Trust Fund amounts equivalent to 100 percent of the taxes received in the Treasury after September 30, 2000, under section 4251 (relating to tax on communications).

''(c) EXPENDITURES FROM COMPUTERS IN OUR COMMUNITIES TRUST FUND.—Amounts in the Computers in Our Communities Trust Fund shall be available for making appropriations to carry out the provisions of part C of the National Telecommunications and Information Administration Organization Act.''.

(b) CLERICAL AMENDMENT.—The table of sections for such subchapter A is amended by adding at the end the following new item:

''Sec. 9511. Computers in Our Communities Trust Fund.''

SEC. 5. REDUCTION OF EXCISE TAX ON TELEPHONE AND OTHER COMMUNICATIONS SERVICES.

(a) IN GENERAL.—Section 4251(b)(2) of the Internal Revenue Code of 1986 is amended to read as follows:

''(2) APPLICABLE PERCENTAGE.—The term 'applicable percentage' means 1 percent.''

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to amounts paid pursuant to bills first rendered after September 30, 2000.

Amend the title so as to read: ''To amend the National Telecommunications and Information Administration Organization Act to establish a program to distribute funds to State educational agencies to advance the use of technology to effectively teach our students computer skills and improve the general educational performance of students, and for other purposes.''.

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

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

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

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of agreeing to the resolution and also on agreeing to House Concurrent Resolution 331 postponed from yesterday on which the yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 221, nays 201, not voting 12, as follows:

[Roll No. 229]

YEAS—221

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bereuter
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Eshoo
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
Martinez
McCollum
McCrery
McHugh
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—201

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Etheridge
Evans
Farr
Fattah
Filner
Forbes

Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOT VOTING—12

Bateman
Becerra
Clyburn
Coburn
Hilliard
Johnson, Sam
Kennedy
McInnis
Minge
Scarborough
Spence
Weiner

□ 1312

Messrs. MOAKLEY, SPRATT, ROEMER, CUMMINGS and NEAL of Massachusetts changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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.

RECORDED VOTE

Ms. SLAUGHTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 404, noes 15, not voting 15, as follows:

[Roll No. 230]

AYES—404

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
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
Coble
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
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
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
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Olver
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaffer
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
Spratt
Stabenow
Stark
Stearns
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Young (AK)
Young (FL)

NOES—15

Berry
Dingell
Engel
Hinchey
Klink
Markey
Meeks (NY)
Obey
Owens
Stenholm
Taylor (MS)
Tierney
Towns
Waters
Wynn

NOT VOTING—15

Bateman
Becerra
Clyburn
Coburn
Hilliard
Johnson, Sam
Kennedy
McInnis
Meek (FL)
Minge
Scarborough
Schakowsky
Spence
Taylor (NC)
Weiner

□ 1321

Mr. BERRY and Mr. MARKEY changed their vote from ''aye'' to ''no.''

Ms. EDDIE BERNICE JOHNSON of Texas changed her vote from ''no'' to ''aye.''

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.

COMMENDING ISRAEL'S REDEPLOYMENT FROM SOUTHERN LEBANON

The SPEAKER pro tempore (Mr. LATOURETTE). The unfinished business is the question of agreeing to the concurrent resolution, House Concurrent Resolution 331, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the concurrent resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 403, nays 3, answered ''present'' 2, not voting 26, as follows:

[Roll No. 231]

YEAS—403

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bentsen
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)

Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clayton
Clement
Collins
Combest
Condit
Conyers
Cook
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
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
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
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
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Weygand
Whitfield
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—3

DeLay
Goodling
Paul

ANSWERED ''PRESENT''—2

Barr
Wicker

NOT VOTING—26

Bateman
Becerra
Bereuter
Berman
Brady (TX)
Capps
Clay
Clyburn
Coble
Coburn
Cooksey
Hilliard
Houghton
Johnson, Sam
Kennedy
LaFalce
McInnis
Minge
Mink
Owens
Pitts
Scarborough
Spence
Talent
Weiner
Wexler

□ 1331

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BEREUTER. Mr. Speaker, on rollcall No. 231, I inadvertently missed the vote. Had I been present on the floor I would have voted ''aye.''

Mrs. CAPPS. Mr. Speaker, I was unavoidably detained and missed rollcall 231, passage of H. Con. Res. 331. Had I been present, I would have voted ''aye.''

PERSONAL EXPLANATION

Mr. BECERRA. Mr. Speaker, on May 25, 2000, I was unavoidably detained during rollcall votes: No. 229, on Ordering the Previous Question on H. Res. 511, Providing for the Consideration of H.R. 3916, to Amend the Internal Revenue Code of 1986 to Repeal the Excise Tax on Telephone and Other Communication Services; No. 230 on Agreeing to the Resolution, H. Res. 511; and No. 231 on Agreeing to the Resolution, H. Con. Res. 331, Commending Israel's Redeployment from Southern Lebanon. Had I been present for the votes, I would have voted ''nay'' on rollcall vote 229, and ''aye'' on rollcall votes 230 and 231.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO HAVE UNTIL MIDNIGHT, JUNE 1, 2000, TO FILE PRIVILEGED REPORT ON DEPARTMENT OF DEFENSE APPROPRIATIONS BILL, 2001

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight, June 1, 2000, to file a privileged report on a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 1 of rule XXI, all points of order are reserved on the bill.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO HAVE UNTIL MIDNIGHT, JUNE 1, 2000, TO FILE PRIVILEGED REPORT ON DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 2001

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight, June 1, 2000, to file a privileged report on a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 1 of rule XXI, all points of order are reserved on the bill.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO HAVE UNTIL MIDNIGHT, JUNE 1, 2000, TO FILE PRIVILEGED REPORT ON DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 2001

Mr. REGULA. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight, June 1, 2000, to file a privileged report on a bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 1 of rule XXI, all points of order are reserved on the bill.

TELEPHONE EXCISE TAX REPEAL ACT

Mr. ARCHER. Mr. Speaker, pursuant to House Resolution 511, I call up the bill (H.R. 3916) to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communication services, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 511, the bill is considered read for amendment.

The text of H.R. 3916 is as follows:

H.R. 3916

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

SECTION 1. REPEAL OF EXCISE TAX ON TELEPHONE AND OTHER COMMUNICATIONS SERVICES.

(a) IN GENERAL.—Chapter 33 of the Internal Revenue Code of 1986 (relating to facilities and services) is amended by striking subchapter B.

(b) CONFORMING AMENDMENTS.—

(1) Section 4293 of such Code is amended by striking ''chapter 32 (other than the taxes imposed by sections 4064 and 4121) and subchapter B of chapter 33,'' and inserting ''and chapter 32 (other than the taxes imposed by sections 4064 and 4121),''.

(2)(A) Paragraph (1) of section 6302(e) of such Code is amended by striking ''section 4251 or''.

(B) Paragraph (2) of section 6302(e) of such Code is amended—

(i) by striking ''imposed by—'' and all that follows through ''with respect to'' and inserting ''imposed by section 4261 or 4271 with respect to'', and

(ii) by striking ''bills rendered or''.

(C) The subsection heading for section 6302(e) of such Code is amended by striking ''COMMUNICATIONS SERVICES AND''.

(3) Section 6415 of such Code is amended by striking ''4251, 4261, or 4271'' each place it appears and inserting ''4261 or 4271''.

(4) Paragraph (2) of section 7871(a) of such Code is amended by inserting ''or'' at the end of subparagraph (B), by striking subparagraph (C), and by redesignating subparagraph (D) as subparagraph (C).

(5) The table of subchapters for chapter 33 of such Code is amended by striking the item relating to subchapter B.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid pursuant to bills first rendered more than 90 days after the date of the enactment of this Act.

The SPEAKER pro tempore. The amendment printed in the bill is adopted.

The text of H.R. 3916, as amended, is as follows:

H.R. 3916

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

SECTION 1. REPEAL OF FEDERAL COMMUNICATIONS EXCISE TAX.

(a) IN GENERAL.—Chapter 33 of the Internal Revenue Code of 1986 (relating to facilities and services) is amended by striking subchapter B.

(b) PHASE-OUT OF TAX.—Paragraph (2) of section 4251(b) of such Code (defining applicable percentage) is amended to read as follows:

''(2) APPLICABLE PERCENTAGE.—The term 'applicable percentage' means—

''(A) 2 percent with respect to amounts paid pursuant to bills first rendered on or after the 30th day after the date of the enactment of this subparagraph and before October 1, 2001, and

''(B) 1 percent with respect to amounts paid pursuant to bills first rendered after September 30, 2001, and before October 1, 2002.''.

(c) CONFORMING AMENDMENTS.—

(1) Section 4293 of such Code is amended by striking ''chapter 32 (other than the taxes imposed by sections 4064 and 4121) and subchapter B of chapter 33,'' and inserting ''and chapter 32 (other than the taxes imposed by sections 4064 and 4121),''.

(2)(A) Paragraph (1) of section 6302(e) of such Code is amended by striking ''section 4251 or''.

(B) Paragraph (2) of section 6302(e) of such Code is amended—

(i) by striking ''imposed by—'' and all that follows through ''with respect to'' and inserting ''imposed by section 4261 or 4271 with respect to'', and

(ii) by striking ''bills rendered or''.

(C) The subsection heading for section 6302(e) of such Code is amended by striking ''COMMUNICATIONS SERVICES AND''.

(3) Section 6415 of such Code is amended by striking ''4251, 4261, or 4271'' each place it appears and inserting ''4261 or 4271''.

(4) Paragraph (2) of section 7871(a) of such Code is amended by inserting ''or'' at the end of subparagraph (B), by striking subparagraph (C), and by redesignating subparagraph (D) as subparagraph (C).

(5) The table of subchapters for chapter 33 of such Code is amended by striking the item relating to subchapter B.

(d) EFFECTIVE DATES.—

(1) REPEAL.—The amendments made by subsections (a) and (c) shall apply to amounts paid pursuant to bills first rendered after September 30, 2002.

(2) PHASE-OUT.—The amendment made by subsection (b) shall apply to amounts paid pursuant to bills first rendered on or after the 30th day after the date of the enactment of this Act.

The SPEAKER pro tempore. The gentleman from Texas (Mr. ARCHER) and the gentleman from California (Mr. MATSUI) each will control 30 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 matter on H.R. 3916.

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, today Congress will vote to repeal the 102-year-old Federal excise tax on telecommunications services. This is a bipartisan bill introduced by the gentleman from Ohio (Mr. PORTMAN) and the gentleman from California (Mr. MATSUI). It repeals an excise tax which is regressive and hits low-income families and people on fixed incomes like older Americans the hardest and it is a tax that has truly outlived its usefulness. The telephone tax is a showcase example of bad tax policy and its endurance over the century proves again that once the Government gets its hands on the taxpayers' money, it is hard to get it back to the people.

In addition to helping people today, repealing this tax will help avoid a potentially big tax increase in the future. It used to be that each household had only one phone, and that was it. But today homes have at least one phone line, many have two. Mom and Dad and maybe one of the kids has a cell phone or a pager, and the family might have a computer and use e-mail. So they are paying this tax on a number of telecommunications services, not just on their one telephone anymore.

The point is, as more Americans use more and more telecommunications services, this tax must surely not continue to grow. That is why I am pleased that we are taking this action today to repeal a tax first levied in 1898. As the old saying goes, Better late than never.

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

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

First I would like to thank the gentleman from New York (Mr. RANGEL), the ranking Democrat on the Committee on Ways and Means, for yielding to me and allowing me to manage this bill. I would like to commend the gentleman from Texas (Mr. ARCHER), the chairman of the committee, for bringing this bill up in an expeditious fashion.

Mr. Speaker, as the gentleman from Texas has mentioned, this tax is a tax that should have been repealed years ago. It started in 1898 to actually pay for the Spanish-American war. It had been repealed and reinstated numerous times over those years, but the fact of the matter is this tax is a tax on telephone service communications between Americans.

When it was first instituted in 1898, 102 years ago, there were, believe it or not, 1,356 telephones in America. It was clearly a luxury tax. It was a method that very wealthy people used to communicate with each other probably more as a novelty than as a real source of communication. The fact of the matter is today that 94 percent of the American public of 270 million people now use telephones. Now they pay a 3 percent tax. As we know, this tax hits across everybody, low-income people, moderate-income people, the rich; but everybody pays the same percentage. This is probably one of the most regressive taxes that the Federal Government has. It should be repealed, particularly in a time of surpluses.

I might also mention that there is another aspect of this as well. As we know, we have numerous different modes of communication in America and throughout the world today. We have the Internet, we have cable modems and everything else. At this time the IRS and the Treasury Department is having a very difficult time on how to apply this tax. Some can use the Internet with cable modems to avoid the tax, and others who use the basic telephone service end up paying the tax. As we know, average low-income Americans are the ones that do not have access to the Internet. And so again this tax is even more regressive,

given the fact that many Americans cannot afford the new technology that we have. This tax is currently at approximately over a 5-year period $20 billion. This is not just a small amount. This is a very large tax on American citizens.

Mr. Speaker, this tax needs to be repealed. I urge my colleagues to vote yes on this repeal effort.

Mr. PORTMAN. Mr. Speaker, I yield 2½ minutes to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from Ohio for yielding me this time. I salute my colleague from Ohio and my colleague across the aisle from California for bringing this forward. Credit is also due to a new Member of our institution, the gentleman from California (Mr. GARY MILLER), who brought this to our attention last year.

As the chairman of our committee pointed out, Mr. Speaker, this is an object lesson on tax policy in our constitutional Republic. One is almost tempted, Mr. Speaker, to return to my profession of broadcasting, ''This bulletin just in. The Spanish-American war is over. We won. But in the process American consumers lost.''

As my colleague from California correctly points out, this has been a stop-start, on-again off-again procedure. Yet it is compelling because it was a tax levied for the most noble of purposes over a century ago; but it has stayed around and, far from a luxury, we know today the telephone is a necessity. We know today that as we live in the information age, as we depend on computers more and more, information so vital to our everyday lives need not be taxed. Especially egregious, these funds from this luxury tax are not even devoted to the telecommunications process. No, they go into the general fund.

And so it is long overdue that we repeal this Spanish-American War telephone tax, this tax on talking; and in much the same way, we need to continue our review and one day reform our overall tax policy because historians note that the current taxation on personal income made possible by the 16th amendment to our Constitution was preconditioned through judicial review on the notion that it is temporary.

Well, today the temporary century-plus telephone tax will be repealed. Again, as we congratulate each other in a bipartisan fashion, Mr. Speaker, the American people ask, What took you so long? We are finally getting the work done for the people.

Mr. MATSUI. Mr. Speaker, I yield 4½ minutes to the gentleman from Wisconsin (Mr. KLECZKA), a member of the Committee on Ways and Means.

Mr. KLECZKA. Mr. Speaker, let me thank the gentleman from California for yielding me this time.

Mr. Speaker, I am really tickled pink to have the opportunity to come down here and talk about this repeal of the phone tax. As was indicated, this repeal will cost some $20 billion to the treasury, or putting it another way, Americans will be saving $20 billion over a 5-year period. To put that into perspective, the President has recommended this Congress pass a drug benefit for the senior citizens on Medicare. The 5-year cost of that is $40 billion. But my Republican colleagues do not support that so we probably will not do it for the seniors; but this phone repeal could fund one-half of that Medicare drug benefit for seniors, just to put it into perspective.

Now, I guess people are going to ask, what is this worth to me? I have a copy of a phone bill here from the State of Virginia from the Bell Atlantic Phone Company. This is for the other services and charges. If I could direct Members' attention to number seven, it is tax and Federal, the savings to the consumer here, 97 cents. People ask me, where did this idea come from to repeal the tax? Clearly the gentleman from California (Mr. MATSUI) introduced a bill, but we also had an advisory commission established by Congress to look at the Internet tax.

□ 1345

It was headed up by the governor of the State of Virginia, Governor Gilmore. His colleagues not only wanted to put a moratorium on Internet tax, but they also had this real thing about the Federal phone tax. They pushed and shoved, and part of the recommendation to Congress was to repeal this 97 cent tax here.

As I look at this bill, Governor Gilmore, my eyes dropped to the next line, and that is the State sales tax on your phone bill. That is $7.00, 700 percent more, and I do not recall the governor saying anything about knocking that down, but he is so gracious to help us out by eliminating this 97 cents on the phone bill.

I just read in the Post today that Governor Gilmore wants the taxpayers of the country to give him another half a billion dollars to rebuild the Wilson Bridge, which is in part Virginia and in part Maryland. I say we could sure help him out if we had this $20 billion, but we have to give that back. But the point here is the consumers by our action today are going to save 97 cents on this phone bill, but we are not doing anything about the $7 tax going to Richmond.

So this is a great day. We are really going to do something for the consumers. Massive tax relief. Great day.

I have got some bad news. Bell Atlantic, same company, sent out a letter, and they sent out the letter to the phone people, to those who use their telephone, and they say, hey, important notice, folks. Optional wire maintenance price plan increase. What is that? Well, for the phone wire inside your house, these folks are currently paying $1.25 a month. The phone company is telling them, effective June 17 of this year, we are going to increase that almost 100 percent to $2.45, $1.20 a month.

But, wait a minute. We just saved 97 cents, and the phone company took it away. Before we got the savings, this phone company took it away. So right now, as we stand here, we are 23 cents in the hole, because after we give you this phone tax relief, your bill is going to go up 23 percent anyway.

So now I am thinking, my gosh, how are we going to help the consumer out? Well, I came up with a couple of ideas. It is going to cost some money to change the Tax Code. There will be some administrative costs once this bill is signed into law. I am thinking of producing an amendment today to amend the bill, and instead of sending the 97 cents back to the consumers, send the $20 billion to the phone company. My friends, they are going to get it anyway.

The other idea is to move the previous question, which means cut off all the debate, because the longer we sit here today and talk about this, the less the consumers are going to save.

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

Mr. Speaker, I appreciate that my friend from Wisconsin has pointed out some other potential targets. Unfortunately, the U.S. Congress will not be able to do much about it. Maybe some State legislators from Virginia were watching, maybe some of our regulators downtown were watching from the FCC, and maybe even some members of the Committee on Commerce are here.

But I know that it is very important to most Members of this Chamber that we go ahead and reduce that 97 cents, which is $6 billion a year on the consumers of this country; and regardless of what States may do or what other regulations may require, I am delighted that this has been, from the start, an effort that has been supported broadly on a bipartisan basis.

I want to point out the gentleman from California (Mr. MATSUI) in particular. He is my partner on this legislation, has been from the start. He makes some very good points every time he speaks on this issue. He just made them previously about the difficulty we are having at the IRS right now even identifying what is a telephone tax and what is not, given the emerging technologies and given the very fast pace of change out there.

The gentleman also has talked, I know, about the history of this legislation. I do not want to go over all of it, but I hope people understand that this was a temporary luxury tax put in place during the Spanish-American War to pay for that war at a time when very few Americans had telephones, only the wealthiest of Americans. This temporary luxury tax, which was put in place at a time when the country was just being introduced to the glamorous young war hero, Teddy Roosevelt, has lived on. It has gone up, it has gone down, it has gone all around.

But it is a classic example of a tax in Washington that just will not die, and in this case a temporary tax on a luxury item that is no longer a luxury item, rather something all of us use every day in our lives and is clearly a catalyst to the economic growth we are all enjoying.

So at a time of prosperity, at a time when we can look out to the future with budget surpluses projected, and have the luxury of looking at our Tax Code, what makes sense and what does not, this should be for this Congress a target for repeal.

It is a 3 percent Federal excise tax; you will see it on your phone bill. Sometimes it is called FET. Look at the bottom of that bill, if you can look past all the other charges and so on that the gentleman from Wisconsin talked about. This is one this Congress can do something about and should do today.

From a tax policy perspective, there are number of reasons why this does not make sense, in addition to the fact that it is no longer necessary, since the Spanish-American War is 102 years ago. One is it is regressive. Lower-income families, of course, pay a higher percentage of their family budget than most Americans do on the telephone use. Everybody has a phone. Ninety-four percent of American families have it. Seniors are particularly hard hit by this on fixed incomes who need the telephone as a lifeline to the outside world.

Second, unlike other Federal excise taxes that go for some specific purpose, this simply goes into general revenues. The gas tax is a Federal excise tax, but it goes to fix our roads and our bridges. We also have Federal excise taxes on sin, being the sin taxes, so-called sin taxes, on alcohol and cigarettes.

But this is something that we should not be discouraging, telephone use. In fact, just the opposite. We should be encouraging it, again, because it is such a fundamental driver in the economic prosperity we now enjoy.

Finally, and perhaps most importantly, this is anti-Internet, having this tax in place, anti-telecommunications, at a time when that ought to be encouraged. Ninety-six percent of Internet goes over phone lines.

So at the very end of the day, all I can say is this is a great example where the Congress gets together, reflects on our Tax Code, what makes sense, what does not, comes together on a bipartisan basis, making it bipartisan from the very start, then brings it to the floor in a bipartisan way, to send a strong message to the United States Senate, which sometimes needs a strong message, and to the President, because I hope it will end up on his desk, hope it will happen in the next month. I hope it will happen before we go out of session certainly this year, so we will be able to give our consumers a little break and help our economy and get rid of this, again, outdated part of our Tax Code. The Spanish-American War is long over, but in the 21st century, the telecommunications revolution is very much on. We need to assist that.

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

Mr. MATSUI. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Speaker, I thank my colleague from California, the original Democrat sponsor of this bill, for yielding me time.

As a cosponsor of H.R. 3916, the Telephone Excise Tax Repeal Act, I am proud to not only support it, but also be a cosponsor. It adds $6 billion annually to our bills and about $2.00 a month to our constituents' phone bills.

While this tax was created to fund the Spanish-American War and has been reinstituted during different conflicts, telephones were a luxury. Well, that is not the case anymore. In fact, it has long since not been a luxury. So this regressive tax should be repealed.

This is a broad tax cut that I think a lot of us can support, and that is why you have a broad number of Members that are cosponsoring it. It covers everyone, but particularly it covers senior citizens in my own district who can see when their bill comes in after this is effective, their Federal tax will be reduced.

I do share with my colleague from Wisconsin the concern about whether their regular phone bill will be increased, but hopefully they will deal with their State legislature and their regulation on that. The only funds that should be collected from the telecommunications device should be the digital divide.

I am also glad we are having a motion to recommit to close the 527 loophole that requires 527s to be able to list who is giving to them and how they are spending their money.

Mr. PORTMAN. Mr. Speaker, I yield 2½ minutes to the gentleman from Pennsylvania (Mr. ENGLISH), my colleague on the Committee on Ways and Means.

Mr. ENGLISH. Mr. Speaker, I thank the gentleman for yielding, and I thank him for his efforts as well as those of the gentleman from California to move forward to repeal this fantastically antiquated tax.

Mr. Speaker, recently I had the opportunity in visiting Egypt for the first time to do something that every archeology buff wants to do, and that is visit the pyramids. As I descended into the bowels of the great pyramid of Cheops, I developed a fresh appreciation for the ancient Egyptian belief in resurrection.

Mr. Speaker, as we move to inter this tax finally, we are looking at a provision in the Tax Code that would reaffirm the beliefs of the Old Kingdom in resurrection. This tax was first introduced in 1898, before income taxes were levied. It was designed as a temporary tax to pay for the Spanish-American War, as the last speaker noted. Since then, this tax has been repeatedly resurrected by Congress to no end.

Mr. Speaker, I rise in strong support of this legislation and urge my colleagues to vote in favor of repealing this outdated tax on our most basic communications. In my home State of Pennsylvania, this would mean $245 million in tax relief, with $75 million of that going to families who earn less than $30,000. The time has long passed to eliminate this regressive tax on the American people and on small business.

For the first time in decades, with the Federal Government running a budget surplus, it is particularly perverse to continue this tax on talking when telecommunications play such a vital role in the information superhighway. The revenues from this tax, as the last speaker noted, are not even earmarked to support telecommunications infrastructure. It goes to the general treasury.

Mr. Speaker, I would urge every one of my colleagues to vote for this bill, and, in doing so, vote for tax fairness, for tax relief, and for easier Internet access. I urge the passage of the legislation.

Mr. MATSUI. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. LEWIS), a member of the Committee on Ways and Means.

Mr. LEWIS of Georgia. Mr. Speaker, I rise today in support of the motion to be offered by my good friend and colleague on the Committee on Ways and Means, the gentleman from Texas (Mr. DOGGETT), the motion to recommit. It simply says that section 527 political organizations will not get the benefit of the telephone excise tax repeal unless they disclose their donors. It is that simple.

The gentleman from Texas (Mr. DOGGETT) had tried to offer this amendment in the Committee on Ways and Means twice, once today and once during the debate on the Taxpayers' Bill of Rights. Both times, the Republicans have voted it down and blocked it from coming to the floor.

Every person in America realized the importance and necessity of fixing our system of financing elections. The Doggett amendment is an attempt, but an important attempt, a necessary attempt, to bring about campaign finance reform. It will close another loophole in campaign finance disclosure laws. It will clean up the mess created by section 527 political organizations. These organizations can take unlimited money from almost any source, even foreign money, and make expenditures without any disclosure to anyone. It is a sham, it is a shame, and it is a disgrace. The American people deserve better.

The Doggett amendment only requires simple open disclosure by these organizations, these 527 organizations. The American people have a right to know. They have a right to know who is funding political campaigns in our country. They have a right to know who is behind the attack ads. The American people have a right to a free and fair election process.

There is already too much money in the political process. There is no room for secrecy too. We need to fix the mess. I urge my colleagues to support the motion to recommit.

Mr. PORTMAN. Mr. Speaker, I yield 2 minutes to my slow-talking, fast-thinking friend, the gentleman from Georgia (Mr. COLLINS).

□ 1400

Mr. COLLINS. Mr. Speaker, I appreciate the gentleman yielding me this time.

Mr. Speaker, when Theodore Roosevelt issued the order to charge, he was referring to the Rough Riders and ordered them towards San Juan Hill. Well, evidently the Congress heard the order of charge at the same time, and they implemented this 3 percent luxury tax on those at that time who had a telephone. Well, that time in Congress and Theodore Roosevelt have passed, the Spanish American War is over, and it is time that we cease charging, charging the American people this ridiculous tax on their telephones.

The charge was to pay for the war. The war had a cost of about $250 billion. Today, we are collecting better than 20 times the cost of that war each year. This is just another example of excessive taxation, but Congress too is responsible for the excessive taxation because of our excessive spending habits. But it is an excessive cost to families and to business. At a time that we have a savings rate that is negative in this country, at a time that we are trying to encourage investments, and at a time when we are trying to compete in a global market, it is time for us to repeal and/or change tax provisions that will assist families and business.

Mr. Speaker, it is time to end this charge. The war is over. Let us sunset this tax.

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

Mr. NEAL of Massachusetts. Mr. Speaker, I ask rhetorically one question on this issue: why would anybody not want to repeal this tax? And then I thought about it and I came to the conclusion, with 4 teenage children, maybe I am wrong. Do we really want to encourage them to stay on the phone longer? But even after that, I have come down on the side of repeal, primarily because changing technology, as the gentleman from Ohio (Mr. PORTMAN) has pointed out, will make the collection of this tax more and more difficult and digital technology will continue to blur the lines between audio, video, and tech transmissions. In the coming era, we will ask ourselves what will define telephone service. It is a bad tax, and we have an opportunity to get rid of it.

Mr. Speaker, let me shift gears for a second to stand in support of the gentleman from Texas (Mr. DOGGETT) who is going to speak in a few minutes. In the late 1960s and the early 1970s after Watergate, the American people recoiled in their anger at the idea that in the basement of the White House there were suitcases full of cash, unacknowledged by the donors, and we are headed down the road to that same practice unless we do something about the idea of disclosing who gives what.

The gentleman from Texas (Mr. DOGGETT) is right on target, and to my friends on the Republican side and my colleagues on the Democratic side, these groups are bipartisan political assassins. We should know where their money comes from. The idea of disclosure was that it would be a disinfectant to campaign money. People would have an opportunity to examine where the money originated, for what purpose it was given, and then they would cast their decision.

Well, we know now that there are independent expenditures that are made against many Members of this Congress, not only on issues, but just as importantly, directed at the candidates. The public should know who gives the money.

Mr. PORTMAN. Mr. Speaker, I yield 2½ minutes to the gentleman from Illinois (Mr. WELLER), a distinguished member of the Committee on Ways and Means.

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

Mr. WELLER. Mr. Speaker, let me begin by saluting the gentleman from Ohio (Mr. PORTMAN) and the gentleman from California (Mr. MATSUI), my friends, for offering this legislation, legislation that is so important. Let me begin by just sharing a couple of statistics that illustrate why it is so important.

Today, there are 100 million U.S. adults using the Internet. There are seven new Internet users every second. Think about that, seven new Internet users every second, more millions of families in America. Of course, school kids at home use the Internet as a way of doing their homework, accessing the Library of Congress.

Today, we are responding to a pretty important question and that question is, do we want the information superhighway to be a toll way or a freeway. I believe, of course, that we want it to be a freeway. Today we are voting to remove one of those toll booths on the information superhighway by voting to repeal the telephone excise tax.

Mr. Speaker, when we think about and look at who has Internet access at home, the higher their income, the more likely they have it. Families with incomes of $75,000 or more are 20 times more likely to have Internet access. If we ask those with low or moderate means why they do not have Internet access, they tell us it is because of the cost, that the cost is the barrier which denies their children the opportunity to use the Internet for school work. Today, we are eliminating one of those barriers.

I think it is important to note that 96 percent of those who access the Internet use their telephone line, so by lowering the cost of telephone use, we are increasing digital opportunity for millions of Americans.

I am proud of the leadership this House has shown in creating more digital opportunity and eliminating that so-called digital divide. Just a few weeks ago, we passed a 5-year extension of the Internet tax moratorium that specifically prohibited new fees and taxes on Internet access at the State and local level. Just 2 weeks ago, we passed legislation which cut off at the pass the FCC's authority to impose new fees and taxes by the FCC; and I am proud to say that today, we are going to eliminate the telephone excise tax, one of those toll booths. So we are removing three toll booths on the information superhighway with this legislation.

Mr. Speaker, I say to my colleagues, let us remove those toll booths on the information superhighway. Let us do the right thing. This bill has bipartisan support. Let us send it with a strong vote to the Senate. Let us create digital opportunity by lowering cost to access the Internet. By eliminating the telephone excise tax, we lower the cost, we remove a toll booth, we increase digital opportunity, and we are going to help millions of Americans gain the opportunity to join the information superhighway.

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

Ms. ESHOO. Mr. Speaker, I rise in support of this legislation that will repeal the 3 percent telephone Federal excise tax. The tax should be repealed, it has outlived its use, it passed originally, as has been stated by several colleagues as a luxury tax. Virtually every home in America now has a telephone, even those that can afford very few luxuries.

Indeed, the tax was first passed a century ago when the telephone was a new and simple device. Today, at the dawn of another century, telecommunications has changed so much that it is impossible to apply the tax even fairly. If consumers use a telephone line to access the Internet, they will pay this tax. If they use a cable modem, they will not. Furthermore, how does this tax apply to new delivery systems? Will people who use delivery systems like DSL be taxed when they use DSL for telephoning, but not be taxed when they use the Internet?

I think our responsibilities include repealing old, outmoded laws and also make it possible for our constituents to enjoy new advancements in technology. This legislation does both.

In the recommittal, I urge my colleagues to vote for disclosure. The American people deserve it, they deserve the right to know. None of us can brag that this campaign finance system is something that is good for the country. Vote for disclosure.

Mr. PORTMAN. Mr. Speaker, I yield 2½ minutes to the gentleman from California (Mr. COX), the chairman of the Republican Policy Committee.

Mr. COX. Mr. Speaker, I thank my colleague, the gentleman from Ohio (Mr. PORTMAN) for the extraordinary work that he has done in a bipartisan fashion to bring this legislation to the floor. I am pleased to join with him and the rest of my Republican and Democratic colleagues today in support of this legislation to repeal the Spanish American war tax. It is no longer a luxury tax. It is not fair; it is extremely regressive. The reason for its enactment, to fund the war with Spain, no longer exists.

In preparing for this debate, I did some research into the genesis of this tax. I went to the report issued on April 26, 1898, 102 years ago, in the Committee on Ways and Means, and I found that the author of this bill, a Representative Dingley, not DINGELL from Michigan, not my good friend and colleague who is the dean of the House, because even he has not been here anywhere near that long, but a Representative Dingley who said about his bill which was entitled, Revenue to Meet War Expenditures, ''All of these additional taxes are war taxes which would naturally be repealed or modified when the necessities of war and the payment of war expenses have ceased.''

Well, I think we can all agree today that that time has come, 102 years later. This tax was created over a century ago to pay for a war in which the father of General Douglas MacArthur, a commander of note in his own right, capped his career. Some years later, a half century ago, his son stood here in this chamber and told us in one of the most memorable addresses ever given in this Chamber, that old soldiers never die, they just fade away. But this old tax will neither die nor fade away. So today, more than a century after Spain and the United States signed a treaty of peace in Paris, we need to invoke the memory of those rough riders who charged up San Juan Hill and mount a charge on this unnecessary and unfair confiscation, run a bayonet through it, and kill it.

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

Mrs. CAPPS. Mr. Speaker, I am a cosponsor of the act to repeal the telephone excise tax, but I am rising now in support of the motion of the gentleman from Texas (Mr. DOGGETT) to recommit, because we need to make the public aware of section 527.

So-called 527 groups are tax-exempt, political organizations that try to influence elections. They can spend millions of dollars on negative ads, direct-mail campaigns, and phone banks. Not too long ago, I had never even heard of section 527s of the IRS code. Now, our constituents face the possibility of a negative ad campaign streaming into their homes paid for by undisclosed, far-off donors, distorting their elections.

Mr. Speaker, 527s pose a great threat to our current democratic process. Unfortunately, the House leadership will not give us a vote on this important issue, so voters do not know who is behind the 30 second TV ads trashing their candidates.

Mr. Speaker, I urge my colleagues to support this motion to recommit so that we can make the public aware of section 527s and the damage that they are doing to our current political system.

Mr. MATSUI. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Maine (Mr. ALLEN).

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

Mr. Speaker, I rise in support of this bill. It is time we repealed this outmoded and regressive tax. I hope we will make another change to the Tax Code through the motion to recommit. Section 527 organizations simply should disclose their contributors.

One of those organizations is called Citizens for Better Medicare, though it is not really made up of citizens. It is funded with vast, but undisclosed, sums from the pharmaceutical industry; and they run ads to persuade Americans or try to persuade Americans that it is okay to price prescription drugs at twice the level that they charge HMOs, big hospitals, the Federal Government, Canadians, Mexicans, and the rest of the world. Citizens for Better Medicare is a political organization, it runs political ads that urges people to call your Congressman. It has secret funds, and it spends some of its money attacking the Canadian health care system.

Well, last year, the gentleman from Texas (Mr. DELAY), during the debate on campaign reform said what reform can restore accountability more than an open book? It is incredible and baffling that we will not support this motion to recommit today.

□ 1415

We have a chance to require disclosure, to open the books and to let the sunshine in on big money and politics.

Mr. MATSUI. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Wisconsin (Mr. KIND).

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

Mr. KIND. Mr. Speaker, I thank my friend, the gentleman from California (Mr. MATSUI), for yielding me this time.

Mr. Speaker, I rise in support of the telephone excise tax repeal, but I also rise to speak in favor of the motion to recommit.

It is really a sad day here when we have to bring up our only serious discussion about campaign finance reform this way in this manner as a motion to recommit. It is because of the latest abomination that has crept into our political process, the so-called 527 corporations that can accept unlimited contributions and spend it for political purposes without disclosing at all where the money is coming from. For too long opponents of campaign finance reform have claimed that the only thing we need to do to reform campaign finances is to require full disclosure. Well, here is their opportunity.

What is it going to take to enact long overdue campaign finance reform in this Congress, illegalities of the magnitude not seen since the Nixon administration, when the last wave of campaign finance reform measures were finally enacted. I hope not.

Support the motion to recommit and let us shut down the 527 loophole, as we are the excise tax today.

Mr. MATSUI. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Indiana (Mr. HILL).

(Mr. HILL of Indiana asked and was given permission to revise and extend his remarks.)

Mr. HILL of Indiana. Mr. Speaker, I thank the gentleman from California (Mr. MATSUI) for yielding me this time.

Mr. Speaker, I rise today in support of repealing the telephone excise tax as well. This legislation will make telephone bills cheaper and easier to understand. People in my district in southern Indiana have told me they do not understand their telephone bills, the confusing fees and surcharges on their phone bills. They do not know why their bills are so high even when they make few or sometimes no long distance calls.

I petitioned the Federal Communications Commission last fall to make phone bills more fair. The laundry list of flat fees and taxes drive up phone bill costs and confuses consumers. Today we, as Members of Congress, have an opportunity to take an immediate step to lighten the burden on consumers by supporting this bill. Eliminating this unnecessary tax will be just the first step toward making phone fees more fair and easy to understand.

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

Mr. Speaker, I would just make the point again that this is a great example of bipartisan legislation that has been so from the start that has come to the floor after extensive discussion and hearings. We have a broad-based coalition that is involved in this effort. It includes the Hispanic business community. It includes the African American business community. It includes, of course, consumer groups. It includes telephone companies that now pay the administrative costs to impose this tax.

It includes people who have been trying for years to get the Congress to focus on this outdated tax that is actually a barrier to Internet access and to the telecommunications revolution that this Congress is trying to encourage rather than discourage. I would just hope that maybe we could keep this discussion focused on that.

There will be a motion to recommit. I understand it is going to try to connect some new issues to this that have

to do with campaign finance reform. We have heard a lot of the speakers address that, and I appreciate the fact that they are supporting this repeal which is long overdue; but I would also hope that when we do bring a piece of bipartisan legislation to the floor, as the gentleman from California (Mr. MATSUI) and I have today, that we might as a Congress respond to those very people on both sides of the aisle who say, gee, we are so partisan around here, we can never get anything done together, we can never move forward to do something for the American people that is in their interest, I would hope some of my friends on the other side of the aisle would listen to some of their own words and perhaps respond accordingly, and that we could move together without the kind of confusion and potentially partisan acrimony that seems to be building with regard to this motion to recommit and send something over to the Senate with a very strong bipartisan signal that we feel strongly about this issue; we want to get it done this year. We believe this is something we can do for all of our constituents.

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

Mr. MATSUI. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Massachusetts (Mr. TIERNEY).

Mr. TIERNEY. Mr. Speaker, we could all be here on this bipartisan motion today, this bipartisan bill, and actually pass it on a suspension. I do not see a great deal of controversy about what is going on with the subject matter of this bill. The fact that I would like to hear discussed in a bipartisan way is the motion to recommit.

I would ask the gentleman from Ohio why is it we do not hear anybody in a bipartisan way from that side of the aisle talking about the recommittal to have that go into effect and have that be bipartisan? We need disclosure. 527s are, in fact, a blight on our election system. We have heard Members on that side of the aisle talk for a long time about how they want disclosure. The majority whip tells us he wants disclosure. I would hope he would come to the floor and say that he supports this in a bipartisan way.

The head of the conference has said that he supports disclosure. He intends to raise a lot of money under 527s. Let us hear him come to the floor and talk about how he wants to be bipartisan on this bill, and then we can pass the subject bill which is virtually a no-brainer with its regressive nature. At this point in time, we are spending an awful lot of time reaching around slapping ourselves on the back. Let us do something really heroic for the American people. Let us do something that really gets to the serious part of business. Let us do something for campaign finance reform and get rid of these 527s.

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

Mr. Speaker, since the gentleman would not yield to me, I will just make a couple quick points. One is, if the gentleman is so interested in disclosure, it would be awfully nice if in the context of this telephone tax repeal, which is what we are talking about today, that many of us have worked for months on, that the motion to recommit would be disclosed to us.

Mr. DOGGETT. Mr. Speaker, will the gentleman yield?

Mr. PORTMAN. I have not seen it.

No. Let me just make my own points, if I might.

Mr. DOGGETT. I would be glad to disclose it.

Mr. PORTMAN. Since no one yielded to me on the gentleman's side, I will let the gentleman take his own time.

Second, I would make the point that if campaign finance reform is going to be connected to every issue that comes up on the floor that is bipartisan, that is constructive, that is something that is moving America forward, then I think it is very easy for people who are watching out there and other Members to think, gee, perhaps the folks on that side of the aisle are trying to obstruct what goes on in this Congress, are trying to make everything that is bipartisan into a partisan issue, are trying to keep this Congress from getting its work done and in fact helping the American people.

That is what this is all about today. This is an effort again that the gentleman from California (Mr. MATSUI) and I, and the gentleman from California (Mr. BECERRA) and I, the gentleman from Texas (Mr. BENTSEN) and I, and many other Members of this conference and the conference of the other side have worked on; and we are happy to proceed with a debate on the telephone tax because we think it is the right thing to do for the American people.

We are also eager to see the motion to recommit since the gentleman is so concerned about disclosure, and it would be interesting to see how it is tied in.

What I heard from the speaker earlier, although we do not have the motion to recommit so we cannot see it, is that the gentleman was interested in saying that he could tie this to, again, this constructive effort to repeal an outdated tax by saying that if folks do not disclose who are in certain kinds of organizations then they would have to continue to pay the 3 percent telephone tax, which is an interesting way to tie it in; and I must commend the gentleman from Texas (Mr. DOGGETT) for his creativity. But I will say that I do not think that does a whole lot; I do not think that is much of an enforcement mechanism.

So if the gentleman is really trying to get something done, maybe he ought to back up and go to his own Treasury Department in the Clinton administration and say where is the report on political activities and the appropriate tax structure of political activity that was due under the 1998 IRS Restructuring Reform Act that we are still waiting for? Where is that report?

Maybe the Treasury Department could help us because they are the experts in this.

Mr. TIERNEY. Mr. Speaker, will the gentleman yield?

Mr. PORTMAN. They could give us some perspective on this. Is a 527 any different than a 501(c)(4) that is also doing advertising without any proper disclosure?

Mr. TIERNEY. Mr. Speaker, will the gentleman yield?

Mr. PORTMAN. Is a 527 different than a 501(c)(5)?

The SPEAKER pro tempore (Mr. LATOURETTE). The time is controlled by the gentleman from Ohio (Mr. PORTMAN).

Mr. PORTMAN. Mr. Speaker, again I am happy to let the gentleman talk on his own time. He did not yield to our side, and there is plenty of time on the gentleman's side.

I would just say that it would be nice if in one day in this Congress we could come together, join arms as Republicans and as Democrats, and do something that is good for all of our constituents, which we have done up to this point on this legislation, both in terms of the subcommittee hearings, in terms of the committee hearings, the committee markup, in terms of working with outside groups to come together and bring people together, rather than making it a partisan issue, rather than again raising issues that are going to confuse and muddy the waters as we try to send a strong bipartisan signal to the U.S. Senate and to the President that this phone tax is one we want to repeal and we want to get it done this year.

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

Mr. MATSUI. Mr. Speaker, I yield 1 minute to the distinguished gentleman from the State of Washington (Mr. INSLEE).

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

Mr. INSLEE. Mr. Speaker, I must say that I am greatly disappointed that our friends across the aisle are not joining Senator JOHN MCCAIN, who has shown great leadership in an attempt to close this loophole, and are not joining us on this side of the aisle who want to close this loophole.

Now here is why we should do this together: it is a fundamental tenet of Americans' values that we like a fair fight. Americans like a fair fight, and these 527 organizations are nothing more than secret assassins. They are secret character assassins, and they assassinate people on both sides of the aisle on a bipartisan basis.

With all due respect to the last speaker, we do not need any experts from the Department of Treasury to tell us this. Look at 527. I have it right here, that defines these terms. It says, the term exempt function means the function of influencing or attempting to influence the selection, nomination, election or appointment of any individual for these offices.

These are born and bred to try to assassinate candidates, and yet the public does not know who is doing the assassination. We have a bipartisan interest in a fair fight. We ought to have a bipartisan effort. The other side ought to join us in closing this loophole. Americans are entitled to know where this money is coming from for these back-handed secret assassinations.

Mr. MATSUI. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Massachusetts (Mr. MEEHAN).

Mr. MEEHAN. Mr. Speaker, I rise to speak in favor of the motion to recommit from my friend, the gentleman from Texas (Mr. DOGGETT). What we are trying to do here is condition tax relief that is in this bill for 527 organizations on their making simple disclosure as to where money comes from.

Now I understand that there are some people that think we should not be doing this in this bill; we should have a campaign finance reform bill to deal with 527s. We did, and we passed the bill and abuses have continued.

Let me remind the Members how we got a vote on campaign finance reform this year and in the last session. We walked over here, and we signed discharge petitions, and we got attention from all over the country from public interest groups. That is how we move campaign finance reform on the floor.

Now what we are attempting to do here is look at how the Internal Revenue Code defines a 527. It is an organization that accepts contributions or makes expenditures for the purpose of influencing or attempting to influence the selection, nomination, election or appointment of an individual to any Federal, State or local public office.

By definition, these self-527s exist to influence elections, and yet somehow opponents of reform insist that these ads funneled by these organizations, that mention candidates' names, that criticize their voting records, that are aired on the very heels of elections are not subject to disclosure laws.

Now many of us debated campaign finance reform on the floor of this House and many of the opponents of reform, I recall the gentleman from California (Mr. DOOLITTLE) articulately coming down to this floor and saying disclosure is what we need; any ads that are meant to influence election, we should simply have disclosure.

What have we seen happen across the country over the last several months? We have seen an explosion of these stealth 527s spending literally millions of dollars; and we do not know, the public does not know, where the money comes from.

This is not a partisan issue. Just look at what happened to Senator MCCAIN when his campaign started taking off across the country because people wanted reform, because people wanted change. What happened? Well, just as his campaign took off, these ads popped up questioning his environmental record, precisely at the time when he faces key primaries in New York and elsewhere. Was it just a coincidence that an issue discussion on his environmental record seemed to take off exactly when his candidacy was taking off? No, it was not a coincidence.

This is an abuse, an abuse of the campaign finance laws. If we do not want to be partisan about it, we do not have to. Let us, both sides, agree to disclose any of these 527s, disclose where the money comes from.

□ 1430

The problem is, under the law, they are not being disclosed. This is an abuse of the system. The time for action is now. At a minimum, and this motion to recommit by the gentleman from Texas (Mr. DOGGETT) is a bare minimum, we should deny tax relief to 527s that do not disclose. It is as simple as that. Let us deny the tax relief to those who will not disclose.

Mr. PORTMAN. Mr. Speaker, I yield 2½ minutes to the gentleman from California (Mr. BILBRAY).

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

Mr. BILBRAY. Mr. Speaker, on June 1, I am going to be having a town hall meeting in my district with Senator MCCAIN. As my colleagues know, I was one of the few that was willing to sign a discharge petition and was right there from the beginning in the creation of our campaign finance reform.

My support for campaign finance reform is based on a lot of reasons. One, this issue is near and dear to me. I have been a victim of these very unfair and hideous attacks that so-called independent groups can do.

But my support for campaign finance reform is to bring back some integrity to the electoral process. But sadly here today the issue of bringing back integrity to the electoral process is being brought in as a way to stop us or restrict us from bringing back integrity about this Congress and about this government when it comes to taxation law.

Now, I have also been the original cosponsor of repealing this quite unfair law, the law that said, oh, just let us tax a few rich people in 1898 for a little bit to pay for the Spanish American War and, and do not worry, we will not tax the working class, and we will repeal it after the war.

Mr. Speaker, my colleagues have got a choice tonight. We can play partisan politics and try to take advantage of this issue of a bipartisan bill. Democrats and Republicans have come together and said this tax is wrong and it is immoral and the credibility of Congress is being called in on this and that we need to set an example to the American people that, when it comes to the laws of this Congress, that when we say we are going to raise taxes for one purpose and for that purpose, that when the purpose is over, eventually even if it is 100 years later, we will come back and eliminate that tax.

Mr. Speaker, I think that what we are saying today is that both of us, both Democrats and Republicans, agree it is a credibility of our taxation system that we repeal this tax.

I want to say something about this tax because I think that we hear on the floor again and again the issue of class warfare. I think that this tax is an example of the failed concept of trying to tell and promise the American people that, do not worry, we are going to tax the other guy. We are going to get them, but it will not get you.

Now, I come from a working-class community, and I have heard again and again on this floor that, do not worry, we are only going to tax the rich, as if the middle class is so stupid that they do not know what goes around comes around; that the middle class always bears the brunt and the burden of taxation. This tax is an example. In 1898, it was focused only to the very wealthy; now it has gone around.

I am asking us, let us stop the partisan fighting. Quit tying to take political advantage. We have a bill that both sides agree on. There is no excuse except partisan advantage not to repeal this tax at this time.

Mr. MATSUI. Mr. Speaker, may I inquire of the Chair how much time each side has remaining.

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman from California (Mr. MATSUI) has 8 minutes remaining. The gentleman from Ohio (Mr. PORTMAN) has 5½ minutes remaining.

Mr. MATSUI. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Kansas (Mr. MOORE).

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

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

Mr. Speaker, I rise in support of the bill to repeal the tax. This is truly bipartisan and should be bipartisan. But at the same time, I rise in support of what should again be a bipartisan effort to support the motion to recommitment. 527s would not get the benefit of the tax repeal unless they disclose under the language of the recommittal motion.

Mr. Speaker, the gentleman from Texas (Mr. DOGGETT) and I, and the gentleman from Texas (Mr. DOGGETT) is the person who proposed this 527 recommittal language, we are on each other's bills, have similar bills.

Earlier this week, the gentleman from Virginia (Mr. DAVIS) of the NRCC signed on my bill. Just yesterday, he removed his name from the bill. I was overjoyed when he signed on, because I thought this at last is an effort, an attempt, to move on a bipartisan basis, by Republicans and Democrats, on what should be a nonpartisan issue, and that is full disclosure.

I can understand, I can understand truly people having honest differences of opinion about limitations on contributions. But I have heard from my

colleagues on both sides of the aisle over and over, we may have differences about limitations, but everybody agrees with full disclosure.

Well, now we have a chance for full disclosure, and now is the time to put one's vote where one's mouth is. It is that important to the American people, because, frankly, secrecy threatens democracy. Secrecy in government threatens our system of government and electoral process. We can overcome this secrecy by opening up these records, by full disclosure, and telling the people in this country who is trying to influence Federal elections.

At the very bottom line, the people of this country deserve to know who is trying to influence their votes, so when they make an informed decision, when they make a decision to vote, they can make an informed decision and cast an informed vote.

I think it is that vital that we act on a nonpartisan basis, and I invite my colleagues on both sides of the aisle and the gentleman from Virginia (Mr. DAVIS) to support this motion to recommit for full disclosure.

Mr. MATSUI. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Florida (Mr. DAVIS).

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

Mr. DAVIS of Florida. Mr. Speaker, I just want to highlight what the gentleman from Kansas (Mr. MOORE) was referring to by the 527. A lot of times, when an issue comes before Congress, we need to spend a tremendous amount of time collecting information, conducting a hearing, and then acting. But there are those issues that are so compelling and fundamental, we need to act immediately. This is one of them. It is the incredible loophole that is being exploited.

I think a lot of criticism has been directed at Republicans, but I think the Democrats could easily succumb to this temptation one of these days, too. So this is a problem that affects every American. It should not have to be characterized as a Democrat or Republican issue. The point is we should have disclosure.

I have sat in meetings where groups that attempt to influence this process, which is their constitutional right to do so, said, do not tell us to put our name on a political ad we want to advertise because we will not run the kind of ads we want to run if our name has to be put on them.

That is exactly the point. If one is not willing to stand up and associate oneself publicly with a message one is sending to the citizens of this country, one does not deserve the right to put information out there. Because it is clear one is trying to distort and mislead.

So what we are offering in our motion to recommit is a very simple proposition. If one is going to engage in this type of political advertising, there ought to be disclosure of where the money came from. There ought to be disclosure for the good of the citizenry.

Mr. PORTMAN. Mr. Speaker, how much time is remaining on each side?

The SPEAKER pro tempore. The gentleman from Ohio (Mr. PORTMAN) has 5½ minutes remaining. The gentleman from California (Mr. MATSUI) has 4½ minutes remaining.

Mr. PORTMAN. Mr. Speaker, we have the ability to close, so the gentleman from California (Mr. MATSUI) may proceed, then I will close.

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

Mr. Speaker, I would just like to thank the gentleman from Ohio (Mr. PORTMAN) for his bipartisanship on the issue of the Federal excise tax repeal. I certainly appreciate his leadership and his effort. Of course, the majority and minority have worked very well on the issue of the excise tax repeal, and I appreciate that.

Mr. Speaker, I yield 3½ minutes to the distinguished gentleman from Texas (Mr. DOGGETT).

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

Mr. Speaker, over 200 Members of this House of Representatives have called for full disclosure by the new political superweapon of this political season, the 527. The 527 is not some new type of aircraft, but it is a superweapon designed to undermine the election process in this election year.

Today is our only opportunity, not because we wanted an opportunity like this today to be the vehicle for doing this, but because every other opportunity has been denied.

Our colleagues say that they are surprised and that they did not know about this. Well, they were not surprised when I asked every one of them, even the gentleman from Texas (Mr. DELAY) to join as a cosponsor with over 200 other Members in support of the Underground Campaign Disclosure Act. This legislation would require these groups to open their records, disclose their donors, and engage in a fair fight like everyone else.

Last year, they stood here on the floor of this Congress after they tried for months to block the efforts of the gentleman from Massachusetts (Mr. MEEHAN) and the gentleman from Connecticut (Mr. SHAYS). They stood here, and they fought those efforts by saying that it is unconstitutional. They said the only thing that would be constitutional was disclosure. Now, I read from the chairman of the Republican Campaign Committee in this morning's newspaper he thinks disclosure is unconstitutional.

What they think is that anything that would be a genuine reform of the corrupt campaign finance system that we have today in America is unconstitutional or any other excuse that they can come up with.

We have pled with our Republican colleagues to join with us in a bipartisan effort. We have offered other opportunities for them to participate, such as the Taxpayer Bill of Rights, to give the taxpayers the right to know what is happening with this subsidized activity.

But they have reached the conclusion that they cannot keep their power in this Congress, and their power over the American people, if they operate in the open. It is essential to them that they begin—and they have already begun—a program of political character assassination where the gun for the political assassination is pointed and the bullets are paid for, but we do not know who paid for them.

That is the whole idea. One can take corporate money, one can take Iraqi money, one can take Cuban money, one can take any brand of money one wants and no one will ever find out.

The reason they will not engage us in debate today is they have nothing to engage us with. They know they are wrong. They are afraid. That is why they have previously blocked us from coming to this floor after telling us we would have an open opportunity to debate the issue. They are afraid to debate the issue of why they have to rely on secret money. They know it is wrong. They absolutely know it is wrong to pollute the political process of America with hidden money. They are a big standard barrier for reform.

A great man from Arizona has said this is the latest indication of the corruption of the American political system. He has joined in a bipartisan effort with Members in the other body to reform this system. We cannot even get a fair vote on the floor of this House.

So we must rely on a motion to recommit to deny these 527 organizations the opportunity to get the telephone tax cut that is being proposed here today.

Let me make it clear to my colleague from California who talks about bipartisanship. This motion to recommit is not going to delay the approval of this telephone tax repeal by one second. As soon as this motion to recommit is approved, it will join my amendment with this bill, we will repeal the tax, and, at the same time, we will get a little equity for the people of America and a little openness in our democracy.

The SPEAKER pro tempore. The gentleman from California (Mr. MATSUI) still has 30 seconds remaining.

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

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

Mr. Speaker, I would like to start by returning the compliment to the gentleman from California (Mr. MATSUI). It has been a pleasure to work with him. I also want to commend him for his efforts yesterday, not so much the victory of normalizing trade relations with China, the world's most populous country, but rather the way in which he went about it. It was a bipartisan vote. I think it was a good and informed debate, profound debate on the floor of this House yesterday.

I have got to say today's debate has been disappointing, because it has not been about the topic at hand, which is tax policy, which is specifically this Congress finally, after 102 years, coming to grips with the telephone excise tax that was put in place as a temporary luxury tax to fund the Spanish American War that has continued to burden our consumers, and today is actually a burden and a barrier to telecommunications, which is the point of the debate today.

I want to tell my colleague that I was informed by the staff some time ago during this debate that the parliamentarians had informed them that I could raise a point of order to say that the speakers on this debate would have to keep their comments within the subject matter, which is the telephone tax, and not campaign finance reform. I chose not to do that, because I did not want to close down debate unnecessarily. We did try on our side.

We beseeched our colleagues on this side to try to keep it on the issue, because this is a great issue in the sense that Republicans and Democrats came together to try to solve a very real problem to move our country forward, in this case, to repeal an outdated telephone tax that is a burden on our economy and it particularly burdens low-income families.

□ 1445

We hear a lot from the other side of the aisle about how various Republican tax proposals are not properly distributed across the economy so that they really impact the poorest among us. Ninety-four percent of America's families have telephones. So we are talking about getting rid of a tax every one of those families pay every month on their phone bill. It is a disproportionate burden on the budgets of the lowest-income families in our country. It is a disproportionate burden on our seniors in this country who rely on telephones. It really is a lifeline for their everyday communication with the outside world.

As the gentleman from California (Mr. MATSUI) has pointed out a number of times, this is also a tax that, frankly, is very difficult to impose now because of new technology, because of the difficulty of deciding what in fact is appropriate to have the telephone tax attached to in the new world of modern telecommunications.

So I am sorry we did not have a better debate today on the issue before us. With regard to the comments of my colleague from Texas on the Committee on Ways and Means, I am sorry he had to put a partisan spin on the debate before us. I disagree with what he said. I do not think we can draw a line through this Chamber through the middle and say, gee, all Republicans are against this, all Democrats are for that. I do not think we can castigate Republicans for being against reform. We are for reform. I myself put in a campaign finance reform bill every session I have been here.

I believe in disclosure, as do my colleagues. We also believe in doing it the right way, and not a telephone tax bill; not with regard to one narrow piece of legislation; not without the proper information, as I said earlier from the Treasury Department of the Clinton administration, which is way overdue on its report to us on this very topic.

Let us do this in a smart way. Let us do it in a way that is comprehensive, so that whether we are called a 527 or a 501(c)4 or 5, or whatever number is attached to a candidate, they are treated the same way, with the same principle, which is that that candidate should have to disclose the sources of their donations. I applaud my colleague from Massachusetts because he has done that in a comprehensive way in his campaign reform proposal.

But today is a cynical partisan attempt. Again, it is disappointing to me, because I thought in this case we had something we could come together with as Republicans and Democrats and do for our constituents in a positive way. At the end of the day, we will. We will. We will be able, I think today, by sending such a strong message from this House on a bipartisan basis to move forward a repeal of a tax that probably should have been repealed 101 years ago, a tax on everybody's telephone use.

I would just make one final comment, and that is that when we talk about civility in this Chamber, when we talk about how to work in a bipartisan way, when we talk about how we can move legislation forward that all of our constituents care about, I think it is important we begin to cultivate certain kinds of approaches and certain kinds of Members and a certain approach to issues. And I would ask my colleagues on the other side of the aisle, and on both sides of the aisle, to look into their hearts and say is this the way we want to proceed? Is this what is going to encourage civility and encourage moving us ahead as a country in this Congress? Even in an election year, colleagues, we should be able to get together and do the right thing for other constituents.

I think we will do that today. I strongly encourage my colleagues on both sides of the aisle to join us in finally repealing this tax, joining the telecommunications revolution of this century and repealing a tax from the end of the 19th century.

Mr. TERRY. Mr. Speaker, I rise today in support of H.R. 3916, "The Telephone Excise Repeal Act". I am proud to be an original cosponsor of this overdue piece of legislation. The Spanish-American War is over and so should this tax which was imposed on talking to fund the 1898 war. This tax is a "tax on talking." It has been extended, lowered, increased and temporarily repealed but yet it continues to exist today. This 102-year-old tax affects telephone service, cellular phone service and access to the Internet.

Americans work very hard in this country. It is unfair to impose an additional burden on these hard working Americans by requiring them to pay a tax that was implemented to fund a war that has been over for at least a century.

H.R. 3916 will eventually eliminate the 3-percent Federal excise tax on telecommunications services. A 1-percent reduction will occur each year for the next 3 years, allowing the telephone excise tax to be fully repealed by October 1, 2002.

H.R. 3916 repeals an antiquated tax that hurts many American families and small businesses. This unsubstantiated telephone excise tax clearly violates our economic principles. When it was implemented in 1898, it was considered a luxury tax. I guess access to a telephone in 1898 was considered a luxury. Today, access to a telephone is a necessity. The repeal will encourage growth in telecommunication services and will give all Americans a tax break on their phone bill. This excise tax does absolutely nothing to promote the use of phone service. It merely goes into the government's general revenue account to be spent on anything the government desires. There is absolutely no economic or social justification for this outdated tax.

When I was elected to represent the second district of Nebraska, I maintained two priorities: one, was to fight any and all attempts by the Federal Government to take more money away from Nebraskans; and two, let Nebraskans keep more of their hard-earned dollars in their paychecks. Nearly 40 percent of the average American family's income goes toward taxes. We need to give Americans a tax break. Now is the time to eliminate the telephone excise tax. I urge my colleagues to support this bill.

Mr. GILMAN. Mr. President, I rise to take this opportunity to thank the gentleman from Ohio, Mr. PORTMAN, and the chairman of the Ways and Means Committee, Mr. ARCHER, for bringing H.R. 3916, the Telephone Excise Tax Repeal Act, to the floor today.

On February 16, 1898, the Federal Government enacted a temporary excise tax on telephone service to fund the Spanish American War. Although the war lasted just under 6 months, the Federal excise tax created to fund it, is still in effect over 100 years later, forcing consumers to continue to pay this tax on all their telephone services.

The Federal excise tax on phone service has long outlived its purpose and relevance. It is a regressive tax that is inappropriate in today's world where the telephone is not a luxury but a practical necessity. The Federal excise tax is a tax that discourages communications in a world that is becoming more and more dependent upon technology and communications. It disproportionately hurts the indigent, particularly those households on either fixed or limited incomes, and rural customers, because they have higher phone bills on average, due to comparatively more long distance calling. The Federal excise tax is essentially a tax that discourages communications.

H.R. 3916, the Telephone Excise Tax Repeal Act, would eliminate the 3-percent Federal excise tax on telecommunications services phasing in a complete repeal of the tax over the next 3 years. A 1-percent reduction will occur each year for the next 3 years, allowing the tax to be fully repealed by October 1, 2002.

The removal of the Federal excise tax on consumers phone bills will immediately lower consumer phone bills, saving American consumers over $5 billion a year. Accordingly, I

urge our colleagues to join us in repealing this antiquated ''tax on talking,'' by supporting H.R. 3916, the Telephone Excise Tax Repeal Act.

Mr. HORN. Mr. Speaker, I commend my colleagues, Mr. PORTMAN and Mr. MATSUI, and support H.R. 3916, the Phone Tax Repeal Act. In 1898, Congress approved a ''temporary'' tax of one cent on long distance phone calls, as a way of funding the Spanish-American War. When this tax was implemented, there were only about 1,300 phones in America. Today, more than 94 percent of American households have at least one phone, not to mention multiple phone lines or celluar phones.

The Spanish-American War ended that same year, but the ''temporary'' tax still exists. Currently, anyone who makes a phone call or uses a phone line to dial up to the Internet pays a 3-percent Federal excise tax on that call. Low-income families, senior citizens, and anyone else on a fixed income are especially burdened by this tax. They should not have to spend their hard-earned money on a useless and outdated tax.

Telephones, and other telecommunication technologies, have become a necessity in today's world. They are no longer a luxury enjoyed only by a privileged few. To tax necessities such as these, especially when we have a surplus, is unfair, repressive, and senseless.

This legislation would have a real and beneficial effect. Families would see an immediate reduction in their phone bill once the tax is repealed, giving them more money to spend as they, and not the Federal Government, see fit.

I urge my colleagues to support this legislation. Americans have put up with this outdated tax for too long. It is time to permanently repeal this not-so-temporary tax.

Mr. WELDON of Florida. Mr. Speaker, today, I rise in strong support of repealing the grossly outdated Spanish-American War phone tax. The 3-percent Federal excise tax on phone calls that was created in 1898 to pay for the Spanish-American War. At that time, it was called a ''temporary'' tax.

Parents have to pay the tax every time their child calls home collect from college; grandparents pay it when they call their grandchildren; and sons and daughters pay it every time they call their mom on Mother's Day.

This ''tax on talking,'' is a regressive tax, that unfairly adds to the tax burden of hard-working Americans.

It also demonstrates how hard it is for the government to end a tax. Even though the Spanish-American War has been over for a century, and I have been assured that the Spanish threat has ended, the Federal Government has continued to collect this tax.

President Ronald Reagan said, ''Government does not tax to get the money it needs; government always finds a need for the money it gets.''

It has taken a Republican Congress to find the courage to curb the growth of spending, balance the budget, and to continue to reduce the tax-bite on hard working American families. The Republican House is poised to repeal this unfair, regressive tax, but the latest reports from the Clinton-Gore administration indicate that they want to continue to make Americans pay it.

Reagan was right, ''government always finds a need for the money it gets.''

Vote ''yes'' on this bill. The Spanish-American War is over.

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

The SPEAKER pro tempore (Mr. LATOURETTE). All time for debate has expired.

Pursuant to House Resolution 511, 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

Mr. DOGGETT. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. DOGGETT. I am, Mr. Speaker, in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. DOGGETT moves to recommit the bill H.R. 3916 to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment:

Page 6, after line 11 (at the end of section 1(d)), add the following new paragraph:

(3) The provisions of this Act shall not apply to bills rendered to an organization described in section 527 of the Internal Revenue Code of 1986 unless that organization elects to make the disclosures within the reporting requirements in the Internal Revenue Code contemplated by the bill H.R. 4168 of the 106th Congress.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. DOGGETT) is recognized for 5 minutes in support of his motion.

Mr. DOGGETT. Mr. Speaker, I yield 1 minute to my distinguished colleague, the gentleman from Texas (Mr. STENHOLM), who has been a part of the effort to get a discharge petition so that we can take up, through regular order but has thus far been blocked, this whole issue of the 527 stealth PACs.

Mr. STENHOLM. Mr. Speaker, I thank the gentleman for yielding me this time, and as I have been listening to the debate, I have found it interesting that people would be talking about why are we mucking up this bill with this nonrelated issue. There is a pretty simple answer to that question.

If we only allowed the regular legislative process to work, we would not have to do this. But remember, when we had the Shays-Meehan bill on the floor, opponent after opponent after opponent of the bill came forward and said, all we really need to do is to have disclosure. That is what this is all about.

I would hope that the majority would finally agree to allow a simple disclosure bill, the bill of the gentleman from Kansas (Mr. MOORE). All we are trying to say is, the 527s should not promote secrecy. Money is going to be spent in politics. What we are saying is it should not be spent in secrecy. We ought to shine the good sunshine and let the people know who is spending how much money in political races.

This being our only opportunity, I commend the gentleman from Austin for coming up with a very innovative amendment today. This will give us a clear up or down vote on whether we are for it or whether we are against it.

Mr. DOGGETT. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. MEEHAN), who has led this House in the effort to get campaign finance reform through a number of sessions, and who I am pleased to have support this motion to recommit.

Mr. MEEHAN. Mr. Speaker, I thank the gentleman from Texas (Mr. DOGGETT) not only for his motion to recommit, but his commitment to this issue, as well as the gentleman from Kansas (Mr. MOORE), who has done great work on this.

What we are trying to do here is to get Members from both sides of the aisle to come together and at least say we are not going to give this tax break to those 527s.

Now, I do not know why anyone would be confused or puzzled or nonplussed as to why we would use any opportunity in the rules to bring this to the attention of the Members. We cannot get a vote up or down on this. This is an abuse of the campaign finance law that we are seeing every day abused. This is our opportunity to do something about it.

It is not good enough for Members to say we are all for disclosure. Talking the talk is not good enough. Walking the walk is what is required. In this instance, there are 527s that will not disclose where the money comes from, and it is our responsibility to make sure that they do, and that is why we need to pass this law and pass it now.

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

The SPEAKER pro tempore. The gentleman from Texas (Mr. DOGGETT) has 3 minutes remaining.

Mr. DOGGETT. Mr. Speaker, I yield 30 seconds to the gentleman from Maine (Mr. ALLEN), who has been already a victim of these 527 stealth PAC attacks.

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

The gentleman from Ohio was saying earlier this is a partisan effort. Well, there is no reason why this should be a partisan effort. It is our democracy that is at stake. Republicans and Democrats have a stake in restoring some credibility to this system, and we cannot have that credibility, we will not gain that respect unless we have full disclosures for these stealth organizations, these section 527 organizations, that are out there raising unlimited amounts of money with no accountability, no disclosure.

If it is a fundamental principle on the other side that they want disclosure, this motion to recommit will give it.

Mr. DOGGETT. Mr. Speaker, I yield 1 minute to the gentleman from Kansas (Mr. MOORE), who is a large man in stature but gentle in personality; and I

am convinced that contrary to today's Roll Call, he did not jump anyone on the floor, the gentleman from Virginia (Mr. DAVIS), or anyone else concerning this bill.

Mr. MOORE. Mr. Speaker, I just want to say today that this is not a Democratic idea, this is not a Republican idea, this is an idea that is good for the American people, and this should be the law in our country, and that is full disclosure.

As the gentleman from Massachusetts (Mr. MEEHAN) pointed out, we are not here to try to abuse anybody; we are just asking for an opportunity for an up or down vote on this proposition of full disclosure.

The people in this country are cynical about our form of government, about our electoral laws, because they see scandal after scandal about campaign finance fund raising. We can get people enthused about our government again, we can get people excited about the opportunity to participate in our democracy if we will only go with this proposition of full disclosure and tell the people in this country who is trying to influence their votes so, again, they can make an informed decision when they cast their ballot.

Mr. DOGGETT. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, this motion to recommit is not only linked to this telephone tax; it is linked to everything that is happening in this building and throughout this country.

The gentleman challenged me to look into my heart, and I will do that. I look into my heart, and I think of the seniors who are out there who are forced to choose between getting a prescription and buying food. I see a pharmaceutical company that can dump unlimited amounts—millions of dollars—into attack ads, as they have done against the gentleman from Maine (Mr. ALLEN) and other Members of this body.

I look into my heart, and I see the problems of public health; and yet I know the tobacco companies are dumping millions of dollars of undisclosed money to assassinate the character of those who would do something about it.

I look into my heart, and I think about those who are getting managed right out of their health care and cannot get the health care they need, and I know the managed care companies are dumping millions of dollars into these campaigns to be sure this Congress does nothing about that or any of the other issues I have mentioned.

And perhaps even more importantly, I think of the schoolchildren of this country. They cannot even get their agenda up in the Congress because they do not have a 527. That is what I see when I look into my heart.

Mr. Speaker, I would just say this: I am tired of people coming to this Congress and being hammered into giving money to secret stealth organizations and then having their cohorts come out and say, we will duck, dodge, twist, and turn, but just do not make us do anything about it this year. Wait until we have left the House. Then, maybe 100 years from now, like this tax we are repealing, we will get around to doing something about it.

The American people demand reform now and this is our one opportunity. I challenge my Republican colleagues to buck their leadership. They know we are right; that is why they have not been out here speaking against it. They know the American people deserve full disclosure for a complete democracy. Mr. Speaker, I move adoption of the motion.

The SPEAKER pro tempore. Does the gentleman from New York (Mr. HOUGHTON) oppose the motion to recommit?

Mr. HOUGHTON. Yes, Mr. Speaker. I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from New York (Mr. HOUGHTON) is recognized for 5 minutes.

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

Mr. Speaker, I would like to crank this thing down to a little lower level of intensity. I do not know why we are having this discussion, anyway. We all want illumination. We do not want to have people hiding behind 527s or 501(c)3s, or 4s or 5s or 6s. No one wants that. It is just the process we are going through. And we want to do it right, so it is right by not only us but also the American people.

Two years ago in the IRS reform bill we directed the Joint Committee on Taxation and also the Treasury Department to report to the Congress by January. The joint committee report was completed on time, the treasury report was not. At the request of my boss, the gentleman from Texas (Mr. ARCHER), I have been working for several weeks to develop a meaningful, sound and responsive package of proposals to expand the disclosure by tax exempt organizations, and work on that package is well underway.

□ 1500

I hope we will complete it relatively soon. We have been working all day on this thing. We worked yesterday. We will be working tomorrow on into next week. I would like to feel that when this is completed it will satisfy many of the things which the gentleman from Texas (Mr. DOGGETT) is interested in.

But the point is we are still hearing, and we are waiting to hear from the Treasury Department. Earlier today, the Treasury passed on the opportunity to tell the Committee on Ways and Means when we are going to hear from them. It is really unfortunate that the gentleman from Texas (Mr. DOGGETT) continues to insist on consideration of the limited aspect of political activities by tax exempt without insisting on guidance of from the administration.

Let me be clear. The administration's report was mandated by law. We do not have it. We are waiting for it. We do not have it. My friend accuses us of stalling, and I wonder whether this is not the pyromaniac posing as the firefighter.

Today we are considering repeal of the telephone tax, which was enacted even before I was born, which is a long time ago. That proposal has broad bipartisan support and has been fully considered. The same cannot be said, I am afraid, of the proposal of the gentleman from Texas (Mr. DOGGETT).

Today I have got to say in my heart, he talks about his heart, I will talk about my heart, is not the time and not the place for this debate. I wish to assure my colleagues on the other side and on this side that there will be an opportunity for full consideration of the important issues raised by my colleague from Texas. We are getting at it. We are trying to do it. We are trying to get that report out of the Treasury. And as soon as it comes, maybe even before it comes, we are going to have a suggestion here.

Mr. Speaker, I yield to my friend, the gentleman from Ohio (Mr. PORTMAN).

Mr. PORTMAN. Mr. Speaker, I thank the gentleman from New York (Mr. HOUGHTON), the chairman of the Subcommittee on Oversight, for yielding me the time; and I appreciate his words as to his commitment to doing a thorough investigation of the issue of disclosure, not just 527s but all of the tax-related committees, including the 501s.

I do have a copy of the motion to recommit now. I appreciate, with all the talk about disclosure, that it was disclosed to us several minutes ago. I have looked at it. I would just make two very simple points.

One is, it has nothing to do with the bill before us, which is repeal of a 102-year-old telephone excise tax. That is what is before this Congress.

Again, I want to applaud my friends on the other side of the aisle for working with us together in a bipartisan fashion to finally put an end to this Spanish-American War tax as we go into the 21st century and which is a barrier to telecommunications and an unfair tax that should have been repealed a long time ago. It was put in as a temporary tax and a temporary luxury tax at that. Finally we are getting rid of it.

Second, I will say, having looked at this, it is a very interesting motion to recommit. It, basically, says that 527 corporations could continue not to disclose anything so long as they agree to continue paying a 3 percent Federal excise tax. So it is a clever way to attach it to the legislation at hand in order to avoid, I suppose, the germaneness problems that the parliamentarian would otherwise raise or we would raise and he would confirm. But it is not a very strong enforcement mechanism.

I would say, if the gentleman is serious about it, he ought to go back to the drawing board, work with the gentleman from New York (Mr. HOUGHTON), work with others who want to put

this together in a strong bipartisan way to come up with legislation that makes sense in a comprehensive way to deal with this real problem in a real comprehensive way.

So I would urge my colleagues on both sides of the aisle, if they want to get something done for the American people, vote for the repeal of the telephone tax. If they want to do it in a clean way that sends a strong message that does not involve partisan political politics with what should be a very straight forward and a very important constructive step by this Congress, vote ''no'' on the motion to recommit.

The SPEAKER pro tempore (Mr. LATOURETTE). 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.

Mr. DOGGETT. 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 SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of passage.

The vote was taken by electronic device, and there were—yeas 208, nays 214, not voting 13, as follows:

[Roll No. 232]

YEAS—208

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bilbray
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frost
Ganske
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moakley
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Nethercutt
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NAYS—214

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
Martinez
McCollum
McCrery
McHugh
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Myrick
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—13

Bateman
Clay
Coburn
Davis (FL)
Kennedy
McInnis
Meek (FL)
Minge
Mollohan
Ros-Lehtinen
Scarborough
Spence
Weiner

□ 1522

Messrs. METCALF, EVERETT, TANCREDO, LAZIO and SIMPSON changed their vote from ''yea'' to ''nay.''

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

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. SHIMKUS). 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. ARCHER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 420, noes 2, not voting 13, as follows:

[Roll No. 233]

AYES—420

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
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
Clayton
Clement
Clyburn
Coble
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
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode

Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
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
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E.B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
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
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
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
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stearns
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
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—2

Murtha
Stark

NOT VOTING—13

Bateman
Clay
Coburn
Kennedy
McInnis
Meek (FL)
Minge
Ortiz
Ros-Lehtinen
Scarborough
Spence
Vento
Weiner

□ 1534

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. McINNIS. Mr. Speaker, due to family commitments in Colorado, I was unable to vote on final passage of the following bill, H.R. 3916. Had I been able to vote, I would have voted ''aye.''

Ms. ROS-LEHTINEN. Mr. Speaker, on rollcall No. 233, I was unavoidably detained. If present, I would have voted ''aye'' on rollcall No. 233.

PERSONAL EXPLANATION

Mr. KENNEDY of Rhode Island. Mr. Speaker, on May 25, 2000, I was accompanying President Clinton to a funeral in the First District of Rhode Island and consequently I missed five votes.

Had I been here I would have voted: ''No'' on Ordering the Previous Question, H. Res. 511; ''yes'' on Agreeing to the Resolution, H. Res. 511; ''yes'' on Agreeing to the Resolution, H. Res. 331; ''yes'' on Motion to Recommit, H.R. 3916; and ''yes'' on Final Passage, H.R. 3916.

PERSONAL EXPLANATION

Mr. MINGE. Mr. Speaker, due to illness, I was unable to be in the House Chamber for today's debate on H.R. 2559. Had I been here I would have spoken and voted in support of H.R. 2559. On rollcall vote 229, I would have voted ''nay.'' On rollcall votes 230, 231, 232, and 233, I would have voted ''yea.''

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, JUNE 7, 2000

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday, June 7, 2000.

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

There was no objection.

AUTHORIZING THE SPEAKER, MAJORITY LEADER, AND MINORITY LEADER TO ACCEPT RESIGNATIONS AND TO MAKE APPOINTMENTS AUTHORIZED BY LAW OR THE HOUSE, NOTWITHSTANDING ADJOURNMENT

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that notwithstanding any adjournment of the House until Tuesday, June 6, 2000, the Speaker, majority leader, and minority leader be authorized to accept resignations and to make appointments authorized by law or by the House.

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

There was no objection.

APPOINTMENT OF HON. FRANK R. WOLF TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH JUNE 6, 2000.

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

WASHINGTON, DC,
May 25, 2000.

I hereby appoint the Honorable FRANK R. WOLF to act as Speaker pro tempore to sign enrolled bills and joint resolutions through June 6, 2000.

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

The SPEAKER pro tempore. Without objection, the appointment is agreed to.

There was no objection.

HUMAN GENOME PROJECT

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

Mr. CALVERT. Mr. Speaker, as I rise today, we are perhaps days away from an announcement of the completion of a draft map of the entire human genome. This is a major milestone in biological science, an achievement that some have likened to the Moon landing and the invention of movable type.

My subcommittee has held two hearings on the status of the human genome project involving both the public and private sector. Three themes have emerged from these hearings:

First, the medical breakthroughs stemming from this research will be immense;

Second, the competition and cooperation between the public and private sector has brought us to this moment and will deliver results for us all;

Third, Congress' duties in areas such as ethical, legal, and social implications of genetics research, as well as the need to fund gene-based disease therapies, will require us to think wisely and legislate prudently.

I commend the public and private sector researchers for achieving this scientific milestone. Truly, a bright future beckons.

NATIONAL MISSING CHILDREN'S DAY

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

Mr. LAMPSON. Mr. Speaker, I rise today to commend today as National Missing Children's Day. Mr. Speaker, you and I this morning attended a breakfast that was put on by the National Center for Missing and Exploited Children to commemorate all of the missing children across this country.

I have been speaking on this floor since February 16 telling a different story about a child taken in this country, 10,000 children since then, with only 2 days that I missed. Today it is about children who have been returned and about the volunteers who have spent their time and their energy and their money in trying to get those children, who have either been sexually exploited or abducted, back home with their parents. We heard some unbelievably moving stories.

The volunteers were honored, but more importantly, the law enforcement officers that we hardly ever commend adequately, because they put their lives on the line every day. They are out there with their incredible determination, their total dedication to getting child abductors and sex criminals off the street.

One of the things that we can do, Mr. Speaker, is to picture them home, and with our program to put pictures of missing children on our envelopes. It works, because one in six children who are published like that are returned to their parents.

Mr. Speaker, I encourage us all to join that challenge and picture our children home.

A TRIBUTE TO FRANK AND LUCRETIA FITZPATRICK

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

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise today to pay tribute to a great American family and a great American couple. Frank Fitzpatrick and his wife, Lucretia, prepare to celebrate their 50th wedding anniversary on May 29. They were married in 1950.

Frank and Lucretia moved into Delaware County, where their four daughters were born; and like Frank and Lucretia they have been heavily involved in improving our community. Kathleen Coulston serves the deputy director of Court Services and Chief Probation Officer. Maureen Fitzpatrick serves as a judge in our Court of Common Pleas. Mary Alice Gallagher served as a former deputy attorney general of Pennsylvania and is currently the compliance officer for Christiana Care Health System. Their daughter Lucretia Fitzpatrick gives back to our community as a medical doctor.

I have had the opportunity to work with Frank in a number of capacities, and his wife has been steadfast behind him in all of his endeavors, both in the private sector, the public sector and serving on behalf of nonprofits throughout Pennsylvania and throughout America. In fact, it was Frank Fitzpatrick's first position, where he worked right here on the Hill as the chief of staff for one of my predecessors.

I ask my colleagues to join with me in this celebration of America and a great American couple. Frank and Lucretia, happy 50th.

TRIBUTE TO JEAN W. LAMBERT

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

Mr. GUTKNECHT. Mr. Speaker, I rise today to pay tribute to a very special agronomist from the University of Minnesota, Dr. Jean Lambert.

Jean Lambert was truly a great man who made a substantial impact on the world of agriculture. He was the man who helped make Minnesota one of the Nation's top soybean exporters. Over his career, done on a government salary, Lambert's efforts in variety development and soybean research boosted Minnesota farm income by more than $200 million.

Jean Lambert came to the University of Minnesota Department of Agronomy as a plant genetics professor in January of 1946. He retired after 36½ years of service in 1982. During his career, Lambert developed 18 soybean varieties adapted to various climatic conditions for Minnesota.

During his career, Dr. Lambert worked with the United Nations Food and Agricultural Organization and advised soybean researchers in Russia, Poland, Hungary, and Romania. He became a world-renowned soybean breeder, but never forgot his goals at the University of Minnesota. He wanted to educate and train undergraduate and graduate students and help the farmers of Minnesota through his research and variety development. He remained a quiet, unassuming man, who loved and respected the people around him, and enjoyed the respect of his colleagues. He was truly a great man.

ASSURING INTERNET ACCESS FOR ALL AMERICANS

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

Mr. WELLER. Mr. Speaker, over 100 million Americans today have access to the Internet. Seven million new Americans each second access the Internet for the first time. It is a tremendous opportunity, particularly for school children, to use the Internet for their school work and homework; but unfortunately, some are left behind.

If you look at who has access to the Internet, you see the higher the income of the household, the more likely they have Internet access at home. Low-income families say the cost of Internet access is the chief barrier to their children having the opportunity to use the Internet and have a computer at home.

□ 1545

Mr. Speaker, I am so proud of the leadership that this House has shown this year in removing those barriers to Internet access. We are making a choice: do we want the information superhighway to be a toll way or a freeway?

Just this spring, in less than 1 month, we have eliminated three toll booths on the information superhighway. Number one, we extended for 5 years the Internet tax moratorium, putting a road block in the way of anyone who wants to impose a tax on Internet access.

Second, just 2 weeks ago, we eliminated the FCC's authority to impose fees and taxes on Internet access; and I am proud today that we eliminated the century-old 3 percent tax on telephone calls. We are removing those toll booths because we want to give greater digital opportunity for all Americans.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SHIMKUS). The Chair will remind Members to direct their comments to the Chair and not to individuals in the gallery or the listening audience.

REPORT ON CONTINUATION OF EMERGENCY WITH RESPECT TO FEDERAL REPUBLIC OF YUGOSLAVIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 106–248)

The SPEAKER pro tempore (Mr. SHIMKUS) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act (IEEPA), 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report on the national emergency with respect to the Yugoslavia (Serbia and Montenegro) emergency declared in Executive Order 12808 on May 30, 1992, and with respect to the Kosovo emergency declared in Executive Order 13088 on June 9, 1998.

WILLIAM J. CLINTON.
THE WHITE HOUSE, *May 25, 2000.*

CONTINUATION OF EMERGENCY WITH RESPECT TO THE FEDERAL REPUBLIC OF YUGOSLAVIA (SERBIA AND MONTENEGRO), THE BOSNIAN SERBS, AND KOSOVO—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 106–249)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the Federal Register for publication, stating that the emergency declared with respect to the Federal Republic of Yugoslavia (Serbia and Montenegro), as expanded to address the actions and policies of the Bosnian Serb forces and the authorities in the territory that they control within Bosnia and Herzegovina, is to continue in effect beyond May 30, 2000, and the emergency declared with respect to the situation in Kosovo is to continue in effect beyond June 9, 2000.

On December 27, 1995, I issued Presidential Determination 96–7, directing the Secretary of the Treasury, inter alia, to suspend the application of sanctions imposed on the Federal Republic of Yugoslavia (Serbia and Montenegro) and to continue to block property previously blocked until provision is made to address claims or encumbrances, including the claims of the other successor states of the former Yugoslavia. This sanctions relief, in conformity with United Nations Security Council Resolution 1022 of November 22, 1995 (hereinafter the ''Resolution''), was an essential factor motivating Serbia and Montenegro's acceptance of the General Framework Agreement for Peace in Bosnia and Herzegovina initialed by the parties in Dayton on November 21, 1995, and signed in Paris on December 14, 1995 (hereinafter the ''Peace Agreement''). The sanctions imposed on the Federal Republic of Yugoslavia (Serbia and Montenegro) were accordingly suspended prospectively, effective January 16, 1996. Sanctions imposed on the Bosnian Serb forces and authorities and on the territory that they control within Bosnia and Herzegovina were subsequently suspended prospectively, effective May 10, 1996, also in conformity with the Peace Agreement and the Resolution.

Sanctions against both the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Bosnian Serbs were subsequently terminated by United Nations Security Council Resolution 1074 of October 1, 1996. This termination, however, did not end the requirement of the Resolution that blocked those funds and assets that are subject to claims and encumbrances until unblocked in accordance with applicable law.

Until the status of all remaining blocked property is resolved, the Peace Agreement implemented, and the terms of the Resolution met, this situation continues to pose a continuing unusual and extraordinary threat to the national security, foreign policy interests, and the economy of the United States. For these reasons, I have determined that it is necessary to maintain in force these emergency authorities beyond May 30, 2000.

On June 9, 1998, I issued Executive Order 13088, ''Blocking Property of the Governments of the Federal Republic of Yugoslavia (Serbia and Montenegro), the Republic of Serbia, and the Republic of Montenegro, and Prohibiting New Investment in the Republic of Serbia in Response to the Situation in Kosovo.'' Despite months of preparatory consultations and negotiations, representatives of the Federal Republic of Yugoslavia (Serbia and Montengro) in March 1999, completely blocked agreement on an internationally backed proposal for a political solution to the Kosovo crisis. Yugoslav forces reinforced positions in the province during the March negotiation and, as negotiations failed, intensified the ethnic cleansing of Albanians from Kosovo. Yugoslav security and paramilitary forces thereby created a humanitarian crisis in which approximately half of Kosovo's population of 2 million had been displaced from the province and an unknown but apparently large portion of the remaining population had been displaced within Kosovo by mid-April.

On April 30, 1999, I issued Executive Order 13121, ''Blocking Property of the Governments of the Federal Republic of Yugoslavia (Serbia and Montenegro), the Republic of Serbia, and the Republic of Montenegro, and Prohibiting Trade Transactions Involving the Federal Republic of Yugoslavia (Serbia and Montenegro) in Response to the Situation in Kosovo.'' Executive Order 13121 revises and supplements Executive Order 13088 to expand the blocking regime by revoking an exemption for certain financial transactions provided in Executive Order 13088; to impose a general ban on all U.S. exports and reexports to and imports from the Federal Republic of Yugoslavia (Serbia and Montengro) (the ''FRY (S&M)'') or the Governments of the FRY (S&M), the Republic of Serbia, or the Republic of Montenegro; and to prohibit any transaction or dealing by a U.S. person related to trade with or to the FRY (S&M) or the Governments of the FRY (S&M), the Republic of Serbia, or the Republic of Montenegro. In addition, Executive Order 13121 directs that special consideration be given to Montenegro and the humanitarian needs of refugees from Kosovo and other civilians within the FRY (S&M) in the implementation of the Order. Finally, Executive Order 13121 also supplements Executive Order 13088 to direct that the commercial sales of agricultural commodities and products, medicine, and medical equipment for civilian end-use in the FRY (S&M) be authorized subject to appropriate safeguards to prevent diversion to military, paramilitary, or political use by the Governments of the FRY (S&M), the Republic of Serbia, or the Republic of Montenegro.

This situation continues to pose a continuing unusual and extraordinary threat to the national security, foreign policy interests, and the economy of the United States. For these reasons, I have determined that it is necessary to maintain in force these emergency authorities beyond June 9, 2000.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *May 25, 2000.*

GENERAL LEAVE

Mr. REGULA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3916.

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

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

TRIBUTE TO MILES LERMAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. REGULA) is recognized for 5 minutes.

Mr. REGULA. Mr. Speaker, I am pleased to rise today to honor Mr. Miles Lerman for the great service he has provided this country. Few individuals can match the contributions that Mr. Lerman has made in creating and shaping the United States Holocaust Memorial Museum. His efforts in turning a dream into a reality and in the museum's achievements under his guidance and leadership represent the apex of an extraordinary life. Culminating in his serving on the United States Holocaust Memorial Council since its inception in 1980 and as its chairman from 1993 until April of this year.

As a native of Tomaszow, Poland, Mr. Lerman was born into a family that had, for 6 generations, operated flour mills near the site of what would become the Nazi death camp, Belzec. He was captured by the Nazis and imprisoned in a slave labor camp where he was forced to break up tombstones taken from a Jewish cemetery, some of them 300 years old, so that the Nazis could construct a highway they would use in their advancement into the Soviet Union.

In 1942, he escaped, organized a resistance group, and spent the next 2 years fighting the Nazis as a partisan in the forests of southeastern Poland. Following liberation, he returned home, only to find that his mother and some of his siblings had been murdered and that the world of his youth had

been virtually wiped from the map. Of the 8,000 Jews who had lived in Tomaszow, only 11 were still alive.

Lerman married his wife, Chris, an Auschwitz-Birkenau survivor, after liberation. Following 8 months in a displaced persons camp, they arrived in the United States and eventually settled in Vineland, New Jersey.

In recognition of his contributions to the Holocaust remembrance, in 1978 he was appointed to the advisory board of President Carter's Commission on the Holocaust. At the Commission's first meeting, he testified that in 1945, he had searched for the reason for his survival. But with the goal of creating a museum, he concluded, I feel there was meaning and purpose to my survival in being here today.

Mr. Lerman quickly became a driving force in the creation of the United States Holocaust Memorial Museum. Following his service on the advisory board, he was appointed to the first Memorial Council in 1980. He has been reappointed to the council by every President since; and with each reappointment, Mr. Lerman has recommitted himself to 3 vital goals: building and securing the future of a permanent national living memorial to the victims of the Holocaust; establishing the international relationships necessary to ensure the museum's preeminence in fostering Holocaust documentation, education, and scholarship; ensuring the museum's mission of remembrance, education, and conscience is transmitted to future generations.

Mr. Speaker, early on Mr. Lerman recognized that collections would be vital to the museum's creation and ultimate success. Through his hard work, the museum's collections now number more than 35,000 objects and 12 million pages of archival documents, in addition to tens of thousands of photographs, films, and oral histories.

Similarly, Mr. Lerman's commitment to Holocaust scholarship led to the creation of the Museum's Center for Advanced Holocaust Studies, which promotes research on the Holocaust and ensures the ongoing training of future generations of scholars. It incorporates the Lerman Center for the Study of Jewish Resistance, founded because Mr. Lerman felt strongly that this long-neglected aspect of Holocaust history merited more attention.

Mr. Speaker, let me conclude my remarks by calling attention to the words of Senator Robert Kennedy taken from the CONGRESSIONAL RECORD of June 6, 1966, and I quote:

> First is the danger of futility, the belief there is nothing one man or one woman can do against the enormous array of the world's ills, against misery and ignorance, injustice, and violence. Yet, many of the world's great movements of thought and action have flowed from the work of a single man.

Thank you to Miles Lerman for being that single man, for giving so much of himself to our country. In leading the effort to create the United States Holocaust Memorial Museum, not only has he been a guiding hand in the establishment of a remarkable national memorial, but in doing so, he has also provided a powerful and important reminder to all Americans of what can happen when citizens abandon their responsibilities to in a democratic society.

AGRICULTURE RISK PROTECTION ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Mrs. CAPPS) is recognized for 5 minutes.

Mrs. CAPPS. Mr. Speaker, I rise today to speak about the importance of a conference report that passed in the House this afternoon, the Agriculture Risk Protection Act conference report. This bill provides important support for our Nation's farmers and ensures that Americans will have a steady and affordable food supply.

I wish to address an issue that is of particular importance to my central coast district in California, and that is the spread of Pierce's Disease. I am pleased that this bill includes much-needed funding to combat Pierce's Disease and the Glassy-winged Sharpshooter which spreads it. This disease is having a devastating effect on California vineyards and needs to be brought under control before it does even greater damage.

Although outbreaks in my district have been limited, recent sightings of the Glassy-winged Sharpshooter are very worrisome. Just the other day, eggs of the Glassy-winged Sharpshooter were found on plants at two northern San Luis Obispo County nurseries.

While we have been experimenting with different ways to combat Pierce's Disease, currently, there is no known cure. Central coast wine grape growers are banding together and contributing funds of their own to fight this disease. We in the Federal Government need to support these efforts.

I joined members of the Wine Caucus in urging the agriculture subcommittee to increase funding for combating Pierce's Disease. I am pleased that this subcommittee saw the importance of this issue and provided appropriate funding in the Agriculture Risk Protection Act conference report.

This bill provides the necessary support for our vineyards, with over $7 million in funding for control and containment activities in California, and $25 million to compensate growers for losses due to three different diseases, including Pierce's Disease. These Federal dollars will join with State funds and the private money raised to make a concerted effort to eradicate Pierce's Disease. That is our goal. We cannot rest until a cure for this disease is found, and the Glassy-winged Sharpshooter is no longer a threat.

Mr. Speaker, I am glad and pleased that this bill makes available a major step in that direction.

CLUB DRUG ANTIPROLIFERATION ACT OF 2000

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Illinois (Mrs. BIGGERT) is recognized for 5 minutes.

Mrs. BIGGERT. Mr. Speaker, I rise today with my colleague from California (Mr. ROGAN) to introduce the Club Drug Antiproliferation Act of 2000, legislation to combat the recent rise in trafficking, distribution and abuse of club drugs such as Ecstasy, Liquid Ecstasy, Speed and PMA.

Club drugs refer to drugs being used by young adults at all-night dance parties such as raves or trances, dance clubs and bars. Young Americans are lured into a belief that club drugs are safe ways to get high, escape reality, and enhance intimacy. The drug traffickers make their living off of perpetuating and exploiting this myth.

The Office of National Drug Control Policy's year 2000 Annual Report on the National Drug Control Strategy clearly states that the use of club drugs is on the rise in the United States, particularly among teenagers and young professionals. Data also reflects the increasing availability of club drugs in metropolitan centers and suburban communities.

In a speech to the Federal Law Enforcement Foundation earlier this year, the United States Customs Commissioner, Raymond Kelly, stated that in the first few months of fiscal year 2000, the Customs Service already had seized over 4 million tablets of Ecstasy, an immensely popular club drug. He estimates that the number will grow to at least 8 million tablets by the end of the year, representing a substantial increase from 500,000 tablets seized in fiscal year 1997.

Do not be fooled by the innocent term ''club drugs;'' no club drug is benign. Chronic abuse of club drugs appears to produce long-term damage to the brain, and sometimes the damage caused by club drugs can do more than harm the brain. It can be deadly. Recently in my district in Illinois, a Naperville Central High School student died after ingesting a very powerful party drug called PMA.

Sadly, Federal law does not take club drugs seriously enough. For example, under current Federal sentencing guidelines, one gram of Ecstasy is equivalent to only 35 grams of marijuana. In contrast, one gram of methamphetamine is equivalent to 2 kilograms of marijuana. These weak sentencing guidelines result in relatively short periods of incarceration for individuals sentenced for Ecstasy-related crimes. When the potential profitability of this drug is weighed against the potential punishment, it is easy to see what makes club drugs extremely interactive to professional smugglers.

□ 1600

Mr. Speaker, the Club Drug Antiproliferation Act of 2000 addresses this fast-growing and disturbing problem. First, the bill addresses the base

level offense for club drug-related crimes, making those crimes equal to that of trafficking methamphetamine. This provision also accomplishes the goal of effectively lowering the amount of drugs required for a swift prosecution sending a message to Federal prosecutors that club drugs are a serious threat.

Second, through law enforcement and community education programs, this bill will provide for a national club drug information campaign. As more Americans are made aware of the unpredictable impurities and side effects of club drugs, it is our hope that law enforcement will begin to see a dramatic reduction in the quantities of club drugs present on our streets. Let us do what we can to save our children from the fate of that young high school student in our district.

Mr. Speaker, the Club Drug Antiproliferation Act of 2000 can only help in our fight against drug abuse in the United States. I urge all of my colleagues to join the gentleman from California (Mr. ROGAN) and myself in this important effort by cosponsoring this bill.

NEED FOR A NEGOTIATED SETTLEMENT IN SRI LANKA

The SPEAKER pro tempore (Mr. SHIMKUS). Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, for weeks now, the newspapers have carried stories about the recent escalation in the fighting in Sri Lanka, the island nation located just to the south of India. Sri Lankan Government forces have been battling a violent rebellion by the Liberation Tigers of Tamil Eelam, the LTTE, commonly known as The Tigers, a separatist organization that the United States has designated a Foreign Terrorist Organization. The Tigers' campaign has gone on for 17 years, at a cost of tens of thousands of lives. Their goal is the establishment of a Tamil Eelam, a separate Tamil state in Sri Lanka, to divide this small island nation into two ethnic states, a Tamil state and a Sinhalese state.

Last month, the Tigers stepped up their campaign in the Jaffna Peninsula in the northern part of the island. The government forces have continued to battle the Tigers. Sri Lanka's president, Mrs. Chandrika Kumaratunga, has vowed not to surrender to the terrorists and not to stand by and allow the partitioning of the country. Instead, the government is urging the LTTE to put down their arms and come to the negotiating table for good-faith talks aimed at addressing the concerns of Tamil people in a peaceful way.

Mr. Speaker, I believe that the Sri Lankan people, both Sinhalese and Tamil alike, reject the idea of dividing their nation into two ethnically based, ethnically cleansed homelands. The LTTE by no means speaks for all of the Tamil people.

Indeed, Mr. Speaker, there are Tamil political parties and organizations committed to working with the government to achieve a higher degree of autonomy through peaceful means. And the government has had on the table for a long time a Devolution Plan that would recognize the Tamils' legitimate claims. If nothing else, the government's plan offers at least a basis for beginning negotiations.

Mr. Speaker, President Kumaratunga, who is elected as the nation's first woman president in 1994, was reelected last December in an election in which 73 percent of the eligible voters turned out. In the final days of the presidential campaign, she was injured in a terrorist attack blamed on the LTTE. That attack took the lives of 22 people and left more than 100 injured.

Yet, despite this attack and despite the recent escalation of violence by the LTTE, President Kumaratunga continues to ask the separatists to lay down their arms and begin talks.

In this current crisis, Sri Lanka has reached out to the international community to help bring the separatists to the negotiating table. Yesterday, President Kumaratunga appealed to India, Sri Lanka's democratic neighbor to the north, to facilitate the effort to bring the Tamil Tigers to the table. Sri Lankan officials have also been meeting with diplomats from Norway in an effort to resume the negotiations with the rebels that broke off 5 years ago.

Next Monday, U.S. Under Secretary of State, Thomas Pickering, will go to Sri Lanka where he will meet with government officials and other leaders of the other Tamil parties.

Mr. Speaker, the position of the United States and of India and of other Western nations is that this conflict can only be resolved through negotiations, and that the solution should preserve the territorial integrity of Sri Lanka. The campaign by the LTTE to force the break up of Sri Lanka does not have the support of the international community, and it must never gain that legitimacy.

As I mentioned, Mr. Speaker, the U.S. State Department has branded the LTTE a terrorist organization. Recently, the parliament of the European Union has urged its member nations to take similar steps. The Tigers maintained their determination for an outright win militarily, but that strategy seems destined only to kill thousands of more people by shattering lives in both the Tamil and Sinhalese communities.

Mr. Speaker, I urge Under Secretary Pickering to continue to make clear that this crisis can only be resolved through a political solution. We must step up our efforts to work with other international friends, including India and Western European nations, to maintain the pressure on the LTTE to come to the negotiating table.

The Tigers should join with the rest of the Tamil community to promote the interests of their community through the institutions of the united, sovereign, and democratic Sri Lanka.

OUTRAGEOUSLY HIGH DRUG PRICES IN THE UNITED STATES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. GUTKNECHT) is recognized for 5 minutes.

Mr. GUTKNECHT. Mr. Speaker, today I rise to speak again about an issue, that, as Members go back to their districts and have town hall meetings, I am certain they are going to hear about. The issue I want to talk about this afternoon is the issue of outrageously high drug prices that we pay in the United States, especially when we compare what Americans pay to what consumers around the rest of the world pay.

What I have here is a chart, and our source is the Life Extension Network. They did research recently and compared the average prices for commonly prescribed drugs in the United States to what the average prices are in Europe. And it really is sobering.

For example, Premarin is a commonly prescribed drug, the same drug made in the same plant under the same FDA approval, incidentally. In the United States, the average price is $14.98. For that exact same drug in the same quantity in Europe they pay $4.25.

Coumadin is a drug that my dad takes; it is a blood thinner. In the United States, the average price is $30.25, but in Europe they pay only $2.85. And the list goes on. Prilosec, another commonly prescribed drug in the United States, the average price here in the United States is over $100; in Europe they are paying $39.25. Claritin, very commonly prescribed drug, particularly this time of year for hayfever and allergies, the United States is $44 an average; over in Europe, they are paying $8.75. The list goes on and on and on. And I think the story is altogether too familiar.

Mr. Speaker, I would ask my colleagues to ask themselves this simple question: Can any of us think of another product of any kind where the world's best customers pay the world's highest prices? This is particularly troubling because just yesterday we had a vote on expanding trade opportunities in opening markets between the United States and China.

We have had for several years now the North American Free Trade Agreement. Goods and services are supposed to flow across our borders with Canada and Mexico freely. Recent studies suggest, and this is a study done by the Canadian government, says that Americans are paying 56 percent more for the same prescription drugs made in the same facilities under the same FDA approval than our Canadian friends are paying for those same drugs.

In other words, we are paying 56 percent more than Canadians, and the story gets worse. Prices in Mexico are

even lower. Consumers have been learning about this, and particularly seniors.

In Minnesota and all across the country, particularly where we are closer to the borders, seniors especially are getting on buses, and they are going to Canada to buy their prescription drugs. We have this wide disparity between what we pay and what the rest of the world pays.

The question has to be asked, the people who are supposed to protect us are our own FDA, the Food and Drug Administration. So one might ask, what are they doing to help consumers get lower prices? Well, here is the answer. This is an edited version, but I want to point out a couple of sentences. We do not have the whole letter here, but it is available. Anyone who would like a copy can call my office.

What the FDA is doing to help consumers is they are threatening them. If someone tries to order drugs through a mail order house from the United States, what they get with the order that has been opened is a threatening letter. Let me just read it. It says, ''Dear consumer: This letter is to advise you that the Minneapolis District of the United States Food and Drug Administration has examined a package addressed to you containing drugs which appear to be unapproved for use in the United States.''

Well, Mr. Speaker, that is not true. The vast majority of drugs that are coming via this method are legal drugs in the United States. They are approved by the FDA. They are made in exactly the same plants.

Later it says, ''Because you are taking this medication under the care of a physician and we do not want to cause your medical treatment to be unduly affected, we are releasing this shipment. However,'' and this is the important line, ''future shipments of these or similar drugs may be refused admission.''

Now, if one were a 75-year-old grandmother and they get a threatening letter from the FDA, it is very disconcerting.

Mr. Speaker, I think it is time for Congress to take a serious look at this problem. If we could just simply recover part of the costs, the differentials that we are paying for prescription drugs, we could go a long way to solving the problem of those people who fall through the cracks.

Do not just take my word for it. We just received in our offices a little pamphlet from Blue Cross/Blue Shield. Let me just read from it. It says, ''Spending on prescription drugs rose 84 percent between 1993 and 1998.''

Mr. Speaker, it is time for Congress to say that the FDA should not stand between our consumers and lower drug prices.

The SPEAKER pro tempore (Mr. SHIMKUS). Under a previous order of the House, the gentleman from Illinois (Mr. RUSH) is recognized for 5 minutes.

(Mr. RUSH 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 Guam (Mr. UNDERWOOD) is recognized for 5 minutes.

(Mr. UNDERWOOD 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 gentlewoman from Hawaii (Mrs. MINK) is recognized for 5 minutes.

(Mrs. MINK of Hawaii addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

THE PLUS-CHOICE RELIABILITY ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, on January 1, 1999, approximately 400,000 Medicare beneficiaries were dropped unceremoniously by Medicare managed care plans. On January 1 the next year, 2000, 400,000 more were dropped unceremoniously by Medicare managed care plans. We can expect at least that much disruption again on January 1, 2001.

By the way, fly-by-night coverage is just one of the shocks potentially awaiting plus-choice Medicare enrollees. Bait and switch. Supplemental benefits are another.

All of us in this body have heard from Medicare beneficiaries who joined a plus-choice plan to gain access to prescription drug coverage or reduced cost sharing only to have those benefits cut back or stripped out just in time for the new year.

Why is the plus-choice Medicare program failing seniors? Ask the Medicare managed care plans, and they will say it is because the Federal Government is underpaying them. Ask other experts and they will say it is because Medicare managed care plans overestimated their ability to operate more efficiently than traditional Medicare, refused to cross-subsidize between high and low reimbursement areas and underestimated the costs of providing supplemental benefits.

Maybe the truth is in the middle, more likely. The specifics do not matter all that much. Most likely private managed care plans simply cannot serve two masters, the public interest and the corporate bottom line.

Whatever is going on, the most expedient ways of responding to the program's failings are also the most irresponsible if our goal is to act in the best interest of Medicare beneficiaries. We could do nothing. We are pretty good at that here.

Is it fiscally responsible to continue pouring public dollars into plus-choice plans? I would rather my tax dollars help finance health care coverage that is more predictable. Insurance that does not give one peace of mind is not good insurance. In Medicare's case, it is peace of mind for beneficiaries and their families alike. Health care coverage that is about as stable as a house of cards simply does not cut it.

We could always pay managed care plans more, but if we do that without exacting a guarantee that these plans will provide stable benefits and continuous coverage, we are perpetuating the same double standard that protected the Medicare choice plan from the beginning.

Somehow, managed care plans can cost Medicare more than the fee-for-service program; can pick and choose which counties they will serve and which ones they will dump; can attract seniors on the promise of extra benefits, then eliminate those benefits, another cost-cutting strategy unavailable to the fee-for-service program, and still can be touted by many in this institution, including Republican leadership, as the long-term solution for Medicare.

How can Medicare privatization proposals be taken seriously when they feature the same private insurance companies and system that excluded half of all seniors in 1965 and treats them miserably 35 years later in the year 2000? I do not get it. When the traditional Medicare program spends more than expected, they tell us it is because public programs are big, bad and inefficient. When private managed care plans spend more than it is expected, it is because big, bad government was not paying them enough to begin with.

In my view, private managed care plans do not belong in Medicare. They do not belong because they are unwilling; and frankly, they cannot prioritize the welfare of Medicare beneficiaries above the welfare of their business.

□ 1615

If we commit to paying managed care plans this year, then they will want even more next year. If we ask managed care plans to voluntarily commit to staying put and providing reliable benefits, they will tell us businesses require flexibility, and they do.

But Medicare beneficiaries require consistency, stability, reliability. Private managed care plans cannot put many Medicare beneficiaries first. Yet, that is what Medicare must do in order to serve the public interest. If private Medicare managed care plans cannot serve the public interest, we should not pay them a dime.

But regardless of my personal views on Plus Choice, the reality is, right now, millions of seniors depend on it. Policy makers have an obligation to try to make Plus Choice work. If we cannot make the Plus Choice program work, then we have an obligation to get rid of it.

I am offering legislation today to try to make Plus Choice work. Under the Plus Choice Reliability Act, private

health plans would sign a contract to provide continuous service within a service area for 3 years. Health plans would agree not to terminate this coverage within the service area and would be required not to reduce their benefit package during that time period.

Health plans would receive payments for enrollees equivalent to what Medicare would have spent had the enrollees stayed in-fee-for service, no more, no less.

If we pay private health plans what it would cost fee-for-service to cover these individuals, and if private plans still cannot cover them and provide stable benefits or guarantee continuous coverage, as the fee-for-service program does, then it would be fiscally irresponsible and a breach of the public interest to permit these plans to stay in Medicare. It is as simple as that.

I hope my colleagues will join me in promoting a Medicare Plus Choice option that actually provides continuity and stability, attributes that should be a given under our Medicare program.

STATUS OF HMO REFORM

The SPEAKER pro tempore (Mr. SHIMKUS). 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, I am going to talk a little bit about the status of HMO reform before the House and the Senate. I have to admit that I am a little bit disappointed, because I thought that this afternoon or this morning, we would have been debating a bill called H.R. 1304, which is the Quality Health Care Coalition Act. This is the bill of the gentleman from California (Mr. CAMPBELL).

The gentleman from California (Mr. CAMPBELL) has worked on that bill for 3 years. In essence, that bill would allow health professionals to group together to advocate for patient consumer rights without forming a union in negotiating contract provisions with HMOs.

This is pretty important because, in the last 5 or 6 years, there have been over 275 mergers of health plans around the country, leaving us, in this country, with about five or six large HMOs. In many parts of the country, these HMOs, a single HMO may control 50 percent or more of the people who have health care in that area. It is curious that a lot of these, several of these large HMOs do not go into other areas in order to compete with another large HMO.

So what that means, then, is that, if an HMO, for instance, gives a health care provider, a nurse or a pharmacist or a physician, a contract that has a provision in it that is, for instance, a gag rule, a gag clause, where it says one cannot tell a patient all of their treatment options unless one first gets an okay from us.

So, in other words, in my prior life before being a congressman, as a physician, if I had a woman come to me with a lump in her breast, I examined her, talked to her, I would have to say, excuse me, leave the room, get on the phone, tell the HMO I have got this woman here with a breast lump, and ask them if it is okay if I tell this woman all three of her treatment options. I mean, that is an egregious infringement on the right of a patient to know all of the information that he or she needs in order to make a decision.

Yet, there are contract provisions that HMOs have put in physician contracts to that extent. There are other contract provisions that HMOs put into employee contracts where it says that HMO's can define medical care as the cheapest, least expensive care ''as determined by the HMO.''

What would be the problem with that? Let me give my colleagues an example. As a constructive surgeon, I have taken care of a lot of children born with cleft lips and palates. The correct treatment for a kid born with a cleft palate is a surgical repair to close that huge hole in the roof of their mouth so that food does not come out their nose, so they can learn to speak correctly.

But under that HMO's contract provisions where they can define medical necessity as the cheapest, least expensive care, they could say, no, we are not going to authorize routine surgical repair, we are just going to authorize a piece of plastic to shove up into that hole, something called a plastic obturator. It would be like an upper denture.

Now, will the child learn to speak very well with that? No. But it meets that plan's own contractual language of being the cheapest, least expensive care.

Now, let us say that I, as a physician, taking care of children, whose treatment is denied, like this one, decide to get together with other reconstructive surgeons, and we start talking about how this one HMO is routinely denying medically necessary care. We say to each other, I do not think I can renew my contract with that company. Under current U.S. anti-trust law, we could be prosecuted and fined, if not thrown in jail, for being concerned about our patients' concerns.

That was the bill that was supposed to be on the floor. It was a bill that did not, it was not about physicians forming unions, in fact, it would have the opposite effect. It was not a bill about price fixing. It has nothing to do with price fixing. It is a good bill. It had 220 bipartisan cosponsors. We only need 218 votes to pass the House. One would think this would come to the floor.

The gentleman from California (Mr. CAMPBELL) had worked on this for 3 years. Last year, he got a commitment from the Speaker of the House to bring it to the floor last year. Then he got a commitment from the Speaker to bring it onto the floor in January. Then yesterday, before the entire Republican Conference, the Speaker said, yes, this is coming to the floor today.

But a curious thing happened last night. The Committee on Rules was meeting about midnight, they were debating this bill that we should have debated today. All of a sudden, they just tabled the bill indefinitely. So it did not come to the floor today.

I find this very curious because, as everyone in Washington knows, the Committee on Rules functions as the right arm of the Speaker. The Committee on Rules follows the Speaker's will. Some people have said the Committee on Rules is a rubber stamp for the Speaker. In the 5 years I have been in Congress, I cannot remember the Committee on Rules doing an action in committee that has been contrary to the Speaker's will.

Now, yesterday, the Speaker said we were going to have this bill on the floor. He had given his promise to the gentleman from California (Mr. CAMPBELL). Then at midnight, the Committee on Rules tables the measure. Very curious.

Is this the first time the Committee on Rules has disregarded the Speaker's promise? We do not know. It is either that the Committee on Rules, which should function at the Speaker's discretion, did not, that they did not follow their own Speaker's prescription, in which case, the Speaker ought to have a long talk with those Members for not following out his instructions.

Or the other alternative is that they received word from the Speaker, pull the bill. If that is the case, then there is a disparity between what the Speaker promised the gentleman from California (Mr. CAMPBELL) yesterday morning and what happened at midnight.

Most curious. Very unusual. Something in 5 years I have never seen happen here in Congress.

So we are left with the situation that, today, we did not get to debate on a bill that is a free market bill to try to correct HMO abuses.

Last year, last October, when we passed the Bipartisan Consensus Managed Care Reform Act, the Norwood-Dingell-Ganske bill that I helped write, passed this floor with 275 votes, with only 151 against it, last year we heard a lot of people say, I think that we ought to move to HMO reform in a more free market way. We ought to make sure that there is equal playing field so that these types of patient abuses can be addressed in the realm of the free market, in equal negotiations.

Well, we are seeing a situation where we have, in some cases, almost monopolies by large HMOs, squishing any type of concerted action by providers to stick up for their patients. This bill of the gentleman from California (Mr. CAMPBELL) would have gone a long way toward correcting that. Yet, for all those people on both sides of the aisle who voted against the Bipartisan Consensus Managed Care Act, saying I would rather see a free market approach, they do not get a chance today

to vote, to correct those types of HMO abuses.

Now, it is no secret that the insurance industry has been lobbying very vigorously on this issue. It is no secret that, last night, the insurance industry dumped millions of dollars into fundraisers here in Washington. It would be most curious if there is any connection between the Committee on Rules' action and political contributions. I would certainly hope that is not the case.

Why do we need HMO reform? Well, last week, in the Los Angeles Times, I saw this article on a case. The California State Department of Corporations said that it discovered systemic health care delivery problems at a California HMO, and they levied a $1 million fine against that HMO for delaying the urgently needed care of a 74-year-old woman who died.

So we gave the California Department of Corporations a phone call. They sent us their memo on this case. I am going to share this with my colleagues today, because as I am speaking, at this very moment here in the Capitol, the conferees to that HMO reform bill are meeting. They have been meeting for months and months and months, and virtually nothing has happened. I think they need to listen to a case like this, because it is pretty incredible. This is happening every day around the country.

''In January, 1996,'' and I am going to pretty much just read from this brief by the California Department of Corporations, ''Margaret Utterback, 74 years old, and'' an HMO ''patient for 50 years, was still living in her home. She took reasonably good care of herself and she was in generally good health up to the day that she'' complained to her HMO of ''back pain that radiated to the right side of her abdomen.''

It is important to note that she had been a smoker and that she had high blood pressure. That is from her HMO records.

Now, as a physician, let me lay a little groundwork for this. There is a condition called an aortic abdominal aneurysm. This is a balloon-like enlargement of the large blood vessel in one's abdomen, the aorta. It develops more frequently in people who have been smokers, who have atherosclerosis, and who have high blood pressure. If that balloon-like dilation of the aorta breaks, the patient usually dies. They bleed to death in a short time. It takes many years to develop.

Generally a patient that is systematic with an aortic abdominal aneurism is an older person who complains of abdominal and back pain. That aortic aneurism impinges on the lumbar vertebrae, and that is responsible for the back pain.

□ 1630

If it is caught in time, surgery can fix it. The balloon-like dilatation can be bypassed. Just think of taking a balloon and blowing it up. As we blow and blow, the bigger it gets, and all of a sudden it gets easier to blow it up. That is because the walls of that balloon are getting weaker and weaker. Then all of a sudden it gets so easy that it just breaks. That is what can happen with this type of dilatation, this aortic aneurysm.

On January 26, 1996, Mrs. Utterback woke up with pain in her back. It radiated towards her abdomen on the right side. She had been experiencing back pain since the day before. She thought the pain might be due to some hard work, but the pain progressed that morning. She also experienced abdominal pain she attributed to something she had eaten.

At about 8:15 in the morning, she called her daughter, Barbara Winnie, and she asked her to come over because she had some really sharp pain. When her daughter got there, at about 9:30, she found her mom in bed, still in her pajamas. Mrs. Utterback reported to her daughter that she had tried reaching her primary care doctor at the HMO when the clinic opened at 8:30. She was put on hold so long that she had to hang up.

The phone number that she used to secure an appointment came from her address book. Between 9:45 and 10 a.m. she tried to call this HMO again. Her daughter overheard this conversation and was also informed of the details. Mrs. Winnie essentially recalls this as follows: Mrs. Utterback explained her symptoms; that she was having pain on the right side of her back that was going around to her abdomen and she asked if she could get an appointment to see her doctor. She was told by the person who answered the phone that there were no appointments available.

Mrs. Utterback explained her symptoms again. She asked if she could be put through to her doctor or the clinic so that she could talk to somebody there. But the person at the HMO, at the other end of the phone, said she could not do that. After that, the person said something to the effect that, If you think you need to be seen, call back at 3 p.m. and you will get an urgent care appointment for the evening. Mrs. Utterback was told that the urgent care clinic was the procedure to be used when there were no same-day appointments available to her doctor.

Now, I want to point out something. This person she talked to did not suggest that if she was having really severe pain she needed to go to the emergency room.

After hanging up, Mrs. Utterback and Mrs. Winnie, her daughter, discussed the conversation. Mrs. Utterback decided to call back again. She described her symptoms again to the new person who answered the phone, i.e., that right side back pain was radiating to her abdomen. After being transferred a couple of times, she was finally put into contact with somebody who Mrs. Utterback thought was kind and willing to listen. That particular woman offered to send an e-mail message to her doctor about her wanting to be seen that day.

So Mrs. Utterback thought that once the e-mail was sent, she was supposed to wait for her doctor to get back to her. That is what she understood from the conversation. Her daughter recalls that this conversation occurred at approximately 10:15, which is consistent with the time that the e-mail was actually sent, which was 10:18.

Mrs. Utterback was not given an appointment during that conversation. While waiting to hear back from the doctor's office, Mrs. Utterback reclined almost the whole time, but she did get up around 12 noon to have some soup. After not hearing back for nearly 2 hours, Mrs. Utterback and her daughter said they agreed that they would surely hear from her doctor either during lunch or after the lunch hour. However, when 1:45 p.m. came around, Mrs. Utterback and her daughter agreed that enough was enough, and they tried to call back to find out what, if anything, her doctor had decided to do.

Mrs. Utterback called again. She explained to the person who answered the phone this time the steps she had taken up to this point in order and wanted to be seen by Dr. Perry. She again explained that she had right back pain radiating to her abdomen, which was getting more painful. She reiterated her efforts to see her doctor and reiterated her symptoms, as she was transferred several times. She also explained that she was frustrated. She wanted a same-day appointment, and she had been waiting to hear from her doctor since 10 o'clock, and it was now the middle of the afternoon.

After speaking to several different people, it appeared to her daughter that Mrs. Utterback, her mother, had finally reached somebody sympathetic based on the tone of Mrs. Utterback's voice. Apparently this person offered to transfer Mrs. Utterback to patient assistance. However, when that transfer occurred, Mrs. Utterback reached a voice mail recording. So she hung up.

She immediately phoned back the phone bank, and after explaining her symptoms and all of her attempts to get assistance again, she finally, after several attempts, reached a person who was able to get her scheduled for an appointment at 4:15. However, she had to insist on being seen that day because the medical assistant at first told Mrs. Utterback that her doctor declined to give her an appointment that day but, instead, would write her a prescription for narcotic pain medicine.

Finally, upon Mrs. Utterback's insistence, the medical assistant agreed to give her an appointment late in the day. Well, Mrs. Utterback is not feeling very good. The pain is getting worse. She and her daughter decide to go immediately to the clinic to try to get in to see her doctor earlier, if possible. This is corroborated by an HMO employee, the medical assistant who booked the appointment at the doctor's station, who recalls that the daughter

told her that they were leaving right away to try to get worked in sooner in the day.

Until arriving at the clinic, Mrs. Utterback never spoke to a registered nurse or an advice nurse, nor was she instructed to go to the emergency room by that HMO.

Mrs. Utterback left about 2 p.m. and checked in no later than 2:45 at the HMO clinic. Despite requesting three separate times to be seen sooner because her pain was getting worse, staff at the HMO refused. While waiting, Mrs. Utterback's pain increased to the point where her discomfort was visually observable. She squirmed in her chair. She held on to her side. At times she was in plain view of the reception desk and the open hallway where the medical assistants would come to call patients. But it was not until 4:30 that her physician examined her.

At one point, the medical assistant who was filling in for the doctor's patients that day was informed of Mrs. Utterback's desire to be put in a room. Two Kaiser receptionists testified that this assistant came to the front, glanced through the chart, looked into the waiting room where Mrs. Utterback was sitting, and stated, Doesn't look that sick to me, tossed the chart back and walked away. She did not stop, did not even bother to go out and talk to this woman.

Well, once examined by her physician, what did he diagnose? He immediately diagnosed that she had not just an aortic aneurysm but a dissecting aortic aneurysm, one that was rupturing. Now, that is a life-threatening condition. It requires complete adherence to a stringent test of protocols in order to save the patient's life. IVs need to be put in, the patient needs to be given pain medicine, that pain medicine will help reduce the patient's blood pressure. If their blood pressure is too high, the medicine reduces the blood pressure. Because the higher the blood pressure is the more pressure every beat of the heart places on that enlarging balloon that is in that patient's abdomen.

That patient is a medical emergency. That patient needs to be transported immediately to an emergency room, stabilized, and into the operating room in order to save that patient's life. But instead of calling 911 or arranging for advanced life support, and this is amazing, Mrs. Utterback and her daughter were initially asked to drive themselves to the emergency room. Imagine that. As a physician who has taken care of patients with this problem, to suggest that this patient should hop into the car and drive themselves there and possibly collapse enroute is just, it is just beyond me. It is just beyond me.

The seriousness of Mrs. Utterback's diagnosis and condition were not even communicated to the Hayward Fire Department or to the ambulance personnel. Chief Michael Jay of the Hayward Fire Department, who had been dispatched to the scene, was not informed this patient had a dissecting aortic aneurysm. Instead, he was informed by the clinic that ''the patient needed a transport, and the patient was complaining of lower back pain.'' Chief Jay stated, ''a diagnosis of a dissecting aortic aneurysm indicates a sense of urgency that would necessarily need to be communicated to the medical facility for the emergency personnel on scene,'' including himself, and it was never done.

That lack of urgency was confirmed in the ambulance report, where it states, ''doctor nowhere to be found, nurse had very little patient information, patient transferred for 'question mark' for evaluation.''

Mrs. Utterback did not arrive in the emergency room until 5:30. Remember, this saga started at about 8:15 in the morning. She did not get there until an hour after the diagnosis was made. Unfortunately for Mrs. Utterback, her aneurysm ruptured completely minutes after she got in the emergency room. She was taken to the operating room and given 24 units of blood, but by then it was too late and the next day she died.

The California Department of Corporations looked at this case and they found systemic lack of safety all the way through the day that this patient was treated. There should have been protocols in place. Certainly if a patient cannot be gotten into see her physician promptly, when she is having severe pain, she ought to be told to go to the emergency room. Do not pass go, just go to the emergency room, do not collect $200.

It is these kinds of problems that we are hearing about HMOs. In fact, right at this moment one of my colleagues is holding a press conference over in the Longworth Building where he has 24,000 HMO complaints of abuse stacked up and piled up that have been gathered just in the last few months. 24,000. And, believe me, that is a small number, because most of the problems do not get reported.

□ 1645

And so, what have we been doing here in Congress? Well, after we passed a strong patient protection bill here in the House with 275 votes back in October, the Speaker did not even name the conferees for a long time; and then the Republican conferees that were named from the House side, all except one, had not even voted for the bill.

The two Republican authors of the bill, the gentleman from Georgia (Mr. NORWOOD) and myself, were not even named to the conference committee. The Senate had passed a bill, which, charitably, could be argued an HMO protection bill, not a patient protection bill. It is so weak, it is worse than weak. And we have had months now where the conference committee has gotten virtually nothing done. And, furthermore, there has been no legislative language put out on even the noncontroversial items. And every day goes by and somebody like Mrs. Utterback is being injured or loses their life.

I could give my colleagues many, many other examples of this. If my colleagues would just take this one defect, cleft lip and cleft palate, in the last few years more than 50 percent of the surgeons who take care of this condition have had HMOs deny surgical repair related to cleft lip and cleft palate.

I mean, this is a birth defect. This is not a cosmetic procedure. This is something to make somebody normal so they can speak right so they can walk through the grocery store and not be an object of contempt.

For goodness sakes, why is it taking so long for us to address this problem? I guess you could only say, it is part of the systemic problem that exists here in Washington. There are very powerful special interests that oppose a real patient protection piece of legislation. That is the HMO industry, that is the insurance industry, and some of the big businesses.

It is very interesting, though, that if you look at the polls that are done of, say, small businesses, even small business employers, by about a three to five margin think that Congress ought to pass patient protection legislation. These are the employers.

What is the hang-up? Well, the hang-up in conference is on several things. One is the scope of the bill, who should the bill cover.

Well, we in the House voted overwhelmingly that these patient protections should cover all Americans, not just a few like are covered in the Senate bill. Every American ought to have access to patient protection so they are not abused by their HMO. That is one of the issues.

Another issue has to do with who determines medical necessity. Well, in the House-passed version, we passed a bill that said, you know, if there is a dispute you can go to an internal review, then an external review, an independent panel, and the panel can make a decision free of conflict of interest with the HMO and that that decision would be binding on the HMO, they would have to follow it. And if they did not follow that recommendation on a denial of care, then they could be subject to a fine. And if a patient was injured because of their not taking the advice of that panel, then they could be subject to liability.

Nothing like that in the Senate version, nothing has been dealt with on that issue in conference.

Now, some people are starting to think, well, maybe we ought to include some provisions from a substitute that was debated on this House floor and lost in regards to the liability. And that was the Goss-Coburn-Shadegg managed care liability provision. It is full of flaws and loopholes. I sincerely hope that the conference committee would correct these loopholes and flaws if they are looking at this. But more

importantly, they just ought to adopt the provisions that were in the bill that passed the House.

But let me just read a couple of them. The Goss-Coburn-Shadegg HMO liability provision creates a Federal cause of action. Now, that is something we did not do. We simply said, if there is an injury, it goes back to be handled in the State, like all other insurance disputes do.

The Goss-Coburn-Shadegg says other related claims could be brought in State court but not at the same time. That would create a procedural nightmare. Patients would be forced to bring actions in both State and Federal related to the same wrong, wasting judicial resources and posing an undue burden on them.

The provision is unclear as to whether patients would be shut off from bringing related causes of action between various courts. The provision is vague whether a Federal court would have supplemental jurisdiction of State law claims, thereby taking a patient's State law claims away from a State jury.

That is one example. Here is another problem with it. There was a provision in that Goss-Coburn-Shadegg liability bill that required a certification of injury by an external review panel that could deny a patient's Seventh Amendment constitutional rights. A defendant HMO could apply to a second external review panel under the Goss-Coburn-Shadegg bill not involved in the external review decision to determine issues of substantial harm and proximate cause. These are traditional jury issues.

If the external review panel, which could be completely devoid of any legal expertise, determined that either substantial harm has not occurred or that the HMO did not proximately cause the injury, then the patient's action would be dismissed unless the patient could overcome such a finding by clear and convincing evidence.

Further, if a patient fails that burden, he or she is responsible for the HMO's attorney's fees. The use of an external appeal entity to establish causation or harm is unconstitutional. A patient's Seventh Amendment right to a trial by jury cannot be superseded, and external review panels cannot make decisions about injury and causation, which are reserved for our judicial system.

There are many other problems with that substitute. But one of them is this, and that is that the Goss-Coburn-Shadegg bill would force a patient to exhaust internal and external review. To bring an action, a patient would have to exhaust current ERISA administrative remedies and all internal and external review processes, get this, even when he or she has already suffered an injury or even die due to the HMO's negligence.

Let us go back to Mrs. Utterback. Mrs. Utterback started her problem at 8:15 in the morning when she phoned, goes through the day, how many times did she phone the HMO to try to get some resolution, did not get any help, was not treated properly, finally ended up dying, being taken to surgery about 9 and dying the next day.

You know what? She would have no legal recourse under the Goss-Coburn-Shadegg liability provision because, well, you know what, she had not gone through internal or external review. It is just unfortunate for Mrs. Utterback, I guess, that she died before she could bring it to review. But that does not mean that that HMO should not be liable.

That is why the California Department of Corporations fined that HMO $1 million because of their negligent actions.

We need to fix this problem. We need to address this. That is why we should have had a debate today on the Campbell Quality Health Care Coalition Act, which is one way to approach the problem; and that is why the conference committee on HMO reform really ought to get something done and soon.

If they cannot move to some real substantive decisions and agreements, then we need to start looking at other ways to move this legislation. This is just too important for us for this to languish.

There are millions of decisions being made every day on people's health care that are being interpreted to the disadvantage of patients because of an HMO's ability to determine ''medical necessity.''

I hope it does not happen to a member of your family or to a loved one of yours or to you. Unfortunately, it could. All our constituents should be phoning and writing their congressman and they should say, please, enough is enough. Do not let this go anymore. Come to a resolution. Work with the President. Get a strong Patients' Bill of Rights passed this year, or we will hold you responsible at the voting booth.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SHIMKUS). Members will be reminded that their remarks in debate should be directed to the chair and not to the gallery or the listening audience.

POLICE BADGE PROTECTION ACT OF 1999

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. HORN) is recognized for 5 minutes.

Mr. HORN. Mr. Speaker, I rise today to call attention to this morning's headlines in the National Press about the use of counterfeit badges in and undercover investigation conducted by the General Accounting Office at the request of our colleague the gentleman from Florida (Mr. MCCOLLUM).

The General Accounting Office is the arm of investigation on both financial matters and programmatic matters on behalf of the Congress. They are part of our legislative branch. Agents from the GAO's Office of Special Investigations used fake badges purchased over the Internet to get through security at two airports and 19 Government offices, including the Central Intelligence Agency, the Department of Justice, the Federal Bureau of Investigation, the State Department, and the Department of Defense.

The relative ease with which the General Accounting Office agents penetrated security shows the vulnerability not only of these Government offices but of the public.

The American public recognizes the authority of the badge. They know they can count on those men and women in law enforcement.

The American public needs law enforcement when they are in times of trouble and they are in need of help. However, misuse of the badge reduces public trust in law enforcement and endangers the public.

Although there are State statutes against impersonating law enforcement officers, the threat of counterfeit badges reaches across State lines. Criminals can purchase fraudulent badges such as the ones used in this testing experiment by the agents of the General Accounting Office. The criminals can purchase the badges over the Internet and through mail order catalogues.

Disturbingly easy access to these official looking badges and the means to manufacture counterfeit badges calls for strong, prompt action to protect the public trust in those in law enforcement who carry badges.

I have introduced legislation, H.R. 2633, the Police Badge Fraud Prevention Act, to achieve that goal.

The Police Badge Fraud Prevention Act would ban the interstate or foreign trafficking of counterfeit badges and genuine badges among those that are not authorized to be possessed by a genuine badge. The legislation complements State statutes against impersonating a police officer, addressing in particular the problems posed by Internet and mail order badge sales.

With the endorsement of multiple law enforcement agencies, including the Fraternal Order of Police, as well as the bipartisan support of my colleagues, the Police Badge Fraud Prevention Act can help protect the public from criminals who use time honored symbols of law enforcement for illegal purposes.

In light of the General Accounting Office investigation and in response to the need to address the growing on-line sales of counterfeit police badges, I strongly urge the House to pass the Police Badge Fraud Prevention Act.

BROAD BAND DEPLOYMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. TAUZIN) is recognized for 5 minutes.

Mr. TAUZIN. Mr. Speaker, today we held the second of a series of hearings on the issue of broad band deployment in the Subcommittee on Telecommunications. And in completing that hearing today, we arrived at a point where over 200 Members of this House, I think 207 by today's count, have endorsed and cosponsored H.R. 2420, which is a bill designed to prevent from happening in this country what so many people are talking about, something called the digital divide.

□ 1700

It is a bill designed to ensure that all Americans have access to high-speed broad band Internet services that are being deployed in some parts of America. According to a study by Legg Mason, in the next 4 years about half of this country will have access to several, not one, but several different providers of high-speed broad band services. Now, for those of you who use the Internet, what we call the narrow band Internet, broad band Internet will be absolutely like day and night. It will provide Americans with access to incredibly high-speed data including both audio and visual images, in other words, motion pictures, streamed over the Internet in full realtime.

It will open the door in short to incredible new opportunities in entertainment, information, long distance learning, and telemedicine and all the things that Americans look forward to in terms of this telecommunications revolution. It will indeed open the door to new opportunities in electronic commerce for small businesses across America. But the ugly truth is that this high-speed, fast-speed train that is about to arrive and provide all these wonderful services for about half of America will not arrive at all for about a quarter of Americans and will arrive only with one provider for another quarter of our great country. That means as far out as we can see, 4 years from now, fully half of our country will have only one provider of these new services or no provider at all.

Now, if you live in any part of America that is not connected to this wonderful high-speed broad band network, you are going to find out that not only are you missing great opportunities but you may have to move. If you are a small business not connected to some of these networks, and you cannot connect to the high-speed network in which your business should be connected because it is part of an integral e-commerce distribution system, you may find yourself having to leave a small town in rural America that you grew up in and relocate your business elsewhere, or you may find out you are losing an awful lot of business. The problem for Americans is that the quarter of Americans who will not have any services generally live in rural America or in urban center city portions of our country. So the urban poor and the rural poor of our country will be the last to receive the benefits from this high-speed digital revolution.

Now, something can happen to change that. Buried in the ground, connecting all the rural communities of America and much of the urban centers of our country are fiber optic cables that have been laid by the telephone companies, the Bell companies. But under Federal law, these cables, these fiber optics that could connect little towns across America to the high-speed trunk lines of this new broad band revolution cannot be used because the FCC literally will not allow the telephone companies to get into the broad band business across what is called LATA lines. They may be State boundaries or lines drawn on a map inside a State that currently separates local and long distance telephone calls.

You should ask me what does local and long distance telephone calls have to do with the Internet and this broad band revolution. I should tell you it has very little to do with it. It only has to do with voice communication, telephone communications. But these old laws that restrict the local telephone company from crossing those lines and getting into long distance telephones also currently restrict the telephone companies from connecting all the small parts of America to the broad band Internet.

It is time we lift those restrictions. In 1996, we tried to deregulate communications in America. We did a pretty good job, but we left the regulations in place on the local monopoly telephone companies until there was enough competition for telephone service in those local markets. We certainly did not intend to stop the telephone companies from being a full-fledged competitor to connect rural parts of America, small town America, urban center city America to the great advantages of this new age of communications, the broad band digital high-speed network. So House bill 2420 will do just that, will lift those restrictions, will create competition, offer connection, connectivity for everyone in this country. That means ending the digital divide.

Mr. Speaker, House bill 2420 needs to be passed. We are rapidly approaching the point where over 218 Members of this House will have signed on urging its passage.

HOUSE VOTES TO REPEAL TELEPHONE EXCISE TAX

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

Mr. TAUZIN. Mr. Speaker, I am very pleased that today while I was conducting a hearing in the House Committee on Commerce on broad band legislation, that the House is moving to pass an important piece of legislation to help the Internet community and all telephone consumers of America. That was a bill to repeal the 3 percent telephone tax that has been on the books as we know on and off since the Spanish American war. The telephone tax operates as a tax on the Internet because much of the Internet service flows over the telephone. As a result, this 3 percent tax collected originally to fund the Spanish American War and left on the books for lo these many years had to go.

Today, the House joined in large numbers in repealing that tax. I want to congratulate the House in making that great decision today. In fact, a study done by the Progress and Freedom Foundation indicates that over the last 12 years, telephone taxes have gone up in this country 62 percent, that telephone taxes, that taxes on the business of talking to one another in this country have risen a remarkable 62 percent. That includes State, local and, of course, Federal taxes. When the combination of all these taxes mount up on a person's telephone bill, it means in effect that more and more people cannot afford to be on the Internet.

In fact, the Progress and Freedom Foundation estimates that well over 20 percent of America will not access the Internet because of the high level of telephone taxation. Now, what is ironic about that is that we live in a country that prides itself on free speech. In fact, the first amendment to our Constitution is an amendment that protects American's right to free speech, in effect protects our right to free speech against the Government infringing upon it.

I want you to think about that for a second. In this wonderful free speech society that prides itself and in fact brags about free speech around the world, we in America tax speech in many jurisdictions of our country more than we do tobacco. In other words, the taxes on telephones in many jurisdictions of America are higher than the taxes on tobacco, which is supposed to be a sin product. Speech is supposed to be honored and respected in America. In this great House we honor and respect the right of free speech in our wonderful debates on the great issues of the day.

Yet our government taxes talking on a telephone so high that it amounts to more than the taxes on tobacco in many parts of America. You would think we would honor speech by getting rid of those taxes, lowering those taxes; and so this House began today that process. By eliminating the 3 percent excise tax on talking on telephones, we hopefully have begun the process to honor and respect free speech again in our society. Eliminating this tax is going to save millions of Americans many millions of dollars over the years that unfortunately has been taken from them as they use their telephones or connect to the Internet.

More importantly, as we repeal this 3 percent telephone tax, we will be making access to the Internet more affordable for many people in this country. Think about telephone taxes another way. It is one of the most regressive forms of taxation you can possibly

imagine, because we all use the telephone. We use it to keep in touch with our loved ones; we use it constantly in our businesses. Everyone uses the telephone. And in a real sense, when you talk about taxes being progressive or regressive, this is the most regressive tax that I can possibly imagine. Everybody pays it. The poorest of Americans who use the telephone pay a higher percentage of taxes with telephone taxes than they do in any other form.

So this House really has done America a great favor. I am proud tell you that it was in 1998 that the gentlewoman from Washington (Ms. DUNN) and I filed the first bill to repeal the Spanish American 3 percent telephone tax. It has taken a few years, but this House today agreed with us. We are delighted in fact that the House has now sent to the Senate a bill to end this 100-year-old Spanish American War tax. I want you to know the Spanish can breathe easy tonight. The war is over. We have ended collecting a tax that ran that war. We should be very proud in fact that we are finally taking the right path in making both telephone and Internet service more affordable for people and getting rid of some of this heavy burden of excessive and regressive taxation on the folks in America who use the telephone.

We have only just begun. As we go through the process of trying to make sure that the Internet is free and accessible for more and more people, free of these heavy taxation burdens, our committee and the Committee on Ways and Means will continue to see whether or not we can hopefully give Americans even more relief from taxation. In that regard, Mr. Speaker, our efforts will continue. We are going to look seriously at possibly putting some kind of limitation on the FCC's ability to constantly raise taxes', and one day just hopefully one day we will honor and respect free speech in America the way our forefathers intended.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 336. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2559) ''An Act 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.''.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MINGE (at the request of Mr. GEPHARDT) for today on account of medical reasons.

Mr. WEINER (at the request of Mr. GEPHARDT) for before 1:00 p.m. May 24 and today on account of personal business.

Mr. BATEMAN (at the request of Mr. ARMEY) for today on account of attending a funeral.

Mr. MCINNIS (at the request of Mr. ARMEY) for today on account of his daughter's high school graduation.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mrs. CAPPS) to revise and extend their remarks and include extraneous material:)

Mrs. CAPPS, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. RUSH, for 5 minutes, today.

Mr. UNDERWOOD, for 5 minutes, today.

Mrs. MINK of Hawaii, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

(The following Members (at the request of Mrs. BIGGERT) to revise and extend their remarks and include extraneous material:)

Mrs. BIGGERT, for 5 minutes, today.

Mr. GUTKNECHT, for 5 minutes, today.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. HORN, for 5 minutes, today.

Mr. TAUZIN, for 5 minutes, today.

SENATE BILL AND CONCURRENT RESOLUTION REFERRED

A bill and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 484. An act 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; to the Committee on the Judiciary 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.

S. Con. Res. 110. Concurrent resolution congratulating the Republic of Latvia on the tenth anniversary of the reestablishment of its independence from the rule of the former Soviet Union; to the Committee on International Relations.

ADJOURNMENT

Mr. TAUZIN. Mr. Speaker, pursuant to House Concurrent Resolution 336, 106th Congress, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore (Mr. SHIMKUS). Pursuant to House Concurrent Resolution 336, 106th Congress, the House stands adjourned until 10:30 a.m. on Tuesday, June 6, 2000, for morning hour debates.

Thereupon (at 5 o'clock and 14 minutes p.m.), pursuant to House Concurrent Resolution 336, the House adjourned until Tuesday, June 6, 2000, at 10:30 a.m. for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

7840. A letter from the Senior Banking Counsel, Office of the General Counsel, Departmental Offices, Department of the Treasury, transmitting the Department's final rule—Financial Subsidiaries (RIN: 1505–AA77) received March 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7841. A letter from the Chairman, Federal Financial Institutions Examination Council, transmitting the 1999 Annual Report, pursuant to 12 U.S.C. 3305; to the Committee on Banking and Financial Services.

7842. 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 Regulation: Financial Management Clauses for Management and Operating (M&O) Contracts (RIN: 1991–AB02) received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7843. A letter from the Assistant General Counsel for Regulatory Law, Office of Procurement and Assistance Managment, Department of Energy, transmitting the Department's final rule—Acquisition Letter; Small Business Programs—received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7844. A letter from the Deputy Executive Secretary, FDA, Department of Health and Human Services, transmitting the Department's final rule—Revision of the Requirements Applicable to Albumin (Human), Plasma Protein Fraction (Human), and Immune Globulin (Human) [Docket No. 98N–0608] received April 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7845. A letter from the Deputy Executive Secretary, FDA, Department of Health and Human Services, transmitting the Department's final rule—Quality Mammography Standards [Docket No. 99N–1502] received April 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7846. A letter from the Deputy Executive Secretary, National Institutes of Health, Department of Health and Human Services, transmitting the Department's final rule—Service Fellowships (RIN: 0991–AA96) received April 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7847. A letter from the Director, Regulations Policy Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Indirect Food Additives: Adhesives and Components of Coatings and Paper and Paperboard Components [Docket No. 99F–0925] received April 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7848. A letter from the Deputy Assistant Administrator, Office of Diversion Control,

DEA, Department of Justice, transmitting the Department's final rule—Schedules of Controlled Substances: Exempt Anabolic Steroid Products [DEA No. 1871] (RIN: 1117–AA51) received March 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7849. A letter from the Legal Advisor, Cable Services Bureau, Federal Communications Commission, transmitting the Commission's final rule—Implementation of the Satellite Home Viewer Improvement Act of 1999; Retransmission Consent Issues: Good Faith Negotiation and Exclusivity [CS Docket No. 99–363] received March 23, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7850. A letter from the Deputy Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting the Commission's final rule—Custody of Investment Company Assets Outside of the United States (RIN: 3235–AH55) received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7851. A letter from the Lieutenant General, USA, Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to Greece for defense articles and services (Transmittal No. 00–33), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

7852. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13–157, ''Sense of the Council on Congressional Ban on Handguns and Assault-Style Weapons Resolution of 1999'' received May 24, 2000, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

7853. A letter from the Office of the Trustee, Court Services and Offender Supervision Agency for the District of Columbia, transmitting the Fiscal Year 1999 Performance Report; to the Committee on Government Reform.

7854. A letter from the Acting Assistant Attorney General, Office of Justice Programs, Department of Justice, transmitting the Department's final rule—Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations—received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

7855. 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; Small Business Competitiveness Demonstration Program [FAC 97–16; FAR Case 1999–012; Item I] (RIN: 9000–AI64) received April 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

7856. 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 Circular 97–16; Introduction—received April 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

7857. A letter from the Deputy Archivist, National Archives and Records Administration, transmitting the Administration's final rule—Elimination of Requirement to Rewind Computer Tapes (RIN: 3095–AA94) received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

7858. A letter from the Director, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the 2000 Annual Report Regarding Highly Migratory Species, pursuant to 16 U.S.C. 971; to the Committee on Resources.

7859. A letter from the Deputy Assistant Administrator, National Ocean Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Announcement of Opportunity to submit proposals for the Coastal Ecosystem Research Project in the Northern Gulf of Mexico [Docket No. 000202023–0023–01; I.D. No. 01100B] (RIN: 0648–ZA78) received April 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7860. A letter from the Deputy Assistant Administrator, National Ocean Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Announcement of Funding Opportunity for research project grants and cooperative agreements [Docket No. 000127019–0019–01; I.D. No. 011000D] (RIN: 0648–ZA77) received April 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7861. A letter from the Deputy Assistant Administrator, National Ocean Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Announcement of Funding Opportunity for the South Florida Ecosystem Restoration Prediction and Modeling Program and the South Florida Living Marine Resources Program [Docket No. 000202024–002240–01; I.D. No. 011000C] (RIN: 0648–ZA79) received April 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7862. A letter from the Assistant Attorney General, Department of Justice, transmitting a draft legislative proposal entitled, ''To Amend section 249 of the Immigration and Nationality Act and for other purposes.''; to the Committee on the Judiciary.

7863. A letter from the Deputy Assistant Administrator, Office of Diversion Control, DEA, Department of Justice, transmitting the Department's final rule—Temporary Exemption From Chemical Registration for Distributors of Pseudoephedrine and Phenylpropanolamine Products [DEA Number 168] (RIN: 1117–AA46) received March 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7864. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fokker Model F.28 Mark 0070 and 0100 Series Airplanes [Docket No. 99–NM–369–AD; Amendment 39–11679; AD 2000–07–24] (RIN: 2120–AA64) received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7865. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300–600 Series Airplanes [Docket No. 98–NM–78–AD; Amendment 39–11676; AD 2000–07–22] (RIN: 2120–AA64) received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7866. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300–600 and A310 Series Airplanes [Docket No. 99–NM–82–AD; Amendment 39–11612; AD 2000–05–03] (RIN: 2120–AA64) received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7867. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Industrie Aeronautiche e Meccaniche Model Piaggo P–180 Airplanes [Docket No. 99–CE–65–AD; Amendment 39–11665; AD 2000–07–11] (RIN: 2120–AA64) received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7868. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Allocation of Fiscal Year 2000 Operator Training Grants—received April 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7869. A letter from the Assistant Secretary for Planning and Analysis, Department of Veterans Affairs, transmitting a draft bill to amend title 38, United States Code, to designate members of the Board of Veterans' Appeals (Board) as veterans law judges and to clarify the beginning of the period in which Board decisions can be appealed to the United States Court of Appeals for Veterans Claims (Court); to the Committee on Veterans' Affairs.

7870. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—National Median Income—2000 [Rev. Procedure 2000–21] received April 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7871. A letter from the Acting Secretary, Department of State, transmitting the 1999 Annual Report on United Nations voting practices, pursuant to 22 U.S.C. 2414a; jointly to the Committees on International Relations and Appropriations.

7872. A letter from the Acting Assistant Secretary for Economic Development, Department of Commerce, transmitting the Department's final rule —Revision to Implement Economic Development Reform Act of 1998–Grant Rate Eligibility: Disaster Assistance Based on High Unemployment [Docket No. 990106003–9157–02] (RIN: 0610–AA56) received April 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Transportation and Infrastructure and Banking and Financial Services.

7873. A letter from the Deputy Executive Secretary, Health Care Financing Administration, Department of Health and Human Services, transmitting the Department's final rule—Medicare Program; Telephone Requests for Review of Part B Initial Claim Determinations [HCFA–4121–FC] (RIN: 0938–AG48) received April 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Commerce.

7874. A letter from the Deputy Executive Secretary, Health Care Financing Administration, Department of Health and Human Services, transmitting the Department's final rule—Medicare Program; Solvency Standards for Provider-Sponsored Organizations [HCFA–1011–F] (RIN: 0938–AI83) received April 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOODLING: Committee on Education and the Workforce. H.R. 4402. A bill to amend the American Competitiveness and Workforce Improvement Act of 1998 to improve the use of amounts deposited into the H–1B Nonimmigrant Petitioner Account for demonstration programs and projects to provide technical skills training for occupations for which there is a high demand for skilled workers, and for other purposes; with an

amendment (Rept. 106–642). Referred to the Committee of the Whole House on the State of the Union.

Mr. TALENT: Committee on Small Business. H.R. 1882. A bill to amend provisions of law enacted by the Small Business Regulatory Enforcement Fairness Act of 1996 to ensure full analysis of potential impacts on small entities of rules proposed by certain agencies, and for other purposes (Rept. 106–643 Pt. 1). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LAFALCE:

H.R. 4540. A bill to amend the Consumer Credit Protection Act to enhance the advertising of the terms and costs of consumer automobile leases, to permit consumer comparison of advertised lease offerings, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. EWING:

H.R. 4541. A bill to reauthorize and amend the Commodity Exchange Act to promote legal certainty, enhance competition, and reduce systemic risk in markets for futures and over-the-counter derivatives, and for other purposes; to the Committee on Agriculture, and in addition to the Committees on Banking and Financial Services, and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOODLING (for himself, Mr. REGULA, Mr. DAVIS of Virginia, Mrs. MORELLA, Ms. NORTON, Mr. MORAN of Virginia, and Mr. DICKS):

H.R. 4542. A bill to designate the Washington Opera in Washington, D.C., as the National Opera; to the Committee on Education and the Workforce.

By Mr. HYDE (for himself, Mr. CONYERS, Mr. CAMP, Mr. CARDIN, Mr. FOLEY, Mr. LEWIS of Georgia, Mr. SAM JOHNSON of Texas, Mrs. THURMAN, Mr. CANADY of Florida, Mr. SCOTT, Mr. HUTCHINSON, and Ms. JACKSON-LEE of Texas):

H.R. 4543. A bill to amend the Internal Revenue Code of 1986 to provide relief for payment of asbestos-related claims; to the Committee on Ways and Means.

By Mr. MANZULLO:

H.R. 4544. A bill to provide standards for the enactment of Federal crimes, to sunset those Federal crimes that do not meet those standards, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISTOOK (for himself, Mr. DICKEY, Mr. FRANKS of New Jersey, Mrs. MYRICK, Mr. SOUDER, Mr. TANCREDO, and Mr. TERRY):

H.R. 4545. A bill to require public schools and libraries that receive Federal funds for the acquisition or operation of computers to install software to protect children from obscenity; to the Committee on Education and the Workforce.

By Mr. WELLER (for himself, Mr. JEFFERSON, Ms. PRYCE of Ohio, Mrs. KELLY, Mr. SESSIONS, and Mr. GREEN of Wisconsin):

H.R. 4546. A bill to amend the Internal Revenue Code of 1986 to permit individuals age 50 or older to make catchup contributions under individual retirement plans; to the Committee on Ways and Means.

By Mr. RYAN of Wisconsin:

H.R. 4547. A bill to provide a waiver of certain nurse aide training requirements for specially trained individuals who perform certain specific nursing-related tasks in Medicare and Medicaid nursing facilities; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POMBO (for himself, Mr. CHAMBLISS, Mr. HASTINGS of Washington, Mr. PITTS, Mr. CALVERT, Mr. WEXLER, Mr. MARTINEZ, Mr. RADANOVICH, Mr. NUSSLE, Mr. BOEHNER, Mr. MCCOLLUM, Mr. KINGSTON, Mr. DOOLITTLE, Mr. FOLEY, Mrs. CHENOWETH-HAGE, Mrs. BONO, and Mr. KOLBE):

H.R. 4548. A bill to establish a pilot program creating a system of registries of temporary agricultural workers to provide for a sufficient supply of such workers, to amend the Immigration and Nationality Act to streamline procedures for the temporary admission and extension of stay of nonimmigrant agricultural workers under the pilot program, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ADERHOLT (for himself, Mr. BACHUS, Mr. RILEY, Mrs. EMERSON, Mr. SANDLIN, Mr. GILCHREST, Mr. OBERSTAR, Mr. MCHUGH, Mr. BALDACCI, and Mr. TOWNS):

H.R. 4549. A bill to amend title XVIII of the Social Security Act to provide for payment under the Medicare Program for ambulance services for the transportation of Medicare beneficiaries to certain rural outpatient facilities; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARR of Georgia (for himself, Mr. CRAMER, Mr. WAMP, Mrs. MYRICK, Mr. PRICE of North Carolina, and Mr. COLLINS):

H.R. 4550. A bill to provide grants to law enforcement agencies that ensure that law enforcement officers employed by such agency are afforded due process when involved in a case that may lead to dismissal, demotion, suspension, or transfer; to the Committee on the Judiciary.

By Mr. BASS:

H.R. 4551. A bill to repeal the 1993 increase in tax on Social Security benefits and to develop and apply a Consumer Price Index that accurately reflects the cost-of-living for older Americans who receive Social Security benefits under title II of the Social Security Act; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BEREUTER (for himself, Mr. ENGLISH, Mr. DICKEY, and Mr. BARRETT of Nebraska):

H.R. 4552. A bill to amend the Internal Revenue Code of 1986 to provide a higher purchase price limitation applicable to mortgage subsidy bonds based on median family income; to the Committee on Ways and Means.

By Mrs. BIGGERT (for herself and Mr. ROGAN):

H.R. 4553. A bill to combat club drug trafficking, distribution, and abuse in the United States, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BORSKI (for himself, Mr. BRADY of Pennsylvania, Mr. FATTAH, Mr. MURTHA, Mr. SHUSTER, Mr. KLINK, Mr. PETERSON of Pennsylvania, Mr. HOLDEN, Mr. WELDON of Pennsylvania, Mr. GREENWOOD, Mr. SHERWOOD, Mr. KANJORSKI, Mr. HOEFFEL, Mr. COYNE, Mr. TOOMEY, Mr. PITTS, Mr. GEKAS, Mr. DOYLE, Mr. GOODLING, Mr. MASCARA, and Mr. ENGLISH):

H.R. 4554. A bill to redesignate the facility of the United States Postal Service located at 1602 Frankford Avenue in Philadelphia, Pennsylvania, as the ''Joseph F. SMITH Post Office Building''; to the Committee on Government Reform.

By Mr. BROWN of Ohio:

H.R. 4555. A bill to provide for a 6-year demonstration project to stabilize coverage and benefits under the MedicareChoice Program; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAMP (for himself, Mr. HAYWORTH, Mr. KILDEE, Mr. PETERSON of Minnesota, Mr. SHADEGG, Mr. KLECZKA, and Mr. FOLEY):

H.R. 4556. A bill to amend the Internal Revenue Code of 1986 to treat for unemployment compensation purposes Indian tribal governments the same as State or local units of government or as nonprofit organizations; to the Committee on Ways and Means.

By Mr. COBURN:

H.R. 4557. A bill to amend the Social Security Act to waive the 24-month waiting period for Medicare coverage of individuals disabled with acquired immune deficiency syndrome (AIDS), and to provide Medicare coverage of drugs used for treatment of AIDS; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COOK:

H.R. 4558. A bill to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to modify the City of West Jordon, Utah, Reuse Project to include recycling and reuse of naturally impaired surface water; to the Committee on Resources.

By Mr. CROWLEY (for himself, Mr. CAMPBELL, Mr. MEEKS of New York, Ms. LEE, Mr. ABERCROMBIE, Mr. ENGEL, Ms. JACKSON-LEE of Texas, Mrs. NAPOLITANO, Ms. SCHAKOWSKY, and Mr. GUTIERREZ):

H.R. 4559. A bill to extend the Brady Law to firearms won in lotteries; to the Committee on the Judiciary.

By Mrs. CUBIN (for herself, Mrs. CHENOWETH-HAGE, Mr. HILL of Montana, Mr. SIMPSON, Mr. WALDEN of Oregon, Mr. DOOLITTLE, Mr. STUMP, Mr. THUNE, and Mr. POMBO):

H.R. 4560. A bill to provide for the use of snowmobiles in National parks; to the Committee on Resources.

By Mr. ENGLISH:

H.R. 4561. A bill to amend the Internal Revenue Code of 1986 to prevent unintended disqualification of trusts as electing small business trusts; to the Committee on Ways and Means.

By Mr. ETHERIDGE (for himself and Mrs. CLAYTON):

H.R. 4562. A bill to amend the Internal Revenue Code of 1986 to increase the maximum estate tax deduction for family-owned business interests; to the Committee on Ways and Means.

By Mr. GREEN of Texas (for himself and Mr. QUINN):

H.R. 4563. A bill to amend title XXVII of the Public Health Service Act and title I of the Employee Retirement Income Security Act of 1974 to require that group and individual health insurance coverage and group health plans provide comprehensive coverage for childhood immunization; to the Committee on Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOEFFEL (for himself and Mr. MALONEY of Connecticut):

H.R. 4564. A bill to amend the Elementary and Secondary Education Act of 1965, to reauthorize and make improvements to that Act, and for other purposes; to the Committee on Education and the Workforce.

By Ms. HOOLEY of Oregon (for herself and Mr. WELDON of Pennsylvania):

H.R. 4565. A bill to amend the Safe and Drug-Free Schools and Communities Act of 1994 to prevent the abuse of inhalants through programs under that Act, and for other purposes; to the Committee on Education and the Workforce.

By Mr. KLINK (for himself, Mr. VISCLOSKY, Mr. MURTHA, Mr. BALDACCI, Mr. COYNE, Mr. HOLDEN, Mr. MASCARA, Mr. DOYLE, and Mr. BRADY of Pennsylvania):

H.R. 4566. A bill to set standards for radioactive contamination content in both the domestic and international metals industry, to prohibit the release of radioactively contaminated scrap metal by the Department of Energy and nuclear fuel production, utilization, and fabrication facilities, and to require all nations exporting metals into the United States to certify and document the amount of radioactive contamination of any scrap metals being exported into the United States; to the Committee on Commerce.

By Mrs. MALONEY of New York (for herself, Mr. DAVIS of Virginia, Mr. HOYER, Ms. JACKSON-LEE of Texas, Mr. FRANK of Massachusetts, Mr. PAYNE, Mr. SANDLIN, Mr. SANDERS, Mr. EVANS, Mrs. THURMAN, Mr. CARDIN, Mr. MORAN of Virginia, Ms. WOOLSEY, Mr. FROST, Ms. PELOSI, Ms. NORTON, Mr. ENGEL, Mr. CUMMINGS, Mr. STARK, and Mr. GILMAN):

H.R. 4567. A bill to amend title 5, United States Code, to provide that, of the total amount of family leave available to a Federal employee based on the birth of a child or the placement of a child with the employee for adoption or foster care, at least one-half of that time shall be leave with pay; to the Committee on Government Reform.

By Mrs. MALONEY of New York:

H.R. 4568. A bill to provide funds for the planning of a special census of Americans residing abroad; to the Committee on Government Reform.

By Mr. MORAN of Virginia (for himself, Mr. DAVIS of Virginia, Mr. WYNN, Ms. NORTON, Mrs. MORELLA, and Mr. WOLF):

H.R. 4569. A bill to amend section 8339(p) of title 5, United States Code, to clarify the method for computing certain annuities under the Civil Service Retirement System which are based (in whole or in part) on part-time service, and for other purposes; to the Committee on Government Reform.

By Ms. PRYCE of Ohio (for herself, Mr. LEWIS of Georgia, Mr. ABERCROMBIE, Mr. ANDREWS, Mr. BECERRA, Mr. BLAGOJEVICH, Mr. CAMPBELL, Mr. DIXON, Mr. EVERETT, Mr. FROST, Mr. GEJDENSON, Mrs. JOHNSON of Connecticut, Mr. LARSON, Ms. LEE, Mr. MATSUI, Mrs. MORELLA, Ms. NORTON, Ms. PELOSI, Mr. PETRI, Mr. RAMSTAD, Mr. RANGEL, Mr. RODRIGUEZ, Mr. SANDERS, Mrs. THURMAN, Mr. TRAFICANT, Ms. VELAZQUEZ, Mr. VENTO, Mr. WEXLER, and Mr. WISE):

H.R. 4570. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on account of claims based on certain unlawful discrimination and to allow income averaging for backpay and frontpay awards received on account of such claims, and for other purposes; to the Committee on Ways and Means.

By Mr. SHAW (for himself and Mrs. THURMAN):

H.R. 4571. A bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare Program of annual screening pap smear and screening pelvic exams; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SKEEN:

H.R. 4572. A bill to eliminate the regional system of organizing the National Forest System and to replace the regional offices of the Forest Service with State offices; to the Committee on Agriculture.

By Mr. SPENCE (for himself, Mr. SPRATT, and Mr. DEMINT):

H.R. 4573. A bill to amend the Harmonized Tariff Schedule of the United States to provide for duty free treatment on certain manufacturing equipment; to the Committee on Ways and Means.

By Mr. UDALL of New Mexico:

H.R. 4574. A bill to authorize the Secretary of the Interior to make compensation for damages arising from a prescribed burn on the Bandelier National Monument in the State of New Mexico; to the Committee on the Judiciary, and in addition to the Committee on Resources, 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. WELDON of Florida (for himself, Mrs. CAPPS, Mr. MCCOLLUM, Mr. WAMP, and Mr. HILL of Montana):

H.R. 4575. A bill to amend title 38, United States Code, to improve the provision of inpatient medical care services by the Department of Veterans Affairs to veterans in areas remote from Department of Veterans Affairs medical centers; to the Committee on Veterans' Affairs.

By Mr. LINDER:

H. Con. Res. 336. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate; considered and agreed to.

By Mrs. KELLY:

H. Con. Res. 337. Concurrent resolution expressing the sense of the Congress regarding tuberous sclerosis; to the Committee on Commerce.

By Mr. LANTOS (for himself, Mr. SHAYS, Mr. BACA, Mr. BERMAN, Ms. CARSON, Mr. CONYERS, Mr. CLAY, Ms. DELAURO, Mr. DEUTSCH, Mr. FARR of California, Mr. JACKSON of Illinois, Mr. KUCINICH, Ms. LEE, Mrs. MALONEY of New York, Mrs. MORELLA, Mr. OLVER, Ms. PELOSI, Ms. RIVERS, Ms. SCHAKOWSKY, Mrs. TAUSCHER, and Mr. GALLEGLY):

H. Con. Res. 338. Concurrent resolution expressing the sense of the Congress regarding the link between violence against animals and violence against humans and urging greater emphasis upon identifying and treating individuals who are guilty of violence against animals, which is a crime in its own right in all 50 States, in order to prevent violence against humans and urging research to increase understanding of the connection between cruelty to animals and violence against humans; to the Committee on Commerce, and in addition to the Committees on Agriculture, and the Judiciary, 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. LANTOS (for himself, Mr. GILMAN, Mr. BEREUTER, Mr. SMITH of New Jersey, Mr. ACKERMAN, Mr. SALMON, Mr. PITTS, Mr. FALEOMAVAEGA, and Mr. ROHRABACHER):

H. Con. Res. 339. Concurrent resolution expresing the sense of the Congress concerning recent manifestations of official policy directed against the independent media in Russia and expressing concern for the continued functioning of the independent media in Russia; to the Committee on International Relations.

By Mr. ANDREWS (for himself, Mr. BILIRAKIS, Mr. KLINK, Mrs. MALONEY of New York, Mr. PAYNE, Mr. BLAGOJEVICH, Mr. MCGOVERN, Mr. SHERMAN, Mr. CROWLEY, Mr. FILNER, Mr. KNOLLENBERG, Ms. ROS-LEHTINEN, Mr. MCNULTY, Mr. COYNE, and Mr. ACKERMAN):

H. Con. Res. 340. Concurrent resolution expressing the sense of the Congress regarding Turkey's claims of sovereignty over islands and islets in the Aegean Sea; to the Committee on International Relations.

By Mr. FOLEY:

H. Con. Res. 341. Concurrent resolution expressing the sense of Congress regarding the guaranteed coverage of medically appropriate actinic keratoses treatment and removal under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KOLBE (for himself, Mr. ISAKSON, Mr. OBERSTAR, and Mrs. MORELLA):

H. Con. Res. 342. Concurrent resolution expressing the sense of Congress that there should be an international education policy for the United States; to the Committee on Education and the Workforce.

By Mr. RANGEL (for himself and Mr. MCCOLLUM):

H. Con. Res. 343. Concurrent resolution expressing the sense of the Congress regarding the importance of families eating together; to the Committee on Education and the Workforce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 8: Mr. DAVIS of Virginia.

H.R. 73: Mrs. CHENOWETH-HAGE.

H.R. 218: Mr. BUYER and Ms. STABENOW.
H.R. 303: Mr. BACA.
H.R. 460: Mr. GILLMOR.
H.R. 483: Mr. BARCIA.
H.R. 534: Mr. MCNULTY.
H.R. 721: Mr. SNYDER and Mr. QUINN.
H.R. 762: Mr. STRICKLAND.
H.R. 773: Mr. WYNN.
H.R. 783: Mr. RAMSTAD.
H.R. 844: Ms. LOFGREN, Mr. BILIRAKIS, and Mr. WELDON of Florida.
H.R. 1053: Mr. SCOTT.
H.R. 1102: Mr. KLINK.
H.R. 1172: Mr. NORWOOD, Mr. BENTSEN, Mr. ABERCROMBIE, Mr. TURNER, Mr. VITTER, Mr. PAUL, and Mr. STENHOLM.
H.R. 1187: Mr. YOUNG of Florida.
H.R. 1248: Mr. STRICKLAND.
H.R. 1293: Mr. DICKS.
H.R. 1303: Mr. WISE.
H.R. 1311: Mr. BRYANT.
H.R. 1322: Mr. HUTCHINSON, Mr. FILNER, Mr. ISAKSON, Mr. BOEHLERT, Mr. QUINN, Mr. POMBO, Mr. STEARNS, and Mr. GILCHREST.
H.R. 1388: Mr. GEORGE MILLER of California, Mr. NEY, Mr. ROEMER, Ms. DANNER, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. MASCARA.
H.R. 1399: Mr. RODRIGUEZ.
H.R. 1577: Mr. METCALF.
H.R. 1667: Mr. WISE.
H.R. 1798: Mr. GORDON and Mr. RODRIGUEZ.
H.R. 1850: Mr. KANJORSKI.
H.R. 2166: Ms. PRYCE of Ohio and Mr. OBERSTAR.
H.R. 2335: Mr. COOK.
H.R. 2420: Mr. CAMP, Mr. MCHUGH, Mr. GILMAN, Ms. DANNER, Mr. MANZULLO, Mr. GOODE, Mr. SERRANO, Mr. ENGEL, and Mrs. MCCARTHY of New York.
H.R. 2451: Mr. COMBEST.
H.R. 2457: Mr. BARRETT of Wisconsin.
H.R. 2495: Mr. NADLER, Mrs. MALONEY of New York, Mr. BARCIA, and Mr. HOLT.
H.R. 2514: Mr. PAUL.
H.R. 2548: Mr. LUCAS of Kentucky and Mr. ADERHOLT.
H.R. 2569: Mr. LOBIONDO.
H.R. 2593: Mr. GORDON.
H.R. 2631: Mr. STRICKLAND.
H.R. 2635: Mr. WU.
H.R. 2741: Mr. WEXLER and Mr. FOLEY.
H.R. 2790: Mr. SWEENEY.
H.R. 2816: Mr. STRICKLAND.
H.R. 2892: Mr. MCGOVERN, Mr. DOOLEY of California, and Mr. HALL of Texas.
H.R. 3004: Mr. TIERNEY, Mr. LATOURETTE, Mr. PRICE of North Carolina, Mr. KUCINICH, and Mrs. LOWEY.
H.R. 3006: Mr. RANGEL.
H.R. 3058: Mr. SHAW.
H.R. 3116: Ms. ROS-LEHTINEN.
H.R. 3144: Mrs. CHRISTENSEN.
H.R. 3155: Mr. COYNE.
H.R. 3192: Mr. POMEROY, Ms. SLAUGHTER, Mr. KENNEDY of Rhode Island, and Ms. ESHOO.
H.R. 3193: Mr. SMITH of Washington and Mrs. MORELLA.
H.R. 3249: Mr. EVANS.
H.R. 3250: Mr. BACA, Ms. ESHOO, Mr. DEFAZIO, Mr. DEUTSCH, Mr. BENTSEN, and Mr. COBURN.
H.R. 3300: Mrs. CHRISTENSEN.
H.R. 3466: Mr. FROST.
H.R. 3484: Mr. OXLEY and Mr. GREENWOOD.
H.R. 3514: Mr. HOLT.
H.R. 3517: Mr. STUPAK.
H.R. 3572: Ms. BROWN of Florida.
H.R. 3575: Mr. BAIRD and Mr. ALLEN.
H.R. 3580: Mr. HYDE, Mr. MINGE, Mr. EVERETT, Mr. ROTHMAN, Mr. THUNE, Ms. DUNN, and Mr. SNYDER.
H.R. 3594: Mr. SNYDER.
H.R. 3650: Mrs. LOWEY and Mrs. NAPOLITANO.
H.R. 3665: Mr. CLEMENT.
H.R. 3675: Mr. EVANS.
H.R. 3680: Mr. THOMPSON of California, Mr. CALVERT, Mr. DAVIS of Florida, and Mr. GORDON.
H.R. 3688: Mrs. MORELLA and Mr. HALL of Ohio.
H.R. 3694: Mr. FOLEY.
H.R. 3698: Mr. CALVERT, Mr. WAMP, Mrs. MEEK of Florida, Mr. GEORGE MILLER of California, Mr. WISE, Mr. DREIER, Mr. SCARBOROUGH, Mr. KIND, Ms. DANNER, and Mr. CRAMER.
H.R. 3700: Mr. WATT of North Carolina, Mr. MCGOVERN, Mr. NEAL of Massachusetts, Mr. COYNE, Mr. DOYLE, Mr. FARR of California, Mr. SANDLIN, Mr. HOLDEN, Mr. TRAFICANT, and Mr. ROTHMAN.
H.R. 3710: Mr. TOWNS, Mr. WALSH, Mr. OWENS, Mr. SHIMKUS, and Mr. WYNN.
H.R. 3806: Mr. TIAHRT.
H.R. 3816: Mr. GONZALEZ.
H.R. 3842: Mr. UDALL of New Mexico, Mr. LEWIS of Kentucky, Mr. WISE, and Mr. LUTHER.
H.R. 3872: Mr. FRANKS of New Jersey, Ms. PRYCE of Ohio, Mr. CROWLEY, Mr. OXLEY, Mr. COYNE, and Mr. RAMSTAD.
H.R. 3875: Mr. WATKINS.
H.R. 3901: Ms. WATERS.
H.R. 3905: Mr. NUSSLE and Mr. CROWLEY.
H.R. 3911: Mr. KENNEDY of Rhode Island.
H.R. 3980: Mr. SALMON.
H.R. 3983: Mrs. MALONEY of New York.
H.R. 3996: Mr. MCHUGH.
H.R. 4001: Mr. FALEOMAVAEGA, Mr. RAHALL, and Ms. MILLENDER-MCDONALD.
H.R. 4004: Mr. CAMPBELL and Mr. CAPUANO.
H.R. 4013: Mr. PHELPS.
H.R. 4057: Ms. LOFGREN, Mr. MALONEY of Connecticut, Mr. PRICE of North Carolina, Ms. MCKINNEY, Mr. DEUTSCH, Ms. SCHAKOWSKY, Mr. SANDERS, and Mr. RODRIQUEZ.
H.R. 4079: Mr. PAUL.
H.R. 4091: Mr. WEXLER, Mr. TOWNS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. NORTON, Ms. BROWN of Florida, Mr. CONYERS, Ms. KILPATRICK, Mr. OWENS, Mr. GUTIERREZ, Mr. STARK, Mr. WAXMAN, and Mr. CUMMINGS.
H.R. 4094: Mr. LAFALCE.
H.R. 4098: Mr. SOUDER.
H.R. 4131: Mr. GONZALEZ.
H.R. 4143: Mr. BAIRD.
H.R. 4144: Mr. PETERSON of Pennsylvania.
H.R. 4149: Mr. WHITFIELD and Mr. HALL of Texas.
H.R. 4152: Mr. OWENS.
H.R. 4170: Mrs. CHENOWETH-HAGE.
H.R. 4206: Mr. OWENS.
H.R. 4210: Mr. HALL of Texas and Mr. NADLER.
H.R. 4211: Mr. HOEFFEL and Mr. FROST.
H.R. 4248: Mr. CRANE, Mr. BRADY of Texas, and Mr. WELLER.
H.R. 4250: Mr. BARRETT of Wisconsin.
H.R. 4257: Mr. WATKINS.
H.R. 4259: Mr. KIND and Mr. GALLEGLY.
H.R. 4277: Mr. STUPAK.
H.R. 4308: Mr. FOLEY.
H.R. 4310: Mr. PAUL, Mr. GILLMOR, and Mr. SCHAFFER.
H.R. 4328: Mrs. WILSON and Mr. GREEN of Texas.
H.R. 4334: Mr. UDALL of New Mexico and Mr. STUPAK.
H.R. 4346: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DEUTSCH, Ms. BERKLEY, Mrs. JONES of Ohio, and Mr. GORDON.
H.R. 4366: Mr. MCNULTY, Mr. LANTOS, and Mr. MCGOVERN.
H.R. 4390: Mr. TIERNEY, Mr. BRADY of Pennsylvania, and Ms. LEE.
H.R. 4398: Mr. KLINK, Mr. PHELPS, and Mr. DOOLITTLE.
H.R. 4402: Mr. MCKEON, Mr. BOEHNER, Mr. FLETCHER, Mr. ISAKSON, Mr. BALLENGER, Mr. GREENWOOD, Mr. NORWOOD, and Mr. SMITH of Texas.
H.R. 4431: Mr. CANADY of Florida and Mr. DEUTSCH.
H.R. 4434: Mrs. MINK of Hawaii, Mr. GREEN of Wisconsin, Mr. HOLT, Mr. EHLERS, Mr. BUYER, and Mr. GOODE.
H.R. 4453: Mrs. CHRISTENSEN, Ms. MILLENDER-MCDONALD, and Ms. ESHOO.
H.R. 4467: Mr. STENHOLM and Mr. RAHALL.
H.R. 4478: Mr. EVANS, Mr. MANZULLO, and Mrs. MEEK of Florida.
H.R. 4479: Mr. ALLEN.
H.R. 4497: Mr. MCHUGH.
H.R. 4502: Mr. WALDEN of Oregon, Mr. THORNBERRY, Mr. JOHN, Mr. KINGSTON, Mr. BALDACCI, Mr. DEAL of Georgia, Mr. MCHUGH, Mr. MORAN of Kansas, Mr. BOEHNER, and Ms. PRYCE of Ohio.
H.R. 4529: Mr. TRAFICANT, Mr. DEFAZIO, Mr. COSTELLO, Ms. DANNER, Mr. FILNER, Ms. MILLENDER-MCDONALD, and Mr. CUMMINGS.
H.R. 4531: Mr. DREIER, Mr. COX, and Mr. LEWIS of California.
H.R. 4536: Mrs. MINK of Hawaii.
H.R. 4537: Mr. BARTLETT of Maryland, Mr. HAYES, and Mr. BLILEY.
H. Con. Res. 253: Mr. SENSENBRENNER.
H. Con. Res. 257: Mr. DIAZ-BALART, Mr. FILNER, Mr. BILBRAY, Mr. STARK, Mr. ROTHMAN, Mr. LAHOOD, and Ms. ESHOO.
H. Con. Res. 286: Mrs. LOWEY and Ms. SLAUGHTER.
H. Con. Res. 306: Mr. HOEFFEL, Mr. WEYGAND, Mr. WOLF, Mr. GONZALEZ, Mrs. NAPOLITANO, Mr. MARTINEZ, Mr. FOLEY, Mr. FARR of California, and Mr. SMITH of Washington.
H. Con. Res. 308: Mr. GILLMOR.
H. Con. Res. 323: Mr. EVANS and Mr. GREEN of Texas.
H. Con. Res. 328: Mr. FARR of California, Ms. BALDWIN, Mr. SOUDER, Mr. ENGLISH, and Mr. KUYKENDALL.
H. Con. Res. 331: Mr. KUYKENDALL, Mr. COBLE, and Ms. STABENOW.
H. Res. 259: Mr. SWEENEY, Mr. GOODE, Mr. WYNN, Mr. TIAHRT, Mrs. NORTHUP, Mr. ROMERO-BARCELO, Mrs. CLAYTON, Mr. DICKEY, and Mr. RILEY.
H. Res. 415: Mrs. MORELLA.
H. Res. 462: Mr. PORTER.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 9 by Mr. MINGE on House Resolution 478: James P. Moran.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4461

OFFERED BY: MR. DEFAZIO

AMENDMENT NO. 19: Insert at the end of the bill (before the short title) the following:

TITLE IX—ADDITIONAL GENERAL PROVISIONS

SEC. 901. Notwithstanding any other provision of this Act, not more than $35,636,999 of the funds made available in this Act may be used for Wildlife Services Program operations under the heading ''ANIMAL AND PLANT HEALTH INSPECTION SERVICE'', and none of the funds appropriated or otherwise made available by this Act for Wildlife Services Program operations to carry out the first section of the Act of March 2, 1931 (7 U.S.C. 426), may be used to conduct campaigns for the destruction of wild predatory mammals for the purpose of protecting livestock.

H.R. 4461

OFFERED BY: MR. PALLONE

AMENDMENT NO. 20: Page 78, strike lines 4 through 18.

H.R. 4461

OFFERED BY: MR. STUPAK

AMENDMENT NO. 21: Page 53, line 9, insert ''(increased by $20,000,000)'' after the dollar amount.

Page 56, line 13, insert ''(reduced by $30,000,000)'' after the dollar amount.

H.R. 4461

OFFERED BY: MR. TIERNEY

AMENDMENT NO. 22: Page 12, after line 24, insert the following:

Of the funds made available by this Act for the Agricultural Research Service, $500,000 shall be available for the report required under this paragraph. Not later than September 30, 2001, the Secretary, acting through the National Academy of Sciences, shall complete and transmit to Congress a report that includes recommendations for the following:

(1) The type of data and tests that are needed to sufficiently assess and evaluate human health risks from the consumption of genetically engineered foods.

(2) The type of Federal monitoring system that should be created to assess any future human health consequences from long-term consumption of genetically engineered foods.

(3) A Federal regulatory structure to approve genetically engineered foods that are safe for human consumption.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, SECOND SESSION

Vol. 146 WASHINGTON, THURSDAY, MAY 25, 2000 No. 67

Senate

The Senate met at 9:31 a.m. and was called to order by the Honorable LINCOLN CHAFEE, a Senator from the State of Rhode Island.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious God, all through our history as a nation, You have helped us battle the enemies of freedom and democracy. Many of the pages of our history are red with the blood of those who paid the supreme sacrifice in just wars. Lord God of Hosts, be with us yet. Lest we forget, today has been designated as the Day of Honor 2000, to give special recognition to the living minority veterans of World War II throughout our Nation. May we never forget the patriotism of these brave men and women who fought to liberate humankind from the evil grip of Axis tyranny. Enable us to express our debt of gratitude to these gallant Americans by pressing on in the ongoing battle against racial division in our society. Cleanse all prejudice from our hearts and give us courage to work for equality in education, housing, job opportunities, advancement, and social status for all Americans. Help us to honor these minority veterans today as we press on to banish vociferous expressions of hostility and hatred in our society. Shed Your grace on us, crown Your good with brotherhood from sea to shining sea. Amen.

PLEDGE OF ALLEGIANCE

The Honorable LINCOLN 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. THURMOND).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 25, 2000.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable LINCOLN CHAFEE, a Senator from the State of Rhode Island, to perform the duties of the Chair.

STROM THURMOND,
President pro tempore.

Mr. L. CHAFEE thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now begin a period for the transaction of morning business until 10:30 a.m., with Senators permitted to speak therein for up to 5 minutes each. Under the previous order, the time until 10 a.m. shall be under the control of the Senator from Delaware, Mr. BIDEN, or his designee.

The Senator from Delaware.

NATIONAL MISSILE DEFENSE

Mr. BIDEN. Mr. President, I rise this morning to speak about an issue that is going to consume, over the next couple years, a fair amount of this body's time. If there were a contest to name a foreign policy issue that just won't go away, national missile defense would surely be a top contender.

The United States has been researching, developing, and sometimes deploying ballistic missile defense systems for almost 40 years now. Throughout this period, the issues of whether to deploy such a system and what system to deploy have prompted intense and often partisan debate. That debate continues today.

Two events this week argue strongly, however, for a pause in the partisan wrangling that so often accompanies this debate. The first event was Gov. George W. Bush's call on Tuesday for the President of the United States ''not to make a hasty decision, on a political timetable'' regarding amendments to the Anti-Ballistic Missile Treaty and deployment of a national missile defense.

Anyone on this floor knows that we voted in the last year, assuming that funds are provided and consistent with a policy of continued strategic arms reductions, to deploy a limited national missile defense system ''as soon as technologically feasible,'' and the majority of the Senate voted for that. There has been a bit of a rush, to use the expression we use on the floor, to take steps by the end of this year to ''pour concrete in Alaska.'' That is a euphemism for saying we have to put certain radars up in Alaska in order to meet the timetable to erect by 2005 a limited national missile defense that will defend against, theoretically at least, weapons that may or are likely to be deployed by the North Koreans.

Ninety-nine percent of the American people don't even know what we are talking about because we have not yet debated it, and it is going to cost $30 billion at the low end, probably a lot more. They have not heard that number before. What has happened is that we have been in a headlong rush to be in a position to be able to deploy that system in time to meet the looming threat from North Korea.

Now Governor Bush comes along, the putative candidate for President of the

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper.

United States in the Republican Party, and says: Don't make a hasty decision, Mr. President, on a political timetable.

Well, really, we are on a political timetable. What is moving this national missile defense proposal forward as rapidly as it has are the likely events in North Korea over the next 5 to 7 years and a political timetable on the part of some of my Republican friends. Fortunately, Governor Bush has stepped in and said: Let's slow all this down; let's think about this. I think we should listen to him.

A second event is Secretary of State Albright's journey to Florence, Italy, where she is making the case for national missile defense to our increasingly nervous allies, who oppose this notion of a limited national missile defense.

What shall we make of Governor Bush's stance on national missile defense? He proposes a missile defense to defend not only the United States but also our allies. That is a different proposal from that which we have been legislating on for the past 2 years. He also proposes not only to defend against missiles from so-called rogue states, such as North Korea, Iran, and Iraq—which has been the rationale offered as to why we have to move so rapidly toward a national missile defense—but also to protect against accidental launches from anywhere in the world.

If we are to defend our allies as well as ourselves, then we are going to have to build a much larger missile defense system than the one being proposed by the Pentagon and the one we have been debating in the Congress for the past year and a half. If we are to defend against accidental launches from any country rather than only attacks from a specific state, then we cannot rely upon the sort of land-based or sea-based boost-phase system that I and others have been supporting as a means of reconciling defense with deterrence, which is different from the system proposed by the Pentagon.

Governor Bush stated properly that ''deterrence remains the first line of defense against nuclear attack.'' I assume that means he believes the ABM Treaty is essential, as it is a vital building block in that first line of defense against nuclear attack.

Governor Bush promised, properly, that if he were elected President, he would consult with our allies as he developed specific missile defense plans. I, too, have been suggesting, to my Senate colleagues and in high-level meetings, that we had better darn well understand what our allies think about this.

My good friend, Senator KYL, who is one of the brighter fellows here and who strongly supports national missile defense, said we should not let what our allies have to say affect what we do. I don't think it is that simple. Governor Bush now comes along and says he wants to make sure we consult with our allies. That is what he would do first after becoming President. This is clearly something we would want to have already done that before we decided to deploy any such system.

The push to deploy a system, without working out something with our allies, has not come to fruition yet. But Governor Bush points out another flaw in the argument for proceeding rapidly. He also acknowledges the need to convince Russia that the United States' missile defenses would not be aimed at Russia.

Governor Bush indicated a willingness to lower U.S. force levels—although he confuses me. He says ''lower U.S. force levels below the START II levels.'' We have already basically agreed to that in the START III framework that was set in 1997. Is he talking about lowering U.S. nuclear force levels below the 2,000-to-2,500 figure proposed at Helsinki? Or is the suggestion that we lower them only to that level? He was a little unclear in how he stated that, and he leaves me a little unclear—indeed, totally unclear—as to what he means.

Governor Bush also suggests that there is a need to move nuclear forces off the hair-trigger alert they are on. I agree. I think he is absolutely right about that. Indeed, Governor Bush stated that ''the United States should be willing to lead by example'' in this area.

At the same time, however, Governor Bush spoke approvingly of ''laser technology'' and of ''a space-based system.'' Now, this will surely strike others as it did me—as an allusion to Reagan's support for the ''Star Wars'' system of the 1980s, a notion that has been pretty soundly rejected up until now. It will raise legitimate fears, it seems to me, that a missile defense system deployed by the United States, whatever its size at first, would be enlarged to threaten the deterrent capacity of China, and eventually that of Russia.

Would Governor Bush withdraw from the ABM Treaty in order to ''fully explore these options?'' To fully explore the options of laser systems, of space-based systems—does that mean he is going to withdraw from the treaty he seems to imply is the building block upon which our deterrence rests? Or would he defer any decision on deployment until we were certain that the proposed system would successfully meet all of his criteria? His decision in that regard could determine whether his proposal prompted allied support or made them conclude that the United States was choosing missile defense foolishly or recklessly.

Admittedly, this was just a press conference, and Governor Bush has not had a chance to flesh this out. But the bottom line is that he is saying: Whoa, slow up, there are a lot of things we haven't answered. We should not keep this on a political timetable.

I wonder whether Governor Bush thought through all the implications of his missile defense proposals. How would he assure Russia that the United States would not seek to substitute defense for deterrence—an assurance he says is necessary? How would he avoid an arms race between Chinese missiles and American defenses? Or between China and India? Or then between India and Pakistan?

My own view is that the risk of a nuclear arms race in Asia would be the most dangerous consequence of deploying a national missile defense that was not limited to defending against the missiles of specific target states. I fear that such an arms race would be terribly costly and would destabilize China's relations with its neighbors, and that the resulting instability would lead to Japan, Taiwan, or South Korea building nuclear weapons. They have the capacity to do that, and I truly believe they might, if an Asian arms race were to occur as a result of our missile defense deployment.

Last week, the Los Angeles Times reported that a U.S. intelligence official warned ''that construction of a national missile defense could trigger a wave of destabilizing events around the world and possibly endanger relations with European allies.''

Possible consequences reportedly include China fielding hundreds more missiles, putting MIRVed warheads on its missiles—which it does not have now—and adding countermeasures. We all know that they are measures added to a ballistic missile in order to fool any defensive system. The missile puts out a lot of little things—anything from balloons to what most people would think would be just like little pieces of metal. It is a lot more complicated than that, but the effect is to fool the defensive system as to which object has the nuclear warhead. That is what we mean by countermeasures. They are not hard to field. They haven't yet been fielded by China to any significant degree, to the best of our knowledge. But a U.S. intelligence official foresees China adding countermeasures to frustrate U.S. defenses and, in the words of that intelligence official, ''selling countermeasures for sure'' to countries such as North Korea, Iran and Iraq.

This is precisely the sort of concern I have been raising for the last several months. I went to a defense conference in Germany with many of the people in the Senate, in the House, and in the Defense Department, as well as the defense establishments from all our allied nations—even some who are not members of NATO. I raised that very question there.

No one had an answer, I might add, when I raised the question among all the defense experts. Everybody is prepared to give an estimate of what the North Koreans are likely to do in terms of building not only nuclear capability, but also the capability to have a missile with a third stage that could reach the continental United States, that could not only carry a nuclear warhead, but also be used in chemical or biological warfare.

I asked: Can anybody give an estimate to the President as to what the Chinese would likely do if we deployed a national missile defense system? They now have fewer than two dozen intercontinental ballistic missiles. That seems to be a pretty good thing to me. I would not like to see China go to 200, or 400, or 800, or 1,000, which is fully within their capacity. I would not like them to do what the L.A. Times reports that a U.S. intelligence official raises as a possibility. I would not like to see them MIRV their warheads. I would not like to see them have more sophisticated nuclear weapons. I kind of like it where they are.

Now, I also raised the question, Has anybody calculated or laid out for the President of the United States what the likely scenario is if China were to significantly increase their arsenal? What would happen in India? What would happen in Pakistan? Has anybody raised this possibility of that being of concern to the Japanese? Well, the truth is, no one had an answer.

I even went to a high-level meeting in the Defense Department a couple of months ago, with the Secretary of Defense, other high officials, and those in charge of developing this system. I raised the same question again before the Foreign Relations Committee, on which the occupant of the Chair sits. I asked specifically—and he may have been there—the Director of the CIA if they had done such a study. Apparently, one is underway. Apparently, people are beginning to focus on the other side of this equation.

The fundamental rationale for our strategic doctrine is to guard Americans from harm, as best we can, to guarantee the security of those young Senate pages sitting up there and their children and grandchildren. Are we better off with a missile defense system as contemplated and an arms race in Asia, if that were to occur?

Or are we better off with the risk that might come from North Korea, if they developed a third stage that could reach the United States and we relied instead upon deterrence? I have not made that final judgment in my own mind. But I know one thing. We don't have enough information now to make a final judgment.

All this leads me to conclude that the risks inherent in doing without a national missile defense at this moment might be less than the risk we would accept in building either the Pentagon's proposed missile defense or the sort of defenses that Gov. George Bush has proposed.

Brent Scowcroft, former National Security Adviser in the Ford and Bush administrations, is also allegedly concerned. The Los Angeles Times reported that he called the scenario of an Asian nuclear arms race ''plausible'' and warned: ''We ought to think whether we want the Chinese to change their very minimalist strategy.''

I know I don't want China to change their minimalist strategy. I believe anybody who thinks we can affect that outcome would not want China to change its minimalist strategy. I say this—speaking for myself, and clearly not for Brent Scowcroft—not merely because of the added threat that it would pose to the United States of America, but also because of what that would most assuredly cause to happen in India, and what that almost assuredly would cause to happen in Pakistan, and elsewhere.

Can anyone in this Chamber suggest to me that if China were to change in a robust fashion their nuclear strategy, that officials are going to sit in Tokyo, and say: You know, let's not worry about this; this is not a problem; we have the American nuclear umbrella? As much as I love our Japanese friends and allies, the last thing I want to see come out of this debate that we are going to have in the next weeks and months, and hopefully next year or so, is a nuclear Japan.

I hope General Scowcroft, who is a senior adviser to Governor Bush, will encourage his very important pupil to think carefully about this.

Just as I have concerns regarding Gov. Bush's position on national missile defense, so do I have concerns regarding the Pentagon's proposed system and the hurried pace at which a deployment decision is being forced upon the President.

Some of my concerns are those of a supporter of arms control, but others relate to the apparent shortcomings of the system the Pentagon proposes.

Renowned scientists and former defense officials have said that a land-based missile defense aimed at incoming warheads cannot do the job.

The current National Intelligence Estimate on the foreign missile threat to the United States warns:

> We assess that countries developing ballistic missiles would also develop various responses to US theater and national defenses. Russia and China each have developed numerous countermeasures and probably are willing to sell the requisite technologies.
>
> Many countries, such as North Korea, Iran, and Iraq probably would rely initially on readily available technology—including separating RVs, spin-stabilized RVs, RV reorientation, radar absorbing material . . ., booster fragmentation, low-power jammers, chaff, and simple (balloon) decoys—to develop penetration aids and countermeasures. These countries could develop countermeasures based on these technologies by the time they flight test their missiles.

Decades ago, when missile defense research began during the Cold War, the goal was not a perfect defense.

Rather, the idea was that by limiting our casualties—both in human lives and in retaliatory forces—a missile defense would buttress our ability to fight and win a nuclear war.

Missile defense supporters saw such an imperfect national missile defense as a contributor to deterrence, even though the Nixon administration eventually concluded that it was better to bar such defenses than to engage in an arms race involving both offensive and defensive weapons.

Modern proposals for a limited national missile defense are very different, however. They are aimed at deterring countries that would have no hope of defeating the United States in a nuclear war, but would seek to deter or to punish us by building a capability to destroy one or more American cities.

To defend against those threats, one's defense must be perfect. Merely limiting the destruction will not suffice.

I wonder whether the operational effectiveness of the Pentagon's proposed missile defense will really be sufficient.

If a system can kill each warhead 95 percent of the time, then the odds are 1 in 3 that an 8-warhead attack will get at least one warhead through and destroy a U.S. city. If the system can kill each warhead 98 percent of the time, there will still be a 1-in-3 chance that an attack with 21 warheads will get at least one bomb through.

In the days when the Presiding Officer and I were younger men, there used to be a bumper sticker that people would put on their car: ''One nuclear bomb can ruin your day''—one warhead getting through. If the objective is to deter against any of these rogue states, a missile defense must be perfect.

Missile defense supporters cite the need to avoid being blackmailed by North Korea or Iraq. But I find it hard to see how a national missile defense will give us freedom of action in Korea or the Middle East, if there is still one chance in 3, or even one chance in 5, that a modest attack will wipe out a whole American city.

In light of that reality, it is equally hard to understand the Pentagon's commitment to the proposed system, except as the product of bureaucratic inertia and political pressure to deploy the first system it could find.

When the Foreign Relations Committee held hearings on missile defense last year, I asked all our witnesses—both supporters and opponents of national missile defense—whether they would support a system limited to that which the Pentagon proposes. Not one of them, proponent or opponent, was prepared to do so.

Two commissions chaired by Gen. Larry Welch, former Chief of Staff of the Air Force, have criticized the testing program for the Pentagon's national missile defense system. The term ''rush to failure'' has become part of our everyday vocabulary. We should be equally attentive to Gen. Welch's warning that we are unprepared to determine the ''deployment readiness'' of national missile defense, despite the name of the Defense Department's forthcoming review.

The Pentagon's director of operational test and evaluation has voiced similar concerns regarding the limits of our national missile defense testing program.

His concerns were seconded last month by the American Physical Society, which warned:

A decision on whether or not to deploy the NMD is scheduled for the next few months. The tests that have been conducted or are planned for the period fall far short of those required to provide confidence in the ''technical feasibility'' called for in last year's NMD deployment legislation.

The American Physical Society is the premier professional group for physicists in this country. They take no stand on national missile defense itself. They deserve our bi-partisan attention.

In recent weeks, former senior officials have counseled delay. Listen to President Reagan's former National Security Advisor, Robert McFarlane: ''Still more work is needed before a decision on deployment is made.''

Listen to President Carter's former National Security Advisor, Zbigniew Brzezinski:

The bottom line is that at this stage there is no urgent strategic need for a largely domestically driven decision regarding the deployment of the national missile defense.

The issue should be left to the next president—to be resolved after consensus is reached with our allies both in Europe and in the Far East, after more credible evidence becomes available regarding the technical feasibility and probable costs of the national missile defense, and after compelling intelligence estimates are aired regarding the origin, scale and timing of likely new threats to the United States and its allies.

In a forthcoming article, former Secretary of Defense Harold Brown writes: ''deployment of the present NMD system should be deferred.'' He is joined in that recommendation by two former Deputy Secretaries of Defense, John Deutch and John White.

Former Secretary of State Henry Kissinger says: ''In the light of recent ambiguous test results and imminent electoral preoccupations, it would be desirable to delay a final technical judgment until a new administration is in place.''

As we all know, the motivations behind these bi-partisan recommendations are often very divergent.

Many Republicans fear that President Clinton will purposely strike a deal with Russia to limit U.S. missile defenses to an ineffective system, hoping that such a deal will make it politically untenable for a Republican president, were one to be elected, to go beyond it.

I do not share those fears. The Administration has made clear to Russians and Republicans alike that its proposed ABM Treaty protocol would be only a first step.

My fear is rather that the President will be sandwiched: between Russia, which doubts both our intent to deploy a missile defense system and our willingness to limit it; and Republicans, who have tried to make this a partisan campaign issue and have even urged Russian officials not to negotiate with the President of the United States of America.

My fear is that the President—in order to show Russia that he is serious, and under pressure from Republicans accusing the Administration of being ''soft'' on the issue—will order the Defense Department to proceed with the deployment of a system that all of us know is the wrong one to build.

The time has come to set our fears aside. The fact is that, whatever our views on the wisdom of putting our trust in a national missile defense, many of us oppose the system proposed by the Pentagon.

Whatever our views on the larger issues, many of us would be content if the President were to defer both a deployment decision and the choice of a missile defense architecture, and let his successor grapple with those issues.

It is also a fact, however, that the President has been under political pressure to proceed with deployment, despite the technical and strategic concerns that many of us share.

If missile defense supporters maintain that pressure, they increase the risk that a poor system will be deployed, rather than one that meets our country's needs by any rational measure.

I therefore call on the two major presidential campaigns—that of Gov. Bush and that of Vice President GORE—to agree not to seek partisan advantage if the President defers a missile defense deployment decision.

I call on all of us in the Congress to give the President the freedom of action to make his decision without political sniping.

I also call on both campaigns to agree that negotiations for a pathbreaking START III agreement should continue. Gov. Bush stated that he would:

. . . ask the Secretary of Defense to conduct an assessment of our nuclear force posture and determine how best to meet our security needs . . . [and] pursue the lowest possible number consistent with our national security.

He added that ''the United States should remove as many weapons as possible from high alert, high-trigger status, another unnecessary vestige of Cold War confrontation.''

There is no reason to defer these two ideas until next year.

The Joint Chiefs of Staff has said that it cannot go below the Helsinki target of 2,000 to 2,500 warheads for a START III agreement unless the President changes the nuclear targeting guidance.

Gov. Bush has implied that he would seek the Pentagon's advice on alternatives to that guidance, however, and President Clinton should do the same.

In summary, the longest-lasting foreign policy debate is not likely to be settled any time soon. There is widespread agreement, however, that we should not let this debate lead us into unwise decisions.

With goodwill on both sides, we have an opportunity to suspend the partisan wrangling and let our current and future leaders make their decisions in a rational way. Let us all work together to achieve that shared objective.

The PRESIDING OFFICER (Mr. BUNNING). The Senator from Wyoming.

CONGRESSIONAL ACCOMPLISHMENTS

Mr. THOMAS. Mr. President, I wanted to talk a little bit about the things we have accomplished in this last session of the Congress, the first year, which is over. We are into the second year of this 106th Congress.

We are having a little problem moving along, of course, and we are trying to find a way to avoid holding up progress after the filing of unrelated amendments that have turned out to be filibusters. I hope we can get around that and move forward with the 13 appropriations bills we have.

We ought to recognize this has been a productive session. We have done a great deal. But there are a number of things I think are of particular importance to the American people. One, obviously, is to do something with the Social Security retirement system. We have done a great deal with that over the last year. Although there still needs to be some systematic changes made to the program, we can ensure that the program will be there over time.

We have made a very significant movement by providing that the 12½ percent of our earnings paid into Social Security by everyone who works in this country is, in fact, used for Social Security. Historically, over a very long time, those dollars have been used for many non-Social Security programs. Because of this Republican Congress, because of the lockbox idea, we have put that money aside. It is not being spent for other items. That is very significant.

I hope we can proceed and look at alternatives to ensure that the young people who are now just beginning to pay into the program will have a program of benefits when the time comes for them to be eligible for the benefits. Frankly, the program has changed in terms of the profile of people. When we began, there were some 20 people working for every one drawing benefits. Now it is less than 3 and will be down to 2.

Obviously, things have to be changed. There are some options: We can raise taxes. I don't know of anyone excited about that. We can reduce benefits. The same is true with that. Or, indeed, we can take a portion of those dollars and make them individual accounts for each person—2 percent out of the 12 percent is what we are talking about—and let that money be invested in their behalf, invested in equities, let it be invested in bonds, let it be invested in a combination of their choice, for their retirement, or as part of their estate if they are not fortunate enough to live.

The issue most talked about is education. Only about 7 percent of the finances of education in this country, elementary and secondary, are provided by the Federal Government. There is a great deal of discussion about how that is allocated and how it is made available. The big debate, and the reason we haven't gone further with elementary and secondary reauthorization, is there is a difference of view.

My friends on the other side of the aisle believe if the Federal Government is providing the money, it ought to also provide the rules as to how it is used. We think that is not the most effective way to use the money.

I come from Wyoming. We have some very small towns in our relatively small State. In Chugwater, WY, where I attended a graduation ceremony this week, with 12 graduates from high school, they have different needs than Pittsburgh, PA.

We need to have the flexibility. We say let's help make education stronger, but let the local people decide how that is done. We have been working on that.

Another area is economic opportunities for all Americans. We have done that in terms of tax relief. Unfortunately, the bill that was passed in this Congress was vetoed by the President, denying relief for hard-working Americans. However, we were successful in passing a Republican bill that eliminated the penalty on earnings in excess of Social Security income. Instead of having to pay taxes on $1 out of $3, we have removed that, to encourage people to continue to work and earn money.

Another is national security. I suspect there is nothing more important. There is no more logical role for the Federal Government than defense. No one else can do that. Over the last several years, this administration has not adequately funded defense. Now we have to do that, particularly since we have a volunteer service. There has to be some attraction to that. There has to be an attraction to get men and women to go into the service and, maybe even more difficult, once they are trained to doing things, to work as pilots or mechanics or whatever, to keep them there. That is very difficult. So we have made some progress in that area.

I think there are a lot of things that have been done. I mentioned Social Security and taking care of the surplus. I think that is a real plus for this Congress, that we have a budget surplus. For the first time in probably 40 years, we have a budget surplus. We are not spending Social Security money. Indeed, this time there will be, hopefully, more money than is necessary to conduct the business of the Federal Government.

Of course, several things can happen with that money. One, we can make sure we start to pay down the debt. I mean pay down the debt with real dollars, not simply putting in Social Security dollars there as well. We stopped the raid on the Social Security fund and began to make some reduction in the debt that we have. The interest on that debt has been almost the second largest item in the Federal budget for a very long time. We can change that. Of course, if that is done, and done properly, we can move on to some tax relief, which I think is something we ought to do.

I mentioned our efforts on elementary and secondary education. We also were able to take the first step in passing the Ed-Flex program which, again, provides more opportunities for local people to use those Federal dollars as they need them. Some schools need capital construction, some need computers, some need more teachers or smaller classrooms, but each school district has a little different need. We want to make sure they have an opportunity to make that decision. We also need to ensure the money is not spent by the bureaucracy in Washington but in fact finds its way to the schools on the local level.

Overall tax relief is still something we need to do. We have done a great deal on that so far and can do substantially more.

I mentioned what we did on Social Security, and we need to go further.

On national defense, the Senator just before me was talking about missile defense. Certainly, we need to continue to explore that. We need to continue to have a strong military. In my view, that is our best chance for peace in the world—to continue to have a strong military.

I had the good fortune a couple of weeks ago to visit the Space Command in Colorado Springs. I am impressed with what they are doing to find a way to have a missile defense program that will allow us a deterrent so we can move forward with other kinds of things. We were successful, and I believe we acted properly, not ratifying the Comprehensive Test Ban Treaty so we could continue to test our weapons and make sure they are as they should be.

We have made some real progress in trade. The African trade bill is out there. It was signed into law in May. We can do something with that. Yesterday, the Permanent Normal Trade Relations for China was passed by the House and will be over here now. I happen to be the chairman of the subcommittee on Asia and the Pacific rim. I do believe certainly we have to verify the things happening in that area of the world, but there is good evidence we can make more progress bringing about change by being involved as opposed to isolating and seeking to stay away from that. So certainly there is a great deal to be gained there.

We have made some progress in high tech. The Y2K bill was an important piece of legislation, and the Satellite Television Improvement Act, particularly for rural States where people do not have access to cable. It has not yet been completed, but we have made some real movement on that. We hope to have that completed so people all across the country can have the same opportunities, both in satellites and TV, and also, of course, in infrastructure for high-tech broadband coverage. We are moving forward on the opportunity to do that. We must move in that direction.

Health care is an area on which we have to move forward. This Senate has passed a Patients' Bill of Rights that would provide for patients in HMOs to have some immediate referral, so if there is a question about the procedures, rather than having to go to court or having someone in an office far away decide what you can do, you have an appeal to a physician as to what that ought to be. Unfortunately, that bill is still in conference, but we think it will be out very soon.

One of the things we have done in this Congress that was particularly important was the Welfare Reform Act—of 1996, actually. This Republican Congress passed that. We have helped people find jobs, helped people move into opportunity instead of dependency. That is something I think has been very useful to all Americans.

We have a ways to go, of course. We constantly have things to do here, as we should. On the other hand, we have also moved forward and made a good deal of progress in this Congress. We have an opportunity to do more. As I mentioned, unfortunately, we have come to kind of a slowdown here, using the techniques, using the process to force issues. What it really does is slow down everything we do.

There is clearly an opportunity for differences of view; that is what this place is for, to talk about differences, to disagree, if you please, as to the role of Government and what ought to be done. But the idea of using irrelevant issues to hold up progress on the things we all know we have to do—and I am particularly talking about the appropriations bills that obviously have to be passed. Frankly, we are anxious to get them done early so we do not run into the same problems we had several years ago where we could not get it done and had to put it all in one package at the end. The President then used that as leverage on the Congress. He threatened and, indeed, did shut down the Government to be able to force things through this Congress that the Congress did not want to do. We should not let ourselves get into that position again, certainly not this year.

Mr. President, I am expecting other Senators to come for this time period. In the meantime, 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. KYL. 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. KYL. Mr. President, I want to follow my colleague's remarks with some thoughts of my own concerning the appearance that the Senate is not getting anything done these days, and talk a little bit about the reasons why. Anybody watching the Senate proceedings over the course of the last couple of weeks would probably wonder what we were accomplishing and would have some reason to criticize the Senate for not getting a lot of business done.

What is the reason for that? I think it is very important, and that is why I wanted to come to the Senate floor to talk about it because I am becoming very frustrated at the tactics of many people on the other side of the aisle, the Democratic minority, in attempting to preclude the Senate from doing its business, the people's business.

We have important legislative initiatives that the majority leader has tried to bring before the Senate repeatedly, and repeatedly he has been thwarted by the minority which seems intent on bringing the Senate to an absolute stop, to a standstill, to prevent it from doing any business unless the majority accedes to the minority's request that they be permitted to offer amendments which are nongermane, irrelevant, to the subject matter of the Senate.

When people reflect on the organizations to which they belong and their understanding of things as basic as Robert's Rules of Order, they appreciate that almost any organization has to have certain rules under which to live.

In the House of Representatives, as the Presiding Officer is well aware, both of us having come from the House of Representatives, there are pretty strict sets of rules to apply. There are 435 people in the House, and if they all did what they wanted to do, they would never get anything done. We pretty much have to talk about things that are germane and relevant to the pending business, and if we do not, someone can make an objection that this is out of order, and everybody knows under Robert's Rules, one can say: Mr. Chairman, that's out of order; that's not relevant to the subject we are supposed to be discussing.

In the Senate, the rules are much more liberal. Members generally work together on things and do not enforce the rules as strictly as they are enforced in the House. Nevertheless, the Senate has essentially always had rules respecting germaneness and relevancy, and until very recently, we could make an objection that a proposed amendment, for example, on an appropriations bill was not germane or was irrelevant, and in order to continue to debate that amendment, the proponent would have to get 60 Senators to agree to do that, to overrule the ruling of the Chair that the amendment is not germane or irrelevant.

I know this is all somewhat procedure and it may make some eyes glaze over, but it is an important foundation for my point. We decided if we were going to do the business of the people, we had to ensure we could get on with it and not have a lot of riders on these appropriations bills and, therefore, we would begin enforcing rule XVI, which says if a Senator is going to debate something, it needs to be relevant or germane to these bills. That is the basic issue that has members of the minority upset.

How dare you gag us, they say. Gag them? Nobody is being gagged. We are simply going to enforce the rules that say if you are going to propose an amendment, it needs to be relevant or germane. Everybody in the country understands that—the organizations to which they belong. Why wouldn't the minority want that? Because they want to accomplish two objectives apparently: One is to prevent the majority from accomplishing anything this year so they can call us a do-nothing Congress; in other words, create a self-fulfilling prophecy. By preventing us from doing anything, they will criticize the majority leader for not doing anything.

The other objective apparently is to be able to debate their agenda, things such as gun control and the minimum wage, maybe prescription drugs, and so on, on their timetable. So whatever bill we bring up, they try to attach to it an irrelevant or nongermane amendment relating, for example, to gun control.

We have had lots of gun control debates. I remember 2 weeks last year when the majority leader finally said: OK, we will have the debate; it will be on the juvenile justice bill. We voted on lots of amendments, including some the minority really liked. We had that debate; we had those votes; but that was not enough. It appears we have to talk about these things all of the time because that is what is going to be politically popular in this fall's elections.

That is wrong. To tie up the people's business, to tie up the Senate for political gain is wrong. If any of the members of the minority are engaging in this procedure for that purpose, they clearly ought not to.

We have accomplished a lot this year, notwithstanding these tactics. I note things such as repeal of the Social Security earnings test, something Republicans wanted to do for a long time, and the Presiding Officer and I have been working on for a long time; the budget resolution, which maintains a balanced budget—we got that done; bills such as the African-Caribbean free trade bill; financial services modernization; the FAA reauthorization—a lot of different pieces of legislation that are good, that help maintain a part of our economy or ensure we are going to have a balanced budget, for example.

There are many other pieces of legislation we want to pass. We want to pass the marriage tax penalty relief bill to do away with the marriage penalty in the IRS Code. The minority will not let us bring it for a vote. They say they are for it, but they are not going to let us vote on it.

It is the same thing with the reauthorization of the education bill. This is a bill that needs to be reauthorized because it deals with all of the rules under which the Federal money goes to the States to support primary and secondary education. The minority will not let us vote on it.

Appropriations bills: We have to pass 13 appropriations bills to keep the Government running. People get mighty upset when the Government cannot continue to operate. Who is stopping us from acting on these appropriations bills? The Democrats in the Senate will not let the majority bring these appropriations bills up, except one. We can bring up the legislative branch appropriations bill, the bill that provides the money to run the Congress. They will let us bring that one up but none of the others.

We have a very important agricultural supplemental appropriations bill to help out farmers in this country. Democrats will not let us bring it up. When I say they will not let us bring it up, people say how can they stop you? Under the rules of the Senate, one Member can object to any piece of legislation being brought up for its consideration or being voted on, and in order to override that person's objection, you have to get 60 Members of this body to agree to override that and proceed to a vote or proceed to consideration of a bill. That is called invoking cloture.

There are 55 Republicans and there are 45 Democrats. On these procedural matters, the Democratic Members tend to vote in a block, the net result of which is we can never get 60 votes to proceed with business. Because of the party loyalty and the partisanship that has gotten involved in our legislative agenda, we are not able to move matters forward because there is an objection to proceeding. That is why I say members of the minority preclude us from moving forward and doing the people's business.

We wanted to pass a very important amendment to me, and I note to the Senator from California, Mrs. FEINSTEIN, who is on the floor now—the crime victims' rights constitutional amendment. Frankly, parliamentary tactics were used and threatened to make it clear that we would be debating that bill for weeks, something that obviously we did not have time to do if we were going to do the other important business of the Senate. Senator FEINSTEIN and I had to pull that bill down.

Since I am being critical of members of the Democratic minority, let me say that there have been some Members, such as Senator FEINSTEIN, who have worked very closely with me and others to try to move some of these important bills forward.

We all get caught up in our own partisan battles here. That is to be expected. It is a political year, after all. It seems to me we can and ought to agree there are some things so important that we ought to get together as Democrats and Republicans and move the legislation forward.

One of them clearly is the education bill. Another is the repeal of the marriage tax penalty. Another is the appropriations bills. For the life of me, I do not see why there have to be objections to bringing forward appropriations bills, and I do not subscribe to the notion that it is wrong for us to

bring those bills forward if members of the minority cannot seek amendments which are nongermane or irrelevant.

We all know what Robert's Rules provide. Those are not the rules of the Senate, but we all understand why we have to have rules such as that, and that is to keep the process moving along so that we can do the important business we have to do.

I am very frustrated today, Mr. President. It is obvious because I do not ordinarily come to the floor, and I do not like to criticize in a partisan way. But people have to understand today or tomorrow we are probably going to begin the Memorial Day recess, which means there will be another 12 or 13 days of nonaction in the Senate, the net result of which will be we are way behind getting our business done, especially the appropriations bills to run the Government.

The danger is that there are not very many opportunities for us to get these bills done before the Senate has to adjourn for an election this year, and we will end up, instead of focusing on each of the appropriations bills, in turn having to put it all into one giant appropriations bill.

What happens when we do that? Every Member comes back to the Senate months later and says: I didn't know they put that in the bill. Nobody has a chance to read these giant omnibus bills. So we vote on bills we haven't even had an opportunity to read. Staff gets all kinds of things inserted. People on the inside get all kinds of things inserted in the legislation. We find out weeks later about the mistakes we have made. It is impossible to have a good, informed vote on a bill.

The other danger, of course, is that it is easier; that instead of resolving disputes and prioritizing spending, by offsetting this spending with this savings—for example, in those last days to put together these giant omnibus appropriations bill—you don't make those hard decisions; you just add more money. So you resolve the dispute by saying: we are taking care of you, and we are taking care of you. And pretty soon we have busted the budget. Most importantly, we may make the mistake of spending Social Security surplus money.

This past year, we did not spend a dime of Social Security surplus money. The previous year, we saved most of that Social Security surplus from being spent. Republicans, this year, are committed not to spending any of the Social Security surplus. But, unfortunately, I will make this prediction: If we get into this giant omnibus appropriations process at the end because we could not do our business during the weeks we have now to do that business, we are going to end up spending Social Security surplus money. I will never vote for such a bill. I think, therefore, we ought to be very careful about getting ourselves into that box.

Mr. President, I appreciate the opportunity to speak to this issue. I hope people with goodwill can work it out, so when we come back from our recess, we can begin to get the people's business done and get it done on time. It is important for the future of this country.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2001—Resumed

The PRESIDING OFFICER. The clerk will report the bill by title.

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.

Pending:

Mikulski Amendment No. 3166, to express the sense of the Senate commending the United States Capitol Police.

AMENDMENT NO. 3166

The PRESIDING OFFICER. There are 10 minutes available for debate on the pending amendment.

The Senator from Maryland.

Ms. MIKULSKI. Mr. President, yesterday I offered an amendment to the legislative branch appropriations bill commending the Capitol Police, and all the employees of the legislative branch, and recommending that we keep the Senate funding levels in conference.

I also complimented the outstanding leadership provided by Senator BENNETT, the Chair of the legislative appropriations subcommittee, as well as Senator FEINSTEIN, the ranking member of the subcommittee, who really moved this legislation in a way that I think meets the responsibilities we have to the American people.

The best way we can show our responsibility to the American people is to really let them know that the men and women who work at the U.S. Capitol are needed and valued.

My amendment is not about money, it is about morale. We want to say to the men and women who work at the U.S. Capitol that we know who you are and we value what you do. You are the men and women who work in this building for the American people. You serve the Nation.

The Capitol Police protect this building, which is a symbol of freedom and democracy the world over. The Capitol Police ensure that everyone who comes to the U.S. Capitol is safe and secure, including Members of Congress and staff.

The Capitol Police are brave. They are resourceful. They are tough. They are gallant. They protect you whether you are a foreign dignitary, such as Nelson Mandela, or a member of a Girl Scout troop from Maryland.

We need to make sure they have their jobs, they have their pay, they have their pension, and they have our respect. That is what my amendment is all about: To support the Capitol Police and the other employees of the legislative branch.

I was deeply disturbed at the House bill which cut over 1,700 employees of the legislative branch. This isn't about bureaucracy. The people we are talking about are the 117 people from the Congressional Research Service. That is the body that is absolutely dedicated to giving us unbiased, unpolitical, accurate information so we can make the best decisions in our approach to forming public policy. We turn to them for models for the Older Americans Act and for ideas on new technology breakthroughs to be pursued. We have to make sure we have the Congressional Research Service and that they have the staff they need to do their job.

Also under the House bill, 700 jobs would be cut from GAO. Every Member of the Senate who is fiscally prudent knows we need the GAO. It is not about keeping the books, but it is about keeping the books straight. We continually turn to the GAO to do investigations of waste and abuse, to give us insights on how to better manage and be better stewards of the taxpayers' funds. People with those kinds of skills could leave us in a nanosecond and move to the private sector. They could be ''dot.comers'' with no hesitation.

If we are going to be on the broadband of the future, we need to make sure we have the skills to run a contemporary Congress. We need to make sure they have security in their jobs and security in health benefits and in their pensions. We need to be sure we let those workers know we are on their side.

In addition to that, we want to make sure we acknowledge the role our own staffs play in constituent service and in helping us craft legislation.

Two years ago, we all endured a very melancholy event here in the Congress. Two very brave and gallant police officers literally put themselves in the line of fire to protect us. Their names were Officer Chestnut, from Maryland—his wife still lives over there at Fort Washington—and Detective Gibson, of Virginia, father of three—teenagers, college students. We mourn them. We consoled their families and said a grateful Congress will never forget.

We should not forget the men and women who work here, but the way we remember is with the right pay, the right benefits, and the right respect.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I will just take about 2 minutes in support of the Mikulski amendment to say how proud I am to be an original cosponsor. I have probably given 15 or 20 speeches about this, so I do not want to take any time except to emphasize two points.

First of all, I thank the Senator for mentioning Officer Chestnut and Detective Gibson. It has really been almost 2 years ago that we lost those two fine officers. I do think the best way we honor them is by supporting the police.

I think what happened on the House side was really unconscionable because whereas we really need to do even better by way of making sure we get two police officers at each post, making sure we have the security for them, much less the security for the public and ourselves, instead, what we saw was actually a slashing of the budgets, which means hundreds of officers losing their jobs and not really having police officers working under the right conditions for themselves, their families, for the public, and for us.

We really have done well on the Senate side. I thank Senators BENNETT, FEINSTEIN, MIKULSKI, and others for their commitment. I hope every single Senator will support this amendment. Like other Senators, I am not always wild about sense-of-the-Senate amendments—I offer a fair number of them myself—but sometimes they are really important. Sometimes they are, while symbolic, really powerful and really important.

I do think we need to convey the message, in light of what happened on the House side, in light of how demoralized and how angry and indignant some police officers are, that we fully support them.

This amendment is a very important one. I hope it will have the full support of the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Alaska is recognized and controls the rest of the time.

Mr. STEVENS. I yield a portion of my time to Senator FEINSTEIN. I do wish a couple minutes before we come to the vote.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I want to, from the Democratic side, more or less conclude the debate on the legislative branch appropriations bill.

We believe it is a good bill. We are very supportive—both Senator BENNETT and I—of Senator MIKULSKI's amendment. I am delighted she offered it.

The men and women of the Capitol Police perform a vitally important job. Unfortunately, sometimes we hardly notice them. This is an opportunity to give them notice, respect, commendation, and say we are proud of you.

The legislative branch appropriations bill restores the damaging cuts contained in the House bill and reaffirms our commitment to ensuring security in the Capitol and of the Capitol Police.

I reiterate what a delight it has been to work with our chairman, Senator BENNETT. My tenure as ranking member on this subcommittee has been marked by a sense of comity and equity which has really made this work a great pleasure.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I thank Senator FEINSTEIN. I commend Senators BENNETT and FEINSTEIN for managing this bill. It is a significant bill.

With regard to the police, this bill increases support for our Capitol Police by 26 percent. In fact, in addition to that, we have in the Agriculture bill, awaiting Senate action, $2.3 million in overtime costs to implement the two-men-per-door policy and $10 million to provide additional facilities to support police functions. The 2001 appropriations bill provides $5.2 million in overtime to continue the two-men-at-each-door policy.

I commend Senator MIKULSKI for her amendment. I deem it as a remembrance sense of the Senate, and we should remember these men who lost their lives in guarding this building and the functions of the Congress.

I hope we will have the support of all Members for the basic bill. We support Senator MIKULSKI's amendment, as a sense-of-the-Senate amendment, that recognizes what is in the bill, that is, increasing support for the security functions for the Capitol and those who work in it.

Mr. President, I believe we have scheduled the time to commence the vote.

The PRESIDING OFFICER. The vote is scheduled for 10:45.

Mr. STEVENS. Have the yeas and nays been ordered?

The PRESIDING OFFICER. They have.

Mr. STEVENS. Mr. President, there are three votes in succession?

The PRESIDING OFFICER. There are two.

Mr. STEVENS. Two votes. Very well.

Does Senator FEINSTEIN wish any more time? Senator MIKULSKI?

Ms. MIKULSKI. Mr. President, my amendment in no way is a criticism of Senators BENNETT and FEINSTEIN. They did a fantastic job, not only in moving the bill but the way they have conducted the hearings and worked with Members on very sensitive issues. I commend them. Had the House done what Senators BENNETT and FEINSTEIN did, my amendment would not have been necessary.

Mr. STEVENS. I thank the Senator.

If it is in order, I yield back the remainder of the time and ask for the vote.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3166. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

The PRESIDING OFFICER (Mr. ALLARD). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 113 Leg.]

YEAS—100

Abraham	Feingold	Mack
Akaka	Feinstein	McCain
Allard	Fitzgerald	McConnell
Ashcroft	Frist	Mikulski
Baucus	Gorton	Moynihan
Bayh	Graham	Murkowski
Bennett	Gramm	Murray
Biden	Grams	Nickles
Bingaman	Grassley	Reed
Bond	Gregg	Reid
Boxer	Hagel	Robb
Breaux	Harkin	Roberts
Brownback	Hatch	Rockefeller
Bryan	Helms	Roth
Bunning	Hollings	Santorum
Burns	Hutchinson	Sarbanes
Byrd	Hutchison	Schumer
Campbell	Inhofe	Sessions
Chafee, L.	Inouye	Shelby
Cleland	Jeffords	Smith (NH)
Cochran	Johnson	Smith (OR)
Collins	Kennedy	Snowe
Conrad	Kerrey	Specter
Coverdell	Kerry	Stevens
Craig	Kohl	Thomas
Crapo	Kyl	Thompson
Daschle	Landrieu	Thurmond
DeWine	Lautenberg	Torricelli
Dodd	Leahy	Voinovich
Domenici	Levin	Warner
Dorgan	Lieberman	Wellstone
Durbin	Lincoln	Wyden
Edwards	Lott	
Enzi	Lugar	

The amendment (No. 3166) was agreed to.

The PRESIDING OFFICER. The pending question is, Shall the bill be engrossed and advanced to third reading?

Mr. COCHRAN. 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.

The PRESIDING OFFICER (Mr. ALLARD). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 2, as follows:

[Rollcall Vote No. 114 Leg.]

YEAS—98

Abraham	Feingold	Lugar
Akaka	Feinstein	Mack
Allard	Fitzgerald	McCain
Ashcroft	Frist	McConnell
Baucus	Gorton	Mikulski
Bayh	Graham	Moynihan
Bennett	Gramm	Murkowski
Biden	Grams	Murray
Bingaman	Grassley	Nickles
Bond	Gregg	Reed
Boxer	Hagel	Reid
Breaux	Harkin	Robb
Bryan	Hatch	Roberts
Bunning	Helms	Rockefeller
Burns	Hollings	Roth
Byrd	Hutchinson	Santorum
Campbell	Hutchison	Sarbanes
Chafee, L.	Inhofe	Schumer
Cleland	Inouye	Sessions
Cochran	Jeffords	Shelby
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—2

Brownback Smith (NH)

The PRESIDING OFFICER. The clerk will read the bill for the third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill is now returned to the calendar.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will now be in a period of morning business for not to exceed 1 hour, with the time controlled by the Senator from Kansas, Mr. ROBERTS, and the Senator from Georgia, Mr. CLELAND.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I yield 2 minutes to the distinguished Senator from Washington.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent that Senator BYRD from West Virginia be allowed to speak for up to 20 minutes and Senator REED from Rhode Island to speak for up to 5 minutes following the Senator from Kansas and the Senator from Georgia.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO VICTIMS OF GUN VIOLENCE

Mrs. MURRAY. Mr. President, I thank my colleague for yielding to me.

I come to the floor for a brief moment to pay tribute to the victims of gun violence who were killed one year ago today.

We are all familiar with the incidents of gun violence in our schools; from Columbine to Springfield, OR, to Paducah, KY, and unfortunately to so many other schools and communities.

Gun violence is particularly disturbing when it happens in a school.

But gun violence happens everywhere. A member of my staff lost a son to gun violence. Her son was simply stopping at a convenience store when he was robbed and killed.

How many families have to suffer unnecessarily before this Congress passes commonsense gun control legislation?

The U.S. Conference of Mayors has maintained a list of the thousands of Americans have been killed by gunfire since the Columbine tragedy.

Until we act, Democrats in the Senate will read some of the names of those who lost their lives to gun violence in the past year.

We will continue to do so every day that the Senate is in session until this Republican Congress acts on sensible gun control legislation.

Here are the names of a few Americans who died due to gun violence one year ago today:

Antwan Brooks, 26, Pittsburgh, PA;
James A Brown, 22, Chicago, IL;
Kenneth Cork, 46, Houston, TX;
Marsha Cress, 32, Fort Worth, TX;
Kenneth L. Mack, 49, Chicago, IL;
Michael Powers, 29, Atlanta, GA;
Howard Rice, 31, Baltimore, MD;
Fernando Rojas, 17, Chicago, IL;
Rodney Wayne Smith, 33, Washington, DC;
Rolando Williams, 17, Pittsburgh, PA; and
Earlwin Wright, 22, Chicago, IL.

The PRESIDING OFFICER. The Senator from Kansas.

EMPLOYMENT OF U.S. MILITARY FORCES

Mr. ROBERTS. Mr. President, I thank my friend from Georgia, Senator CLELAND, for his role in our ongoing, bipartisan foreign policy dialog. As we approach Memorial Day, I also thank him for his personal sacrifice and example for our great country.

This is our fourth foreign policy dialog. It is called the employment of U.S. military forces or what could be better described as the use of force. It couldn't come at a better time, the week prior to the Memorial Day celebration, a day of solemn celebration and reflection, a day to remember our fallen family members, our friends, and our fellow Americans, a day that always makes me very proud of our country and humbled by the self-sacrifice of our men and women who paid the ultimate price so that we may live free.

As my good friend from Georgia has seen with his own eyes, it is not the U.S. Constitution that really keeps us free, for it is merely a piece of paper. The marble headstones at Arlington National Cemetery and cemeteries all across America and throughout the world mark what truly has kept us free. And our freedoms will continue to be secured by the brave men and women of our Armed Forces.

Samuel P. Huntington, the renowned author and historian in the 1950s, articulated in his book ''The Soldier and the State'' two important military characteristics. The first is expertise to prevail at the art of war; the second is the responsibility for protecting our freedoms, similar to the responsibility that lawyers have to protect American justice and the rule of law and that doctors have to save lives and protect the health of their patients. Quite simply: The role of our Armed Forces is to fight and to win the Nation's wars.

Eleven times in our history the United States has formally declared war against foreign adversaries. There have been hundreds of instances, however, in which the United States has utilized military forces abroad in situations of military conflict or potential conflict to protect our U.S. citizens or to promote our U.S. interests. Of those hundreds of uses of military force where the U.S. did not declare war, some have obviously been successful and some obviously have not.

Today, I am not going to discuss the use of military force for the purpose of protecting our vital national interests. Those uses of force in our history have occurred rarely and usually without much opposition due to the future of the Nation. Our forces are equipped and train every day to carry out this task. Those types of conflicts of national survival have easily been defined in terms of the political objectives, clear military strategies to achieve those objectives, and the definition of victory or success is the capitulation of the enemy.

The U.S. Armed Forces are no stranger to limited contingency operations, military operations other than war, but the changes in political context of the commitments pose new problems of legitimacy, mission creep, operational tempo, and multilateral cooperation. Although limited contingency operations may produce short-term benefits, history has shown the lasting results of long-term commitments are very limited at best.

The ideas developed by Carl von Clausewitz, famous military theorist of the early 19th century, are profoundly relevant today. The criteria of appropriateness and proportionality are crucial concerns in any military operation other than war.

Clausewitz identified any protracted operation that involves enlargement or lengthening of troop commitment is likely to cause multiple rationales for the intervention. When a marine landing party went ashore at Port-au-Prince in Haiti in 1915, neither the Wilson administration nor the Marine Corps nor the Congress would have predicted that they began an operation to protect the foreign lives and property and to stop a civil war that would end 30 years later with an admission of failure in reforming the public institutions of Haiti.

Does this sound familiar? Currently, the United States has troops in 141 nations and at sea; 55 percent of the nations of the world have U.S. troops stationed within their borders. From 1956—that is the second term of President Eisenhower—to 1992, the United States used military forces abroad 51 times. Since 1992, the U.S. has used military force 51 times.

During that same timeframe of roughly a 400-percent increase in the use of the military as an instrument of power, the military has been forced to downsize and decrease force structure by 40 percent. That type of planning and management of the military reflects poorly on the civilian leadership. All of our services are at the breaking point. I fear there is no more give or elasticity in the force structure of our most valued treasure, the men and women who serve.

The can-do, never-say-die attitude of the military and its leadership and the very competence that the U.S. military has displayed in successfully responding to a wide variety of contingencies seems to have encouraged its further use by this administration, acquiesced to by this Congress.

A recent study from the Center for Strategic and International Studies of

military culture identifies seven areas of concern within our military today. Service members expressed a commitment to values related to effectiveness and sacrifice and discipline, but they had deep concerns about the imbalance between the missions and the resources to perform those missions to a high standard. They felt the Pentagon was out of touch. Quite frankly, they questioned the command support in the face of social concerns. They had concerns about the sense of dwindling understanding of the military so rampant today in our society. They indicated a lot of disgust with civilian leadership behavior not tolerated in their units in the military.

Thomas Jefferson said: Eternal vigilance is the price of liberty. Our military has always exemplified that statement.

However, I am concerned that the current use of military force is undermining the trust of leadership at all levels. We cannot continue to accept the status quo. We cannot continue to appropriate the contingency funds for emergency deployments with no end in sight or no planned exit strategy.

General Zinni, who is the CINC of the Central Command, expressed concern about the pace of these operations and what it is doing to our service members. He said:

> We don't have the resources to meet the strategy. It's plain and simple. We don't have enough people, we don't have enough force structure, we don't have the right kinds of things we need to meet the strategy.

Since 1991, we have spent over $25 billion on peacekeeping operations. The impact on the war-fighting capability of each of the services, including the time to recover war-fighting skills after peacekeeping operations, is reflected in the current readiness concerns expressed by the Joint Chiefs.

As an example, the United States continues to dedicate three divisions in the Balkans rotation: One division training to deploy for peacekeeping operations, one division in the area of responsibility, and one division retraining after deployment—three divisions not ready to execute their primary tasks.

Here is an account from a commander in Kosovo, a peacekeeping operation, which is very troubling to me. This is a quote, an e-mail that went from one commander to another. He was reflecting to his friend, who was going to take over his command, what went on in terms of his daily operation:

> After getting hit in the head by a large rock and getting smashed across the back with a tree limb, I gave the order for the soldiers to open fire with nonlethal munitions. This worked pretty well clearing the crowd back initially. As we continued to fight and move with the people on the hill, I looked over to the landing zone and saw a mob swarming toward the subject and five soldiers. The soldiers started to move out of the landing zone, but they had people around them throwing everything. I grabbed 10 guys and went to help get the five soldiers. When we were 15 meters away, I saw a soldier get smashed over the head with a huge tree limb. He was fine. Thank God for Kevlar. At this point, I took out my 9mm with the intent to shoot. However, I fired several warning shots. The crowd cleared out, and we walked everyone out, including the injured.

I want to ask a question. What if those rocks and tree limbs would have been AK–47s and RPGs? I think the debate about a week ago regarding Kosovo and our involvement there would have dramatically changed had that been the case.

We continue to maintain multiple wings of aircraft in southwest Asia, and we continue to place American aviators in harm's way every day in Iraq. What most Americans don't know is that although airpower seems sterile, clean, and bloodless on CNN that is not the case—that is not the case. The mission tapes of the men and women flying missions over Iraq reflect the risk. A war America thought we won 10 years ago slowly rages on.

Mr. President, 75 percent of our military today joined after 1989. They have known nothing but turmoil in terms of their missions. They have been deployed away from their families for 6-month rotations and, in some cases, three, four, and five times. Their war-fighting capabilities and readiness to execute military operations is not as sharp as it should be. Their morale is low because they are leaving their families. Seventy percent of the force today is married, and they are leaving them for very questionable missions. No wonder sailors and airmen and soldiers are leaving the force and voting with their feet. Only the Marine Corps has maintained their recruiting and retention goals, and they have had a very difficult time achieving that goal.

The current military is stressed, it is strained, and it is hollow. As our armed services activity levels have increased and force structure has decreased time for realistic combat training is lost, supply stocks are diminished, and personnel are displaced. Military leadership at all levels suffers from the current strain; leadership crucial in regard to the goal of winning wars.

The key to leadership is trust: Trust from the civilian leadership and the public that the military will put together the proper plan to win, trust from the military that the civilian leadership—those of us in the Congress and in the administration—will provide the proper tools to win, and trust to use force judiciously and to gain the political and public support.

Congress must trust the President, and the President must trust the Congress to ensure the use of force is necessary, after all other instruments of power and diplomacy have failed. And our national interests dictate that the political objectives still must be achieved.

I commend our military leaders for weathering the current storm. I also commend the men and women of the Armed Forces. Whenever I visit a base in Kansas, or overseas, I am always impressed with our citizens in uniform. Their service, integrity, self-discipline, respect for authority, honor, and sacrifice is inspirational; it is a battery charger. I know we have honest disagreements and differences of opinions, and that is good for the system. Debate will continue to occur. Even General Washington had severe disagreements with the Congress about allowing him to perform summary punishments. However, we must mend, heal, and restore harmony to the system by rebuilding the respect, trust, and understanding in the civilian-military relations.

In the post-cold-war era, limited contingency operations have become our predominant military endeavor. There are no easy answers to the problems of limited contingency operations. Deciding to intervene and use our military force is a very difficult problem; it is very perplexing.

The distinguished Senator from Georgia and I have had long talks about this, trying to set up some kind of a criterion, set up some kind of a list that would make sense, outlining the various reasons for intervention abroad. Listing all of the questions the President ought to ask before the Marines are sent in can best be characterized now as an ''it depends'' doctrine.

I acknowledge that the post-cold-war recommendations and the public debate between the foreign policy elite, the Congress, the Secretary of State and Defense, the Chairman of the Joint Chiefs of Staff, and the Joint Chiefs of Staff cannot agree upon and do not provide a clear set of tests that should be applied before deciding to commit troops to combat in support of less than vital national interests. I wish there were a test or a criterion.

That is really the reason Senator CLELAND and I entered into the foreign policy dialog. We always seem to be stuck with foregone conclusions in terms of foreign policy and sending our men and women in uniform in harms way.

The former Secretary of Defense, Caspar Weinberger, identified six tests that he said should be applied when weighing the use of U.S. combat forces abroad. Three of the tests—number one, when vital interests are at stake; number five, with public support; and number six, as a last resort—concern the foreign policy and the political circumstances in regard to the use of force. Tests number two, three, and four concern the relationship between the military means and the political ends.

Former Secretary of State, George Shultz on the ''vital interests'' test argued that a wide range of international challenges justify U.S. use of force. And, the last two administrations have uniformly rejected the first vital interest test.

Former Secretary of Defense William Perry argued that the use of force might be necessary to support coercive diplomacy when national interests that

do not rise to the level of vital are at stake.

Secretary of State Madeleine Albright has asserted that decisions can only be made on a case by case basis, and it would be counterproductive to define rigidly in advance the conditions in which a decision to use force would be made.

But if vital interests need not be at stake, the question remains what degree of U.S. interests justify the use of force, at what level, and with what risks.

Mr. President, I would contend that the use of force for other than vital or extremely important national interests, as defined in our second dialogue, has not worked in the post-cold-war period. The role of the military is not to act as the cop on the beat for the whole world. The non-prudent use of force in support of less than vital interests is not worth the current costs to our readiness and military morale.

C. Mark Brinkley in the Marine Corps Times said it best when he identified with no other form of government to turn to, Serbs and ethnic Albanians alike turned to the Marines for help. In addition, to more traditional roles of securing the area and suppressing civil unrest, the unit recreated basic elements of daily life: restoring law and order and reopening schools and hospitals, garbage collection, and counselling. The Marines also evolved into a police force for the American sector, patrolling the night and responding to emergencies.

However, these operations require significantly different skills than what the armed forces are currently trained to execute. If we are training our peacekeepers to be more like MP's than combat troops, don't we run the risk that the skills needed by a policeman may get them killed when there is combat?

Two schools of thought on the use of force have developed, the national interests school which argues that military force should be used only when there is clear cut political and military objectives and in an overwhelming fashion.

The other school, the limited objectives school, which would use military force even in ambiguous situations as a means of enforcing international decisions or quelling ethnic conflict.

General Colin Powell contended in 1993, the key to using military force is to first match political expectations to military means in a wholly realistic way, and, second to attain decisive results. A decision to use force must be made with a clear purpose in mind, and then adding that if it is too murky, as is often the case, know that leaders will eventually have to find clarity.

We are having a hard time doing that in the Balkans today.

The decision to use force must also be supported by the public. Presidential leadership requires working with Congress and the American people requires Congress to work with the President to provide essential domestic groundwork if U.S. military commitments are to be sustainable. General Powell asserted the troops must go into battle with the support or understanding of the American people.

Mr. President, the pendulum's path has definitely displaced toward the limited objectives school. President Clinton's doctrine of ''global vigilance'' and ''aggressive multilaterialism'' is the current example and policy.

Mr. President, the current precision strike and technological advantage that we enjoy today has led to its increased use due to the perceived minimal risk to American aviators. A few cruise missiles or laser guided bombs may fix a short term problem but do not address the underlying long term problems. I would contend that if the intervention is not worth the cost of one American service member then we ought to be thinking about the worth of using military force in the first place.

If the U.S. decides to use military force and unleash our military might then the cause had better be commensurate with American national interests and analogous to the risk to American service members.

The Chairman of the Joint Chiefs of Staff, General Henry Shelton pronounced the ''Dover Test'' must be used when deciding to send troops in harms way, and, if the use of force is not worth the consequences of American service members making the ultimate sacrifice arriving at Dover Air Force Base then the military should not be used.

If the cause is not worth the risk of one American life then the results and handcuffs placed on the military rules of engagement in an effort to curtail risk actually increase the risk. The situation over time, and the situation we are now faced with in the Balkans and in Iraq.

Mr. President, I believe the pendulum of the use of force doctrine needs to swing towards the national interest school of thought. Humanitarian military intervention, in violation of the U.N. charter from attacking other states to remedy violations of human rights, will not rectify the underlying human rights problems. When there is no peace to keep then American service members become targets, not peacekeepers.

Our challenge is to understand the need for prudent, limited, proportionate use of military force as an instrument of national power.

I now want to offer a very strong and very thought provoking words from the book ''Fighting for the Future,'' by Ralph Peters, former Army lieutenant colonel. It is controversial. I offer it as food for thought.

Colonel Peters said:

> We face opponents, from warlords to druglords, who operate in environments of tremendous moral freedom, unconstrained by laws, internationally recognized treaties, and civilized customs, or by the approved behaviors of the international military brotherhood. These men beat us. Terrorists who rejected our worldview defeated us in Lebanon. ''General'' Aideed, defeated us in Somalia. And Saddam, careless of his own people, denied us the fruits of our battlefield victory. In the Balkans and on its borders, intransigents continue to hold our troops hostage to a meandering policy. Our enemies play the long game, while we play jailbird chess—never thinking more than one move ahead. Until we change the rules, until we stop attacking foreign masses to punish by proxy protected-status murderers, we will continue to lose. And even as we lose, our cherished ethics do not stand up to hard-headed examination. We have become not only losers but random murderers, willing to kill several hundred Somalis in a single day but unwilling to kill the chief assassin, willing to uproot the coca fields of struggling peasants but without the stomach to retaliate meaningfully against the druglords who savage our children and our society.

He went on to say,

> Tomorrow's enemies will be of two kinds—those who have seen their hopes disappointed, and those who have no hope. Do not worry about a successful China, worry about a failing China.

Those are words to think about.

Limited contingency operations consisting of crisis management, power projection, peacekeeping, localized military action, support for allies, or responding to terrorism require well-defined objectives, consistent strategies to achieve objectives, and a clear, concise exit strategy once those objectives are attained. Otherwise, our country will get involved in operations like those in the Balkans with no end in sight and no peace to keep.

Mr. President, in closing, our service members are, in fact, America, they reflect our diverse origins and they are the embodiment of the American spirit of courage and dedication. Their forebears went by the names of doughboys, Yanks, buffalo soldiers, Johnny Reb, Rough Riders, and GI's. For over 200 years they have answered our Nation's call to fight. Our citizen soldiers today continue to carry America's value system and commitment to freedom and democracy.

The world we face is still full of uncertainty and threats. It is not a safe world. However, all Americans sleep soundly at night because of the young men and women standing ready to fight and die, if necessary, for our freedoms. It is our duty in this body to ensure they are used appropriately. We have an obligation to do just that in the future, for our sake and theirs.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CLELAND. Mr. President, I wish every American could have heard that distinguished lecture, dialog, and discussion of what I think is the most important action this Government can ever take, and that is the question of committing young Americans in harm's way. It is the most serious decision that I as a Member of the Senate can take. It is one of the reasons that brings me here to share the podium and

the floor in the Senate with the distinguished Senator from Kansas, PAT ROBERTS, my colleague, my friend. We work together so well on the Armed Services Committee on behalf of young Americans in the military and retired military and Guard and Reservists, we thought we would bring our thoughts, our concerns, to the floor of this body and stand shoulder to shoulder as we are today discussing at the question of American intervention abroad.

I will recap a couple of items that Senator ROBERTS, in his eloquence and in his great research, has pulled together for Members to consider as we look at the question of America's intervention abroad today. He mentioned that we were involved militarily in 141 places around the globe. I deal with these issues most every day. That is even a shocking statistic to me. Additionally, we were involved militarily in more than 55 percent of all the nations on the globe. One wonders if we are not becoming the new Rome. My greatest fear is we will become part of a Pax Americana, or as 2,000 years ago, Pax Romana, where Rome kept the peace in the known world. Is that our role today? Is that our mission? Are we called upon to be the new Rome or is that part of our intervention strategy?

I thought it was fascinating that Senator ROBERTS pointed out since Eisenhower we have intervened in the world some 51 times; just since 1992 we have had 51 interventions. We have had an increase in American military commitments in the last 10 to 15 years of some 400 percent, but we have downsized the American military's ability to meet those commitments by some 40 percent. A classic case is the Balkans. I just got back from Macedonia, Kosovo, and visited the airbase where we launched the attacks into Kosovo and Serbia at Aviano, Italy. We have three U.S. Army divisions, as the distinguished Senator from Kansas has pointed out, in effect, bogged down in the Balkans. That is almost a third of our entire U.S. Army. They are bogged down in the Balkans with no end in sight. As the distinguished Senator has pointed out, it is hard to keep the peace when there is no peace to keep.

I think also fascinating is his point that some 75 percent of our young Americans in active duty military service joined the service since 1989. All they have known is turmoil, deployments, commitments, time away from their family. I think that is a powerful point and one of the things that stresses and strains our American military today.

That brings us to the floor today on this key question of trust, trust in the leadership, especially the civilian leadership of this Government, and trying to increase that trust among our young men and women deployed all over the world. His point is certainly well taken today, that if we don't judiciously use the American military, then we will see it attrited over time to where we cannot use it. So that element of trust is a key element that I keep close to my heart. I appreciate the Senator mentioning it.

The distinguished Senator mentioned that next Monday is Memorial Day, May 29. Pursuant to a joint resolution approved by the Congress in 1950, the President of the United States will issue a proclamation calling upon the people of the United States to observe a day of prayer for permanent peace in remembrance of all those brave Americans who have died in our Nation's service. That is what Memorial Day is supposed to be all about—a day of remembrance. As someone who almost wound up on the Vietnam veteran wall, I can say that Memorial Day honoring those who never made it back from our wars is something special to me.

With this, our fourth discussion on the role of the United States in today's world, Senator ROBERTS and I come to what is probably the core issue motivating us to take on this entire project. The key question is, Under what circumstances should the Government of the United States employ military force as an instrument of national policy? I can think of no more fitting subject for the Congress to contemplate as we prepare for the Memorial Day recess.

We have quoted Clausewitz, the great German theoretician on war, numerous times, but this is a quote that I think is appropriate as we approach Memorial Day. Clausewitz said of war,

> Kind-hearted people might of course think there was some ingenious way to disarm or defeat an enemy without too much bloodshed, and might imagine this is the true goal of the art of war. Pleasant as it sounds, it is a fallacy that must be exposed: war is such a dangerous business that the mistakes which come from kindness are the very worst . . . It would be futile—even wrong—to try to shut one's eyes to what war really is from sheer distress of its brutality.

General Sherman said it best: War is hell. For those who participate they understand it must only be undertaken under the most serious circumstances. My partner in these dialogues, the distinguished Senator from Kansas, Senator ROBERTS, has often cited the following quotation from one of my personal heroes, Senator Richard B. Russell, from thirty years ago, during the war in Vietnam. At that time I was serving in that war. Senator Russell said:

> While it is a sound policy to have limited objectives, we should not expose our men to unnecessary hazards to life and limb in pursuing them. As for me, my fellow Americans, I shall never knowingly support a policy of sending even a single American boy overseas to risk his life in combat unless the entire civilian population and wealth of our country—all that we have and all that we are—is to bear a commensurate responsibility in giving him the fullest support and protection of which we are capable.

That was Senator Russell 30 years ago. As Senator ROBERTS has observed, ''That is a most powerful statement of truth that has direct applications to the challenges we face today . . . The only thing that has changed is that today we refer to American men and women.''

I share Senator ROBERTS' sentiment completely.

Richard Haass, a former official in the Bush administration and now director of Foreign Policy Studies at the Brookings Institution, and also someone whom both Senator ROBERTS and I have frequently cited during these discussions, has written a wonderful primer called ''Intervention, The Use of American Military Force in the Post-Cold War World.'' In it Mr. Haass provides an overview of the evolution of American thinking about intervention, followed by an analysis of current policies on the subject and a set of pragmatic guidelines which Mr. Haass proposes to improve the conduct of future American interventions. It is well worth the attention of every Member of this distinguished body.

Mr. Haass writes:

> The changes intrinsic to the post-Cold War world have created new, intense conflicts that complicate any prospective use of force by the United States. On the other hand, a number of political and technological developments enhance opportunities for the United States to use its military might effectively. . . . But if there are new reasons as well as new opportunities for the United States to use force, there are no longer any clear guidelines for when and how to do it. . . . Intervening too often poses an obvious danger. Any government indulging in what might be described as wanton uses of force would be guilty of acting irresponsibly, particularly toward those in uniform. . . . At the same time, setting too high a bar against intervention has costs as well. Defining interests too narrowly or prerequisites for employing force too broadly would be tantamount to adopting a policy of isolationism.

In my view, this is a very lucid discussion of where we are and of the difficult choices we face when—and unfortunately I must add if—the Congress of the United States is included in these deliberations on intervention. We saw these issues largely recapitulated here on the Senate floor as recently as last week with our belated but still illuminating debate on the ongoing Kosovo intervention.

I wish my distinguished friend from Kansas and I could have had that kind of debate before we engaged in the first military strike in Kosovo. I still remember well, as the Senator from Kansas has indicated, virtually by the time we got the ball here in the Senate, the prestige of the United States and NATO was already at stake. The horse was already out of the barn. We debated military intervention into Kosovo, an offensive strike by NATO, which is a basically defensive military organization—we debated it here only a couple of days. We had a very fine debate, pro and con, about the future of that military engagement in Kosovo in the last few days. Those debates will continue as long as that force is there, and properly so. But our point here is let's make those debates on the floor of the Senate before we commit military force, and not after.

As I mentioned before, the Haass book also offers a useful presentation on the evolution of American thinking on intervention, starting with our heritage under what he calls Christian ''just wars,'' or the ''just war'' theory as enunciated by such luminaries as St. Augustine, Thomas Aquinas, and others. As defined by Haass, under this approach, ''wars are considered to be just if they are fought for a worthy cause, likely to achieve it, sponsored by legitimate authority, undertaken as a last resort, and conducted in a way that uses no more force than necessary or proportionate and that respects the welfare of noncombatants.''

While the ''just war'' theory has never been the sole criterion by which America or other western nations have waged war, it is nonetheless still a standard moral benchmark, if you will, which we can and should apply to individual proposed interventions. It is something we ought to keep in mind.

As we have discussed before in this series, the end of World War II and the onset of the cold war produced great tension, the threat of a global nuclear Armageddon, and a vast expenditure of resources. But it also created a very clear standard of military interventionism for the United States; namely, the containment of the Soviet Union and its allies. It was under this overall framework that the two largest post-World War II American interventions took place, in Korea and Vietnam.

The eminent military historian of the war in Vietnam, Colonel Harry G. Summers, Jr., discussed the failure—on many different levels—of that American intervention in his book ''On Strategy: The Vietnam War in Context.''

I have read this book thoroughly. I just wish I had read it before I went to Vietnam and not after.

It is not my purpose today to revisit that conflict in detail, but for purposes of today's discussion on the general subject of American intervention abroad, let me quote briefly from Summers' work. He says:

> By our own definition, we failed to properly employ our Armed Forces so as to secure U.S. national objectives in Vietnam. Our strategy failed the ultimate test, for, as Clausewitz said, the ends of strategy, in the final analysis ''are those objectives that will finally lead to peace.''

Given the magnitude of our defeat in Vietnam, and attendant human, financial, and political costs, there was a very understandable recoiling from military interventionism in the public and Congress, among various Presidential administrations and among the American military itself. Nearly a decade passed from the end of U.S. combat participation in Vietnam in 1973 until the deployment of the U.S. Marines as part of the Multinational Force in Lebanon in August of 1982. However, this was also a period when many of the post-cold-war conditions described by Haass as facilitating U.S. interventions were first taking hold, including the diminution of the Soviet/Warsaw Pact threat, the development of greater U.S. capacity to sustain long-distance military operations, and the resurgence of national and ethnic tensions around the globe.

A little less than a decade after the Lebanon debacle, in the aftermath of other interventions in Grenada in 1983, Libya in 1986, Panama in 1989–1990, and in the 1990–1991 timeframe in the gulf war, and after the final end of the cold war, the Chairman of the Joint Chiefs of Staff, Colin Powell, who had lived through this entire era, propounded a list of six questions which must be addressed before we commit to a military intervention.

I submit General Powell's summation here is a summation based on his own experience and his own history in looking at this turbulent time.

No. 1, is the political objective important, clearly defined, and well understood?

No. 2, have all nonviolent means been tried and failed?

No. 3, will military force achieve the objective?

No. 4, what will be the cost?

Next, Have the gains and risks been thoroughly analyzed?

Next, After the intervention, how will the situation likely evolve and what will the consequences be?

That is, I guess, my biggest problem with some of our interventions. We have not thought through the end game, sometimes called the exit strategy. But what would be the result of failure? What will be the result of success? I am not sure we are thinking through our interventions.

In a similar vein, falling on the side of what I would call restraint with respect to U.S. military interventions, in 1993, then-Secretary of State Warren Christopher outlined four prerequisites for the use of force by the United States:

No. 1, the presence of clearly articulated objectives;

No. 2, a high probability of success;

No. 3, the likelihood of congressional and public support; and No. 4, the inclusion of a clear exit strategy.

Not bad advice. However, even before the start of the Clinton administration, developments in Africa and in the Balkans were leading to a reassessment of the limits on U.S. military interventions. At the same time his administration was deciding in favor of intervention in Somalia but against military involvement in Bosnia, President Bush articulated a somewhat lower bar for U.S. military intervention. As described by Haass:

> Bush argued for a case-by-case approach in deciding when and where to use force. He argued against using interests as an absolute guide, noting that ''military force may not be the best way of safeguarding something vital, while using force might be the best way to protect an interest that qualifies as important but less than vital.''

That is Haass.

Instead, Bush set out five requirements for military intervention to make sense: force should only be used, he said, where the stakes warrant it, where and when it can be effective, where the application can be limited in scope and time, and where the benefits justify the potential costs and sacrifice. Multilateral support is desirable but not essential. What is essential in every case is a clear and achievable mission, a realistic plan for accomplishing the mission, and realistic criteria for withdrawing U.S. forces once the mission is complete.

That is a pretty thorough analysis of the thought process that must be undergone if we are to be successful in our interventions.

During the Clinton administration, there have been military interventions in Iraq on several occasions, and continuing to this day: In Somalia from 1992 to 1995, in Bosnia and Macedonia since 1993, in Haiti from 1993 to 1996, in Afghanistan and Sudan in 1998, and of course in Kosovo beginning last year.

There has been an accompanying evolution away from the more restrictive view of interventions expressed by Secretary Christopher and toward the less restrictive stance perhaps expressed most clearly recently by British Prime Minister Blair in an April speech last year in Chicago.

Prime Minister Blair said:

> The principle of non-interference must be qualified in important respects. Acts of genocide can never be a purely internal matter. When oppression produces massive flows of refugees which unsettle neighboring countries then they can probably be described as ''threats to international peace and security. . . .'' So how do we decide when and whether to intervene. I think we need to bear in mind five major considerations. First, are we sure of our case? War is an imperfect instrument for righting humanitarian distress, but armed force is sometimes the only means of dealing with dictators. Second, have we exhausted all diplomatic options? Third, on the basis of a practical assessment of the situation, are there military operations we can sensibly and prudently undertake? Fourth, are we prepared for the long term? In the past, we talked too much about exit strategies. But having made a commitment we cannot simply walk away once the fight is over, better to stay with moderate numbers of troops—

Does that sound familiar?

> than return for repeat performances with large numbers. And finally, do we have national interests involved? The mass expulsion of ethnic Albanians from Kosovo demanded the notice of the rest of the world. But it does make a difference that this is taking place in such a combustible part of Europe.

That is the end of Blair's statement. Interesting.

Clearly, we have come a long way from Vietnam, and today's world is quite different than the world of the sixties and seventies. Questions about the use of force are, by their very nature, difficult ones. There are no easy answers and no easy choices for any President, and certainly not us in the Congress. Part of this is a product of the disorderly post-cold-war order, or a new world disorder. Every American and every inhabitant of this planet is certainly better off than we were in the cold war which threatened the very survival of global civilization. That

ended, but the termination of that phase of international politics has made the world actually more complex for foreign policymakers.

In the cold war, the superpower rivalry and its mutually assured destruction doctrine, in terms of nuclear war, imposed strong constraints on interventions by either superpower. Korea, Vietnam, and Afghanistan were notable exceptions.

In the pre-cold-war history of the United States, the question of U.S. intervention outside of the Western Hemisphere rarely arose, short of a Pearl Harbor or a Lusitania incident that began the First World War. In the new post-cold-war disorder, we largely face only self-imposed constraints to our actions abroad. Thus, we now need answer only whether we should undertake such an action, not whether we can do so.

That is a clear distinction. In the cold war, we had a line that we knew we could not cross or should not cross. Now there are no lines. If my colleagues read Tom Friedman in the book ''Lexus and the Olive Tree,'' barriers of all kinds, not only the Berlin Wall, are coming down all over the world. So the question more and more on American intervention is, Should we do it? What Senator ROBERTS and I are trying to say is that it is not only a Presidential decision, it is a decision in which all of us have to participate and, hopefully, one that we can arrive at a consensus on before we send young Americans into harm's way. That is why we are here. That is why we are taking the Senate's time today.

The two administrations which have confronted the post-Soviet Union world have grappled mightily with the complexities in places such as Iraq, Croatia, Bosnia-Herzegovina, Somalia, Haiti, and now Kosovo. And almost every step in these areas have been subjected to questioning and controversy before, during, and after the operation in question. Opposition to the Presidential policies has not offered a clear-cut alternative, with some opponents calling for greater and some for lesser exertions of American power. As I have said before on several occasions, I approach the debate on intervention with the greatest respect for the difficulties which the current or, indeed, any other post-cold-war administration and Congress must face when deciding Americans should go to war.

However, I must say that I believe any departure from the principle of using our military intervention solely in defense of vital national interests is a slippery slope. Let me say that again. I have to say that I personally believe that any departure from the principle of using American military intervention solely in defense of vital national interests is a slippery slope. Let's recall from our previous discussions the very small ''A'' list of truly vital interests. As articulated by the 1996 Commission on America's National Interests—and Senator ROBERTS and I are engaging ourselves with that commission that is cranking up again and we hope to have some input—the Commission on America's National Interests articulated that those interests are ''strictly necessary to safeguard and enhance the well-being of Americans in a free and secure Nation,'' and include only the following: Prevent, deter, and reduce the threat of nuclear, biological, and chemical weapons attacks on the United States. That is simple. That is clear.

Two, prevent the emergence of a hostile hegemon in Europe or Asia. As Senator ROBERTS the other day said, hegemon means the big bully, the lead dog, the big dog.

Three, prevent the emergence of a hostile major power on U.S. borders or in control of the seas.

Four, prevent the catastrophic collapse of major global systems such as trade, financial markets, supplies of energy, and so forth.

Five, ensure the survival of U.S. allies.

In pursuit of these objectives, the ''United States should be prepared to commit itself to fight,'' the commission says, ''even if it has to do so unilaterally and without the assistance of allies.'' I understand my friend and colleague, Senator ROBERTS, says this list might be slightly modified and updated by a new commission, but the content will basically be similar.

In short, I believe we can and must be prepared to commit all available American resources—including military forces—in the defense of truly vital national interests. In such cases, I believe Presidents should seek congressional approval, and I cannot imagine a Congress not granting such authority in these cases. But in all other cases, I believe we have to impose a much higher bar before we put American service men and women into harm's way—a much higher bar and a much higher standard than we have used in the last 10 or 15 years.

General Shelton, Chairman of the Joint Chiefs of Staff, put it beautifully in an address to the Kennedy School at Harvard recently:

> In every case when we contemplate the use of force, we should consider a number of important questions. These are not new questions, as most are articulated formally in the National Security Strategy. They are:
>
> Is there a clearly defined mission?
>
> Is the mission achievable, and are we applying the necessary means to decisively achieve it?
>
> Do we have milestones against which we can measure or judge our effectiveness?
>
> Is there an exit strategy? Or, put another way, a strategy for success within a reasonable period?
>
> Do we have an alternate course of action should the military action fail or take too long?
>
> Are we willing to resource for the long haul?
>
> If our military efforts are successful, are the appropriate national and international agencies prepared to take advantage of the success of the intervention?

We see that in the Balkans right now.

> Have we conducted the up-front coordination with our allies, friends, and international institutions to ensure our response elicits the necessary regional support to ensure long-term success?

These are powerful questions, as articulated by the Chairman of the Joint Chiefs of Staff.

He goes on to say:

> The military is the hammer in America's foreign policy toolbox . . . and it is a very powerful hammer. But not every problem we face is a nail.

That is critical.

> We may find that sorting out the good guys from the bad is not as easy as it seems. We also may find that getting in is much easier than getting out.

Boy, is that true.

> These are the issues we need to confront when we make the decision to commit our military forces. And that is as it should be because, when we use our military forces, we lay our prestige, our word, our leadership and—most importantly—the lives of our young Americans on the line.

As we approach Memorial Day, where we pay tribute and honor to those young Americans who have given their lives in the past, we must think carefully and judiciously how we commit young Americans in the future in terms of American military intervention in the world.

Americans who serve today on the front lines in the service of this great Nation in Korea, Kosovo, Bosnia, Saudi Arabia, and elsewhere around the globe, are very special Americans. They have volunteered to do this duty for the rest of us.

When we return from the Memorial Day break, Senator ROBERTS and I will resume these dialogs with a discussion of Clausewitz's trinity of warmaking. He said, successfully war is prosecuted if you have three things together: the people, the government, and the military. Marching forward arm in arm is what we are all about. That will be the subject of our next discussion.

I yield to the distinguished Senator from Kansas, my partner, my dear friend, Mr. PAT ROBERTS.

Mr. ROBERTS. Mr. President, how much time remains?

The PRESIDING OFFICER. All time has expired.

Mr. ROBERTS. I thank my colleague for his contribution. I yield the floor for that purpose.

UNANIMOUS CONSENT AGREEMENT—CONFERENCE REPORT TO ACCOMPANY H.R. 2559

Mr. ROBERTS. Mr. President, I ask unanimous consent that following the allotted times for morning business, the Senate then proceed to the conference report to accompany H.R. 2559, the crop insurance bill, and it be considered as having been read, and under the following time restraints: 1 hour under the control of Senator LUGAR; 1 hour under the control of Senator HARKIN; and 1 hour under the control of Senator WELLSTONE.

I further ask unanimous consent that following the use or yielding back of time, the Senate proceed to vote on the conference report, without any intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. ROBERTS. Mr. President, I yield the floor 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. BYRD. 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. BYRD. Mr. President, has an order been entered for me to be recognized at this time?

The PRESIDING OFFICER. It has. The Senator is recognized for 20 minutes.

Mr. BYRD. I thank the distinguished Presiding Officer.

Mr. President, I may have to lengthen that.

I ask unanimous consent at this time that I may speak up to 30 minutes, if I need to.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CONVENING OF CONSTITUTIONAL CONVENTION, MAY 25, 1787

Mr. BYRD. Mr. President, today, May 25, in the year of our Lord 2000, marks the 213th anniversary of a monumental event, the most monumental event that ever occurred in American history. It was on May 25, 1787, that a sufficient number of State delegations convened in Philadelphia to begin their deliberations ''to form a more perfect Union.'' Fifty-five delegates labored through that long, hot summer in Independence Hall in the very room where the Declaration of Independence had been signed 11 years earlier. By September 17 of that year, when they adjourned sine die, they had produced a remarkable document, the most remarkable document of its kind that was ever written, the Constitution of the United States.

I place only the King James version of the Holy Bible above this document, the Constitution of the United States. That is the remarkable document that established our Federal Government, that provided for a U.S. Senate, that provided for the equality of the small States with the large States. That is the document that made it possible for tiny, mountainous West Virginia to have two votes, to be equal to the great State of New York, to be equal to the great States of California, Florida, Illinois, Ohio, Indiana in the Senate. If it were not for this document which I hold in my hand, the Constitution of the United States, we wouldn't be here today. I wouldn't be here. The distinguished Presiding Officer who comes from the State of Illinois would not be here. He would not be presiding in that chair. These would not be the United States of America. In all likelihood, they would be the ''Balkanized States of America.''

This remarkable document has established our Federal Government. It is fitting, therefore, that we pause today, and I thought it fitting that someone take the floor to remark about the importance of this day in history and the importance of this document. It is fitting that we pause to reflect on what those men who met at the Constitutional Convention hoped to accomplish and to remark on what they achieved.

The fledgling United States was in dire straits in 1787. There were no automobiles. There were no airplanes, no diesel motor trains, no electric lights, no sulfa drugs, no antibiotics in 1787. It had become painfully apparent that the first National Government under the Articles of Confederation was not working.

Having thrown off the yoke of royal rule during the Revolution, Americans at first had been reluctant to establish another strong central government. Not many people, I wager, in this country remember much, if anything, about the Articles of Confederation, our first Constitution, but our forebears had created a Government under the Articles of Confederation that represented little more than a loose association of 13 States, with the States retaining the real power. Those States were the former Colonies.

The National Government consisted of a single legislative body. Most of the governments in the world today consist of unicameral legislative bodies, one legislative body. But there are 61 governments in the world today that have bicameral legislatures. Most of the larger countries have bicameral legislative bodies. There are 61 of them. And in only two, the United States and Italy, are the upper chambers not subordinate to the lower chambers.

Each State, under the Articles of Confederation, regardless of size—whether it was Pennsylvania, New York, tiny Delaware, Rhode Island, or Georgia—each State, regardless of size, had a single vote in the Congress, in that one body. Under the Articles of Confederation, Congress could raise money only by asking the States for it. Congress had no power to force a State to pay its share. At times, Congress lacked the funds to pay its soldiers' salaries and faced the threat of mutiny. General George Washington faced that threat of mutiny. The Nation's international credit remained weak because of its war debts, which went unpaid due to wrangling between and among the States.

This discouraged foreign investments—as one could imagine—and further complicated the efforts to fund the Government operations.

As economic conditions worsened, a band of farmers in western Massachusetts, led by the Revolutionary War veteran, Daniel Shays, shut down the State courts to stop their creditors from foreclosing on their lands. I wonder what Senator TED KENNEDY would think of that today. How would Senator JOHN KERRY feel about that—Shays' Rebellion? And not only did they close down the courts to stop their creditors from foreclosing on their lands, but they also attacked the Federal arsenal at Springfield. When Massachusetts appealed for assistance, Congress had neither an adequate army nor adequate funds to suppress Shays' Rebellion.

George Washington, who had retired to his estate at Mount Vernon after commanding American forces during the Revolutionary War, feared for the survival of his country and predicted ''the worst consequences from a half-starved, limping Government, always moving upon crutches and tottering at every step.'' That was George Washington, the first President and the greatest President ever of the United States.

In 1785, a dispute over navigation rights on the Potomac River prompted the States of Virginia and Maryland to set up a meeting to settle their differences. Maryland's delegation went to Alexandria, VA, only to find that Virginia's delegates had not yet arrived. They had no interstate highways. They had no great bridges that spanned the river. They had no airplanes. There was no airport over at National in those days. There were only horses and buggies.

As I say, Maryland's delegation went to Alexandria, VA, only to find that Virginia's delegates had not yet arrived. Anxious for the conference not to fail, George Washington graciously invited the delegates to Mount Vernon. There the two delegations discussed tolls and fishing rights on the Potomac. Where does the Potomac rise? It rises in my State, in West Virginia. Of course, there was no West Virginia in those days, but there was Virginia. And other questions were raised that went beyond their immediate disputes. When the Virginia delegates submitted their report to the Virginia Assembly, it went to a committee chaired by James Madison, Jr.

Convinced that larger issues remained, Madison persuaded the assembly to pass a resolution calling for a convention in the States to deal with interstate commerce. In the fall of 1786, that convention met in Annapolis, MD. You see, if it were today, Senators BARBARA MIKULSKI and PAUL SARBANES would be there. But it was long before their time. That convention could do nothing, since only 6 of the 13 States sent representatives. Spurred by Madison of Virginia and Alexander Hamilton of New York, the Annapolis convention called for another convention the following year in Philadelphia to go beyond commercial disputes and consider creating a Federal Government strong enough to meet the needs of the new Nation.

On May 14, 1787, the date set for that convention to open, a quorum could not be attained. Not until May 25—213 years ago today—did delegates from a majority of the States arrive. That was an important day—the day that a quorum of delegates arrived. Eventually, all but Rhode Island would send delegates.

With a quorum established, they got down to business by unanimously electing George Washington as their Presiding Officer. Talk about a great President, one that all the subsequent Presidents—I am sure most of them—have tried to emulate, there was the greatest President of all, George Washington, first in the hearts of his countrymen. His great prestige, the delegates knew, would help to quiet public suspicion of the convention's intent. That convention closed its doors. They didn't open the doors to the public. They locked the doors and established sentries at the doors and conducted its proceedings in secret. That was a good thing.

According to James Madison's notes from May 25, Washington, ''in a very emphatic manner . . . thanked the convention for the honor they had conferred on him, reminded them of the novelty of the scene of business in which he was to act, lamented his want of better qualifications, and claimed the indulgence of the House toward the involuntary errors which his inexperience might occasion.'' The convention then elected a secretary and appointed a committee to prepare its standing rules. The convention knew the importance of standing rules. The convention had learned that from the colonial legislatures, the State legislatures, and from Parliament in the motherland. Several of those forebears came from England, Scotland, and Ireland; they were all subjects of Great Britain, of course. They knew about Parliament. So, they prepared standing rules.

Over the next 3 months, the delegates crafted an entirely new Federal Government for the United States. Ever fearful of tyranny, they solved the problem of concentration of power by dividing responsibilities among three equal branches of Government. O, that more of our people today would study American history! I am not talking about social studies; I am talking about history—American history. O, that more of our Members would refresh their memories concerning American history! How many times have I reminded ourselves of the importance of the checks and balances, the separation of powers, the fact that there are three equal and coordinate branches of Government?

As pragmatists who doubted the perfectibility of human beings, they assumed—those delegates at the convention—that strong individuals and groups would always grasp for more power—and they were right—which would be dangerous, even if meant for good purposes. They, the delegates, believed that government evolved from the people and, indeed, they began their document with the words: ''We the People.'' But they also anticipated that public opinion would swing wildly—swing like a pendulum—wildly at times, and that public passions could get swept away in the frenzies of the moment. Some people glibly refer to our form of government as a democracy. When you hear someone say that form of government is a democracy, mark that person as not knowing what he is talking about. That person does not know what he is talking about when he says that this Government is a democracy. It is not. Rather than a democracy, the Framers created a representative government, a republic, with elaborate checks and balances.

If we want to understand the difference between a democracy and a republic, let James Madison explain the difference in Federalist No. 10 and Federalist No. 14.

As James Madison later explained in the Federalist: ''If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: You must first enable the government to control the governed; and in the next place oblige it to control itself.''

Mr. President, because the U.S. Constitution still functions essentially the way its authors intended, and because it has been amended only 27 times in the past two centuries, that Constitutional convention has sometimes been celebrated as the ''Miracle at Philadelphia,'' and the delegates praised by none less than Thomas Jefferson as ''demigods,'' suggesting that their work was divinely inspired. In point of fact, the convention was a long, hard, bitterly-debated ordeal that on several occasions came close to collapse. They did not have air-conditioning in those days. Those summers were just as hot as they are now, I suppose. The delegates needed to reach several crucial compromises before enough of them would agree to the new constitution. One of these compromises—known as the Great Compromise—created the U.S. Senate as a means of satisfying the smaller states' demands for equality, while the House of Representatives would grant more votes to the larger states by apportioning on the basis of population. Another pivotal compromise—the Three-Fifths Compromise—addressed the emotional issue of human slavery, by permitting slaves to be counted as three-fifths of a person for purposes of taxation and representation. Without the agreement, the Southern states would not have ratified the new constitution. Yet, it left in place the peculiar institution of slavery that eventually would tear the nation apart in civil war.

In other words, Mr. President, as remarkable as was the Constitution that emerged from Philadelphia in 1787, and as much as it solved the problems that had festered under the Articles of Confederation, it was not a finished document. Despite the towering presence of George Washington, Benjamin Franklin, Alexander Hamilton, Madison, Mason, and other wise and trusted leaders at the Constitutional convention, there remained deep public suspicion over this new government, which after all had been debated entirely in secret session. Some delegates refused to sign the Constitution because it lacked protection of individual rights. This omission proved a major obstacle to the ratification of the Constitution, leading Madison to pledge his support for a series of amendments while the ink on the Constitution was still wet. During the First Congress, as a member of the House of Representatives, Madison proposed the first ten amendments, known as the Bill of Rights, and two other amendments not ratified at the time (one of which more recently resurfaced as the 27th amendment) and which we remember in our own time here in the Senate.

The late Justice Thurgood Marshall once commented that he could not admire the framers' decision to compromise with slavery, and that, therefore, he preferred to celebrate the Constitution as ''a living document, including the Bill of Rights and other amendments protecting individual freedoms and human rights.'' Several amendments to the Constitution were more administrative in scope, designed to fix flaws in the Electoral College, change the calendar for congressional sessions and presidential inaugurations, and permit the levying of a federal income tax. But most of the amendments dealt with expanding democratic rights and freedoms, from the abolition of slavery to the extension of the right to vote to blacks, women, and 18-year-olds, and even for the right of the people to directly elect their United States senators. These few amendments have improved the original document. Yet, in so many respects the Constitution remains unchanged. Today, each branch of the government retains essentially the same powers it was given in 1787—albeit magnified to meet the challenges of subsequent centuries. Ours, as Justice Thurgood Marshall reminded us, is a living Constitution.

If the Holy Bible were small enough, I would carry that with me, too. This is the Constitution of the United States. Fortunately, it is a small document. It is a compact document that fits comfortably inside my shirt pocket, and several Senators in this body carry the Constitution in their pockets. It is far shorter than most State constitutions, including my own West Virginia Constitution. It does not take long to read. But each time one reads it, one will find something new in that Constitution—some thought that did not occur to that individual before.

It does not take long to read, and yet opinion polls show that many Americans have either never read it or have

forgotten most of what they learned about it in school. That may also go for a good many of the Members of this body, and the other body. It would be very well if all Members of the Senate and House reread the Constitution from time to time. It is vital that all Americans familiarize themselves with this document so that they know their constitutional rights and their constitutional responsibilities.

Let me suggest, therefore, that May 25, marking the anniversary of the day the Constitutional Convention got down to business, would be an appropriate day for all of us to once again read the Constitution and to appreciate the framers' efforts ''to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity.''

This coming Monday is Memorial Day, May 29. On that day, Edmund Randolph, Governor of the State of Virginia, presented his 15 resolves, his 15 resolutions to the convention. The debates in those ensuing days largely centered around Randolph's resolutions, or the so-called Virginia plan. So, I say to my colleagues, remember this coming Monday. That was the day when the convention first heard about the Virginia plan.

Long live the memories of the Framers of the U.S. Constitution!

WEDDING ANNIVERSARY CELEBRATION

Mr. BYRD. Mr. President, this is not quite as important a subject to my listeners, perhaps, as the words I have just spoken, but it is an important subject to me, because next Monday, the Lord willing—in the Book of James, we are told always not to say, I'll do this or I will do that tomorrow; I'll go here or I'll go there tomorrow; always say, ''the Lord willing'' —next Monday, the Lord willing, my wife and I will celebrate our 63rd wedding anniversary.

I have to frankly say that what little I have amounted to, if it is anything much, I owe for the most part to her. She saw to it that I earned a law degree. She virtually put me through law school by her caring ways. She fulfilled the responsibilities at home, rearing our children while I was busy. She went to the store, she did the buying, she did the washing, she did the ironing, she pressed my clothes. She mopped the floors, she vacuumed the carpets, she did the work. I have never seen a person who was a harder worker than my wife and the woman who raised me, my old foster mother, my aunt.

But Erma is the one to whom credit is due. She has set the kind of example for me over the years that I have not been able to emulate fully. This coming Monday, I am going to show her my appreciation by going back to the hills with her. On Monday, we will finish reading the King James version of the Holy Bible together. We are down to where we lack four chapters. We try to read the Bible every Sunday—not that I am somebody who is good; the Bible says that no man is good; not that I am somebody good —but she and I read that Bible every Sunday. Three or four months ago, I counted the number of chapters remaining, and it came out to where if I divided them in a way that we would read six chapters every Sunday, we could finish the Bible, the reading of the Holy Bible, from beginning to end, the old testament and the new, on next Monday, our wedding anniversary. We lack four chapters, and God willing, we will finish those four chapters next Monday.

After that day, we will be on our way to our 64th wedding anniversary.

DETECTIVE JOHN EUILL

Mr. BYRD. Mr. President, as I am talking about the Bible, I want to call attention to a good man who works in this Capitol. He is a detective. His name is John Euill.

Every time this little publication comes out, he brings it to me. The title of it is, ''Our Daily Bread.'' John Euill always brings that to me. Of course, we are not supposed to call attention to anyone in the galleries in the Chamber, but I am going to call attention to someone who is sitting on the Chamber bench on the Republican side right now. All of our Members have shaken his hand. He is courteous. John Euill is a wonderful man.

Let me read just a few words from ''Our Daily Bread,'' which he gave me today. The chapter titled, ''Building on the Bible'':

> What can be done to improve society? An MTV political correspondent had this unexpected but praiseworthy suggestion: ''No matter how secular our culture becomes, it will remain drenched in the Bible. Since we will be haunted by the Bible even if we don't know it, doesn't it make sense to read it?''
>
> Our culture is indeed ''drenched in the Bible.'' Whether or not the majority of people realize it, the principles on which the United States was founded, and the values which still permeate our national life, were based on the Holy Scriptures.

If Senators don't believe that, go back and read the Mayflower Compact and many of the other great documents that form the basis of this great Nation.

> Yet, God's Word no longer occupies the commanding place it held in the past.

And that is true.

> Its ethics are sometimes still praised even though biblical morality is flagrantly violated. So I agree with the political correspondent's urging that people read the Bible.
>
> We need to do more, however, than just read the Word of God. We need to believe the Bible and put its inspired teachings into practice. The psalmist reminded us that we are to walk in God's ways, to keep His precepts diligently, and to seek Him with our whole heart.

Psalm 119, the second through the fourth verses. I am going to read those verses for the people who are watching through that electronic eye above the presiding chair. I want in my small way to dedicate them today to Detective John Euill.

> Blessed are they that keep his testimonies, and that seek him with the whole heart.
>
> They also do no iniquity: they walk in his ways.
>
> Thou hast commanded us to keep thy precepts diligently.

I thank all Senators for their patience, and I yield the floor.

SPECIAL AGENT JOHN J. TRUSLOW

Mr. REED. Mr. President, I would like at this time to pay my respects to FBI Special Agent John Joseph Truslow. John Truslow, an FBI agent stationed in Providence, was more than ''just an agent.'' He was a brave man, a Rhode Islander who cherished his home state and served its people with courage and distinction.

John grew up in Central Falls, Rhode Island and attended the University of Rhode Island, receiving a bachelor's degree in 1972 and a master's degree in 1978. In 1980, he joined the Federal Bureau of Investigation in New York, where he was assigned for eleven years.

In 1991, John Truslow transferred back home to Rhode Island, with his wife, Diane, and their two children, Catherine and David.

During the next nine years with the Bureau, John Truslow distinguished himself by leading several federal probes that attacked corruption in our cities and towns.

In 1996, when the North Cape barge ran aground at Moonstone Beach, spilling over 800,000 gallons of home heating oil into Narragansett Bay and killing millions of fish and wildlife, John Truslow was hard at work. Throughout that year and the next, he led a methodical investigation, which uncovered the corporate negligence that contributed to the disaster. Because of his work, a groundbreaking agreement was reached in which the owner of the North Cape agreed to pay $9.5 million in criminal damages. Today, despite one of the worst environmental accidents in Rhode Island's history, Narragansett Bay is recovering, due, large part, to the work of Mr. Truslow.

Described by friends and co-workers as a man of substance and a man of honor, John continued to report to work each day, even after having been diagnosed with terminal brain cancer in August 1999. In fact, on April 5, one day after his twentieth anniversary with the FBI and after months of being physically ravaged by cancer and the effects of chemotherapy, John testified before a federal grand jury to present evidence which lead to the indictment on bankruptcy fraud charges of a Rhode Island traffic court judge. Twelve days later, on April 17, he was in court for that indictment.

John was a dedicated agent, working up until his final days. We are humbled by his courage, allegiance to duty and

his perseverance in the face of adversity. He served with honor and distinction, for the people of his home state of Rhode Island as well as the Federal Bureau of Investigation.

Unfortunately, John lost his battle with cancer on May 5. To his family, I offer my sincerest condolences.

I need not tell them that they can be proud of John; they already know that. But, I would like them to know what John's work meant to so many in our state. He made a difference in our criminal justice system and has left a lasting impression on friends, co-workers and colleagues in law enforcement.

While he is gone, John's legacy of duty and courage lives on, and his record of service to his country and Rhode Island will not soon be forgotten.

I ask unanimous consent that an article from the Providence Journal-Bulletin on the life of Mr. Truslow be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Providence Journal-Bulletin, May 14, 2000]

REMEMBERING A MAN WHO HAD THE COURAGE OF HIS CONVICTIONS

(By Mike Stanton; Journal Staff Writer)

Despite the ravages of brain cancer, FBI agent John Truslow, whose cases included the North Cape oil spill and Operation Plunder Dome, worked up until the final days of his life.

When two dozen FBI agents prepared to raid Providence City Hall last spring, a lanky, bespectacled agent named John Truslow was put in charge.

''We specifically chose him because we wanted someone who was low-key and decisive,'' recalls Daniel Knight, the head agent in Providence.

Later that afternoon, while top federal prosecutors and FBI officials held a news conference to announce Operation Plunder Dome, Truslow was back in his familiar post behind the scenes, poring through the arcane documents and tedious tax records that would help the government build criminal cases against corrupt Providence officials.

If John Truslow toiled in obscurity, his efforts were not in vain. He worked on some of the most prominent criminal cases in Rhode Island over the past decade from public corruption in Johnston to criminal negligence in the 1996 North Cape oil spill to the ongoing corruption probe of the administration of Providence Mayor Vincent A. Cianci Jr.

Truslow kept working even after he was diagnosed with terminal brain cancer last year.

As the cancer ravaged his body and the chemotherapy failed to arrest the disease's advance, Truslow would say that he was ''on top of the world'' and keep showing up for work.

Although his gait was unsteady and he was unable to drive, Trusklow was still on the job in April, putting in a nine-hour day as a federal grand jury indicted retired Rhode Island traffic-court judge John F. Lallo on fraud-related charges after an 18-month investigation.

On May 5, Truslow died, with his wife of nearly 22 years, Dianne, and their daughter Catherine and son David nearby. He was 50.

''John would never, ever give up,'' says his friend and colleague, Special Agent W. Dennis Aiken. ''He wasn't given a lot of time by the doctors, but he had things that he wanted to finish. He met every goal he set.''

That sense of purpose was evident at Truslow's wake last Monday, a celebration of his life that drew an overflow crowd of friends, family and colleagues from throughout the Northeast.

Patting his friend's hand, Aiken talked about Truslow's love of his family and his job, and vowed that his work would continue:

''There's still a lot of people we need to put in jail.''

EVEN AT 6–FOOT–5, John J. Truslow was a man who, with his crumpled raincoat and mild personality, ''could easily fade into the background,'' says friend and federal prosecutor Ira Belkin.

''He was all substance, no show,'' says Belkin. ''No task was too small or too big. If I had 10 John Truslows, there would be no crime in Rhode Island.''

Truslow grew up in Central Falls, one of four children. His father worked for a local gas company; his mother worked in a mill.

As a student at the University of Rhode Island in the early 1970s, Truslow met a high-ranking FBI official the father of a classmate and ''became fascinated with the bureau,'' recalls his wife, Dianne L. Truslow.

The FBI official told him that there were two paths to becoming an agent accounting or law school. Truslow chose accounting.

He joined the bureau in 1980, in New York, and within a few years began specializing in white-collar crime. In 1991, he transferred to Rhode Island, moving to East Greenwich.

Before long, Truslow was leading a federal corruption probe of the Town of Johnston, involving bribes by developers to town officials.

One official was charged with demanding a $10,000 bribe, which he described as ''coffee money.'' Ultimately, eight people were convicted. Long-time Johnston Mayor Ralph aRusso, who wasn't charged, was voted out of office.

''The people in Johnston Town Hall hated to see him,'' recalls Dianne Truslow. ''He knew their records better than they did.''

Other Johnstonians cheered him on. One was Rosie Cioe, proprietor of the downtown Providence deli Amenities, where Truslow would stop in every morning for a cranberry muffin.

''John kept my hopes up that Johnston would turn itself around,'' she recalls. ''I'd say, 'You're doing a hell of a job, John. Keep going.' He'd just smile.''

Peter DiBiase, a Providence criminal-defense lawyer who represented people investigated by Truslow, calls him ''a worthy adversary and an honorable man.''

''He played hard and he played fairly,'' recalls DiBiase. ''He's the most diligent FBI agent I ever met.''

ON JAN. 19, 1996, the tug Scandia caught fire in a storm and ran aground at Moonstone Beach with the barge North Cape, causing the worse oil spill in Rhode Island history.

Truslow led a team of state and federal investigators in piecing together hundreds of boxes of ship records and interviewing crew members who had concealed problems with the boats.

The result was a groundbreaking 1997 agreement in which the boat owner, Eklo Marine Corp., agreed to pay $9.5 million in damages.

''Some agents are good with paper and some are good with people there aren't many agents like John who are good with both,'' says Belkin.

Truslow had a patient, methodical style of interviewing that broke down many a target into confessing criminal wrongdoing, associates say. In one fraud case, Belkin recalls, a suspect being questioned by Truslow raised his hand and, to the dismay of his lawyer, said, ''Guilty.''

Last Aug. 11, while delivering subpoenas to Newport, Truslow suffered a seizure and blacked out, crashing his car into a tree in Middletown. He came to in an ambulance.

Hospital tests found seven tumors in his brain and three more in his lungs. Following 10 days of radiation treatment, doctors at the Dana Farber Cancer Institute in Boston found that the tumors had grown. Last October, they estimated that he had six months to live.

''We were beside ourselves,'' recalls Dianne Truslow. ''We sat there and wept.''

Agents continued to drive Truslow to Boston for treatment. His hair fell out, his body grew gaunt, and he suffered painful side effects from the chemotherapy. Still, he kept working. His job helped distract him from the cancer, and the cancer drove him to push hard to finish cases.

Truslow worked on a Plunder Dome case involving lawyer and long-time State House insider Angelo ''Jerry'' Mosca Jr. In January, Mosca pleaded guilty to delivering $25,000 in bribes to city tax officials; one of the bribes involves allegations that $10,000 was intended for an unidentified high-ranking city executive.

Truslow also sat at the table with a federal prosecutor in March, when Providence tax collector Anthony E. Annarino pleaded guilty to taking bribes in another Plunder Dome case.

Truslow's wife says that he set milestones to keep himself going: his 50th birthday in November, which was marked by a surprise party attended by about 75 FBI agents and other friends; Christmas, his children's birthdays, his 20th anniversary with the FBI.

On April 5, the day after marking his 20th anniversary, Truslow was back before a federal grand jury, presenting evidence that led to the indictment of former Rhode Island traffic-court judge John Lallo on bankruptcy fraud charges.

In the preceding months, Truslow had continued to build the case, interviewing witnesses at Foxwoods casino in Connecticut, where Lallo had piled up gambling debts.

On April 17, Truslow appeared in court for Lallo's arraignment. One week later, on April 24, he came to work for the last time. After a few hours, however, it became apparent that he had taken a turn for the worse: he struggled to speak in complete sentences, and had to be taken home.

He died nearly two weeks later. On Thursday, Truslow's wife and children, following his wishes, scattered his ashes from an airplane over a favorite spot overlooking Narragansett Bay.

Dianne Truslow recalls her husband's pride back on April 4, when he was honored for his 20 years of service in the FBI. Barry W. Mawn, the head of the FBI's Boston office, hailed Truslow as ''a profile in courage.''

As the 200 people there wept openly, a sobbing Truslow thanked them.

''I don't know how much longer I have,'' said Truslow, ''but I will continue to work every day and do my best.''

AGRICULTURAL RISK PROTECTION ACT OF 2000—CONFERENCE REPORT

Mr. LUGAR. Mr. President, I submit a report of the committee of conference 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 programs and for other purposes and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be stated.

The legislative clerk read as follows:

The committee on 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 have agreed to recommend and do recommend to their respective Houses this report, signed by all of the conferees.

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of the conference report. (The conference report is printed in the House proceedings of the RECORD of May 24, 2000.)

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Mr. President, as a parliamentary inquiry, my understanding is that unanimous consent has been reached that this Senator controls 1 hour of debate, the distinguished Senator from Iowa, Mr. HARKIN, 1 hour of debate, and the distinguished Senator from Minnesota, Mr. WELLSTONE, controls 1 hour of debate.

The PRESIDING OFFICER. The Senator is correct.

Mr. LUGAR. I yield to myself such time as I may require.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Mr. President, I rise to speak about the Agricultural Risk Protection Act of 2000. I am very pleased this legislation is before the Senate today for final consideration after a great deal of work by Senators of both parties and both sides of this Capitol. I am here to testify that there is proud bipartisan support for this legislation, highlighted by the fact that all members of the conference committee for this legislation signed the conference report after our meeting yesterday.

This conference report contains several titles. Title I pertains to crop insurance important to so many agriculture producers throughout the country. The fiscal year 2001 budget resolution provided $8 billion over 5 years for crop insurance legislation. This conference report increases premium subsidies to make crop insurance more affordable. The bill also tightens program integrity provisions to limit abuse. It also helps producers of non-insured crops, predominantly specialty crops, by making the non-insured assistance program more readily available to them. Finally, the legislation encourages farmers to adopt a broad array of risk management activities beyond crop insurance alone.

Title II of this conference report provides $7.14 billion in economic assistance to farmers as provided in the fiscal year 2001 budget resolution. Included in this conference report is $5.466 for a market loss payment for farmers in this fiscal year based on last year's AMTA payment rate. Five hundred million dollars is provided for oilseed producers. Funds are also provided for specialty crops including funding for purchases of crops that have experienced low prices in 1998 or 1999 and loans for apple producers who are suffering economic and income loss. Finally, funding is provided for purchases of commodities for the school lunch program which benefits school children as well as farmers.

Title III of the conference report contains the Biomass Research and Development Act, a bill which I originally introduced in the Senate last year. This legislation establishes a focused, integrated, and innovation-driven research effort to develop technologies for the production of biobased industrial products. The bill also authorizes a biomass research and development initiative to competitively award grants to carry out research and development of low cost and sustainable biobased industrial products.

Title IV and V of the conference report consolidates and streamlines existing statutory authorities for plant protection and authorizes civil penalties for harming or interfering with animals used for USDA inspections. Senator CRAIG had originally introduced this legislation in the Senate.

I thank Senator HARKIN, the ranking minority member of the committee, and Senator ROBERTS and Senator KERREY for their hard work and that of their staff in finalizing the crop insurance legislation. All members of the conference committee and their staff are thanked for their important contributions to the process.

Finally, I also want to thank Congressman COMBEST, the chair of the House Agriculture Committee, and Ranking Minority Member STENHOLM and their staff for their hard work in the past few weeks on this legislation.

I am pleased to report the House of Representatives took action on this conference report this morning and passed it unanimously. I am hopeful that we may have a result similar, if not exactly the same as that, this afternoon in this body.

Let me simply add that this legislation is of enormous importance to American agriculture. I have tried to summarize as succinctly as possible these five titles. But the consequences of this bill are very substantial. The dollars involved I have outlined. But the confidence, the hope that comes to producers who have had great discouragement in terms of low prices, in terms of export markets that have been withheld due to economic conditions in Asia, biotechnology disputes now in Europe, very great problems in negotiating trade agreements, whether it be the Seattle scene or the Washington scene more recently—this has been a very tough time.

The Chair comes from the State adjacent to my own, a State which, like Indiana, must export half of the soybeans we produce and about a third of the corn we produce. There can be no prosperity in American agriculture without vigorous negotiations to knock down these trade barriers and to open up prospects for our farmers to realize the benefits of having the best—the best in terms of quality, the best in terms of price.

These economic circumstances do not pertain if there are barriers to exports. But in this interim period, it is appropriate that Congress has understood these unusual international problems and understood we are in transition to more market-oriented farming. The crop insurance title in particular recognizes the possibility of farmers becoming much better marketers, much better business people, which all of us will have to become if we are, in fact, to succeed over the coming generation.

I know many Senators will want to speak on this issue. I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Who yields time to the Senator from North Dakota?

Mr. CONRAD. I yield myself time off the leader's time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CONRAD. Mr. President, as a member of the conference on the disaster bill and the crop insurance bill, I am pleased to give strong support to the conference report.

First, I thank the chairman of the Senate Agriculture Committee, Senator LUGAR, for his leadership, his patience, and his very gracious treatment of all of our colleagues. All of us understand this particular bill was not Senator LUGAR's first preference. Once again, he responded to the concerns of colleagues on the Senate Agriculture Committee and in the larger body and did so in a most gracious way. For that, I thank Senator LUGAR. He has once again demonstrated the way we ought to do business in the Senate. He has certainly set a high standard.

I also thank our ranking member, Senator HARKIN, who has been indefatigable in advancing the cause of American agricultural producers. Senator HARKIN has been a forceful advocate. Time after time, he has stood in the breach and insisted we do what is right by farmers and ranchers all across the country. I thank Senator HARKIN for his exceptional leadership. We would not be here today without him.

I also thank Senator KERREY and Senator ROBERTS who were the primary sponsors of the legislation before us. Without their steadfastness right to the bitter end, we would not be here today. We faced a threat as late as last night when it was proposed we put the bankruptcy bill on this legislation. All of us know what that would have meant. That would have meant endless delay. That would have meant sinking into a bog of controversy that extends not only to the bankruptcy bill, but unrelated issues attached to it. Special thanks to those who stood firm and

said, no, this needs to be a bill that deals with the critical problems facing farmers and ranchers in the United States.

I also thank my close friend and colleague, Senator GRASSLEY, who, as a member of the Budget Committee, worked with me to secure the $8.2 million in the budget that makes possible crop insurance reform.

Finally, I recognize the work of the House committee chairman, Congressman COMBEST, for conducting what was a very fair and open conference committee. That is the way a conference committee should function. It was give and take, it was a debate, it was discussion, and at the end, it was a coming together around legislation that is, I think, outstanding. I again single out the House committee chairman, Congressman COMBEST, for his leadership.

We have developed, I believe, the right bill at the right time with the required budget support. In one bill, we have managed to bring together emergency farm relief for the families who are faced with the lowest prices, in real terms, in 50 years and a reform of the crop insurance system to make it more affordable at every level.

In addition to that, we are righting a wrong done to Durum farmers a year ago. This bill provides emergency relief in the form of 100-percent AMTA supplemental payments. For wheat farmers, that means instead of getting 64 cents a bushel, as they did last year in an AMTA payment, they will get 64 cents in addition to the regular AMTA payment, which this year will be 57 cents. So they will get an AMTA supplement—this is on wheat now—of 64 cents a bushel that is equivalent to last year's AMTA payment, married to the AMTA payment we will be getting this year.

In addition, we have a crop insurance reform bill that is a dramatic improvement. When I go home and have meetings all across North Dakota, one of the most agricultural States in the Nation, what I am told, and told repeatedly, is that crop insurance is not working. It does not work because we do not have the right levels of support at the levels of coverage that farmers are buying, and they have a very serious problem if they have multiple years of disaster.

Oddly enough, the way the formulas work, when farmers have multiple years of disaster, the base that calculates the support they receive is diminished—it is reduced, and it is reduced dramatically. The irony is, at the very time farmers need help the most, we have a formula that gives them the least help. It makes no sense. We have adjusted that in this legislation.

I know there are those who are critical of using the AMTA payments as a basis for the economic disaster assistance. I understand that. AMTA payments are not countercyclical. That is, they are not designed to help those commodities that are the exact ones that are being hurt by this downturn.

In addition, AMTA payments are not based on current production. AMTA payments, as a result, can go to producers and landowners who may no longer be producing the crop on which their payment is based or who are no longer growing a crop of any kind. Those are legitimate criticisms. Most of us recognize that.

The question is, Do we make the perfect the enemy of the very good? I say to my colleagues, could we have done better? Yes, we could. We could have adopted a countercyclical program. But I say to my colleagues, at some point we have to make a decision: Are we going to delay support for producers who are in very deep economic trouble, faced with a circumstance in which USDA informs us, absent our action, farm income will drop $8 billion this year; or do we act?

I urge my colleagues to join us in acting. Let's not delay. Let's not wait. Let's not make the perfect the enemy of the very good. The fact is, this package is going to make the difference for tens of thousands of farm families all across America between economic survival and economic death. That is the reality. That is what motivates the urgency of our action.

I am very proud of the package that is before us. Many people labored hours and hours to produce this result. I salute not only the Members who worked hard and provided the leadership, but I thank the staffs on both sides who exhibited a dedication to public service because they did not work just 9 to 5. I know there are some people who think the Senate is kind of an easy-going place and people work leisurely hours. That is not the truth.

The truth is people here work very hard. No one works harder than the staffs. The staffs in this circumstance have given us a perfect example of how to function to produce a result. They worked together harmoniously—well, not always harmoniously. Sometimes there was friction, sometimes there were real differences of opinion, but they kept at it, and they produced a result, and it is a result that is good for the country. They worked very long hours, many times late into the night, through the weekends repeatedly, to help achieve this result. I salute them today on both sides of the aisle because this was a bipartisan product. That happens, unfortunately, not as frequently as it should happen in this Chamber. I can tell you, this package is a product of coming together in a bipartisan effort. I salute all those who helped produce it.

In addition to the disaster package we have, in addition to the crop insurance reform which is wide sweeping and incredibly important to America's farmers and ranchers, this bill also includes provisions that effectively resolve a lawsuit brought by an unfair action by USDA regarding the 1999 durum crop revenue coverage level in contracts that were offered in various parts of the country. This means that both parties to that lawsuit—farmers and USDA—have a reason to settle that lawsuit, with every policyholder who received a claim getting additional per-bushel assistance.

More importantly, the bill language makes it clear that actions on the part of USDA that change the conditions of crop insurance policies retroactively are not acceptable for any commodity.

Whatever were they thinking of, to put out a contract—however flawed that contract might be—to have farmers sign up to it, and then to withdraw it? These contracts are contracts. That means there is a two-way bargain. You cannot have a circumstance in which the Federal Government puts out a contract, gets people to sign up to it, and then changes its mind and withdraws it. That is not fair. That is not right. In this legislation, we have sent that clear signal.

I close by suggesting to my colleagues that we now have a moment in time that we can act together in the best interests of the farmers and ranchers of America. I urge my colleagues to support this conference report. I again say how proud I am to have been a part of this conference that functioned the way a conference should in a bipartisan effort to produce a result that is good for America.

I thank the Chair and yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I note that Senator HARKIN was going to come out on the floor. I will try to be relatively brief. I did not want to precede him. Let me just take a few moments, and then I will reserve the remainder of my time for later on. I know my colleague from Idaho wants to speak as well.

Mr. President, I am speaking on my hour right now, though I will not take up all the time, and I will reserve the remainder of my time.

At the beginning, Mr. President, before I thank some of my colleagues for their work and then be honest in some of my criticism, I will very briefly, with the indulgence of my colleagues, just point out on the floor of the Senate that yesterday—all of us have to deal with this in our States—Sheila and I received some unexpected news that has devastating consequences for the people of part of Minnesota—an area I love, the Minnesota Iron Range. The steel company LTV announced it is going to close the taconite plant in Hoyt Lakes. They employ 1,400 people, I say to my colleague from Idaho. For Hoyt Lakes, Aurora, and other communities in the Iron Range, this is just devastating news.

It just makes me sick to my stomach because these workers are friends and their family members are part of our family. I have always been honest that the Iron Range in Minnesota is a second home for me. It is all so unexpected.

Jerry Fallos, who is the president of the steelworkers local, got a call yesterday at 6 a.m. in the morning. The company said: We want to meet with you. He had absolutely no inkling there was any trouble. LTV said: We are closing the Erie plant.

I know that the steelworkers are asking for an accounting of the closing. They are pledging to do whatever they can to keep it open. In whatever way I can help as a Senator, I certainly intend to do it.

By way of concluding these remarks and getting on to the conference report, I want to say this.

Tomorrow, I am going to leave early to go home and meet with county commissioners, workers, union representatives, company people, small businesspeople, and all the rest. I know we will be talking about how to get assistance to people and how to have more economic development and the need to figure out yet other ways to diversify the local economy. But the one thing I want to mention, because the Iron Range is so special, is that sometimes I do not think we focus enough on community.

I think this should bring Democrats and Republicans together —a place where people live, where people go to church or synagogue or mosque, or wherever people raise their families, where people know one another, people love one another, and people support one another.

I truly do believe sometimes these capital investment decisions in this new global economy, that get made over martinis, halfway across the world, can have devastating consequences for the people in our communities. I think we need to put more of a premium on community, especially on our smaller communities. I hate it when we are put in the position of picking up the pieces as a result of the communities being devastated by policies that are needless and should not be supported in the first place.

Again, we have seen a torrent of dumped steel imports coming into our country that has made our industry vulnerable. We now have 1,400 people—much less their families and communities—who are very much at risk.

As a Senator, I am going to do everything I can to help these people.

In some ways this is like the farm crisis.

Mr. President, I ask my colleague from Idaho how long he intends to take?

Mr. CRAIG. I thank my colleague.

I would speak probably no more than about 5 or 6 minutes.

Mr. WELLSTONE. Mr. President, I did not want to precede Senator HARKIN, who is the ranking member on this committee. I ask unanimous consent that Senator HARKIN be able to speak, after which Senator CRAIG would be recognized for 5 minutes, and then I be recognized to follow Senator CRAIG. Would that be all right? I would be pleased to do that. I ask unanimous consent that that be the order. I say to my friend from Iowa, I did not intend to precede him.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAIG. Mr. President, I thank Senator WELLSTONE for his consideration. I do appreciate that very much.

Mr. President, I come to the floor this afternoon, as most of us do, to speak about the crop insurance conference report that is now before us and to thank those conferees—the chairman of the full committee, Senator LUGAR, Senator ROBERTS, and others on our side, certainly, who were engaged, as they should be, to produce this conference report, and thank them for the hard work they have rendered in bringing about crop insurance reform.

It is a challenging process at best. They have done an excellent job in balancing the interests we have in agriculture, and to have crop insurance that reflects the diversity of agriculture itself.

With the passage of the farm bill, Congress—we—promised crop insurance that would work. I am pleased to see that we now are living up to that promise by passing sweeping legislation to bring some normalcy back to our Nation's farm economy and to expand the risk management tools available to our farmers and ranchers.

The crop insurance conference report addresses several concerns farmers from my State and I have about the current Crop Insurance Program. The conference report provides increased subsidies for greater buy-up of crop insurance, funding for research and development of specialty crop insurance, and the removal of the NAP area trigger, just to name a few of the improvements.

This legislation is a very balanced approach, containing meaningful and sweeping reforms that all of us would admit are long overdue.

As we all know, the agricultural economy has been in a dramatic slump for the last good number of years. USDA reports that overall conditions in the economy in early 2000 are largely a replay of last year. Agriculture is a part of the world economy, and farmers across the board are facing very difficult times.

For the past 2 years, though, we here in Congress have tried to respond to the agricultural crisis by providing over $15 billion in emergency economic aid. I do not stand back from that. I think it was appropriate and necessary to keep our agriculture economy out of bankruptcy.

The need this year is not much different than last. I am pleased that there is $7.1 billion in economic farm aid in this conference report. This funding includes $5.5 billion additional AMTA payments, or market loss payments; $200 million for specialty crops; $500 million for oilseed payments; $11 million for wool and mohair maintenance; loans for producers who were affected by the AgriBioTech bankruptcy that impacted my State and other States dramatically, including Oregon, Washington, Montana, some 30-plus States that were involved in both grass clover and alfalfa seeds.

I have worked for and supported the funding because I believe it is what our farmers need to stay in business in the short term. We must help them deal with this if we can; and I think we are. USDA reports that global economies are now improving. Of course, we know that many of our products sell openly in the world market. As that economy improves, so does the demand for agricultural commodities from this country and the improvement of price.

The conference report also includes the Plant Protection Act, a bill I have been working on for nearly 2 years. What is it? It is a weeds program. That is what it is all about. I think those of us who are familiar with agriculture recognize that we have not been good at dealing with weeds. Those of us who live near large tracts of public land recognize that our public land neighbors have been less than good stewards of their land by allowing major increases in noxious weed populations on our public lands. This is a major step in the direction of improving that. It follows the President's initiative that was taken a couple of years ago with the legislation Senator AKAKA and I have worked on for some time. I hope we can meet the other needs that Senator AKAKA has, and I will work with him in the agricultural appropriations that will follow to see if we can make that happen.

This legislation will organize and expand the function of the Animal and Plant Health Inspection Service. APHIS currently gets its authority from 10 different statutes, some of which are outmoded and conflicting and complicated. As a result, it simply has not provided us with the kind of consistency we need to deal with commercializing technologies and the use of biocontrols in the area of weeds.

The PRESIDING OFFICER (Mr. ALLARD). The Senator's time has expired.

Mr. CRAIG. Mr. President, I ask unanimous consent for no more than 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRAIG. This bill has broad support from the American Nursery and Landscape Association, National Association of State Departments of Agriculture, the National Christmas Tree Association, the National Potato Council, and many others that for a long time have recognized the need to reform this area of the law.

Again, I commend the conferees on both sides of the aisle for the hard work they have undertaken in producing this conference report in a way that will produce reform in crop insurance that I think is now functional, workable, and becomes the kind of risk

management tool we promised American agriculture some years ago. With that is the supplemental program for emergency purposes that will go a long way toward stabilizing the agricultural economy as we move through this year and into next.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, Senator ROBERTS is here. He worked so hard on the crop insurance bill, which is a fine piece of legislation. I ask unanimous consent that Senator ROBERTS be recognized for about 15 minutes, and afterwards I follow him, and then Senator HARKIN.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I rise today in strong support of H.R. 2559, the Agriculture Risk Protection Act of 2000.

As has been indicated by my colleagues, this legislation provides what we believe are very dramatic reforms to the Crop Insurance Program. It also marks the final product of a legislative initiative Senator BOB KERREY and I began working on nearly 2 years ago. Senator KERREY and I decided to undertake this task at the same time Congress was passing the first of several large agriculture assistance packages in 1998. The problems we experienced in 1998 and again in 1999 exposed many of the holes in the current Crop Insurance Program. We agreed that changes needed to be made and that we must work together in a bipartisan manner to achieve program improvements. In fact, this is one of the reforms that was promised as an integral part of the 1996 farm bill. Obviously, those reforms did not take place, but here we are, finally, in an effort to achieve those reforms.

Senator KERREY and I did not just set out to write a bill based upon what we thought needed to be done. Rather, we wanted input from those who were most directly affected by this program. We asked virtually every producer, every farm organization, every commodity group, every crop insurance company, every insurance agent group in the country for input on this legislation. We traveled throughout the country. We held, literally, hundreds of hours of listening sessions here in Washington to get the input both from the organizations and the producers.

The responses were overwhelmingly clear: Major changes were needed in regard to the Crop Insurance Program. These groups recommended more affordable crop insurance policies at higher levels of coverage, equalization of the subsidy on something called revenue insurance, provisions to deal with multiple years of disaster, a better program for new and beginning farmers, changes in the product approval process, and, finally, the removal of the regulatory roadblocks that had stifled new product development.

Senator KERREY and I took these recommendations very seriously, and this legislation achieves each of these goals. The process has not been easy. We began our meetings on this issue in September of 1998. We introduced our first legislation, S. 529, the Crop Insurance for the 21st Century Act, last February. We then introduced a second bill, S. 1580, the Risk Management for the 21st Century Act, in September. In March, the Agriculture Committee and the Senate approved the crop insurance legislation that was based largely upon our original bill. Since passage of the Senate bill, we have spent nearly 7 full weeks in conference with the House. There have been many surprises, many bumps in the road, to say the least, sometimes arising at the last minute. I believe those unexpected bumps, however, were appropriate because they helped remind us of the often unexpected, unpredictable risks that our farmers and ranchers face on a daily basis, the same risks that this legislation works to help them manage.

The task was difficult and the hours were often long, but in the end we achieved a bipartisan bill that was supported by all 18 members of the conference committee between the House and the Senate. That is no small achievement.

Exactly what does this bill do? It makes it easier for producers to purchase the higher levels of coverage by increasing the premium write-downs and reducing the farmer's out-of-pocket expenses. By allowing the producer to produce these higher levels of coverage, I believe we will reduce the need for future disaster bills, those disaster bills that are always a disaster to pass, a disaster to implement, and always seem to come during even-numbered years. The legislation makes the revenue insurance policies that have become enormously popular for producers more affordable as well. This is risk management. These are risk management tools that, hopefully, will lessen the reliance on disaster bills and all of the expenditures that those entail, usually under emergency legislation.

The legislation also provides adjustments to something called the average production history, the APH, for those farmers who have experienced a year or years of significant crop losses and disaster. It provides for a new assigned yield system that will benefit new and beginning farmers.

The legislation also restructures the board of directors to provide more producer and insurance expertise. The product approval and the research development processes are greatly improved. This will result in the development of new and improved products that will provide our producers with the additional risk management tools they need.

We have also strengthened the fraud and abuse penalties in the program. Farmers and ranchers should pay attention to this; critics of the farm program should pay attention to this. Under this legislation, the producers and insurance representatives who would abuse the program face fines of up to $10,000 and possible disbarment from all USDA programs for up to 5 years. Those who would try to destroy the integrity of the program are going to be punished, and they are going to be punished big time.

I also comment on several provisions that do not necessarily affect my State and producers but which I know are very important to other Members in this body.

In recent years, there have been many complaints that specialty crop producers and certain areas of the country have been ''underserved'' by the Crop Insurance Program. This legislation takes major steps to address these concerns.

First, it provides nearly $500 million over 5 years for changes to make something called the Noninsured Assistance Program, or NAP. NAP will work better for these producers. It requires the RMA to undertake studies and report to Congress on ways to better serve these areas. And more than $200 million is provided for expanded research and education to develop new and better risk management products for these producers.

Mr. President, in addition to the important crop insurance reforms included in this package, we have also provided $7.1 billion in agriculture assistance for farmers and ranchers who have not enjoyed the booming economic times experienced by the rest of the U.S. economy. Approximately $5.5 billion of this amount will go out as market loss payments, through the AMTA payment mechanism established in the 1996 farm bill.

Now, while I understand some of my colleagues believe this is not the best way to distribute these funds, it is the quickest guaranteed manner by which the USDA can make these payments. I remind my colleagues who wanted to develop a new payment formula that in the past 2 years it has taken the Department of Agriculture at least 9 months to make these payments through the disaster and assistance programs that were not paid to producers through the AMTA payment mechanism.

I also point out that after a lot of real criticism regarding the AMTA process, the department or the administration came forward with a plan, only to be roundly criticized by virtually every farm organization and commodity group. So I think this is the way to do it. These are emergency payments.

As long as we don't have our export markets back, as long as farmers are not experiencing the kind of farm income at the country elevator, and market prices are depressed, I think this is appropriate, and doubtless this will help. We are doing it early. We are doing it early in the spring. It is in the budget. No Social Security money. No emergency money. The farmers, ranchers, and the lenders can sit down, and

under consistency and predictability, know what they are getting this fall.

I am also pleased that $15 million is included for carbon sequestration research. The preliminary research indicates that agriculture can and will play an important and positive role in the debate regarding global climate change, and this funding is an important downpayment on this research. Senator KERREY and I worked hard to include this research money. It will enable farmers, again, to play a positive role in taking carbon out of the atmosphere and to mitigate the global climate change problems we have.

I could continue to discuss the merits of this legislation, but I will cease and desist. However, I do have a few closing comments.

First, this legislation has been a personal priority of mine for many years. It was nearly 20 years ago that my predecessor in the House of Representatives, Congressman Keith Sebelius, cast the deciding vote to create the Federal Crop Insurance Program. Since that time, I have been committed to strengthening this program and making it work for our producers. We promised this in the 1996 farm bill. In addition, an improved Crop Insurance Program has been an underlying promise ever since that bill has been passed. It was a promise I personally made, and today I consider it a promise, hopefully, fulfilled.

It has been a pleasure to work with my colleague from Nebraska on this issue. Senator KERREY is retiring from the Senate when this session ends, and I know passage of this bill before leaving the Senate has been one of his top priorities. We could not have done the job, the committee could not have done the job, the staff could not have done the job, we would not have had this bill without the support, leadership, advice, counsel, and hard work of Senator KERREY. Furthermore, I thank the distinguished chairman of the committee, Senator LUGAR, for his assistance in working with us to get a strong bill out of the conference between the House and Senate. Without his leadership as well, obviously, we would not have this package.

Finally, I thank the staff of the Senate Agriculture Committee. The Senate legislative counsel and the Congressional Budget Office spent considerable time on this legislation. As a matter of fact, maybe even too much time. It has been a Herculean effort, and all Members and staff involved deserve to be commended. I would be remiss if I did not mention specifically Bev Paul, who works for Senator KERREY; Mike Seifert, who works for me; and Keith Luse, the distinguished and able staff director of the Senate Agriculture Committee. They basically did the work and reported to us, and we reported to them to go back to work and they finally produced a bill. They persevered.

I close by stating that this is a good and fair bill. For the first time, it is a truly national crop insurance bill that serves all regions of the country. I remind my colleagues that it is a bipartisan bill, supported by all 18 members of the conference committee. It represents a real investment in our farmers and ranchers and the agriculture sector of our economy. I am proud of our efforts on this legislation.

I thank my colleagues for their support. I urge its quick passage. It is my understanding that it passed by unanimous consent in the other body, which has a lot of difficulty deciding when to adjourn, let alone passing things by unanimous consent.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I come to the Senate floor today to speak of my profound disappointment regarding the way in which the Senate is conducting its business. I am outraged that these payments have been attached to a conference report without any consideration in the full Senate.

Mr. President, without any public debate and with no hearings in the Agriculture Committee some of our colleagues have attached $7.1 billion to this conference report, and have unilaterally decided to continue the failed farm policy of the 1996 farm bill.

First of all, I want to be very clear that I am pleased there was some recognition in Congress that the Freedom to Farm bill, or as I call it the Freedom to Fail bill, has not provided an adequate safety net to our nation's family farmers. Furthermore, I am pleased that the Budget Committee recognized that after spending over $16 billion the last 2 years on emergencies, family farmers were in need of an economic safety net.

But I believe this emergency assistance package only relieves the apparent symptoms of the economic crisis in agriculture. This assistance will help some farmers to continue their operations for the immediate future, but this direct cash infusion cannot sustain farmers for the long term.

I am deeply concerned about simply attaching this money to a conference report without any debate or possibility of amendments. And as a Senator from Minnesota, with thousands of family farmers in my state who are suffering economic convulsion, I am completely opposed to continuing this disastrous farm policy passed 4 years ago.

Mr. President, this is very much an extension of the debate we began last week—it's a debate about our right to be legislators. It is about being able to offer amendments to improve legislation—that is what the people of Minnesota elected me to do. The people of Minnesota and the thousands of Minnesota family farmers certainly didn't elect me to be silent, and accept the status quo in Washington, DC.

At times Senate procedure can seem a bit arcane to many people—let me explain what has happened with this legislation. We are now considering the crop insurance conference report—this is great. The legislation passed 95–5, and I voted for the bill. The crop insurance bill passed by the Senate will, in fact, make crop insurance much more affordable for thousands of family farmers who have experienced years of crop losses—like the Red River Valley in Minnesota. I will do everything in my power to pass this important piece of legislation—I have no objection there.

However, what has been done behind closed doors in a conference committee, with absolutely no public scrutiny, is completely different. What the conferees have done is to attach $7.1 billion in emergency farmer relief payments to the crop insurance bill. They have not asked the full Senate. They have not consulted with the House of Representatives.

And conference reports are privileged which means that Senators cannot offer any amendment. Nor can Senators engage in extended debate. In essence, we as Senators have been left with no options to alter the conference report in any way.

Mr. President, as a Senator from Minnesota this is one of the most egregious maneuvers I have witnessed in the Senate. And the one thing that greatly concerns me about this road we seem to be heading down is that back home in Minnesota I meet with people, and they really believe that I will make a difference in their lives—that I can in fact help them.

However if, as a Senator, I cannot at least offer amendments, to what is probably the most important agriculture bill, I am shut out. In fact all Senators are shut out. I don't claim to agree with everyone, and I welcome having debates about what is the best way to spend $7 billion, but the Senate must have those debates.

And for Minnesota farmers time is not neutral. That was evident when nearly 4,000 family farmers from Minnesota, and all across the country, came to Washington, DC, to demand a change in the failed Freedom to Farm Act. People really believe when we meet with them that we can do something right now about the abysmally low prices, whether it is the livestock producers, or whether it is the corn growers, or dairy producers. With what is going on in farm country with crops, people are in such pain. They still come out to meetings because they still believe in us as their Senators, and by meeting with us and talking about what is happening to them, somehow since we are their Senators we can do something to help.

But I am left with very few options. The majority has insisted on attaching a vital piece of legislation to a conference report without any public debate, or amendments. And that is to say nothing about the substance of the legislation they are attempting to ram through the Senate.

However, I am glad that Minnesota will benefit from the emergency package. And, although I have significant reservations that AMTA is not the best mechanism to provide income assistance to producers, it will at least keep farmers going for another year. I preferred and pushed for a mechanism that targets and ties assistance to actual production.

Mr. President for the first time since 1996 the majority has recognized that the Freedom to Fail does not provide an adequate safety net for our family farmers. Through including $7.1 billion in the FY 2001 budget resolution for farm relief the Budget Committee has conceded that the Freedom to Farm Act has failed to provide an economic safety net for our nation's family farmers.

We were presented with a tremendous opportunity to reverse the disastrous farm policy enacted in 1996, by targeting this money to our nation's small and medium sized producers who are truly in an economic crisis. But rather than examining serious policy alternatives that could reverse the current economic crisis in rural America, we have been presented with legislation that continues the Freedom to Fail bill.

First of all, and I think this simply prudent public policy—and I say this is with greatest respect for the chairman of the Agriculture Committee—I do believe the Agriculture Committee had a responsibility to our nation's family farmers to hold hearings on mechanisms to target the financial assistance to those small and medium farmers most in need. I firmly believe it is a grave mistake not to base these payments both on prices and production.

Basically what the majority has done is to double these disastrous AMTA payments. And they have refused to deal with any of the problems of distribution equity.

As we have seen over the last 2 years, emergency assistance packages only relieve the apparent symptoms of the economic crisis in agriculture. Assistance will help some farmers to continue their operations for the immediate future, but direct cash infusion cannot sustain farmers for the long term.

There are a couple of problems with these AMTA payments. First of all, these payments are based on the old farm program's historic yields. Farmers such as traditional soybean farmers, who never had a program base in the old program, don't get any of these AMTA payments. That is one huge problem.

In addition, it is possible for some people who might not even have planted a crop to receive them because the Freedom to Farm—or what I call the ''Freedom to Fail''—payments are completely unconnected to production or price. Furthermore, I predict, largely this money will be used to pay back banks and lenders from whom farmers needed to borrow money earlier this year just to get in their crops.

Let's be clear—it is now evident that the majority of AMTA payments have not been distributed to family farmers, rather they have gone to the largest farmers and corporate agribusiness. Recently a comprehensive study was conducted on the federal farm payments from 1996 through 1998 which shows that the 1996 Freedom to Farm bill (and subsequent legislation) has provided minimal financial assistance for the large majority of family farmers.

The study found that the largest farming operations were generously compensated by Freedom to Farm, and many of the top payment recipients were paid hundreds of thousands of dollars over the 3-year period studied. Large operators received these enormous payments, even as operators of smaller farms (with average annual sales of $50,000 or less) actually lost money.

According to the U.S. Department of Agriculture, these smaller farms realized an average net loss of $3,400 in income from their farming operations in 1996 alone.

From 1996 through 1998 nearly 61 percent of all federal Freedom to Farm money approximately $13.8 billion in total went to the 144,000 individuals, corporations and farm partnerships among the top 10 percent of recipients.

A recipient among the top 10 percent was paid an average of $95,875 over the 3 years ('96–'98). These payments were on top of any profits earned from the sale of agricultural commodities, and do not include payments made under conservation, disaster or crop insurance programs.

In contrast to the largest farmers, the vast majority of AMTA recipients have seen very little benefit from Freedom to Farm. Half of all farmers received less than $3,600 in total from 1996 through 1998, or an average of about $1,200 per year.

Large corporate agribusiness already enjoy significant competitive advantages over smaller farming operations in availability of capital. According to USDA's Economic Research Service, farm operator households for farms with sales of $500,000 or more averaged $153,847 in farm income in 1996, while operators of farms with between $250,000 and $500,000 in sales averaged $53,265 in household farm income in the same year. And operators of farms with less than $50,000 in sales realized a net loss of income from their farm operations.

The central question we need to ask ourselves is that if the largest U.S. agribusiness are inherently more efficient, as corporate America assures us they are, why do these efficient farms need Federal Government assistance, and why do they collect the majority of the assistance that is provided?

Hundreds of thousands of small- and medium-sized operations receive meaningless amounts of AMTA assistance under Freedom to Farm programs. I believe, it is a great mistake not to target this money to producers based on actual production.

That is the key issue. That is the key difference. In dealing with this price crisis, we ought to make sure that the payments are connected to production and price. So what the Republicans have is the wrong mechanism for addressing the price crisis. We must target the assistance to family farmers and tie direct assistance to production. Thousands of family farmers across the country could go out of business due to conditions that are beyond their control. In Minnesota, up to 30 percent of our family farmers are threatened—that's thousands of farm families.

Whatever you do by way of dealing with low prices, you have to make sure that payments are connected to production and price. Too many of the transition payments go to landowners, and not necessarily producers. I don't think that makes a lot of sense. Some, like soybean growers, won't be helped at all. We can do better, we must do better.

We could at minimum target the assistance to those farmers who are in the most need. We have an opportunity to make at the very least incremental changes to current farm policy. The policy objective of the ad-hoc aid is clouded by the apparent inability of Congress to pass aid packages targeting assistance to farmers most at risk.

Some of the largest and most profitable farms in the country will benefit from this assistance if it is distributed in double AMTA payments and meanwhile there are no funds devoted to other needs in rural America.

Mr. President I also want to talk about the whole problem of concentration of power. This is an unbelievable situation. What we have is a situation where our producers, such as our livestock and grain producers, when negotiating to sell, only have three or four processors. They have the ADM's, the Smithfield's, the ConAgra's, the IPB's, the Hormel's and the Cargill's. The point is, you have two, three, or four firms that control over 40 percent, over 50 percent, sometimes 70–80 percent of the market.

Let me just run through some statistics that illustrate this point. In the past decade and a half, the top four pork packers have increased their market share from 36 percent to 57 percent.

The top four beef packers have expanded their market share from 32 percent to 80 percent.

The top four flour millers have increased their market share from 40 percent to 62 percent, while the market share of the top four soybean crushers has jumped from 54 percent to 80 percent.

The top four sheep, poultry, wet corn, and dry corn processors now control 73 percent, 55 percent, 74 percent, and 57 percent of the market, respectively. By conventional measures, none of these markets is really competitive.

Thousands of our livestock and grain producers are facing extinction, and

the packers are in hog heaven. The mergers continue, and we have all of these acquisitions. We need to put free enterprise back into the food industry.

I have had a chance to review the Sherman Act and the Clayton Act and the work of Estes Kefauver and others. We had two major public hearings in Minnesota and in Iowa last year with Joel Klein, who leads the Antitrust Division of the Justice Department, and Mike Dunn, head of the Packers and Stockyards Administration within the Department of Agriculture. And earlier this year we had thousands of family farmers in Washington to rally at the Capitol. In all the meetings I have been at over the last two years, producers are asking the same question: Why, with these laws on the books, isn't there some protection for us? We have all sorts of examples of monopoly. We want to know where is the protection for producers.

It is critical to pass some stronger antitrust legislation. I know Senator LEAHY and Senator DASCHLE have done a great job with their legislation. I am pleased to join with them in cosponsoring the Fair Competition Act of 2000.

Mr. President, there is a frightening difference when the major agribusiness firms can raise billions on Wall Street while making record profits at the same time farmers and ranchers are faced with take-it-or-leave-it low prices. Even, the American Farm Bureau Federation, who I don't always agree with, testified on February 1, 2000, that ''consolidation, and the subsequent concentration within the U.S. agricultural sector is having adverse economic impacts on U.S. family farmers.'' The administration recently testified that:

> High concentration, forward sales agreements, production contracts, and vertical integration have raised major concerns about competition and trade practices in livestock and procurement by meat packers and poultry processors. . . . The four leading packers' share of steer and heifer slaughter increased from 36 percent in 1980 to 81 percent in 1998.

This concentration of power in the hands of a few increases the likelihood that farmers or ranchers will be the victim of unfair or deceptive practices. The Fair Competition Act will give USDA the authority to help address those practices. Firms and corporations, no matter how large, which engage in unfair, deceptive, or unjustly discriminatory practices, or which give undue preferences, or make false statements regarding transactions, will be stopped by this bill.

The bill also focuses on mergers of agribusinesses and on agribusiness acquisitions. Over the last quarter century there have been a major increase in the horizontal, vertical and sectoral concentration of agribusinesses and in industries serving agriculture. At some breaking point, the concentration of agribusinesses in any region will mean that farmers or ranchers are adversely affected by an imbalance of negotiating power and a lack of viable market alternatives. The bill gives the Secretary the authority to identify circumstances where a proposed merger will result in unfair or deceptive practices that adversely affect farmers or ranchers and to take a strong action against such a merger.

In addition, under the bill the Secretary shall make findings about whether a proposed merger or acquisition could ''be detrimental to the present or future viability of family farms or ranches or rural communities in the areas affected by the merger or acquisition.''

If the Secretary determines that such adverse effects are likely, the Secretary would propose remedies, such as divestiture of asserts or other corrective action, designed to protect family farms and ranches, and the affected local communities. Failure to comply with those remedies could result in significant civil money penalties.

This authority is similar to that conferred by Congress on the Surface Transportation Board which takes into account the ''public interest'' with respect to proposed mergers of railroads. That Board examines the potential effects on the public, on employees and on competition and ''the impact of any transaction on the quality of the human environment and the conservation of energy resources.'' (49 CFR 1180.1) To carry out its duties, ''the Board has broad authority to impose conditions on consolidations * * *''

Similarly, the Federal Communications Commission exercises a major role over the telecommunications or broadcasting industry mergers when it examines whether transferring licenses to the merged entity is ''in the public interest.''

This bill thus aims at preventing the detrimental effects of such increased concentration on farmers and ranchers, and rural communities, just as the Surface Transportation Board has imposed a moratorium on railroad mergers to ensure that railroad mergers are in the ''public interest.''

We need to pass this legislation now, and I think there is going to be a considerable amount of support for this. The reason I think there is going to be a lot of support is that I think many of my colleagues have been back in their States, and for those of us who come from rural States, from agricultural States, you can't meet with people and not know we have to take some kind of action.

This ought to be a bipartisan issue. I think this is one issue on which all the farm organizations agree. We must have some antitrust action. We must have some bargaining power for the producers. We must put free enterprise back into the food industry.

But this conference report moves us further away from making any real change in farm policy. I would like to remind my colleagues that $7.1 billion for assistance for producers was allocated, but a significant portion of the funds in this bill have been dedicated to programs and projects, as worthy as they may be, that;

1. Do not provide assistance to family farmers or ranchers in the near term.
2. Are more appropriate issues for the appropriations committee to handle.
3. Distribute money to universities and agribusiness.

I would simply like to identify for my colleagues where some of this $7.1 billion, allocated for assistance for producers, will actually be going.

$20 million for the Market Access Program—a program that assists business trade associations and cooperatives for marketing development. How does that help the average family farmer deal with paying for health care for his family?

$3 million will be directed to Georgetown University and North Carolina State University for research regarding the extraction and purification of proteins from genetically altered tobacco. I ask my colleagues, could not have $3 million be better spent on direct income assistance to the thousands of small family farms who are in danger of losing their farms this year?

$30 million for training and technical assistance relating to the management of water and waste disposal in Alaska. As a Senator from Minnesota, I am quite sure that small dairy producers, or soybean producers in my state who are facing the biggest agricultural depression in more than a generation, would appreciate the assistance $30 million could provide—it would allow many families to at least stay in farming this year.

Mr. President, the plain fact is that this short term assistance is simply a band-aid. I understand the majority does not want to have any public discussion on the farm bill they enacted. That is clearly evident by the way in which they have moved this legislation to the Senate floor, with no debate or examination.

The point is that farmers in this country want to know, they deserve to know, whether they have a future beyond 1 year. They can't cash flow on these prices, whether it be for wheat, for corn, for cotton, for rice, or whether it be for livestock producers. They simply cannot cash flow—they cannot make it. They can work for 20 hours per day and be the best managers in the world, and they still wouldn't make it.

But rather than open and make changes to the farm bill and avoid these lump assistance infusions, the majority defends the status quo in farm policy. Yet, how much longer can we mask reality of failing agricultural policy? Short-term fixes are more expensive than carefully planned long-term programs. For the past 3 consecutive years, Congress has passed supplemental appropriations bill. Direct farm payments for 1999 were approximately $16 billion, making last year the highest record for direct farm payments in U.S. history.

We need to stop using ad-hoc assistance as a substitute for farm policy. We need to reopen and rewrite a farm bill with a strong sustainable policy. Namely, we need a farm policy that empowers farmers not only to merely survive, but to prosper.

And that was what the Rally for Rural America was all about. We had, from all over the country, around 4,000 people—most of them family farmers. From the State of Minnesota, we had close to 500 people here, most of them family farmers. I point out to my colleagues, this was an unusual gathering. They came to our Nation's Capital to try to have a conversation with America, to make sure people in the country know about the economic convulsion that is happening in rural America.

And Congress appropriately responded with a commitment to reform rural policies to: alleviate the agricultural price crisis; ensure competitive markets; invest in rural education and health care; protect our Nation's resources for future generations; and ensure a safe and secure food supply.

I ask my colleagues, what became of that commitment to the thousands of family farmers who came to Washington, DC—I ask where is the followup? Is the followup passing $7 billion in AMTA payments that has never even been discussed in the Agriculture Committee? Is it in providing huge payments to corporate farms and agribusinesses, while leaving little for the ordinary family farmer? Or is it in ignoring the root problems in the 1996 Freedom to Fail Act. I don't think so.

For 2000, net farm income is forecast to decline for the 4th straight year, by 17 percent. Low prices scale across the board for almost all major crops. USDA projects that 2000 crop corn prices will be the lowest since the mid 1980's. That's 26 percent below the average of 1993–1997. Soybeans are projected to be at their lowest levels since 1986. Yet, I do not need to list all the statistics. I have been on the Senate floor, and Senators know, economists and specialists know and most importantly those who farm the land do not need to hear statistics to know times are tough.

Whatever our explanation for the very low commodity prices on the global market, federal farm policy needs to be there to offer some safety net to help people stay in business when this happens. We need a farm bill that establishes an equitable safety net. We need a farm bill that provides a level of financial security during periods of market disruption and commodity price instability. A safety net should include a counter cyclical price and income assistance directed to producers. One simple idea of providing a safety net is lifting caps on the loan rates.

In addition, long-term policy must be developed to enhance competitiveness and transparency throughout agriculture domestically and globally. We know these figures well. I and others have recited these numbers time and time again on the Senate floor. We know concentration in the agriculture economy has been accelerating at a rapid pace.

In the past decade and a half, the top four pork packers have increased their market share from 36 to 57 percent, the top four beef packers have expanded their market share from 32 to 80 percent, and the top four flour millers have increased their market share from 40 to 62 percent.

We must halt this trend of consolidation. Congress must pass the Fair Competition Act to restore competitive markets in agriculture and give farmers more equal bargaining power against corporate business.

It is greatly disturbing that a handful of firms dominate the processing of every major commodity. Many of them are vertically integrated. This growing trend in concentration, low prices and anticompetitive practices are driving family-based farmers out of business. Farmers are going bankrupt or giving up, and few are taking their places. More and more farm families are having to rely on other jobs to stay afloat. In fact, reports indicate that off-farm income now constitutes as much as 90 percent of all household income received by the average farm operator.

There is a gross disparity of economic power that has shifted a growing share of farm income to agribusiness. We need to reverse that trend and focus on equalizing the bargaining power between farmers and the global agribusinesses.

According to economic literature, markets are no longer competitive if the top four firms control over 40 percent of the market. Yet, Excel and IBP control 60 percent of the beef packing industry and Kellogs and General Mills have 63 percent of the market share for cereal.

Policy makers wrote the 1996 farm bill and we can rewrite it. The corporate culture's powerful influence has penetrated to humankind's greatest common denominator, food. We cannot allow our lives to become beholden to corporate America. We must provide an agricultural policy that preserves the family farm and protects the food industry from an oligopoly of corporate agribusinesses. We must fight for these critical policy changes.

We have some differences here in the Senate. They are honestly held differences. All of us care about agriculture. All of us know what the economic and personal pain is out there in the countryside. But with no opportunity to consider and debate a fair and equitable distribution plan, and a bill that short changes the American family farmer by diverting money away from equitable income assistance, the majority in Congress has failed America's family farmers.

Mr. President, I say to Senator ROBERTS and Senator KERREY: Good work. Thank you for your commitment and the work on the crop insurance conference report. This report is extremely important. To farmers, this is going to make a big difference. I also thank Senator LUGAR. Senator CONRAD spoke of his graciousness, and I think he is always that way. Because of the crop insurance reform, I will vote for this conference report.

My dissent has to do with, again, the way we are conducting our business. The crop insurance reform is very important. But this is a crop insurance conference report. When the Budget Committee said, look, we are going to have $7 billion to deal with the farm crisis, what the Budget Committee was saying and what the Senate was saying is, rather than just doing emergency appropriations, let's have some deliberation and some policy evaluation and figure out how to get that money to people in the most equitable manner.

My dissent, I say to my colleagues out of respect, is that I believe we should have had debate about this. I believe that the Senate Agriculture Authorization Committee should have had hearings. I don't think it is appropriate that the $7 billion in AMTA payments—essentially doubling the AMTA payments—was put into this conference report. I don't think it was appropriate. I heard my colleague—two Senators spoke. Senator CONRAD said there are legitimate concerns, but I think this is the quickest way to get assistance out to people. Senator ROBERTS said the same thing, roughly speaking.

The point is that we did have some time when we could have had some hearings and when we could have had some debate on this. I do not believe we should have just automatically taken the $7 billion and said it is going to be AMTA payments, that's it. We put it into a conference report, which doesn't enable any of us to come out here and have much debate about it, and it certainly doesn't enable us to testify, doesn't enable us to have amendments and to act the way I think we should act in the Senate on such important matters.

Mr. President, we had this farm rally here maybe 2 months ago. Several thousand farmers came. It was pouring rain and it was cold. They came a long way. Many came by bus because, for them, they are trying to survive. I have no illusions. We are not going to write a new farm bill. The Freedom to Farm bill is really the ''freedom to fail'' bill. I have said that many times over. But it does seem to me that if we are not going to write a new farm bill—at least not until after the election—we ought to do the very best we can in getting the payments to people in such a way that people who need the assistance the most are the ones who get the lion's share of the benefits. Right now, with these AMTA payments, we have a subsidy in inverse relationship to need.

What we have here—with no opportunity for real debate, with no opportunity for amendments—is $7 billion put into a conference report on crop insurance in the form of more AMTA payments providing subsidy to farmers

in inverse relationship to need, with the vast majority of the benefits going to the very largest agricultural operations. This is a disastrous distribution formula. I think it violates the very principle of equity and fairness.

Problem:

First of all, the AMTA payments are based upon the old farm programs' historic yields.

We don't have an opportunity to have an amendment on this? We don't have an opportunity to say that this is unfair to farmers, such as soybean farmers who never had a program base in the program and don't receive any AMTA payments? There is no benefit for them? We don't have an opportunity to discuss this, to have an amendment to try to improve this?

Second, since this was connected to the ''freedom to fail'' bill—what I call the ''freedom to fail'' bill—the payments aren't connected to production. Many of these payments go to these large landowners who aren't necessarily even producers. I want the assistance to go to the producers. I want it to have some relationship to price and to farm income.

Let me simply quote some of the findings from the Environmental Working Group.

The largest farm operations in the country are generously compensated with these payments. They are paid hundreds of thousands of dollars over a 3-year period of AMTA payments going to large farm operations, and the midsized farm operations and the smaller farm operations are not getting the benefits they need to survive.

Environmental Working Group:

From 1996 to 1998, 61 percent of all Freedom to Farm money AMTA payments—approximately $13.8 billion—went to 144,000 individuals, corporations, and farm partnerships among the top 10 percent. The top 10 percent, the large farm operations, and the least in need of assistance, get over 60 percent of the AMTA payments. It doesn't make any sense. Recipients in the top 10 percent, those large farm operations, are doing well. They get an average of $95,000 over this period of time. Half the farmers in the country get less than $3,600, and many of the farmers in my State get less than that.

While you have these large farm operations, that do not even need the assistance, getting well over the majority of all the money—the top 10 percent—the struggling, midsized family farmers in the State of Minnesota are lucky if they get $3,000 a year. These are the farms that are going to go under. The USDA says we are going to see a 17-percent drop in farm income this year.

Why in the world, when you have these transition payments—AMTA payments—going to the largest landowners who aren't even necessarily producers, based upon a program base going back years, providing the majority of the benefits to the large operators, not helping those farmers who are most in need and who may not survive—why do we have $7 billion put into this conference report which doesn't have anything to do with crop insurance reform, which means we don't really get to debate it?

That is why we are doing it. I don't think that is Senator LUGAR's style. He is probably one of the fairest Senators, I believe, in the Senate. But I have to keep saying this. It pains me to say this on the floor because I think so much of him as an individual. But this shouldn't be in this conference report. We should have had hearings. We should have had an opportunity to come out here with amendments.

I would love to have had an amendment saying it is going to go to producers, and not just landowners. I would love to have had an amendment that said we need to target more to the midsized producers. I would love to have had an amendment that said it shouldn't be based upon the old program base—no opportunity. I would like to have had an amendment that called for equity payments that said raise the loan rate—we could have done it for fiscal year 2001—to the same level it is for soybeans, in which case corn would be $2.11 and wheat would be $3.10. That would make a huge difference. We could have done that.

We could have had, and we should have had, an opportunity to have not only a 1-hour speech or 2-hour speech in reaction to a conference report, but we should have had hearings. We should have had deliberation. We should have been able to do some serious policy evaluation. And we should have had the opportunity to come out here on the floor and/or in committee with amendments that would have made sure that until we write a new farm bill and get rid of this miserable failure—this ''freedom to fail'' bill—we would have been allocating the $7 billion of assistance with most of it going to those farmers most in need—not to the top 10 percent, the largest farm operations, those that are doing the very best right now in farm income, getting over 60 percent of the benefits.

The crop insurance reform package that Senators ROBERTS and KERRY worked on is superb. I am all for it. I am going to vote for this because of that. But I think it is just reprehensible that we continue now along this line of taking really important policy questions and burying them in conference reports. I don't know what the $7 billion of assistance is doing in this report.

I just want to conclude—because I promised my colleagues I would be brief, and then I will reserve the remainder of my time—by making one other point, which is, I hope we have the opportunity on the floor of the Senate to have debate about farm policy. I hope we can have a debate and a vote on the Fair Competition Act.

It is breathtaking, the extent to which these large conglomerates have muscled their way to the dinner table, exercising their raw economic and political power over producers, over consumers, and, I would argue, over taxpayers. What we need is some competition in the food industry. What we need is to put some free enterprise back into the free enterprise system. What we need is some antitrust action.

I am going to try to do everything I can as a Senator—and I know other Senators will be supportive—to get this Fair Competition Act passed, which gives USDA, if they are willing to use it, some real authority, which really gets tough in terms of dealing with some of this horizontal integration that is taking place, which goes after anticompetitive practices, which really creates a level playing field for our producers, and which doesn't exist right now.

It is just absolutely unbelievable to me that while the family farmers in my State struggle to survive, a lot of these huge packers are making record profits. While family farmers in my State are struggling to survive, a lot of these big exporters and huge grain companies are doing just fine. While the family farmers in my State struggle to survive, the farm/retail spread grows wider and wider—the difference between what farmers get by way of price and what consumers pay at the grocery store, the supermarket.

I have two objections to what is going on on the floor of the Senate right now.

Objection No. 1: This is a great crop insurance conference report, but this $7 billion of payments should not have been put into this report. We should be allocating this assistance and getting it to the farmers most in need. We should have had the opportunity for debate and the opportunity for amendment.

I think it is a terrible way for us to continue to conduct our business. I hope we don't continue this pattern of more and more important public policy questions that crucially define the quality, or lack of quality, of the lives of the people we represent—in this particular case, family farmers, being put into an unrelated conference report. That is wrong.

The second point I make is: It is time for us to really get serious about the policy change in this area, and in particular I focus on dealing directly with the price crisis, and also the call for strong antitrust action.

I yield the floor, and I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I concur with what the Senator from Minnesota said. I defy anyone to explain in any rational context whatsoever, any kind of rational terms, why we make payments to farmers based on what they did 20 years ago. There is absolutely no rational basis for that. I will talk about that in my comments a little bit later.

I understand there is a unanimous consent request we are operating under, is that right?

The PRESIDING OFFICER. There is time allocated for three Senators: Senator LUGAR, Senator HARKIN, and Senator WELLSTONE.

Mr. HARKIN. We are not under any kind of a speaking order unanimous consent, is that correct?

The PRESIDING OFFICER. The last order was for the Senator from Iowa to be recognized.

Mr. HARKIN. Mr. President, I will yield the floor and let my colleagues make their statements. I vitiate that unanimous consent and yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. WELLSTONE. Mr. President, I am pleased to yield time.

Mr. HARKIN. How much time do I have remaining?

The PRESIDING OFFICER. The Senator from Iowa has 48 minutes and the Senator from Minnesota has 41 minutes.

Mr. WELLSTONE. Mr. President, I yield 20 minutes to the Senator from Nebraska.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. DORGAN. I ask unanimous consent to be recognized for 10 minutes following the presentation of the Senator from Nebraska.

The PRESIDING OFFICER. On whose time?

Mr. HARKIN. I yield the time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERREY. Mr. President, I rise in support of this crop insurance conference report.

As my colleagues from the Agriculture Committee are well aware, this legislation has been a work in progress for a good long time.

The final package we reached with the House and that we bring to the floor today is a very good bill. Farmers in my home state of Nebraska are going to be very pleased with it, as are farmers of all types of crops all across the Nation.

The major provisions of this bill reflect just what we heard when Senator ROBERTS and I asked farm and lending groups what they wanted in this legislation, nearly one and a half years ago.

At that time, they asked for more affordable coverage, equity for revenue insurance, more new and innovative policies from the private sector and a better program for specialty crops.

This bill includes all of those provisions.

Although we've provided additional subsidies to buy crop insurance for the past two years, this bill makes them permanent law.

And we go one step further by increasing subsidies even higher at the very highest levels of coverage—a provision that would have been especially helpful to farmers this year, as a broad stretch of the Midwest and South face severe drought.

The final bill moves the Risk Management Agency in what I strongly feel is the right direction, toward being a regulator instead of competitor. We place new product development fully in the hands of the private sector, whether it be insurance companies, trade associations, or universities.

It includes authority that will finally help provide independent advice to the FCIC Board of Directors and create an equal review process for all new policy submissions.

The bill includes and builds upon ideas forwarded by our colleagues from Florida, Senators GRAHAM and MACK, regarding new policy development for specialty crops.

It includes an important provision first advocated by our Ag Committee colleagues, Senators BAUCUS and CRAIG, to remove the area yield trigger requirement from the Non-Insured Assistance Program.

There are dozens of other equally important provisions in this bill that benefit each and every region of the country. While I am aware that the row-crop producing parts of the country will gain the most immediate benefits because of their long-standing participation in the crop insurance program, the potential for the program to work just as well along the coasts and in the south is given great weight under this legislation.

Not every provision benefits every region; a few are specific only to one region or commodity. That is how we finally ended up with a bill with national appeal, and I am very proud of that effort.

Let me say just a few words about the additional 2000 and 2001 spending added to the crop insurance bill.

I am pleased that the Budget Committee included additional ag spending in the budget resolution this year, much as they did crop insurance funding last year, and of course Senators CONRAD and GRASSLEY are responsible for that and I thank them.

My concerns—and the concerns of many Nebraskans—are well-known: distributing additional payments through the Freedom to Farm mechanism is unfair to many and the cause of a number of the problems rural communities are facing.

These payments, based on planting decisions made in the 1970s and 1980s, disadvantage younger farmers and those who have traditionally rotated crops or tried to diversify—exactly contrary to what Freedom to Farm was supposed to accomplish.

Some payments go to producers and landowners who are no longer producing the crop upon which their additional payment is based. Even worse, under this approach payments go to people who no longer farm at all.

The complaint I hear most frequently is about the crops included in these payments versus those that are not. Freedom to Farm is destroying the alfalfa processing industry in Nebraska. As prices for other commodities have collapsed, more and more farmers are growing alfalfa—a non-program crop. Yet they continue to benefit from these payments, even while long-time alfalfa producers receive nothing.

Adding additional payments for oilseeds—even while most oilseed producers already receive Freedom to Farm payments and enjoy an artificially high support price—makes even less sense.

Despite the great expectations surrounding this farm program, I contend that it creates greater market distortions than those supposed ''failed'' farm programs of the past.

And meantime, we spend billions of dollars each year to keep it in place, while our rural communities are dying.

Also attached to this bill is additional spending for 2001.

This package represents a good-faith effort by Chairman LUGAR and Chairman COMBEST to put together a package acceptable to the majority, and I do not envy their work.

Although there are provisions in the package I do not support, there are many that I do.

I commend them for structuring a package with national appeal and for giving consideration to a broad group of commodities and interests.

Finally, let me offer my sincere thanks to a number of people for their work on this bill. Chairman LUGAR and his staff have worked very hard on this legislation and made a tremendous effort to advance the often-diverse opinions of members of the Ag Committee.

Thanks also to our ranking member, Senator HARKIN, and to his staff, as well as to our minority leader, Senator DASCHLE, and his staff. They made this legislation possible.

The coalition that joined Senator ROBERTS and me on this legislation way back in March of 1999 and worked together throughout deserves special recognition: Senators HARKIN, CONRAD, DASCHLE, BAUCUS, JOHNSON, SANTORUM, ROBERTS, GRASSLEY, and CRAIG. Special mention must go to staff for each of these members, for working together tirelessly and in a completely bipartisan fashion.

Let me also thank the Senate Legislative Counsel, especially Gary Endicott, for his work throughout this process, including too many nights and weekends.

And finally, my deepest thanks to Senator ROBERTS and to Mike Seyfert of his staff for their perseverance and good humor for the last eighteen months. Their commitment to making this legislation bipartisan—right up to the closing hours—is a tribute to Kansas and the Senate.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I would like to make a few comments about the conference report that is before us today. As I do, I want to compliment some folks for a lot of hard work: My colleague, Senator CONRAD, especially, who has played such an integral role in

this; Senator HARKIN, Senator LUGAR, Senator GRASSLEY, Senator ROBERTS, to just mention a few—for a whole series of folks in different areas have played significant roles in trying to bring this to the floor of the Senate.

Frankly, while there are some things I would have done differently in constructing this legislation—particularly the emergency aid—I am going to vote for it. I think this is a good day for family farmers in my State and the country.

We have a fellow in North Dakota named Arlo Schmidt. Arlo is an auctioneer. He told me one day about an auction sale he had conducted awhile back. What happened during that sale describes so well the passion and the hurt that exists in farm country when grain prices collapse and family farmers lose their hopes and their dreams. This auction sale had occurred on a family farm, owned by a family who was not able to make it. They had gone broke because prices collapsed. It was not their fault. A whole series of things conspired to say to this family they could not farm anymore. They were losing their hopes, their dreams, and their future that day.

At the end of the auction sale, a young boy who lived on that farm—he was 10 or 11 years old or so—came up to the auctioneer. The young boy was very angry with him, so angry, that he said to the auctioneer: You sold my dad's tractor.

Arlo said he put his hand on the boy's shoulder to try to console him a little bit, but the boy looked up at him through some tears and angrily said: I wanted to drive that tractor when I got big.

The young boy wasn't accepting any of that comfort from the auctioneer. He wanted to drive that tractor when he got big.

That boy felt like a lot of families feel, living on a family farm. The farm was much more than a business. It was a way of life.

Family farmers cannot make a living when grain prices collapse. The underpinning basis of Freedom to Farm was, let's not care about price supports or safety nets; let's operate in the open market, the free market. Well, there wasn't an open market when Congress passed it; and there's not one now.

It seems to me, after about 3 years of applying tourniquets, somebody ought to ask the question: Isn't there some serious bleeding going on here? We have brought to the floor—including this bill—emergency help three times in 3 years. All of this emergency help is to try to take the place of the safety net that does not exist in Freedom to Farm.

It seems to me it would be wise for us now—after we pass this bill—to learn from our mistakes. If we have to do this every single year, let's do it in a thoughtful way and the right way. Let's repeal Freedom to Farm and replace it with a safety net that works for family farmers, a safety net that says to that family who has those hopes and dreams: if you work hard and you do a good job we will give you an opportunity to make it, even during tough times.

This legislation has a lot of things in it. No. 1, it improves the Crop Insurance Program. I salute that effort by my colleagues. Many of us have had input, although I did not play the major role on this. The fact is, this improvement is a collaboration of Republicans and Democrats that is significant. This legislation increases premium subsidies to help family farmers buy up better levels of coverage; a better depth of coverage at less cost for family farmers.

In North Dakota, it solves some peculiar problems. We have had problems year after year in which farmers have lost a substantial amount of their crop to wet cycles and, therefore, their production is decreased. Because of this, every single year their insurance coverage under crop insurance is decreased. They have been caught in a Catch-22 from which they could not escape, and it did not make any sense. This bill addresses those issues. This is an important and significant piece of reform to the crop insurance bill.

Let me also say this proposal before us today includes emergency economic assistance for family farmers. This assistance is what I talked about earlier. My colleague, Senator WELLSTONE, was absolutely correct on this subject. We ought not use doubling the AMTA payment, year after year after year, as a method of providing economic assistance to family farmers. It is not the most efficient and not the most effective way to deliver this assistance.

I am going to vote for this bill. If I had written this legislation, I would have written it differently. This replicates what we have done the last 2 years. This is the third year in a row we have increased AMTA payments. This will send money to people who have not seen a farm for a couple of years; have not gassed up a tractor in the spring to plow a straight furrow for awhile. They are not farming now. They are going to get money under this bill, and it does not make any sense to me.

What we ought to be doing is extending emergency help to family farmers living out there on the farm, and who are struggling to make a living. This help should be going to family farmers who are confronted with collapsed prices; all who have found that when you raise a bushel of grain for $4 a bushel and then have to sell it for $2.50, you are going to be in trouble. You cannot continue to make it that way. There ought to be a safety net for those folks, the folks who are really farming. Regrettably, the mechanism to distribute that emergency economic aid has been the double AMTA payment. I think we could have done much, much better than that.

My hope is that following the passage of this conference report—and I will vote for it even though I disagree with the mechanism of the economic assistance package, and I do compliment those who helped bring this to the floor—my hope is that when this is done, we will all understand that if we have to do this year after year after year, it is time to learn from it. We really ought to be able to learn when something doesn't work. Let's just admit our farm policy doesn't work and change it.

I started by talking about family farming. Some will say—they are careful about the circles they say it—but they say the family farm is just yesterday. This is all nostalgia about an economic unit that does not work anymore. This view is just wrongheaded. We have the kind of economy we intend to have. We can have the kind of economy we create in this country. We can decide we want big corporate agrifactories from California to Maine producing America's food, or we can decide to have a network of families working on farms producing America's food.

Europe has made that decision. Go to Europe and visit the rural communities in the countryside. You will discover small towns are doing well. There is life, there is a heart, and there is pulse in small towns. Why? Because Europe has decided they want a network of family farmers producing their food.

The result of this decision is a rural economy that is thriving and working. Europe has a safety net for family farmers they can rely on which gives them hope for the future. Regrettably, we have not had that same continuity in this country.

On the other hand, we in this country have lurched back and forth from farm policy to farm policy. Finally, we fell off the cliff with Freedom to Farm, saying we have this new idea—not a very good idea, incidentally—but a new idea called Freedom to Farm. Now, after 3 years of tourniquets, having had to pass three successive economic assistance packages to make up for the deficiency, we all ought to understand that we have to change the underlying farm bill.

This legislation includes a substantial amount of resources at a time when those resources will be critically important to our family farmers. I have said, and I will say it again—I think repetition is probably important, at least to make this point—while I think there is a better way to move these resources to rural America, it is critical at this point, given the collapsed grain prices, to send these resources out now. This help will give farmers some hope.

Our family farmers are not some anachronism that does not fit in today's economy. As I said, there are some who think it is like the little diner that got left behind when the interstate came in—it is nostalgia to think about, but not really a significant part of our future economy.

People who think that way, in my judgment, are fundamentally wrong.

Go to rural America and learn from where the seedbed of family values comes. Understand the value of rural values in this country and the rolling of those values from family farms to small towns to big cities, and what it has done to nourish and refresh the values of our country. Then tell me somehow families living on America's farms don't count and don't matter.

The fact is, they face economic challenges almost no one else faces. A small family unit trying to run a farm puts a seed in the ground and has no idea whether that seed will grow. It might get too much rain; it might not. Maybe this seed won't get enough rain. It might hail; it might not. Maybe insects will come. Maybe not. Maybe crop disease will destroy it. Maybe not.

If they survive all those uncertainties, maybe they will get it off in time to go to an elevator and discover they have lost $1.50 a bushel for every bushel they raised. They get hit with this loss after all their months of work, starting with the tractor in the spring to plow the furrows to plant the seeds all the way to the combining in the fall to get it in off the field and into the grain elevator.

The lack of connection here is striking. So many hundreds of millions of people are hungry and our grain markets tell us the food produced by family farmers has no value. It is a striking paradox.

In conclusion, I thank my friends, Senator HARKIN and Senator LUGAR, for whom I have great regard, for what they have done in this legislation. I urge my colleagues to come back, after we pass this legislation—and I shall gladly vote for it—to reform the fundamental farm program itself. If we do that, we will not then have to be continually passing emergency economic assistance packages, as we are doing today with the crop insurance reform bill.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. BURNS. I thank the Chair.

Mr. President, I commend the conferees for their efforts to finalize the crop insurance report. The crop insurance proposal before us today is the culmination of literally years of hard work by numerous Senators and Congressmen. As you may remember, I have been a supporter of S. 2251, the Risk Management for the 21st Century Act, and I am extremely happy to see that the work on that legislation has finally been dove-tailed into the work of the House of Representatives. You will also note that the report includes over $7 billion in supplemental appropriations to help farmers and ranchers cope with the current farm crisis.

Some will note that this is the third year in a row Congress has provided a large supplemental appropriation to help America's farmers. However, those of you that have traveled to our rural communities know that every dime we can send to these areas is vitally needed. Agriculture is facing one of the most dire times that I can remember. Families are losing farms, ranches, and the livelihood that makes up their own family histories. A way of life is at risk, and in Montana, that way of life is what makes my state what it has become. Without these monetary adjustments to make up for failing markets, entire communities would dry up and blow away. In Montana, our economy is already reeling, and agriculture is our number one industry.

Without adequate agricultural support, the investments we have made in economic development to diversify our economy will be threatened. Agricultural production is the foundation that we must build upon. Agriculture is what keeps products moving across the shelves, restaurants open, and food on the table. Without that, it will be almost impossible to keep towns vibrant enough to attract new investment and new technologies.

Some critics are pointing out that this is the third year in a row that we have supplied rural America with supplemental appropriations. I agree that this pattern is costly, but I must point out that the promises given to rural America have not been carried out. We were promised strong foreign market penetration and a workable market that would get our fair share of the dollar back to producers. This has not happened. Look at any trade deal that has been negotiated in the last few years and you will see that our agriculture industry is almost always left with little protection, and actually very little support from our trade representatives. The result is an onslaught of foreign competition within our own markets, and not nearly enough of our product making it out of the country. Unfortunately, the administration and current world market trends have not allowed current farm policy to work in the manner that was anticipated at the time of its implementation. I continue to support the principles of our current farm policy but am deeply disappointed that we have not found a way to address the inaction of the administration in opening foreign markets. It will be necessary for Congress to look for ways to allow our current farm policy to continue and provide for the times of depressed markets such as we are facing currently.

The current farm policy has not created the trade imbalance and subsequent market collapse, but it has not been flexible enough to protect our consumers. The combination of failed trade policies, and an unresponsive farm policy has resulted in the need for direct supports being sent to our producers. This year may be even more vital than previous years. We are facing drought across the West. Livestock is already being moved for lack of water and irrigation has started earlier than in recent memory. Markets and mother nature have combined forces and Congress must respond with a strong message to rural America that we will be there to help, both this year and in the future.

I thank the conferees for heading some of my requests and helping out those farmers hurt by the bankruptcy of AgriBiotech. The ABT language is vital to producers who have been negatively impacted by a bankruptcy that was no fault of their own. Additionally, our wool producers have been given a shot in the arm to help make sure their industry remains viable. These are just a few examples, but I can assure you that this Montanan extends our thanks for these helping hands.

The underlying legislation that is carrying this supplemental package is equally important, and is part of the necessary message that Congress is willing to support agriculture in the future. It is a proposal that offers much-needed changes in the area of risk management for farmers and ranchers. Managing risk in agriculture has become perhaps the most important aspect of the business. Agricultural producers who are able to effectively manage risk are able to sustain and increase profit and operate more effectively in business cycles. An effective crop insurance program will provide our producers new possibilities for economic stability in the future. It will provide another foothold in our attempts to help agriculture out the current hole that it is in, and it will provide a vital tool to help prevent future depressions in the agriculture industry.

The Federal Government must help facilitate a program to unite the producer and the private insurance company. The control must be put in the hands of the agricultural producer, and coverage must be high enough to warrant enrolling in the program. Although no producer can completely control risk, an effective management plan will reduce the negative effects of unavoidable risks. Today's family farmer must have adequate options, or one bad year could mean the difference between keeping the family farm or having to leave agriculture.

This bill addresses the inadequacies of the current crop insurance program. The problems and inconsistencies with the current program make it both unaffordable and confusing to agricultural producers. Costly premiums with low coverage percentages are the biggest problem. In years of depressed market prices, crop insurance, though badly needed, is simply unaffordable for farmers.

This bill inverts the current subsidy formula, in order to provide the highest levels of subsidies to producers at the highest levels of buy-up coverage, and thus alleviate the problem of unaffordable premiums. It also allows for the revenue policies to be fully subsidized.

Another important provision in this bill is a pilot program to reward producers for risk management activities. It will allow producers to elect to receive a risk management payment or a

crop insurance subsidy. The risk management payments will be given to those producers that utilize any two of several activities, including using futures or options, utilizing cash forwards, attending a risk management class, using agricultural trade options or FFARRM accounts or reducing farm financial risk. Quite simply, it rewards a producer for utilizing management tools that will help protect his, and the government's, exposure in the current agriculture market.

This bill also takes into account the lack of production histories for beginning farmers or those who have added land or recently utilized crop rotation. This will make it possible for producers to get a foot in the door and receive affordable crop insurance.

This bill is an important tool to reform the current crop insurance program into a risk management program, designed to help the producer in the long-term. It is vital to find a solution to provide a way for farmers to stay in agriculture. They must be able to continue to produce and distribute the world's safest food supply at a profitable margin.

Mr. President, I am extremely happy that the conferees have finally completed their work on this important proposal. It is vital to Montana and the rest of our Nation's rural agriculture communities.

Mr. President, I thank Senator HARKIN of Iowa, Senator KERREY of Nebraska, Senator ROBERTS of Kansas, and the Ag Committee—I do not serve on the Ag Committee—for completing this legislation.

This legislation, by the way, was promised 2 or 3 years ago. They have labored a long time with the Crop Insurance Program which is probably the best package that has ever been produced by Congress and given to the American agricultural community to manage their risks. This is a tool to manage their risks.

Also, my colleagues will note this report also includes $7 billion in supplemental appropriations to help farmers and ranchers cope with the current farm situation.

Think about that a bit. This is landmark legislation because we are not even to Memorial Day, we are not even into the meat of the growing season, and we have already made preparation to deal with the situation that exists in agricultural today.

We have been stripped from some of our markets, and our prices continue to be very low. On the other hand, the American consumer is still supplied with the most wholesome food in the world.

This Congress has fulfilled its promise to have this money ready to go for our Nation's ag producers.

Without these monetary adjustments to make up for failing markets, entire communities will dry up. They are experiencing more financial stress than ever before, probably even through the Great Depression. Without this support, the investments we have made in economic development to diversity our economy will be threatened. This also sends a strong message to the financial community and the farm community that we are serious about the support of that industry and will not just let it dry up on the vine.

I congratulate the people who worked so hard. This conference was not an easy conference. It was not an easy package to put together. Next year, we will be debating what is good for a farm program, and we know there will be some changes made. Right now, the signal to our producers on the land is direct and it is very sharp.

We have had some unfortunate things happen in the State of Montana. We depend heavily on the Pacific rim for exports. Three years ago, the economics of the Pacific rim collapsed: Indonesia, Malaysia, the Philippines, South Korea, Thailand. Some of those economies are just starting to come back.

Just yesterday, we signed an agreement with the Taiwanese—they will be visiting the State of Montana—on buying wheat from my State. We have also put in the act that the Department of Agriculture has tools to use to fight the competition on the international markets. They have chosen not to do that. There is enough blame to go around for a farm economy that is hurting. Nonetheless, this is a positive bipartisan step in the right direction.

The producers of our country should take a look at this package. There is a lot of flexibility here. Not only do we talk with multiperil things that can happen in a crop-year, but we are also talking about revenue, and we have never done that before. We have a complete package, a package that offers a tool for risk management for our ag producers on the land.

Again, I compliment the Agriculture Committee on both sides of the aisle for their work on this legislation. It is very important to the farm States of this country.

I thank the Senator from Iowa for allowing me a little time. I congratulate him and thank him for his leadership on this issue and everybody who had a part in putting this together.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. HARKIN. Mr. President, I yield myself on my time such time as I may consume.

I thank the Senator from Montana for his strong support and input into this bill, as he said over a couple of years, trying to make sure we get a crop insurance bill that helps farmers manage risks. I appreciate his input and his kind words. Hopefully, we will adopt this conference reports this afternoon and farmers in Montana and Iowa, and all points in between, will at least have some assurance they can help manage their own risks.

Mr. BURNS. There are a lot of points.

Mr. HARKIN. There are a lot of points in there, that is true.

Mr. President, I express my support for the conference report to the Agriculture Risk Protection Act of 2000 which we conferenced yesterday.

I thank Senator LUGAR, our chairman, for his hard work and persistence, as I said, over a couple of years in crafting the crop insurance title in this conference report which will provide significant benefits to farmers across the country.

This accomplishment is bipartisan, one of which we can be proud. I thank Senator LUGAR again for his persistent and strong leadership. I thank both Senator ROBERTS and Senator KERREY who really were the impetus for these changes in the Crop Insurance Program. I know the two of them worked long and hard to put together this bill. In the beginning stages, they worked with us on both sides of the aisle to meet the needs of various parts of our country. I especially thank Senator ROBERTS and Senator KERREY.

In this regard, Mr. President, this is probably the last agriculture bill we will have this year. There may be some bits and pieces that come along later. I think it is safe to say this may be the last, and probably will be the last, major ag bill this year.

In that regard, I pay my respects and thank our departing colleague, Senator KERREY from Nebraska. He has been an invaluable member of the Senate Agriculture Committee for all of these years. He has always given great input and great insight into our deliberations and discussions on all facets of American agriculture. He has been an invaluable member of our committee. I know I will miss him greatly on our side of the aisle.

He has always worked in a bipartisan fashion to help move legislation. I take this time to thank my friend and colleague from across the Missouri River and to wish him well in the future and again thank him for his work in getting this legislation through. It is a fitting tribute to his work through the years in the Senate. His fingerprints are on this crop insurance bill we are passing today.

The point of the bill is to help farmers obtain better crop insurance; that is, to help them buy up their coverage. The final structure of the premium subsidy schedule provides higher discounts at both lower and higher levels of buy-up coverage. The improvements at the highest levels, 80 and 100 and 85 and 100, will benefit Iowa farmers who typically face low risk of loss.

The bill also provides equivalent subsidies to farmers buying revenue insurance policies such as CRC, which is the crop revenue coverage, a product which is very popular with Iowa farmers. This change spurred development of new insurance policies and products.

In addition, the bill will offer reimbursement to private developers of new plans of insurance. Again, that will be good for our farmers.

Another major provision maintained was the elimination of the area loss

trigger for the program for noninsured crops, such as hay and forage crops or horticulture fruits and vegetables.

This change is important to Members in the West and Northeast, one which we fought very hard to maintain in conference.

The bill will also protect farmers by allowing them to maintain their insurable yields, despite significant crop loss, by limiting how much of a loss affects future insurance coverage.

This feature could be very helpful to Iowa farmers, especially those facing potential drought this summer. At some point today we will be talking a little bit more about that drought. But this will also be very helpful, again, to other farmers, too, in the Dakotas and other places where they have had some very severe losses for 1 or 2 years in a row, which, if not balanced out, could unduly affect their rates and their coverage in future years. So we protected those farmers in those areas in those circumstances.

I also want to note some other positive provisions in this bill, in the economic assistance package.

First, there is $50 million for conservation, $10 million for the Farmland Protection Act, and $40 million for EQIP.

I am disappointed, however, that an amendment that I had offered in the Senate, and which was adopted by the Senate, that would have linked conservation compliance to the provisions of crop insurance, was rejected by the House conferees.

In every other Government farm programs, there is a provision that mandates that a farmer has to follow conservation compliance to be eligible for those programs. We had it for crop insurance until 1996. It was taken out. I and others desired to put that back in this crop insurance bill.

As I said, it was adopted on the Senate side, but the House conferees refused to go along with that. And in the interests of getting the crop insurance bill through, we acceded to the unanimous consent request to go ahead and remove that provision. I am hopeful to come back with that again at some point in the future on some other piece of agricultural legislation.

But other than that, there is $50 million for conservation. That is good.

Secondly, there is $15 million in this bill to assist farmer-owned cooperatives, and other farmer-owned ventures, to help develop the value-added crops and processing for our farmers.

Third, there is $7 million in this bill to further fund vaccines for pseudorabbies eradication program for hogs. It is very important in our area of the country.

Fourth, in the nutrition assistance programs, there is $110 million for school lunch commodity purchases. Again, we have a lot of surplus crops out there, a lot of surplus commodities. I think it is beneficial, both for the health of our children, and the school lunch program, the school breakfast program, and the summer feeding program, that we purchase these commodities and get them out to our young kids.

Also, we have reformed the Child and Adult Care Food Program to guard more against fraud which has come up repeatedly.

Also, there is a provision in this bill—that is also a small provision—but I think it is going to be very important, which is going to permit us to get more children into health insurance for low-income families.

Right now, under the provisions in this bill, if you qualify for reduced-price school lunches, or free school lunches, a provision in the bill will then say the people in the school have to inform your families that since you qualify for free or reduced lunches, you will probably qualify for things such as the CHIP program, to make sure, through Medicaid, your children are in a health insurance program. That is another way of reaching low-income families to make sure that their children are indeed covered by health care. That is another good provision in this bill.

Lastly, there is a biomass research and development title in this bill that Senator LUGAR has worked on for a long time. He is a real champion of it. I have been a cosponsor of it, but it is Senator LUGAR who has pushed this bill to help make more fuel and industrial raw materials from biomass. And this bill is part of this. Again, another good provision of this bill is the biomass research and development bill that has been championed by Senator LUGAR.

So there is much that is good in this bill. That is why I will support it. That is why I was reluctant in the conference committee to take any more time than we did yesterday, in just a few hours, to get this bill through.

But I am compelled to speak for a little bit about what is in this bill that I think is detrimental to our family farm structure in America and to ensuring that we have a diversified and widely spread system of agriculture.

The $7.1 billion in emergency assistance that is included in this report, I believe, is misapplied, misdirected, and in many cases will be misspent.

It is clear that our farmers are going to need aid. There is no doubt about that. But how this final package looks, I think, does not really meet those needs. This is the third year in a row that we have had additional AMTA payments—payments to farmers based on emergency help in the farm economy. The farm economy is still in shambles. For 3 years in a row, it has been in shambles. Every year, we come back and do the same thing year, after year after year, after year. Someone once defined ''insanity'' as doing the same thing over and over and expecting a different result. Every year we keep doing the same thing over and over, and we expect some different result; and we do not get a different result. The only result we get is fewer and fewer family farmers, more stress in rural areas, and more and more of our money going to the larger concerns who are driving out our family farms.

But I want to recite for the RECORD where this money is going, these billions of dollars that we are taking from taxpayers and putting out there.

During the first 3 years of our Freedom to Farm bill—1996 to 1998—the top 10 percent of payment recipients, or about 150,000 individuals, got 61 percent of the payments. Ten percent of the recipients got 61 percent of the money. Their annual payments from AMTA, the supplemental AMTAs, we passed every year, and the loan deficiency payments averaged $95,000. That is for the top 10 percent.

The other 90 percent averaged only $7,000 in payments.

I have a chart that illustrates this. It shows the average Government payments by farm size in 1997. The average was $7,378 for all farms. But those farms that had sales greater than $1 million averaged $33,699. For those farms that had sales of $250,000 to $500,000, they averaged $16,524—and on down.

As you can see, the bigger you are, the more you got. And I daresay, it is usually those bigger farmers that were better able to protect themselves with insurance and other methods, who may not have needed that kind of assistance.

It is the farmers down here in the lower end that needed the assistance and the help. But they were left stranded.

On a State-by-State basis, the lopsided nature is even more striking. I will talk about Iowa, too, but the top 10 percent of recipients in Mississippi received 83 percent of the payments. In Alabama, the top 10 percent received 81 percent of the payments. In my own State of Iowa, lest anyone think that I am singling out other States other than my own, the top 12 percent, in terms of income, received 50 percent of the payments in my State of Iowa.

I do not think that is fair. The inequities of the current system have been exacerbated during the current economic crisis in agriculture.

The last 2 years have shown that when prices are low, regular AMTA payments do nothing to keep an ad hoc disaster package under control. More importantly, they are not an effective mechanism in targeting aid to those who need it.

We have had the AMTA payments. We come along every year, and we have a disaster program. They are a very poor method of response to our current farm crisis.

While it is important to get needed aid out to producers, it is imperative that we get it out to help mostly family farmers who are really hurting, not to help the bigger farms bury the smaller ones.

The data indicates just the opposite is happening. The lion's share of this additional aid will go to the largest

producers, while small producers receive almost nothing. Under the current scheme, a recipient at the high end of the spectrum may qualify for as much as $240,000 in AMTA payments this fiscal year. Under the current law, a person ''may be eligible'' to receive the payment maximum of $40,000 for each round of AMTA payments, the original payment plus the supplemental payment we have in this bill. That adds up, of course. Then they already received the supplemental payment that is in the fiscal year 2000 appropriations bill. So that is $120,000. If they structure their operations to fit under the three-entity rule, each person can receive payments from three entities. That, in effect, doubles that $120,000 up to $240,000. And that is not the end of it. As much as $300,000 in loan deficiency payments and marketing loan gains can go to that farmer. One farmer in this country this year can get up to $540,000 of taxpayers' money. I don't believe that is right; I don't believe that is fair.

I was going to offer a provision in the conference committee. I didn't. The reason I didn't is that I thought it was important to get the crop insurance bill through. As I said in the conference committee yesterday, we should have a crop insurance bill before us.

The budget resolution that was passed here, that allowed us to have additional spending this year for supplemental payments to farmers, provided for the authorizing committee to authorize it by June 29, which means we had until the end of June to have a debate in our committee to talk about the policy implications of what we have been doing the last couple years and whether or not we want this policy structure to continue.

Do we want to really continue to put our AMTA payments out like this?

Well, we did not have that debate, so here we are confronted with this on a crop insurance bill, which should not be. This should be a separate bill from the Agriculture Committee on the floor where we could debate this.

Maybe it would be the will of the majority of the Senate to continue to give large payments to large farmers, to continue the three-entity rule to allow some farmers to get hundreds of thousands of dollars. That could have been the outcome. But at least we should have been debating it. It should be here in a manner in which it would be debatable and amendable. We don't have that.

I was going to offer an amendment to limit to $100,000 the most anyone could get through the AMTA system. I heard all kinds of talk from different people saying this would be terrible. That would have affected five-tenths of 1 percent of all the recipients; 6,700 farmers would have been affected by that if we would have capped it at $100,000.

I have always thought I was here to fight for the vast majority of the family farmers who are out there, not just the top one-half of 1 percent who, by and large, have the economic wherewithal to protect themselves. Many of our smaller farmers simply don't. Again, the data indicates that it is those at the top of the spectrum who are getting the most money.

I have another chart. This chart illustrates how we are going in the wrong direction. As we continue down this pathway of AMTA payments, supplemental AMTA payments, loan deficiency payments built on each other year after year, without addressing the underlying provisions of the Freedom to Farm bill, what is happening is we are creating a bigger gap between the big farmers and the smaller farmers in our country. This chart illustrates that.

As one can see by Government payments here on the left side, $20,000, $40,000, $60,000, $80,000, $100,000, and producers who receive those payments, if they look at this block, they will see that those producers who received about $50,000 or more in payments in the last 3 years almost doubled the amount of money they were getting from the Government—almost doubled it.

Look here at our smaller, family-sized farmers, who only got maybe $2,000 or $3,000 in payments. They just went up a very small amount. These doubled in size, doubled in payment; these hardly went up at all. What kind of policy are we pursuing here?

I am not talking about farmers just getting big on their own and making more money. If these big farmers are more efficient and can do a better job and get this money in the marketplace, God bless them. We are talking about taxpayers' money going from here to these farmers. The big ones almost doubled in the amount of money they are getting from the Government; the smaller ones barely got any increase at all. I wish someone would explain to me how this is sound public policy.

I have the figures right here. Recipients who averaged $50,000 or more in Government payments from 1996 to 1998 received $42,337 more in 1998 than in 1996. In contrast, if you were at the bottom of the payment spectrum, these little ones down here at the bottom, you averaged between $5,000 and $10,000 per year, which is the bulk of the farmers in my State; you received a mere $740 more in 1998 than you did in 1997.

I will repeat that. In my State—just talking about my State; I don't want to pick on anybody else's State—in my own State of Iowa, if you received an average of $50,000 or more in Government agricultural payments from 1996 to 1998, in 1 year you got more than a $28,000 increase, from 1997 to 1998. You got $42,000 more over the 2 years. That is if you were at the top of the heap. If you were at the bottom and you only got $5,000 to $10,000 in Government payments, you got $740 more.

Someone please tell me how this is good public policy, that we give Government money out like this to the biggest, those who can protect themselves. Do you know what they are doing with that money? They are buying more land. They are getting bigger, because our smaller farmers are going out of production and the bigger farmers are buying their land.

Again, if this were a free market approach, I would say fine, but it is Government payments going out to large farmers who are providing for the extinction of our family farmers—Government policies, right now, allowing these bigger farmers to get these massive Government payments, squeezing the smaller producers, and the bigger producers are buying up the land and getting bigger and bigger and bigger. It isn't because of any free market approach, it is because of governmental policies. Again, the disparities are not just size related, they are based on planting history.

When I opened my remarks earlier today, I said someone please explain to me how it is good public policy that we pay farmers AMTA payments, Government payments, this year based on what they did 20 years ago. That is right. I try to explain this to people, and I get blank stares. It is a fact. If you have two farmers out there, one who has a 20-year history of planting and the other who maybe only has a 5-year history of planting, the one who has the 20-year history of planting may be planting nothing this year, but guess what, you are going to get money.

Yet if you were a farmer out there planting for the last 3, 4, or 5 years, you don't have that 20-year history, you won't get anything. Again, please explain to me how this is good policy. It is not tied to what farmers are producing today. It is tied to what they produced 20 years ago.

Two farmers in Iowa, with half their production in corn and half their production in soybeans, can be paid markedly different levels because of past planting history. When you figure the AMTA payment level, the farmer with a 50-percent corn base and a 50-percent soybean base will be paid half as much in AMTA payments as the farmer who has a 100-percent corn base. What sense does this make? It makes no sense. Farmers all over my State recognize that.

Now, as if all I have said isn't bad enough, the prospects for drought this year will even cause this program to be worse than it is. If a drought of the proportions that is predicted actually occurs, the disparity between the haves and the have-nots will grow even more. Why is that? Because let's say we have a drought—and it looks as if we are going to have pretty severe droughts in some parts of the country and other parts of the country will not—that means that the price, say, of corn is going to go up. But you, who are in a drought area, may only get a certain portion—you may get an AMTA payment, but you won't get anything out of the market because you won't have

a crop. If, however, you are in an area where you haven't had a drought, you are going to get high prices for your crop and an AMTA payment. Those who have no crop to sell will have their incomes plummet; they will get no adjustment in their AMTA payment to address those losses. They will get absolutely no more than the farmer who has a huge crop because they were not in the drought area. Again, these payments will exacerbate again this disparity between the large farmers and the small farmers in America. Again, I think that is bad public policy.

Now, maybe if we have a big drought, we will come rushing in here with some kind of a disaster package. But, again, I wonder who is going to get the benefits of that. So throughout all of this, the mantra has been that there is no other viable mechanism, that AMTA payments are our best means of getting aid to our producers. Well, if this is the best we can do, I would hate to see what the worst is.

There is a better way. I believe both sides should come together to figure out a better way of getting payments out to farmers. This idea of giving more and more to the biggest is not right, not good for our country; it is not good public policy. I have urged the Senate to have a frank and open discussion about the failures of the current system and on ways to improve it. We have not been afforded that opportunity in a meaningful way.

As I said, this is in no way disparaging of my friend and the chairman of the Agriculture Committee. I know he was more than willing to have this discussion and this debate. But the powers that be insisted that we have this AMTA payment provision on the crop insurance bill. So here we are with it, without any provision for our authorizing committee to discuss and debate, and perhaps modify. As I said, I don't know if the will of the majority would have been there to do that, but at least we could have had an open and frank discussion about whether or not we wanted to go in that direction. Hopefully, we will have that opportunity in the future.

So, again, I hope we will have this type of debate. I think our farmers and our taxpayers deserve that type of debate. In the meantime, I have no problems with the underlying bill. It is a good bill. The crop insurance bill is a good bill. It is going to go a long way toward helping our farmers manage the risk. As I said, there are other good provisions attached onto it. I am just sorry we had to attach on the payment provisions to this bill without having the committee do its job.

Mr. President, I yield the floor.

Mr. GRAMS. Mr. President, I want to briefly express my support for the crop insurance reform package that is being considered today, and the additional emergency assistance that was appended to the bill.

This crop insurance reform is critically needed in the heartland of America. As the sponsor of the first crop insurance reform legislation introduced in the 105th and 106th Congress, I have worked hard on crop insurance reform and on keeping this issue at the forefront of congressional priorities, so it is gratifying to finally see this measure completed by conferees and the Congress.

I worked with a committee of Minnesotans representing producers, lenders, agriculture economists, and other stakeholders to build a consensus on solutions to the current discontentment in rural America with the federal crop insurance program. I am pleased that the final bill contains the expansion of pilot programs I worked for, expansion of the dairy options pilot program that I cosponsored, and higher premium subsidies at the higher levels of coverage that was the critical portion of my original legislation.

The premium subsidies will be crucial to help farmers manage their risk, and possibly reduce the need for ad hoc disaster assistance. Many producers believe that the current crop insurance program is too costly to take part in, and this reform measure should increase participation and thus spread risk more widely.

I am also pleased that the crop insurance package includes an additional $7.1 billion in emergency aid to producers, which includes AMTA payments and oilseed producer assistance payments. This will hopefully give rural economies and farm families the financial boost they need until commodity prices start to rise again. While I have concerns about AMTA, this is the best way to quickly distribute these funds to farmers. I agree AMTA should be revisited in the next farm bill.

Mr. LEAHY. Mr. President, this report is a good example of how the Senate—when we sit down and work together—can craft sound legislation.

New England and Mid-Atlantic farmers who do not usually participate in crop insurance will greatly benefit from this effort. There is funding to help preserve farmland, protect the environment and to give farmers better tools to manage risk.

In addition, farmers who have suffered through two years of low prices will get some relief as USDA purchases $200 million worth of apples, cranberries, potatoes, melons, and the like. There will also be major purchases of specialty crops for the school lunch program—this will benefit farmers and school lunch programs.

In the beginning, there were a lot of strong differences of opinion on how to reform crop insurance and provide assistance to farmers. In fact, we had a 10–8 split in the Agriculture Committee on how to structure this reform.

But Republicans and Democrats worked together and got the job done. Sure, it's more work but that is why we are here.

I was very upset yesterday when I learned—after we ended our conference negotiations and worked out all the final deals, and after we terminated the conference and had signed the conference report—that the unfinished bankruptcy bill was going to be thrown into the crop insurance conference report.

That is an example of how the Senate should not operate. It would be hard to imagine a more serious breach of trust.

I was prepared to discuss the world history of crop insurance from 1860 through the year 2000, which could have put me to sleep while I was talking. In the end, it appears that cooler heads prevailed and decided they would rather pass crop insurance than listen to me speak.

I appreciate the role of Senators LUGAR and ROBERTS to get us back on track on crop insurance.

For my part, I will continue to work with Senators GRASSLEY, SESSIONS, DASCHLE, HATCH, TORRICELLI, and others on both sides of the aisle to craft a fair balanced and bipartisan bankruptcy bill. If we could do this for crop insurance, we can do it in bankruptcy—if there is the will to get it done.

While there are aspects of the crop insurance compromise that I do not like, there clearly was a significant attempt to design a package that benefits all areas of the nation and a wide range of commodities—including specialty crops. This is a very good bill.

I appreciate this national focus because a narrowly focused crop insurance bill would not have been helpful to New England and the Mid-Atlantic States. I was pleased to work with many of my colleagues from that region—both Democrats and Republicans—to formulate a package that would also benefit our regions.

I appreciate the leadership of Chairman LUGAR and his ranking member Senator HARKIN in working out a good compromise. Also, Senators ROBERTS and KERREY deserve a great deal of thanks for all their work on this issue.

I want to point out one general concern.

Because of the simultaneous work on Agriculture appropriations some provisions critical to New England and the Mid-Atlantic States, and to many other states, have been omitted from this package—because the plan is to include them in appropriations.

It is crucial to me—and Republicans and Democrats in both Houses—that dairy farmers not be left out of Agriculture appropriations bill since this report does not provide them with direct financial assistance. I am counting on some assurances I have received to keep the dairy funding in the appropriations bill. I will be working closely with my appropriations colleagues Senator COCHRAN and his ranking member, Senator KOHL, on this matter.

Also, I understand that the House appropriations bill includes $100 million for apple farmers who have been hard-hit by low yields or low quality after two years of unavoidable weather extremes, from floods to drought. Helping

these farmers is extremely important to New England, Mid-Atlantic States, Washington State, California, and other areas.

As I pointed out during the conference, farmland protection programs work very well to help preserve farmland as farmland. There is so much need for funding, that our modest program in Vermont could instantly use the full $10 million since there is such a need and desire for this program.

Indeed, I had a major role in getting section 388 included in the 1996 farm bill. Similarly, in the 1990 farm bill contained a related farmland preservation program which I drafted called ''Farms for the Future.''

I was pleased that the conference would accept this latest farmland protection proposal found at section 211, the ''Conservation Assistance,'' provision. This provision will be of great help to the Vermont Housing and Conservation Board which has done a tremendous job helping preserve Vermont farms and the farming way of life by buying development easements on farmland property.

I was proud to fight to include funding for such a great agency—the Vermont Housing and Conservation Board of Vermont. Providing funding to them as soon as possible will enable them to free up money which could be used to preserve additional farmland in Vermont.

I appreciate the willingness of the other Members to include this provision and am anxious to allow the Board to greatly enhance its service to farm families in Vermont.

Section 211(b) is also a very important provision for many regions of the country. It allows the Secretary through the CCC to provide financial assistance to farmers for a very wide range of activities such as addressing threats to soil, or water, or related natural resources.

In the alternative, it permits funds to be used to help farmers comply with environmental laws or to be used for ''beneficial, cost-effective changes'' to a variety of different efforts or uses needed to conserve or improve soil, or water, or related natural resources.

This gives the Secretary a broad range of land preservation and conservation alternatives for funding under that subsection.

There is language in this report for a temporary suspension of authority to combine USDA field offices. I am concerned that in small-population states, such as Vermont, cuts in federal staff have been so significant that the offices do not function effectively. During this temporary suspension the Secretary should also suspend staffing cuts.

These staff cuts, particularly in the Farm Services Agency, should be halted in very small states so we can figure out what minimal numbers we need to properly run these offices. Indeed, in a small state like Vermont it only makes sense to allow them to hire the staff they need such that USDA can, during the suspension, properly determine which offices should be closed.

I want to briefly mention a special crop provision, section 203, which provides $200 million to the Secretary to purchase specialty crops ''that have experienced low prices during the 1998 and 1999 crop years . . .'' We expect the Secretary to very aggressively use this authority to purchase apples, cranberries, potatoes, and the other commodities listed. This provision is very important to New England, Mid-Atlantic states and to other areas.

I want to thank my colleagues on the crop insurance conference for all their efforts to craft a strong compromise report. I appreciate all the hard work of Chairman LUGAR and his great sense of fairness. As usual, his staff did an excellent job. Keith Luse, his chief of staff, helped carefully balance many competing interests.

His chief counsel, Dave Johnson, was extremely helpful and provided outstanding guidance throughout this complicated process. Andy Morton, the chief economist, and Michael Knipe, the lead counsel, provided sound analysis and helpful assistance.

Senators KERREY and ROBERTS played a very major role in this effort and I appreciate their contributions. Mike Seyfert of Senator ROBERTS' staff demonstrated great expertise on these complicated issues. Hunt Shipman, with Senator COCHRAN, and Scott Carlson, with Senator CONRAD, were very instrumental during this effort.

Bev Paul, with Senator KERREY, was creative and energetic throughout the staff negotiations and of great help in crafting the final compromises. While not a conferee, the Democratic leader, Senator DASCHLE, and his staff, Zabrae Valentine, were very helpful regarding this effort.

As always, the ranking member of the committee, Senator HARKIN, was a strong spokesman for farmers and ranchers. His staff, Mark Halverson and Stephanie Mercier, provided help to all of us.

The House staff also did a great job and I salute them. The chairman, Mr. COMBEST, as have past chairmen, was very ably represented by his Chief of Staff, Bill O'Conner. Jeff Harrison, the majority legal counsel, did a terrific job drafting and explaining very complex legal language.

It is always a pleasure to work with Congressman STENHOLM, the ranking member on the House Agriculture Committee. His staff, including Vernie Hubert, Chip Conley, and John Riley, displayed a thorough understanding of the issues and are a great resource for the Members.

My own staffer on these matters, Ed Barron, as usual did a tremendous job, put in endless hours and helped me work out a good package. Also, Melody Burkins, who joined my staff recently, did a terrific job.

I have praised the work of Gary Endicott, of Senate Legislative Counsel, many times and do so again today. David Grahn with the Office of General Counsel of USDA has once again greatly assisted the Congress in providing expert technical drafting advice.

Ken Ackerman, head of the Risk Management Agency, also provided expert technical advice to the Congress on this bill.

Let me bring your attention to another aspect of this report, the Plant Protection Act that has been incorporated into this legislation. This modernization of existing laws provides tools and resources for animal and plant health inspection services for the Animal and Plant Health Inspection Service of USDA so that they can better do their job.

This legislation will not only help protect agricultural plants in the United States from pests and disease but will also assist APHIS in dealing with invasive species. The Plant Protection Board has indicated that passage of this Act is their number one recommendation for safeguarding American plants. I want to thank Under Secretary Mike Dunn for his leadership on this important matter.

Mr. GRAHAM, Mr. President, Members of the Senate. I come before you today to speak in support of the conference report of the Agriculture Risk Protection Act of 2000 which we are voting on today.

First, I believe that this conference report is the beginning of a new era of cooperation between traditional row crop states and speciality crop states. During our development of this legislation, I have worked closely with my colleagues Senators MACK, LUGAR, KERREY, and ROBERTS to address the unique needs of speciality crop producers. This new cooperation speaks well of our ability in the next Congress to cooperatively review the impacts of the 1996 farm bill on American agriculture. I believe that, based on this cooperative effort, we will be successful in ensuring that all American agriculture, not just row crop producers or speciality crop producers, but all of agriculture reaps the benefits from those reforms.

Let me say a few words about agriculture in the state of Florida. The image that many of us hold of the state is one of white sand beaches, coral reefs alive with hundreds of tropical fish, or Disney World. While accurate, this image is not complete.

Florida has 40,000 commercial farmers. In 1997, Florida farmers utilized a little more than 10 million of the state's nearly 35 million acres to produce more than 25 billion pounds of food and more than 2 million tons of livestock feed. Florida ranks number nine nationally in the value of its farm products and number two in the value of its vegetable crops.

Florida agriculture is not only valuable, but diverse. We rank number two nationally in horticulture production with annual sales of over $1 billion. Florida grows 77 percent of U.S. grapefruits and 47 percent of world supply of

grapefruit. The state produces 75 percent of the nation's oranges and 20 percent worldwide.

In 1997, Florida's farmers led the nation in the production of 18 major agriculture commodities including: oranges and grapefruits, sugarcane, fresh tomatoes, bell peppers, sweet corn, ferns, fresh cucumbers, fresh snap beans, tangerines, tropical fish, temple oranges, fresh squash, radishes, gladioli, tangelos, eggplant, and houseplants.

Florida livestock and product sales were $1.1 billion in 1997. We are the largest milk-producing state in the southeast. We rank 14th nationally in the production of eggs. Florida's horse industry has produced 39 national thoroughbred champions and 47 equine millionaires. Florida also has active peanut, cotton, potato, rice, sweet corn, and soybean industries.

As these facts demonstrate, agriculture in Florida means many things to many people. However, all Floridians recognize that agriculture is a critical part of our economy. Each year, Florida agriculture ranges from the second to the third largest industry in the state on an income basis. It is this diverse industry that the Agriculture Risk Protection Act of 2000 will assist.

On July 20, 1999, I joined my colleagues Senators MACK, FEINSTEIN, and BOXER in introducing S. 1401, the Specialty Crop Insurance Act of 1999. This legislation sought to reduce the dependence of the specialty crop industry an emergency spending and catastrophic loss insurance coverage by improving its access to quality crop insurance policies.

Currently, crop insurance policies available for specialty crops do not cover the unique characteristics associated with the planting, growing, and harvesting of specialty crops. According to a GAO report on USDA's progress in expanding crop insurance coverage for specialty crops, even after an expansion in policies available to specialty corps planned through 2001, the existing crop insurance program will fail to cover approximately 300 specialty crops that make up 15 percent of the market share. In some cases, although crop insurance may exist for a specialty crop, it may not be available in all areas where the crop is grown. For example, the GAO report indicates that crop insurance for grapes is available in selected counties in Arkansas, California, Michigan, Missouri, New York, Ohio, Oregon, Pennsylvania, and Washington but not in other growing areas located in Arizona, Georgia, North Carolina, and South Carolina.

In an effort to increase producer participation in buy-up coverage, the Risk Management Agency last year undertook a pilot program to increase the premium subsidies at a total cost of $400 million. In 1999, the Congress enacted this same program which was deemed a success on an emergency basis.

This program was not a success for specialty crops. Of the 125,772 producers who bought additional buy-up coverage after this subsidy was offered, 81 percent were producers of program crops. The highest increase in a single commodity was 31,191 additional policies sold to corn producers while the lowest increase was an additional 3 policies sold to pepper producers. Even when corrective action is taken to work on increasing buy-up coverage for all crops, the program that is designed does not have a dramatic effect on specialty crop participation. We need a different approach for this unique sector of U.S. agriculture.

The original legislation that I introduced sought to promote the development and use of affordable crop insurance policies designed to meet the specific needs of producers of specialty crops. The Agricultural Risk Protection Act of 2000 will increase specialty crop producer participation in the Federal Crop Insurance Program, encourage higher levels of coverage than provided by catastrophic insurance, and enable better planning and marketing decisions to be made.

I am pleased to say, Mr. President, that the crop insurance conference report we are considering today enacts the major provisions of my original bill. With the key support of Senators KERREY and ROBERTS, who have focused their attention on the needs of speciality crop producers, we have forged a bi-partisan piece of legislation that addresses the needs of multiple regions of the country.

In addressing speciality crops, the Agriculture Risk Protection Act of 2000 takes the following actions:

First, to ensure that the Risk Management Agency utilizes private sector expertise in developing new crop insurance policies, it requires that portions of research and development funds in this bill and research and development funds for new crop insurance policies appropriated to RMA each year be focused on specialty crop product development. The legislation specifically authorizes $20–25 million per year for RMA to enter into public and private partnerships to develop specialty crop insurance policies.

Second, it also establishes a process to review new product development and ensure that crop insurance products are available to all agricultural commodities, including specialty crops.

Third, the Agriculture Protection Act of 2000 expands the authorization for the Risk Management Agency to conduct pilot programs to increase its flexibility in developing better products for specialty crop producers. Today, we are voting on legislation that will allow pilots to be conducted on a state, regional, and national basis for a period of four years or longer if desired by RMA. This legislation also specifies authority for the Risk Management Agency to conduct a pilot program for timber, a provision I originally introduced on April 22 of 1999 in S. 868, the Forestry Initiative to Restore the Environment.

Fourth, to encourage specialty crop producers to buy up to 50/100 coverage once these new policies are developed, the report before us today increases the rate for 50/100 coverage, the initial buy-up level after catastrophic coverage to 67 percent. This will create an incentive for growers to purchase buy-up coverage and bring us closer to meeting our goal of reducing dependence on the CAT program.

Fifth, to ensure that aid for farmers who have no crop insurance policies available to them actually receive aid in times of natural disasters, this report modifies the Non-insured Assistance Program (NAP) to eliminate the area trigger, making any grower whose crop is uninsurable and experiences a federally-declared disaster, eligible for these funds.

I will not enumerate each of the provisions of this legislation, as almost each page contains a specific remedy for problems faced by specialty crop producers. I commend my colleagues for their efforts to ensure that crop insurance reform passed by the 106th Congress will take into account the needs of all agriculture producers. In particular, I thank Senators MACK, KERREY, and ROBERTS for joining me in my efforts to ensure that the needs of production agriculture in Florida are met.

I believe that the provisions in the Agriculture Risk Protection Act of 2000 will ensure that specialty crop producers have access to high quality insurance products designed to meet their needs.

Turning away from crop insurance for a moment, I would like to mention a few key times in this package that are just as critical for specialty crop producers.

First, this legislation includes $25 million for compensation to growers who have experienced losses due to plum pox virus, Pierce's disease, and citrus canker. To date, citrus canker has spread to over 1600 acres of commercial citrus groves in Florida and is threatening the existence of the industry. The entire lime industry is on the verge of being eliminated. Already, over half of the 3000 acres in lime production have been destroyed or marked for destruction. Once an infected tree is discovered, federal regulation, designed to eradicate this disease, requires the destruction of all trees, healthy or diseased, within a 1,900-foot radius. Literally thousands of citrus trees, which require three to four years to reach maturity, have been burned to the ground during this year's growing season. These funds are a critical first step in the ability of our grower to recover from the devastation that this disease has caused in Florida.

Second, this legislation includes a streamlined version of the Plant Protection Act. In 1988, I commissioned a study by the U.S. Department of Agriculture and the Animal and Plant

Health Inspection Service (APHIS) to evaluate the viability of our nation's system of safeguarding America's plant resources from invasive plant pests. In today's global marketplace where international travel is commonplace, the importance of APHIS' role in ensuring that invasive pests and plants do not enter our borders in paramount. The passage of the Plant Protection Act was the number one recommendation of this report which included almost 300 individual recommended actions. Today, we are taking our first step toward a serious commitment to protecting American agriculture from the ravages of diseases like citrus canker or the Mediterranean fruit fly.

Third, conference report includes over $70 million for key infrastructure improvements to the fruit and vegetable inspection system that was recently embroiled in controversy when eighty USDA inspectors were arrested for taking bribes to reduce the value of produce and allow receivers to negotiate lower prices with shippers. These funds will restore the integrity of this system.

Again, I commend my colleagues for their fine work and perseverance in bringing this conference report to completion and before the Senate for a final vote. Today's action will enact long-term change in our crop insurance program that will provide specialty crop producers with access to affordable crop insurance policies which are designed to meet their specific needs.

Mr. JOHNSON. Mr. President, I am pleased to address the Senate today in support of a conference report (H.R. 2559) that improves and expands the crop insurance and risk management tools available to farmers in the United States. I am equally pleased to support economic and disaster assistance attached to H.R. 2259 not because I believe the assistance will always be targeted to those that need it most, but rather because Congress cannot afford to ignore the opportunity to act now in order to provide timely relief to our nation's family farmers and ranchers.

Collapsed crop and livestock prices, weak export demand, and agribusiness concentration continue to threaten the viability of our independent family farmers and ranchers. Crop insurance provides many agricultural producers with a risk management tool, and with the reforms made in the legislation before us today, crop insurance will prove even more effective.

Nonetheless, I must caution that no matter how well crop insurance is improved, it is not a substitute for a sound farm policy or a safety net. Instead, crop insurance is an important part of that farm safety net. Moreover, the economic and disaster farm aid attached to this legislation will help in the near-term, but for the third year in a row this Congress has failed to address the underlying shortcomings of the current farm bill.

Crop insurance is critical to the farmers of South Dakota. Nearly twenty South Dakota grown crops are currently eligible for crop insurance, and among our major commodities, participation in the crop insurance program is high. Ninety-five percent of our corn acreage is enrolled in crop insurance while ninety two percent of our soybean acres are in this program. Wheat producers in South Dakota place seventy-six percent of their acreage in crop insurance. After the reforms made to the program in 1994—when I chaired the House Agriculture Subcommittee dealing with this issue—over 10 million acres of farmland in my state were enrolled in crop insurance.

I was pleased to co-sponsor a bipartisan reform bill that is a modification of S. 1580, the Kerrey-Roberts Crop Insurance for the 21st Century Act. The conference report before the Senate today closely mirrors the Kerrey/Roberts legislation and addresses some of the most serious concerns of the current crop insurance program; affordability, dependability, and flexibility.

Nearly every agricultural producer wants the opportunity to purchase higher levels of crop insurance coverage, but most have found that buy-up coverage becomes cost prohibitive. This bill makes coverage more affordability by providing higher subsidies for higher levels of coverage. South Dakota farmers support this provision of our bill because affordability seems to be the most pressing issue facing crop insurance today.

In recent years, the issue of coverage dependability has come into serious question. Farmers in South Dakota and elsewhere have suffered under multiple years of weather related disasters. The bill before us today ensures greater coverage dependability by providing relief for producers suffering from insurance coverage decreases and premium increases due to multi-year crop losses resulting from natural disasters.

The conference report authorizes USDA to conduct a series of pilot programs to provide risk management protection to livestock producers, I am hopeful livestock producers can stand to benefit from this action because to date they have been specifically excluded from this protection.

Yet, I am disappointed the crop insurance conference committee members dropped a provision that sought to maintain conservation compliance as a part of crop insurance coverage.

As a member of the Senate Budget Committee, I helped secure $6 billion last year (over a four year period) in order to improve the overall crop insurance program. This year, funds were added to this level to bring a total of $8.2 billion over five years to crop insurance improvements. As a member of the Senate Agriculture Committee, I am pleased the legislation I cosponsored and supported closely mirrors the conference report before us today; therefore, I am pleased to vote for H.R. 2259.

Nonetheless, I want to discuss some items in the economic and disaster assistance package included in the conference report. I am concerned that the conference committee ignored the inequity inherent with the current farm bill, and instead, chose to make economic aid payments to farmers based on AMTA payments.

Even though South Dakota producers stand to receive—in a timely fashion—about $158 million in additional AMTA payments within the economic aid package, these payments are unfair to many of the family farmers in my state for a number of reasons.

First, AMTA payments are made regardless of whether crop prices are high or low. I would prefer an approach (in overall farm policy and in the context of disaster aid) that provides targeted, counter-cyclical benefits to family-sized farmers because it would be more market-oriented and provide a more reliable safety net.

Second, since AMTA payments are based on outdated crop yields and base acres from 1985, they are unfair to many South Dakota farmers. In the mid-1980s, farmers in my state planted more grain sorghum and oats in combination with the staple crops like wheat, corn, and soybeans. But, all of these crops make up their ''base acres'' upon which an AMTA payment is made. As such, farmers in South Dakota may receive AMTA payments on low-value crops like oats and grain sorghum that they don't even plant today.

Moreover, crop yields in the mid-1980s were much lower than crop yields today, yet, AMTA payments are based on these outdated crop yields. For example, the 1985 corn yield assigned to AMTA payments is set at 64 bushels per acre. Yet today, most farmers raise around 100 bushels of corn or better. Once again, the AMTA payments fail to recognize modern day farming conditions.

Finally, there still exist situations where landlords and not farm operators receive the AMTA payments.

Last week I sent a letter to Conference Committee Chairmen LUGAR and COMBEST insisting that Congress must not alter statutory payment limitations so large farming entities can't swallow up the majority of government assistance. Last year, an amendment to the fiscal year 2000 Agriculture appropriations bill increased payment limits on loan deficiency payments and marketing loans from $75,000 to $150,000 for 1999. As a result of this specific change last year, only the largest of the large farms stood to benefit. My letter urged the conference committee members to not extend this special treatment of the payment limits beyond 1999. I am very pleased the conference committee agreed to reinstate the more responsible, lower, payment limits for this year. Family farmers are the backbone of rural America. If we have a limited amount of taxpayer funds in which to provide a safety net for farmers, it is simply common sense that we target the benefits to those who need the assistance.

I also want to mention that there are several items within the economic and disaster aid package that I support, and as such, I will vote in favor of this legislation.

First, sheep producers in South Dakota have suffered under near all-time low wool prices. To add insult to injury, many of these same producers must try to compete in lamb meat production with unfair and surging imports from other countries. I am especially pleased the conference committee agreed to provide $11 million in fiscal year 2001 to provide direct payments to sheep producers based on poor wool prices.

Second, as a strong advocate of farmer-owned value-added cooperatives, I am extremely satisfied to support the inclusion of $15 million worth of competitive grants in fiscal year 2001 to assist producers in establishing these types of business ventures.

Because flooding remains an obstacle to crop production in many parts of South Dakota, I am pleased to support the $24 million in the conference report for the Flooded Lands Compensation Program.

I am also pleased this legislation offers honey producers in South Dakota and across the nation a recourse loan program to help provide a safety net and price support in order to market their product.

Finally, I am pleased the conference committee included provisions from my legislation—S. 2056, The Emergency Commodity Distribution Act of 2000—which restores funding to USDA in order to procure commodities for the School Lunch Program over a nine year period.

Last year, Congress enacted the Ticket to Work and Work Incentives Improvement Act. A provision of this legislation amended the School Lunch Act to require USDA to count the value of ''bonus'' commodities when it determines the total amount of commodity assistance provided to schools. This change will result in a $500 million budget cut for the School Lunch Program over a nine-year period without congressional action this year. While not large in overall budget terms, this cut will have an immediate impact that is especially severe in school districts more dependent on the program.

My legislation would ensure that schools receive the full value of entitlement commodity assistance, and allow the School Lunch Program to continue to meet its dual purpose of supporting American agriculture while providing nutritious food to children across the country. While the provision included in today's legislation provides $34 million in fiscal year 2000 and $76 million in fiscal year 2001, it does not restore the entire $500 million over the nine-year period. However, I am greatly pleased the conferees agreed to include part of my legislation in the conference report as this represents a step in the right direction.

I also encouraged the conference committee to consider inclusion of my bills to forbid packer ownership of livestock and to label meat for its country-of-origin.

My legislation enjoys broad support all across the nation because it will restore confidence and freedom in livestock markets. I am disappointed the committee failed to include either of these items as it will once again become clear that Congress largely ignored the independent livestock producer trying to compete in an unfair marketplace.

Mr. TORRICELLI. Mr. President, first, I would like to thank Senators KERREY, DASCHLE, and ROBERTS who have worked to craft a national crop insurance reform bill. I rise in support of the Conference Report because it represents a fundamental shift in farm policy in its recognition of the importance of agriculture in the Northeast.

Historically, New Jersey farmers have been at a disadvantage when it comes to crop insurance for two principle reasons. First, many of the specialty crops they grow are not eligible for insurance. And second, because our region has a history of non-participation, many farmers fail to investigate what options they may be eligible for. They simply assume that they are not eligible or that the programs are not economically worthwhile.

Without crop insurance, farmers in my region will not be able to continue farming, they will be forced out of a way of life, they will be forced to sell their land. New Jersey may be the best example of what can happen when we do not protect our farmers. In 1959, New Jersey had 15,800 farms. Today we have 9,400. In 1959, New Jersey had 1,460,000 acres of farmland. Today we have but 800,000.

The current Federal Crop Insurance program has failed to curb the losses which farmers have experienced and has forced them to sell their land and their livelihood. It has facilitated the end of a way of life in New Jersey.

When the Senate passed its version of the crop insurance reform bill, it adopted the so-called ''Northeast Amendment'' drafted by myself, Senator SCHUMER, LEAHY, REED, ROCKEFELLER and others. The amendment has been almost entirely preserved in the Conference Report. The amendment is targeted at increasing participation in states in which there is traditionally, and continues to be, a low level of crop insurance participation and availability.

The conference report provides $50 million over five years for research to create new crop insurance policies. The goal is to develop new programs tailored to the crops in our region so that our farmers will find it economically worthwhile.

An additional $25 million over five years for education programs designed to inform farmers of the current crop insurance options available to them. This would include hiring more agents to sell insurance and more USDA officials to help farmers craft a strategy for their farm. This money will put in place the necessary human infrastructure.

The final provision of the Northeast amendment is $50 million over five years for payments to farmers who adopt certain conservation practices. The effect of this amendment will be to increase participation, by making it more attractive, more affordable, and more accessible to farmers who grow specialty crops and have low rates of participation in crop insurance.

But the Conference Report also vastly improves the situation for farmers who grow non-insurable crops by improving the Non-insured Crop Disaster Assistance Program (NAP). Because farmers who grow the majority of crops in my state do not qualify for crop insurance, the NAP program is the only assistance my farmers can rely on when their crops are decimated, as during last summer's drought. Under current law, losses in the region where a farmer grows must be extensive before a single farmer is eligible for NAP relief. The Conference Report removes this ''area trigger'' and ensures that farmers not eligible for crop insurance receive protection in times of hardship, regardless of whether they are the only farmer who suffered.

The Conference Report also addresses the needs of states like New Jersey by including additional provisions to develop broad specialty crop policies. These policies are designed to protect farmers who grow ''specialty crops'', fruits and vegetables which constitute many of the crops grown in the Northeast. By focusing on specialty crop product development, the bill truly addresses the needs of farmers in all regions throughout the country. Because of these provisions, I will support the bill and will urge my other Northeast colleagues to do the same.

However, I am extremely concerned that the $7.1 billion in emergency farm aid included in this bill essentially provides no relief to our region. The majority of this funding will be distributed in AMTA payments to farmers in the Midwest and South who grow commodity crops such as corn, soybeans, and wheat. It will not help the specialty crop farmers in New Jersey or anywhere else in the Northeast. This is unfortunate, considering that the farmers in my state are still suffering from last summer's drought.

The Senate will soon have another opportunity to provide this desperately needed relief when it considers the Agriculture Appropriations bill after Memorial Day. As written, this bill includes additional aid for dairy farmers, livestock and peanut farmers. But it still fails to address the situation faced by small family farmers throughout the Northeast. During consideration of that bill, I plan on offering an amendment with my colleagues from the Northeast that will provide some relief for the specialty crop farmers in our

region. I hope at the time we will enjoy the support of the other regions of the country who so generously are benefitting from the emergency aid included in this crop insurance bill.

Again, I want to thank Senators KERREY, ROBERTS, DASCHLE, HARKIN and LEAHY for their willingness to work with us during this process.

Mr. GRASSLEY. Mr. President, I rise today to commend many of my colleagues who were instrumental in the development of this legislation. The conference report before us today represents new opportunities for family farmers through a reformed crop insurance program and short term assistance in the form of an additional economic relief payment equivalent to the levels established last year.

The conference report before us today provides Congress with an opportunity to assist farmers during this time of need. My friends and neighbors just came off a year in which they lost tremendous amounts of equity due to commodity prices hitting twenty year lows. If we would not have provided an economic relief payment last year we would have lost many more family farmers.

What does a strong agricultural economy mean for my home state of Iowa? The agricultural industry contributes a total of around $70 billion and 446,000 jobs in Iowa. Therefore, when things are in bad shape down on the farm, all Iowans feel the negative economic effects.

While commodity prices have improved slightly from last year, margins are still tight. We promised our constituents a smooth transition from the failed, government-dominated farm policies of the last 63 year period prior to 1996. We must follow through on that promise, and this legislation helps us fulfill that goal.

This bill provides tremendous opportunities for farmers. The Crop Insurance title helps farmers utilize additional risk management activities. Farmers can increase their individual coverage levels thanks to better premium subsidies. And for the first time, pilot programs will be available to determine how livestock producers can be included as an insurable commodity.

I also want to thank the members of the Senate Budget Committee in supporting my efforts earlier this year in crafting a budget resolution which set aside over $15 billion to help farmers. The bill before us today would not have been possible otherwise. The Budget Committee's work and cooperation allowed the Agriculture Committee to supply farmers with the funds necessary for the smooth transition farmers deserve by providing what is viewed as an additional AMTA payment at 1999 levels.

The package also includes $500 million for oilseeds, $7 million to cover pseudorabies vaccination costs incurred by pork producers, and $15 million for what I have termed the Agricultural Marketing Equity Capital Fund.

The Agriculture Marketing Equity Capital Fund will provide $10 million to establish grants for developing new value-added agricultural markets for independent producers. This fund will assist agricultural producers by providing grants for ventures to capture a greater share of the consumer food dollar.

It is my hope that the fund will help independent grain and livestock producers find real solutions to address the loss of competition in agricultural markets, to combat concentration in food production and processing, and create new value-added business opportunities for groups like:

The Iowa Cattlemen, who are developing a regional ''grid'' of producers to supply cattle to a proposed harvest facility being developed with the cooperation of one of the nation's largest processors;

Heartland Grain Fuels, a group of grain producers who have banded together in Huron, South Dakota to develop an ethanol facility;

Iowa Premium Pork, a group of 1,400 pork producers across my home state which have joined together in a cooperative venture to market their hogs;

Sunrise Energy, an ethanol plant in Blairstown, Iowa;

The 21st Century Group, independent dairy producers from Kansas;

Pork America, a national cooperative of independent pork producers; and

The New Jersey Farm Bureau, which recently commissioned a study to determine the feasibility of ethanol production and held a meeting at which 300 New Jersey farmers attended due to their interest in value-added opportunities.

An informal poll by my office found hundreds of millions of dollars in possible requests for this type of program. The reason for this is that family farmers cannot compete with an industry that has billions of dollars in equity and capital resources and which seems to be willing to use this advantage to kill any producer driven competition.

Industry's aggressive stance toward competition from farmers made it impossible for me to provide more money for independent producers. In fact, the American Meat Institute, which is the political muscle behind 70 percent of the packers and processors in the US, fought against this provision tooth and nail.

When I found out that AMI was opposing my efforts to help farmers I knew that I must be doing something right. I just want the leadership of AMI to know that I was very aware of his efforts and I hope that AMI's successful opposition to my request for $35 million to help America's family farmers was worth it to them.

I plan to publish AMI's membership in the record and I hope that every independent producer in the nation takes a good look at who is trying to limit value-added opportunities for family farmers. I'm not saying that every processor or packer knew exactly what AMI's Washington lobbyists were doing, but I sure hope to inform every member, through one medium or another, what happened and why independent producers won't have the funds to reach out to processors in joint ventures and receive working capital to help everyone survive and thrive.

One last point, if you thought I was pushing hard for my agri-industry concentration legislation before, hold on to your seat.

Regardless of my disappointment in industry's effort to kill my provision, on the whole, this bill includes a bold new approach that will help create a brighter future for family farmers and their rural communities.

Mr. President, in summation I want to thank my colleagues on the Ag Committee who worked hard to develop this package. This bill is good for Iowa and good for agriculture and the family farmer nationwide. I look forward to sending it to the President and for the President to sign it quickly so that we may provide family farmers with the tools they need to be successful in today's marketplace.

Mrs. LINCOLN. Mr. President, today we are considering the conference report on the crop insurance reform bill. I believe this bill makes fundamental changes to the existing Federal Crop Insurance Program that are necessary to make crop insurance more workable and affordable for producers across the country and I urge its passage.

Congress has been attempting to eliminate the ad hoc disaster program for years because it is not the most efficient way of helping our farmers who suffer yield losses. Due to the Ag economic crisis, there has been much discussion lately on the issue of the ''safety net'' for our nation's producers. On that point I would like to be perfectly clear. Crop insurance is a risk management tool to help producers guard against yield loss. It was not created and was never intended to be the end-all be-all solution for the income needs of our nation's producers.

Last year, Senator COCHRAN and I introduced a comprehensive bill that addressed what we saw as the various reform needs of the crop insurance program.

I am pleased that many of these provisions are included in the conference report that we are considering here today. This bill establishes a process for re-evaluating crop insurance rates for all crops and for lowering those rates if warranted. After pressure from Congress and the National Cotton Council last year, RMA reduced rates by as much as 50 percent for cotton in Arkansas and the Mid-South. The provision included in today's bill will require further review of all Southern commodities.

By making the crop insurance program more affordable, additional producers will be encouraged to participate in the program and protect themselves against the unforeseeable factors that will be working against them once they put a crop into the ground.

The bill also provides for an enhanced subsidy structure so that producers are encouraged to buy-up from their current level of coverage. The structure included in this bill will make the step from catastrophic coverage to buy-up easier for producers and will make obtaining the highest level of coverage easier for those who are already participating in the crop insurance program.

In an attempt to improve the record keeping process within USDA, this legislation requires that FSA and RMA coordinate their record keeping activities. Current USDA record keeping, split between FSA and RMA, is redundant and insufficient. By including both crop insurance program participants and non-program participants in the process, we hope to enhance the agricultural data held by the agency and make acreage and yield reporting less of a hassle for already overburdened producers.

In addition, this bill establishes a role for consultation with state FSA committees in the introduction of new coverage to a state. The need for this provision was made abundantly clear to Arkansas' rice producers this spring. A private insurance policy was offered to farmers at one rate, only to have the company reduce the rate once the amount of potential exposure was realized.

In my discussions with various executives from the company on this issue it became apparent that their knowledge of the rice industry was fairly minimal. Had they consulted with local FSA committees who had a working knowledge of the rice industry before introduction of the policy, the train wreck that occurred might have been stopped in its tracks.

I am pleased that another reform measure that I worked on has been included to help rice producers suffering losses caused by drought. Recent droughts have left many Arkansas farmers with low reservoirs and depleting aquifers. If rains do not replenish them, an adequate irrigation supply may not exist by summer.

In addition, drought conditions in Louisiana have caused salt to intrude into the water supply used for irrigation on many farms. Current law states that rice is excluded from drought policies because it is irrigated. This is not equitable since rice producers do suffer losses due to drought.

I have worked with Senators BREAUX and LANDRIEU to provide these policies for our rice producers who are experiencing reduced irrigation opportunities due to the severe drought conditions that have plagued the South for the last two years. I am pleased that this provision has been included in the bill.

Many of the problems associated with the crop insurance program have been addressed in previous reform measures. However, fraud and abuses are still present to some degree.

This bill strengthens the monitoring of agents and adjusters to combat fraud and enhances the penalties available to USDA for companies, agents and producers who engage in fraudulent activities.

There is simply no room for bad actors that recklessly cost the taxpayers money.

Mr. President, I was prepared during our Committee markup earlier this year to offer an amendment related to a cooperative's role in the delivery of crop insurance.

I held off at that time due to concerns from the Committee related to possible ''rebating'' ramifications and preemption of state law, but in working with RMA and Senators KERREY and GRASSLEY, we were able to craft an amendment that clarifies the role of cooperatives in the crop insurance program.

I am pleased that the conferees included this amendment in the final version of the bill.

This amendment does nothing to preempt state law or even change current federal law. It simply provides that current approved business practices be maintained. With the inclusion of my amendment Congress is recognizing the valuable role cooperatives play in the crop insurance program, specifically, encouraging producer participation in the crop insurance program, improving the delivery system for crop insurance, and helping to develop new and improved insurance products.

My amendment requires the Risk Management Agency to finalize regulations that would incorporate the currently approved business practices of cooperatives participating in the crop insurance program and to do so within 180 days of enactment of this Act.

If farmer owned entities are not allowed to sell crop insurance, then anyone can sell crop insurance in America except an American farmer. Such a legal result would give the appearance that crop insurance is designed for a closed club to exploit farmers.

That appearance would inhibit broader use of crop insurance. I do not believe that such a result is the intent of those who have put so much effort into improving the crop insurance program.

Mr. President, I would personally like to thank all staff members of the Committee and industry representatives that have helped with this effort. I would particularly like to thank Louie Perry of the National Cotton Council for his tireless efforts to make crop insurance more effective for cotton and other southern commodities.

Mr. President, Arkansas farmers have told me time and time again that crop insurance just isn't affordable for the amount of coverage they receive. As the program currently exists, it does not make sound business sense to purchase crop insurance in our state. Since this reform process began, I've been working to correct this inequity. I hope that the changes we make today will lead to a crop insurance program that is equitable, affordable and effective.

Crop insurance reform is not the only thing included in this legislation, however. $7.1 billion has been included to address the ongoing crisis in the agricultural community due to depressed market prices. I am pleased that Congress is acting more promptly this year to address the needs of our nation's producers. Numerous farmers in my home state of Arkansas have indicated that the additional assistance we provided over the last two years is the only reason their operations are still afloat today. While some commodities have seen a slight rebound, prices across the board are still too low to meet the increasing costs of production on our nation's farms.

Congress has to provide these ''add on'' payments to producers because the current farm bill does not provide an adequate safety net when commodity markets head south. I voted against the 1996 Farm Bill because I feared that we would find ourselves in the exact position we do today, with one bailout after another.

I introduced a bill earlier this year that would make reforms to the existing marketing loan program. An enhanced marketing loan program would provide additional assistance to our nation's producers without going through this annual ''horse trading'' over billions of dollars trying to determine who we are going to help. Farmers would be able to know at the beginning of the growing season what to expect from the government with regards to economic assistance instead of having to cross their fingers and hope Congress comes through.

We are coming near the end of the life of the ''Freedom to Farm'' bill and as we begin discussions on what the next farm bill should look like I hope my colleagues will see the importance of providing an adequate safety net to our nation's farms.

We must adequately support those who are supplying our nation, and many others, with safe, affordable food.

Do not misread my remarks, I am pleased that Congress has acted promptly to address the needs of the agricultural community this year. I simply feel that there is a better way to approach our nation's agricultural policy. I hope my colleagues will agree and work to provide a better farm bill in the future.

INSPECTION SCAM

Mr. CRAIG. Mr. Chairman, I want to briefly raise an issue that is of the utmost importance to produce growers and shippers throughout every region in the United States and of great concern to me and several other of my colleagues in both the House and Senate.

On October 27, 1999, eight Department of Agriculture (USDA) fruit and vegetable inspectors stationed at the Hunts Point Terminal Market in the Bronx, NY, were arrested and charged with accepting bribes for downgrading loads of produce so that receivers could negotiate lower prices with shippers. This week, I understand those inspectors were sentenced for their illegal

and fraudulent scam at the Hunts Point Terminal Market in the Bronx, New York.

While these guilty inspectors are being held accountable through our legal system for their actions, the economic damages to the produce industry remain unaddressed. Moreover, to my knowledge, those individuals with direct oversight responsibility within the United States Department of Agriculture (USDA) have not acknowledged to the Congress how their oversight activities failed, why the Department discounted complaints by the industry over the past several years, the number of inspections that are connected with the guilty USDA produce inspectors or even an estimate of the damages incurred by produce growers and shippers. This is unacceptable and USDA must act expeditiously to restore confidence and integrity in the federal inspection system for the produce industry.

If injured parties are not justly compensated through the legal process, we must ensure that every appropriate action is taken by the Congress to ensure the losses that occurred as a result of this scam are returned to injured parties. Based on similar cases where fines paid by guilty parties have gone directly to the federal Treasury, it is very doubtful that growers or shippers injured will see any of the funding owed to them as a result of this unfortunate scam. I am certainly committed to working with the industry on this critical issue and urge both the Senate and House Agriculture Committees to take immediate action as soon as possible to move forward with a full investigation of this matter.

Mr. LUGAR. I appreciate the remarks by my colleague from Idaho, Senator CRAIG. I agree that the Senate Agriculture Committee should review how these growers can recover their economic losses resulting from illegal actions by federal employees. The Department of Agriculture has oversight responsibility for the actions that may have resulted in millions of dollars of losses to these growers. This matter should be fully explored and resolved. As part of committee review, I will continue to receive reports from the office of the Inspector General. It is important that this industry regain confidence in the inspection system that they use.

Mr. President, two provisions of the conference agreement warrant some clarification as to how they should be carried out. Section 243(g) allows a third State to expand coverage of the Child and Adult Care Food Program to additional for-profit child care centers serving lower-income children. It should be clear to the Secretary in implementing this amendment that the additional State must meet the criteria for approval at the time of enactment and is one that exempts all of its lower-income families from child care cost-sharing requirements, while allowing fees to be charged on a sliding scale to higher-income families. Section 243(b)(2) requires that a minimum number of site visits to day care centers, homes, and sponsors be conducted. The amendment recognizes that the Secretary can strengthen this measure by requiring more than the minimum numbers called for in the amendment.

Mr. REED. Mr. President, I rise to express my support for the conference report on H.R. 2559, the Agricultural Risk Protection Act of 2000. This conference report has two major components: a crop insurance reform bill and a major farm relief package. I want to comment briefly on each of these.

I support the crop insurance reform bill because it will increase premium subsidies for farmers who buy more comprehensive coverage and support research of new crop insurance policies for currently non-insurable specialty crops that are important in Rhode Island and other states in the Northeast. It is an important step forward in a long-term bipartisan effort to encourage farmers across the country to obtain more crop insurance coverage and reduce income losses due to natural disasters. I was disappointed that the Senate bill's risk management pilot project was dropped in conference with the House. The pilot project would have allowed farmers to choose between traditional crop insurance and a direct payment for adopting new risk management practices such as farm diversification, futures contracts and options, creation of conservation buffers, soil erosion control, and irrigation management. I believe we should continue to explore ways to offer increased income to farmers for whom crop insurance has not worked well, while encouraging producers to adopt new risk management strategies that are good for the environment.

I am pleased that this crop insurance bill removes the ''area trigger'' for the Non-insured Crop Disaster Assistance Program, also known as NAP. I believe broader NAP eligibility is one of the most effective ways to assist farmers in the eastern United States who face severe production losses due to drought, floods, or other disasters.

Currently, NAP crops are eligible for assistance when: (1) expected ''Area Yield'' for the crop is reduced by more than 35 percent because of natural disaster; and (2) individual crop losses are in excess of 50 percent of the individual's approved yield, or the producer is prevented from planting more than 35 percent of the acreage intended for the eligible crop.

These criteria have proven to be unworkable in many eastern states, both in terms of program accessibility and timeliness of payments. For individual growers of specialty crops, typically grown on small acreage, a loss of as little as 20 percent can be devastating, especially given the high per-acre value of these crops. Moreover, the process of verifying area yield reductions is cumbersome and exceedingly time-consuming, resulting in waiting periods of several months or, in some cases, more than a year for payment.

Giving the Secretary of Agriculture broader discretion over delivery of NAP program funds will streamline the approval process and make direct assistance available to thousands of farmers whose substantial losses do not meet NAP criteria under the current area trigger.

I am also pleased that the bill includes $50 million for the Secretary of Agriculture to provide cost-share assistance to farmers in states with low historical participation in traditional crop insurance programs. These funds will be targeted to farmers who pursue innovative conservation and risk management techniques, including: streambank repairs and reconstruction; integrated pest management tools; construction or improvement of watershed management structures; transition to organic farming, particularly among dairy farmers; and futures, hedging or options contracts to help reduce production, price or revenue risks.

Substantial funds are also included for crop insurance education and information programs for states with low levels of federal crop insurance participation and availability. Combining expanded outreach programs like these with increased research into new policies for specialty crops is the best way to get more farmers into the program and hopefully reduce the need for farm disaster legislation.

With regard to the farm relief component of the conference report before us today, I am disappointed that the entire $5.5 billion of the package's FY2000 funds, fully 77% of the $7.1 billion provided in this farm assistance package, consists of additional AMTA or ''Freedom to Farm'' payments. Only a very small proportion of farmers in my state and in other Northeastern states will benefit from these payments. Meanwhile, additional AMTA payments will be made to many other farmers regardless of whether they have experienced substantial losses during the current crop year.

I and many of my colleagues from the Northeast and Mid-Atlantic opposed the farm disaster bill passed by the Senate last year because it did not provide adequate relief to farmers in our region who were hit by the terrible drought conditions of 1999. The National Oceanic and Atmospheric Administration (NOAA) found that four states in the Northeast, including Rhode Island, New Jersey, Maryland, and Delaware, experienced the driest growing season in their histories. From April through July, Rhode Island was the driest it has been in 105 years of record-keeping by NOAA's National Climatic Data Center.

Forecasters at the National Weather Service are predicting continued drought conditions this year, because we are starting out with a deficit of rainfall and, even with the snowstorms of January, winter precipitation was 3.5 inches below normal for our region.

Fortunately, the removal of the NAP area trigger I described earlier will help if disaster strikes again this year. In addition, the farm relief package includes $200 million for purchases of specialty crops for low prices in 1998 and 1999, including apples, cranberries, black-eyed peas, cherries, citrus, onions, melons, peaches, and potatoes. Manager language is included to direct the Secretary of Agriculture, to the extent practicable, to purchase directly from farmers or agricultural co-ops.

Another $5 million is provided by the farm relief package for apple producers that are suffering economic loss as a result of low prices. $35 million is provided for Loan Deficiency Payments for non-AMTA farms for the 2000 crop year, and $50 million is provided for the Farmland Protection Program and the Environmental Quality Incentives Program, both of which are important to my state and the Northeastern region of the country. Finally, the farm relief package requires the Department of Agriculture to purchase specialty crop farm products for the school lunch program, again with manager language included to direct the Secretary, to the extent practicable, to purchase directly from farmers or agricultural co-ops.

With the passage of this legislation we will give farmers the tools they need to manage their risk more effectively, and possibly reduce the need for Congress to pass massive farm disaster packages year after year. At the same time, I believe we are beginning to recognize the contributions and needs of farmers in every region of the country, farmers who not only feed the world but preserve a way of life that makes our Nation stronger and protects our precious open spaces from the encroachment of development and urban sprawl.

I urge my colleagues to support the conference report to accompany the Agricultural Risk Protection Act of 2000.

SUBMITTING CHANGES TO H. CON. RES. 290 PURSUANT TO SECTION 216

Mr. DOMENICI. Mr. President, section 216 of H. Con. Res. 290 (the FY2001 Budget Resolution) permits the chairman of the Senate Budget Committee to make adjustments to the allocation of budget authority and outlays to the Senate Committee on Agriculture, provided certain conditions are met.

Pursuant to section 216, I hereby submit the following revisions to H. Con. Res. 290:

Current allocation to Senate Agriculture Committee	
Fiscal year:	
2000 Budget Authority	$10,843,000,000
2000 Outlays	7,940,000,000
2001 Budget Authority	14,254,000,000
2001 Outlays	10,542,000,000
2001–2005 Budget Authority	61,372,000,000
2001–2005 Outlays	43,745,000,000
Adjustments	
Fiscal year:	
2000 Budget Authority	5,500,000,000
2000 Outlays	5,500,000,000
2001 Budget Authority	1,639,000,000
2001 Outlays	1,493,000,000
2001–2005 Budget Authority	1,608,000,000
2001–2005 Outlays	1,619,000,000
Revised allocation to Senate Agriculture Committee	
2000 Budget Authority	16,343,000,000
2000 Outlays	13,440,000,000
2001 Budget Authority	15,893,000,000
2001 Outlays	12,035,000,000
2001–2005 Budget Authority	62,980,000,000
2001–2005 Outlays	45,364,000,000

Mr. DASCHLE. Mr. President, today we address two issues vital to our Nation's farmers and ranchers: the need to reform the Federal Crop Insurance Program, and the need for financial relief to help producers deal with the third year in a row of low prices.

I support this Crop Insurance conference report, and I will vote for it. But I must also express my deep concerns about the farm relief provisions of the bill.

Half of this bill represents Congress at its best.

Last year Congress was given a mandate to improve the federal crop insurance program—both by the strength of public support for reform, and by the Budget Committee's allocation of $6 billion last year and $8 billion this year expressly to implement that reform.

Half of this bill responds to that call, and offers increased benefits to farmers. Those benefits are well-conceived, and they are equitable.

The program invests public resources in a system that effectively leverages funds in the private sector, and empowers producers to use their own best judgment in managing their production risk.

I want to thank my colleagues and their staffs, who have dedicated long hours over the past year, for their excellent work in reforming this vital program.

However, I believe that the other half of this bill represents a low moment for Congress.

The other half of this bill represents, for the third year in a row, Congress' stubborn refusal to address another significant risk of farming: price risk.

Across the country, and for numerous commodities, poor prices have dogged producers for three years now.

The $7.1 billion in this bill that will go to producers as ad hoc emergency relief is critically needed in the countryside. We should be providing resources to struggling farmers and ranchers.

But I am deeply disappointed with the way the funds are distributed.

Clearly, it would have been impossible to perfectly match resources to need—particularly under the time constraints we face.

But we could have done better than this.

This year could have been different than the past two years. Producers pleaded with Congress to make it different, and it should have been different.

First, by including the relief allocation in the Budget resolution, the Budget Committee allowed Congress to avoid the rancorous fight over emergency spending authorization that has plagued us in the past two years.

Second, in contrast to the previous two years, this year the Agriculture Committee was made the arbiter of how the funding would be allocated.

This should have resulted in hearings and the kind of substantive, constructive debate that yields good policy.

Third, Congress was given a deadline of June 29 by which to determine how to spend this money, which provided more than adequate time for such a debate to occur.

Despite all of these advantages, here we are, a month early, with a bill produced in the very same way as the two emergency relief bills that preceded it—behind closed doors, without the free and open exchange of ideas, and without the opportunity for amendments by members on behalf of their constituents.

So, we are left with farm relief that I and many of my colleagues believe is deeply flawed. Once again, our assistance fails to target family farmers.

Once again, it wastes public dollars on the biggest operators, who have little or no need for emergency relief.

Once again, it wastes public dollars on some people who do not farm at all.

Most importantly—once again—it fails to meet critical needs in farm country.

With over $7 billion at our disposal, Agriculture Committee jurisdiction, and time for debate, not one hearing has been held to assess the scope of need.

A flawed process has produced a flawed bill. But because farmers and ranchers are in need of relief, I intend to vote for the conference report.

For the third year in a row, I urge my colleagues to acknowledge the failures of current farm policy, and come together to change it.

We need policies that better address the interests of family farmers and ranchers.

In addition to crop insurance, fair trade, and competitive opportunities for all producers, farmers and ranchers must have an income safety-net that can offset severe price fluctuations, and that can help manage uncertainties in the marketplace.

Such policies are critical to long-term survival in an industry in which the majority of producers operate on margins of less than 5 percent.

I believe there is a lot we can agree on.

And by working together, in the spirit of the crop insurance portion of this bill, I am certain that there is a lot we can accomplish.

Mr. KOHL. Mr. President, I rise today in support of the conference report on the Agricultural Risk Protection Act of 2000. Farmers in Wisconsin and all across the country need improved risk management products to

help them guard against adverse weather and market conditions. I also want to express my thanks to Chairman LUGAR, Senator HARKIN, and other members of the Agriculture Committee for including in this conference report expansion of a dairy options pilot program that will help dairy farmers achieve similar levels of protection afforded other agricultural producers.

I also want to mention the fact that this conference report includes $7.1 billion in additional assistance to farmers and ranchers this year and in 2001. This level of spending was made possible due to a budget reserve included in the fiscal year 2001 budget resolution which provided an additional $5.5 billion in mandatory spending to the Agriculture Committee in fiscal year 2000 and an additional $1.6 billion in fiscal year 2001. The budget resolution specified that these funds were to be made available to assistance producers of program and special crops. Senator DOMENICI, chairman of the Senate Budget Committee, made reference to the action taken by both the Budget and Agriculture Committees in providing for this budgeted approach to meeting the needs of America's farmers.

I want to take this opportunity to mention additional assistance for farmers provided in the pending Agriculture appropriations bill which includes, among other items, emergency spending for America's dairy farmers. Senators will note that within the additional $7.1 billion included in the Agricultural Risk Protection Act of 2000, no funds are provided for dairy farmers who are now suffering from the greatest price collapse in history. Dairy farmers in Wisconsin, in Vermont, in the South, in the West, in all parts of the nation are suffering terribly from this dire emergency and it is proper that the Congress take action, as we have, to meet this situation.

I mention this in order to remind my colleagues that we will shortly be considering the Agriculture appropriations bill on the Senate Floor and I ask for the support of all Senators in our efforts to help America's dairy farmers. I would also note that to those who may be confusing the funding provided in our bill with the amount provided in the budget resolution, that dairy producers were not included in the description of agricultural producers to receive assistance though the agricultural budget reserve directed to the authorizing committee. The emergency funding for dairy farmers is separate from the actions taken in the bill now before the Senate, is indeed an emergency, and the action taken by the Appropriations Committee in this regard is proper and must go forward.

Mr. LUGAR. Mr. President, our colleagues have suggested that if Senators are amenable to yielding back time, at least in this instance, we might proceed to a vote, with the understanding that provision might be made for additional time for comments by Senators on this legislation. There would appear, at least to the ranking member and myself, to be no visible opposition.

Mr. SCHUMER. Will the Senator yield?

Mr. LUGAR. Yes.

Mr. SCHUMER. I have no problem with yielding time. I have to go to my daughter's recital. If I can speak after the vote for 5 minutes, I would appreciate that.

Mr. LUGAR. We have been trying to accommodate our side. They were aware we might have another hour of debate, but in the event that the distinguished Senator from Iowa and the Senator from Minnesota are prepared to yield back all time, I would be prepared to do that.

Mr. TORRICELLI. If the Senator will yield, I would like to comment for the RECORD, also.

Mr. WELLSTONE. Mr. President, I yield back my time.

Mr. HARKIN. I yield back my time.

Mr. LUGAR. Mr. President, I yield back the time yielded to me.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the conference report.

Mr. LUGAR. Mr. President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from New Hampshire (Mr. GREGG), the Senator from Alaska (Mr. MURKOWSKI), amd the Senator from Ohio (Mr. VOINOVICH) are necessarily absent.

Mr. REID. I announce that the Senator from Connecticut (Mr. DODD) and the Senator from Hawaii (Mr. INOUYE) are necessarily absent.

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 91, nays 4, as follows:—

[Rollcall Vote No. 115 Leg.]

YEAS—91

Abraham	Dorgan	Leahy
Akaka	Durbin	Levin
Allard	Edwards	Lieberman
Ashcroft	Enzi	Lincoln
Baucus	Feingold	Lott
Bayh	Feinstein	Lugar
Bennett	Fitzgerald	McConnell
Biden	Frist	Mikulski
Bingaman	Gorton	Moynihan
Bond	Graham	Murray
Boxer	Gramm	Reed
Breaux	Grams	Reid
Brownback	Grassley	Robb
Bryan	Hagel	Roberts
Bunning	Harkin	Rockefeller
Burns	Hatch	Roth
Byrd	Helms	Santorum
Campbell	Hollings	Sarbanes
Chafee, L.	Hutchinson	Schumer
Cleland	Hutchison	Sessions
Cochran	Inhofe	Shelby
Collins	Jeffords	Smith (NH)
Conrad	Johnson	Smith (OR)
Coverdell	Kennedy	Snowe
Craig	Kerrey	Specter
Crapo	Kerry	Stevens
Daschle	Kohl	Thomas
DeWine	Landrieu	Thompson
Domenici	Lautenberg	Thurmond
	Torricelli	Wellstone
	Warner	Wyden

NAYS—4

Kyl	McCain
Mack	Nickles

NOT VOTING—5

Dodd	Inouye	Voinovich
Gregg	Murkowski	

The conference report was agreed to.

Mr. LUGAR. Mr. President, I move to reconsider the vote and I move to table that.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Mr. President, I want to take just 1 minute to thank the staffs who have made this event possible. From my own staff: The chief of staff Keith Luse, Dave Johnson, Terry Nintemann, Andy Morton, Michael Knipe, Carol Dubard, Bob White, Danny Spellacy, Jeff Burnam, Marcia Asquith, and Bob Sturm;

From Senator HARKIN's staff, who worked with us so well: Mark Halverson and Stephanie Mercier;

From Senator ROBERTS' staff: Mike Seyfert;

From Senator COCHRAN's staff: Hunt Shipman;

From Senator HELMS' staff: George Holding and Brian Meyers;

From Senator COVERDELL's staff: Richard Gupton and Alex Albert;

From Senator KERREY's staff: Bev Paul;

From Senator LEAHY's staff: Ed Barron and Melody Burkins;

From Senator CONRAD's staff: Scott Carlson;

From the Legislative Counsel's staff: Gary Endicott and Greg Kostka;

And from the House Agriculture staffs, who worked for 3 weeks continuously with our Senate staff: Bill O'Conner, chief of that staff; Tom Sell; Vernie Hubert; and Chip Conley.

I thank again the distinguished ranking member.

I earlier mentioned especially Senator ROBERTS and Senator KERREY as authors of an excellent crop insurance legislation bill, and Senator CRAIG who has offered titles IV and V. I thank the majority leader, Senator LOTT, and minority leader, Senator DASCHLE, for expediting our having this opportunity.

Finally, I thank all Senators for a decisive vote on what I believe is significant legislation for America's farmers.

Mr. HARKIN. Mr. President, I join with my distinguished chairman, thanking all the staff who worked so hard on this and hammered out all the agreements over a long period of time on both sides of the aisle. All the Members of our committee and their staffs did a great job. I join our distinguished chairman in thanking them.

Let me also thank our chairman, our leader, Senator LUGAR, for his persistence and doggedness in getting this bill through. I think it has been at least 1½ years, if I am not mistaken, since we started on this road. It has had a lot of twists and turns and ups and downs.

Senator LUGAR stayed in there. He knew how important this bill was to our farmers. It is a great bill. It is one that is really going to help our farmers manage their risks.

I again compliment him and thank him for his leadership but also for being so kind and generous, to always work with me and be open and aboveboard. I have never had an instance where I thought in any way that my chairman was ever keeping anything hidden, going behind the door or anything such as that. It has been a great working relationship. I thank my friend and my chairman for having that kind of good working relationship with this side of the aisle.

Mr. LUGAR. I thank the Senator.

Mr. KERREY. Mr. President, I will take a few seconds. Earlier in my statement I said very nice things, as they deserved, about the chairman, ranking member, and their staffs and every other staff member of the Agriculture Committee except for one. That was the person who wrote the statement I was reading earlier on the floor. So I want to just take a moment to thank Bev Paul for all the work she did on this piece of legislation. I appreciate very much Senator HARKIN, you and Leader DASCHLE, trusting me enough to put me on the conference committee. I appreciate Bev's contribution to it.

Mr. DOMENICI. I wonder if the distinguished manager will just yield for an observation? It will not take long.

Mr. LUGAR. I yield.

Mr. DOMENICI. Mr. President, I want to say hearty thanks to the U.S. Senate for passing the budget resolution that contemplated this issue and this problem and this solution. Normally, in years past on agriculture emergencies, we have waited until the end of the year and gotten into an enormous argument as to how much emergency relief is enough emergency relief. This year we decided, in the budget resolution, with the help of some experts and the committee, to decide that we would modify the resolution that applies to this year and provide $5.5 billion in this year's budget to be spent by the authorizing committee from a reserve fund set up by the Budget Committee and $1.6 billion for next year, all of which could be used for emergency purposes by the authorizing committee if they chose.

They have chosen to follow that to the letter: $5.5 billion this year and $1.6 billion next year. We have provided in advance a pretty good package, as my colleagues have said, on emergency relief.

I am not the expert. I am not here vouching for every item in the bill, but I am suggesting it is good to recognize that we had the foresight this time in advance to devise a prescription for the solution of what I think is most of the emergency relief that is going to be sought for farmers. There may be others in other bills. I thank everyone for living under that resolution and under that format. I thank the experts who told us this is a pretty good package, and we provided for it in advance. It turned out to be a pretty good dollar number that provides a rather substantial amount of relief.

In addition, we have had budgeted for quite sometime money for crop insurance. It has been languishing until now. It is high time a solution to that has been tailored, and now they are together. There is $7.1 billion of emergency assistance, and it is prescribed by the budgets we have voted for heretofore.

I commend those who have lived within those margins. I do hope the farmers of America understand that we have prescribed a very large package here, in addition to the regular appropriations bill that comes through, and we may have additional arguments on how much additional emergency money might be provided, if any.

I do believe this is a good example of doing it right for a change. We did it right from the very start, and now we are seeing the fruits of some good thinking in advance to avoid conflict at the end of the year.

Mr. President, while the spending in this conference report does not violate the budget, and again I congratulate the authors for following those spending guidelines, I must be honest in saying that some provisions in Title II of this conference report concern me. When the Budget Committee established the $7.1 billion funding to assist producers of program crops and specialty crops, I can assure you that at least this Senator did not envision some of the types of indirect assistance to producers this bill provides. Nonetheless the bulk of assistance will go directly to producers and provide some relief to those now suffering depressed farm incomes.

Finally, it must be said, that once this $5.5 billion in Agriculture Marketing Transition Act, AMTA, payments are made this year, total Commodity Credit Corporation, CCC, outlays for FY 2000 may exceed $30 billion—a historic record level of spending. Just for the calendar year 2000, direct payments to producers will exceed $21.6 billion—another record. It is also understood that when we return from the Memorial Day recess, the FY 2001 Agriculture Appropriations bill may be before the Senate, and it to may contain additional emergency spending for the current fiscal year.

At a time when the U.S. Congress and the European Parliament are focused on agriculture trade issues, and the level of subsidies being provided on both sides of the Atlantic, I think it is important to take a step back and make sure we all understand what assistance is being provided in this bill to agriculture.

I will support this conference agreement today. But I hope that another bill the Senate may consider after the recess—the PNTR China bill—will provide expanded markets for our agriculture sector and thereby lessen the need for future agriculture subsidies. Most farmers and ranchers I know want to and will produce for the market given a chance. They do not want and should not want to ''farm'' government subsidies.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. I thank the Chair. Mr. President, I thank Senator LUGAR, Senator HARKIN, and all the conferees for their hard work in producing a fair final crop insurance package that will provide $100 million in targeted programs for Northeastern farmers who have struggled in recent years, facing low prices and severe damage by drought, flooding, and freezing.

Speaking on behalf of the farmers of New York State, I especially thank my esteemed colleague, Senator PAT LEAHY, and his hardworking staff—Ed Barron, J.P. Dowd, and Melody Burkins—for their creativity and persistence in defending the interests of our region which have all too often been neglected in agricultural debates.

Back in March, I joined Senators PAT LEAHY, BOB TORRICELLI, and JACK REED in a spirited and successful effort to amend this bill to include, for the first time in the history of crop insurance, funds targeted specifically to help our region.

Northeastern farmers have historically low participation in crop insurance for several reasons. Many grow speciality crops that are not eligible for Federal crop insurance, or find that, while they are eligible, the Federal crop insurance programs do not fit their needs. Many are simply not aware of available crop insurance options or have no agents located nearby to sell them policies.

The results have often been catastrophic. When a disaster such as last summer's drought strikes, our farmers have no safety net to fall back on, unlike so many of their Midwestern and Southern counterparts.

As such, these provisions—a $50 million program to promote risk management practices tailored to Northeastern farmers, $25 million for crop insurance education and recruitment targeted at areas traditionally underserved by crop insurance, and $25 million for research into better crop insurance programs for the Northeast—will go a long way to helping the farmers of New England and the Mid-Atlantic region.

Our farmers will especially benefit from the removal of the area trigger for crop insurance policies. This will benefit farmers located in areas isolated by valleys or mountains by allowing them to collect crop insurance for their localized disasters.

Further, specialty crop farmers, as so many of the fruit and vegetables growers in New York State, will benefit from the $200 million USDA purchase of speciality crops as directed in the emergency agriculture package attached to this bill.

I also echo Senator LEAHY's remarks on our understanding of the Agriculture appropriations bill, which we have been assured will contain several additional critical provisions, particularly the assistance for our Nation's dairy farmers who have suffered terribly from low prices, and for apple farmers who have been hard hit by low yields and low quality after 2 years of unavoidable weather extremes, from hurricanes to drought.

I have visited regularly with dairy and apple farmers in my own State and can say they desperately need our help.

I thank, once again, the conferees for crafting a bill that for the first time truly takes into account the unique needs of Northeastern farmers. I voted for the package, and I am glad so many of my fellow Senators voted for it as well.

TRIBUTE TO PAT ROONEY

Mr. LOTT. Mr. President, today, I rise to pay tribute to a businessman who has witnessed the transformation of a company from a single plant operation into a multinational corporation. The businessman I am referring to is Pat Rooney, who is retiring on June 3rd after almost 45 years of service to Cooper Tire and Rubber Company. Mr. Rooney began his career with Cooper Tire in 1956 as a sales trainee. In 1994, Pat Rooney was elected CEO and Chairman of the Board of Cooper Tire. That hierarchical progression is astounding. In this day and time with the ever changing economy, it is almost hard to fathom someone working for one employer for four and a half decades. Pat Rooney saw Cooper Tire and Rubber grow from 1,000 total employees to now 25,000 worldwide. During his tenure at Cooper Tire, Mr. Rooney spent time working in Clarksdale, Mississippi at the rubber products operation in the Mississippi Delta. Cooper has built a significant presence in my state, employing numerous Mississippians at locations in Clarksdale and Tupelo. Pat Rooney lives in Findlay, Ohio and has been very active in the community. He is a Rotarian, active in the Findlay/Hancock County Chamber of Commerce, and the County Community Development Foundation and served on the advisory council of the Arts Partnership of Hancock County. Again, I want to commend Pat Rooney today for his service to his company and his community. Cooper Tire has been fortunate to have such a dedicated employee, leader, and visionary. Mr. Rooney I hope you will enjoy your well deserved retirement.

SCHOOL SAFETY

Mr. LEVIN. Mr. President, earlier this month, the Senate began consideration of the Elementary and Secondary Education Act, a reauthorization bill that would determine our national education policy. We spent a few days on that bill, offering and debating amendments, to reduce class size and reward teachers who improve student achievement, among other things.

On May 9, 2000, the Majority Leader withdrew the education bill from consideration, and the Senate moved on to other business. At the time, the Majority Leader indicated his intent to come back to the education bill, either later in that same week, or the week after.

It is now more than three weeks later and Congress is preparing to adjourn for the Memorial Day recess without addressing a critical component of our national education policy: school safety.

The education bill was likely withdrawn from the Senate because of the possibility of a school safety amendment aimed at curbing gun violence. Unfortunately, education and gun violence are now inseparable issues. The wave of school shootings—in Jonesboro, Arkansas, Littleton, Colorado, and recently, in Mt. Morris Township, Michigan—has changed America's perception of safety in school.

Over the last few years, we have made some gains. Over the four year period, from 1993 to 1997, the percentage of high school students who carried a weapon to school declined from 12% to 9%; the rate of crime against students ages 12 to 18 fell one-third; and 90 percent of schools reported no incidents of serious violent crime in 1996–1997.

Despite these gains, students feel less safe at school, and access to guns is a primary reason why. School violence, or even the threat of school violence, instills fear in our students, and limits their ability to learn. School violence also threatens and intimidates teachers—making instruction more difficult.

The learning environment is in jeopardy, and unless we address the vulnerabilities of our schools, many of our other efforts to improve the education system will be undermined.

I'm sure all of us agree that any act of violence—whether it's as common as a fist fight in the locker room or as extreme as a shoot out in the cafeteria—interferes with the educational process. Ron Astor, an assistant professor of social work and education at the University of Michigan in Ann Arbor, has said: ''Violence in schools . . . interferes with children's physical well being, academic functioning, social relations, and emotional and cognitive development.''

School violence has always posed a threat to students and teachers, but the advent of gun violence in schools has escalated the problem. Gun violence, not only affects students at a particular school, it has a rippling effect on students at schools in the same county, state, and in some cases, the entire country.

I have a letter from Professor Astor, who wrote to me earlier this month, when the Senate was debating education policy. Professor Astor has been researching the topic of school violence for over 17 years, and has produced 23 publications on the topic. His research gives us a clear understanding of how gun violence, and the fear of gun violence, impacts schools in Michigan, and in the United States.

Professor Astor writes:

> Dear Senator LEVIN,
>
> I am pleased that the Senate is debating the topic of education in our nation. As a professor of education, I hope that you will include in your discussions the issue of school safety. As you know, the general public is seriously concerned with the safety of our schools. Polls taken over the past seven years indicated that the public considers school violence to be the top problem facing U.S. schools. Hopefully, the Senate's efforts will result in policy and legislation that make our schools safer for our children.

He continues:

> Clearly, teachers, students, and school staff are most concerned about the presence of firearms and weapons in our schools. In the context of a discussion on guns and mass shootings, consider the fear described by this middle school teacher who participated in one of our studies: ''A lot of us are afraid. You come in the morning and you're just afraid to even go to work. You're just so stressed out, because you're all tensed up, you can't feel happy and teach like you want to because you've got to spend all of your time trying to discipline. You're scared somebody's going to walk in. We keep our doors locked. We have to keep our doors locked.'' Middle school teacher. (Meyer, Astor & Behre, 2000).

Professor Astor goes on:

> In our studies, students and school staff often mention fear from the threat of guns and other lethal weapons. Without a doubt, the knowledge or rumor of a gun in a school instills fear in the school community. Teachers and students are well aware that the shocking mass murders recently perpetrated in schools are exclusively associated with firearms. Our country has a long history of lethal acts in schools (see Kachur et al, 1996 in the Journal of the American Medical Association), however, the use of guns as a weapon of choice, has made multiple murders a more common occurrence. This, in turn, has promoted a high level of fear within schools. Obviously, the fear of death or potential catastrophe is not conducive with a positive learning environment. Consequently, I urge you and your colleagues to take a strong stance on the issue of firearms.

Professor Astor quotes a middle school teacher frightened by the thought of a school shooting, and she is not alone. Teachers and students across this nation fear what may happen to them in the classroom. Those of us who feel strongly about education and school safety must do something to ease their fears. Congress must curb young people's access to guns. We must pass legislation designed to reduce the level of gun violence, and the fear of such violence, in our communities.

Gun violence is certainly not the only cause of fear in school. Professor Astor explains, that in addition to concerns about firearms, teachers and students fear more common forms of violence, such as fist fights, sexual harassment, teasing and bullying. All violence in school is unacceptable and we should continue to work toward curbing any and all student harm. But gun

violence is a dominant cause of fear among teachers and students in our schools

We have the opportunity to take the first step toward establishing a safer and more secure school environment, by among other things, passing the juvenile justice bill which would ban juvenile possession of assault weapons and close the gun show loophole. But if we can not pass the juvenile justice bill, we will use other means to prevent the gun violence that has plagued too many American schools and communities.

I hope this Senate will continue its debate on this country's long-term education needs and at the same time, work toward finding a long-term solution for reducing the shootings in American schools. Students around the country may be off for the summer, but Congress will have to keep working until we can make the grade on school safety.

I ask unanimous consent to submit the full text of Professor Astor's letter in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNIVERSITY OF MICHIGAN,
Ann Arbor, MI, May 2, 2000.

Senator LEVIN,
Russell Building,
Washington, DC.

DEAR SENATOR LEVIN, I am pleased that the Senate is debating the topic of education in our nation. As a professor of education, I hope that you will include in your discussions the issue of school safety. As you know, the general public is seriously concerned with the safety of our schools. Polls taken over the past seven years indicated that the public considers school violence to be the top problem facing U.S. schools. Hopefully, the Senate's efforts will result in policy and legislation that make our schools safer for our children.

I have been researching school violence for over 17 years. I have 23 publications on the topic of school violence in the U.S.A. and abroad. In addition, I teach courses on school violence to teachers, psychologists and social workers who will be creating and administering school violence programs in U.S. schools. Consequently, I have a perspective on this issue that spans both research and practice.

Based on my research, I would like to encourage you and your colleagues to pass legislation that addresses children's perceptions of safety in school. Our research shows that both children and teachers (in elementary, middle, and high school) are reluctant to categorize their entire setting as unsafe. However, when students and their teachers are asked to identify specific locations in their school (e.g., the bathrooms, playgrounds, hallways, areas immediately surrounding the school), most identify dangerous areas that they fear or avoid. Therefore feelings of danger are far more common experiences for students than the data in federal studies suggest. For example, in recent studies (enclosed Astor, Meyer & Behre, 1999; Astor, Meyer & Pitner, in press), we mapped violence-prone school locations within schools and then conducted in-depth interviews with students, teachers, and principals in Michigan elementary, middle and high schools. In these studies we found students and teachers very reluctant to categorize their entire school as being unsafe even though the vast majority of students identified areas that they avoid due to school safety issues. Furthermore, girls consistently identify more areas than boys that they feared or avoided. One study found that over a third of school territory was considered unsafe by girls.

The teachers are also aware of danger in their work-settings (e.g., enclosed Meyer, Astor, & Behre, 2000). For example, 75% of the teachers in our sample, identified at least one area in or around their school that they considered unsafe or dangerous. Female middle and high school teachers identified more areas than their male colleagues that they perceived to be unsafe (e.g., 58% vs. 87% of males and females respectively). Teachers are very brave. Although they sense danger in specific school locations the vast majority of teachers claimed they would intervene even though they may be placing themselves in harms way. Teachers continually mentioned the need for protection against physical harm, legal issues, and policies that support their actions to make school safer. Contrary, to the current trend in zero tolerance policies, most of the students and teachers in our studies advocate for a relationship oriented approach that focuses on building a caring school community. Neither students nor teachers feel that security oriented measures (video cameras, security guards, police officers, alarm systems, expulsions) are conducive to a healthy learning environment. Furthermore, the findings in our studies show that interventions designed to encourage teacher/student relationships are perceived to be the most effective and consistent with the educational goals of our nation's schools.

Clearly, teachers, students, and school staff are most concerned about the presence of firearms and weapons in our schools. In the context of a discussion on guns and mass shootings, consider the fear described by this middle school teacher who participated in one of our studies:

''But I'm telling you, there's so much violence and in different areas and in different districts and different states where teachers are being killed every day. And don't look to me as a teacher to solve the violence in the school. It was there before I got there. It is getting worse. I'm here to tell you. I will—a lot of us are afraid. You come in the morning and you're just afraid to even go to work. You're just so stressed out, because you're all tensed up, you can't feel happy and teach like you want to because you've got to spend all of your time trying to discipline. You're scared somebody's going to walk in. We keep our doors locked. We have to keep our doors locked.'' Middle school teacher. (Meyer, Astor & Behre, 2000).

In our studies, students and school staff often mention fear from the threat of guns and other lethal weapons. Without a doubt, the knowledge or rumor of a gun in a school instills fear in the school community. Teachers and students are well aware that the shocking mass murders recently perpetrated in schools are exclusively associated with firearms. Our country has a long history of lethal acts in schools (see Kachur et al, 1996 in the Journal of the American Medical Association), however, the use of guns as a weapon of choice, has made multiple murders a more common occurrence. This, in turn, has promoted a high level of fear within school. Obviously, the fear of death or potential catastrophe is no conducive with a positive learning environment. Consequently, I urge you and your colleagues to take a strong stance on the issue of firearms.

Our findings demonstrate that in addition a focus on weapons in schools, national legislation should be focusing on most common forms of student harm such as school beatings, sexual harassment, relentless humiliation/teasing, bullying, and other forms of victimization. These kinds of events have a very large impact on students overall sense of school safety. We just conducted a large scale (16,000 students) international study that shows these more common forms of violence account for many students nonattendance of school due to fear/humiliation. Creating on overall climate of safety in the school is essential. Draconian security measures used in the name of school safety (expulsion, police, metal detectors), may actually increase students fear of school violence and interfere with their learning.

Finally, the Columbine shootings have qualitatively changed our countries perceptions of school violence. Based on my contacts with hundreds of teachers, school principals, and school district superintendents in Michigan and across the country, I can confidently say that school districts are now more punitive, frightened, and authoritarian, surrounding issues of school violence. Consequently, it appears that schools harsh responses (usually suspension and expulsions) are now extended to innuendo's, nasty stares, verbal threats, and rude behaviors. Rather than creating a safer school climate, students, teachers, and principals claim that these security measures are fostering an oppressive environment which may be equally detrimental to learning. From a public policy perspective, expelling our most aggressive children is a social disaster because it increases the likelihood that these children will commit serious violent acts in the community. Being banished from school at a young age increased the chances of a ''dead end'' life, prison, welfare, being at the periphery of our economy, and a life of crime. Positive relationshps created in schools may actually serve as a protective factor for many of our most aggressive children. Therefore, I'd like to encourage you and your esteemed colleagues to carefully consider policies that mirror a democratic, caring, community-oriented, and relationship-oriented school environment. These empirically supported virtues would accomplish the dual goals of fostering academic excellence within the context of safe feeling environments. Students, teachers, principals and parents do not want their schools turned into prison-like environments. This would not benefit our children's education or our democracy. Finally, they do not increase children's sense of safety. The facts suggested that the opposite is true.

I have enclosed a series of articles published or in press (in scientific peer reviewed journals). Please feel free to contact me if you have any questions.

With respect,

Sincerely,

RON AVI ASTOR, Ph.D.,
Associate Professor of Education and Social Work.

THE NECESSITY FOR THE NATIONAL DEFENSE AUTHORIZATION BILL FOR FISCAL YEAR 2001

Mr. WARNER. Mr. President, I rise this afternoon to discuss the importance—the critical need—for early Senate consideration of the defense authorization bill for fiscal year 2001. This bill, which we reported out of the Senate Armed Services Committee on May 12th with bipartisan support, is a good bill which will have a positive impact on our nation's security, and on the welfare of the men and women of

the Armed Forces and their families. It is a fair bill. It provides a $4.5 billion increase in defense spending—consistent with the congressional budget resolution. But, the real beneficiaries of this legislation are our servicemen and women who will not only have better tools and equipment to do their jobs, but an enhanced quality of life for themselves and their families. We must show our support for these brave men and women—many of whom are in harm's way on a daily basis—by passing this important legislation.

I am privileged to have been associated with the Senate Armed Services Committee and the development of a defense authorization bill every year of my modest career here in the Senate—a career quickly approaching 22 years. During those years, the committee has used the annual defense authorization bills to address the most fundamental national security issues facing the nation, including: the revitalization of the Armed Forces under President Reagan; the Goldwater-Nichols reorganization of the Department of Defense; the restructuring and reduction of the Armed Forces following the end of the cold war; investigating the tragedies in Beirut, Somalia, and Saudi Arabia (Khobar Towers); and the review and implementation of the lessons learned from military operations in Grenada, Panama, the Persian Gulf, and, most recently, the lessons learned from the operations in the Balkans and, in particular, Kosovo.

This year's legislation follows in this fine tradition. The importance of this bill is without question.

While this legislation is not the only bill on defense spending, it occupies a very unique and critical role in the congressional defense funding process. Both it's timing and function in the congressional budget process are intended to achieve important goals: fully explore public concerns and fulfill statutory requirements.

The venerable soldier-statesman, General George Marshall once stated, ''In a democracy such as ours, military policy is dependent on public opinion.''

The crucial step of ensuring that public opinion on national security policy issues has a forum begins in the Armed Services Committee. Since the beginning of the 106th Congress, the Senate Committee on Armed Services has conducted almost 170 hearings, briefings, and meetings, to fully explore, examine and deliberate matters of concern to the public on national security policy and funding issues. This year, in particular, a sample of the issues addressed in our hearings include: healthcare for military personnel, their families and retirees; the future of the U.S. strategic nuclear arsenal; U.S. military involvement in the Balkans; Defense Department efforts to counter the threat of a terrorist attack; security clearance procedures for defense personnel; immunizing our personnel against anthrax; and ensuring Russia safely secures and disposes of its nuclear arsenal.

Mr. President, the discussion on these important issues does not end with consideration in the Armed Services Committee. In fact, in the last twenty years, our Chamber's collective interest in continuing the public debate on pressing national security matters presented in the defense authorization bill has significantly increased. In 1979, the first opportunity I had to be a part of the defense authorization bill process, there were only 11 amendments to the bill during Senate floor debate. Last year, during our debate on the national defense authorization bill for fiscal year 2000, there were over 160 amendments.

But we know our responsibility to consider and pass the defense authorization bill goes beyond statutory requirements and historical precedent. We must also be aware of the importance of this measure to our men and women in uniform around the world.

U.S. military forces are involved in overseas deployments at an unprecedented rate. Currently, our troops are involved in over 10 contingency operations around the globe. Over the past decade, our active duty manpower has been reduced by nearly a third, active Army divisions have been reduced by almost 50 percent, and the number of Navy ships has been reduced from 567 to 316. During this same period, our troops have been involved in 50 military operations worldwide. By comparison, from the end of the Vietnam war in 1975 until 1989, U.S. military forces were engaged in only 20 such military deployments.

In an all-volunteer force, where increasing deployments and operations challenge the capabilities of our military to effectively meet those commitments, as well as challenge the efforts of our military to recruit and retain quality military personnel, we must embrace every opportunity to demonstrate our commitment to our military personnel. The National Defense Authorization Bill for Fiscal Year 2001 sends this important message.

Mr. President, I noted previously in these remarks the important role of the defense authorization bill as a means by which the Armed Services Committee and the Senate address many of the today's important military policy matters. I would like to take a moment to highlight the impact of not passing the National Defense Authorization Bill for Fiscal Year 2001.

With respect to personnel policy, the committee included leglsiation in the defense authorization bill for fiscal year 2001 to continue to support initiatives to address critical recruiting and retention shortfalls. In this regard, the committee increased compensation benefits and focused on improving military health care for our active duty and retired personnel and their families.

Without this bill, there will be:

No 3.7 percent pay raise for military personnel;

No pharmacy benefit for medicare eligible military retirees;

No extension of TRICARE benefits to active duty family members in remote locations;

No elimination of health care co-pays for active duty family members in TRICARE Prime;

No Thrift Savings Plan for military personnel;

No five year pilot program to permit the Army to test several innovative approaches to recruiting; and

No transit pass benefit for Defense Department commuters in the Washington area.

And, without this bill, the current Department of Defense Medicare subvention demonstration program will not be expanded, as we envisioned, but instead terminated. Currently, the Medicare Subvention demonstration program provides medical services to approximately 28,000 military retirees in Mississippi, Texas, Oklahoma, Colorado, Washington, and Delaware. Expanding the program would provide medical services to military retirees living in the District of Columbia, Virginia, Ohio, Georgia, Hawaii, and Maryland.

Without this bill, almost every bonus and special pay incentive designed to recruit and retain service members will expire December 31, 2000, including: special pay for health professionals in critically short wartime specialities; special pay for nuclear-qualified officers who extend their service commitment; aviation officer retention bonus; nuclear accession bonus; nuclear career annual incentive bonus; Selected Reserve enlistment bonus; Selected Reserve re-enlistment bonus; special pay for service members assigned to high priority reserve units; Selected Reserve affiliation bonus; Ready Reserve enlistment and re-enlistment bonuses; loan repayment program for health professionals who serve in the Selected Reserve; nurse officer candidate accession program; accession bonus for registered nurses; incentive pay for nurse anesthetists; re-enlistment bonus for active duty personnel; enlistment bonus for critical active duty specialities; and Army enlistment bonuses and the extension of this bonus to the other services.

The committee has carefully studied the recruiting and retention problems in our military. We have worked hard to develop this package to increase compensation and benefits. We believe it will go a long way to recruit new servicemenbers and to provide the necessary incentives to retain mid-career personnel who are critical to the force.

Mr. President, on many occasions I have shared my concerns about the threats posed to our military personnel and our citizens, both at home and abroad, by weapons of mass destruction: chemical, biological, radiological and cyber warfare. Whether these weapons are used on the battlefield or by a terrorist within the United States, we, as a nation, must be prepared.

Without this bill, efforts by the committee to continue to ensure that the

DOD is adequately funded and structured to deter and defeat the efforts of those intent on using weapons of mass destruction would not be implemented. Efforts that would not go forward without this bill include: establishing a single point of contact for overall policy and budgeting oversight of the DOD activities for combating terrorism; fully deploying 32 WMD–CST (formerly RAID) teams by the end of fiscal year 2001; the establishment of an Information Security Scholarship Program to encourage the recruitment and retention of Department of Defense personnel with computer and network security skills; and the creation of an Institute for Defense Computer Security and Information Protection to conduct research and critical technology development and to facilitate the exchange of information between the government and the private sector.

Mr. President, I would like to briefly highlight some of the other major initiatives in this bill that would be at risk without Senate floor consideration of the defense authorization bill:

Without this bill, multi-year, cost-saving spending authority for the Bradley Fighting Vehicle and UH–60 ''Blackhawk'' helicopter would cease.

Without this bill, there would not be a block buy for Virginia Class submarines. Without the block buy, there would be fewer opportunities to save taxpayer dollars by buying components—in a cost-effective manner—for the submarines.

All military construction projects require both authorizations as well as appropriations. Without this bill, over 360 military construction projects and 25 housing projects involving hundreds of critical family housing units would not be started.

The Military Housing Privatization Initiative would expire in February 2001. Without this bill, the program would not be extended for an additional three years, as planned. The military services would not be able to privatize thousands of housing units and correct a serious housing shortage within the Department of Defense.

Mr. President, it has been said that, ''Example is the best General Order.'' The Senate needs to take charge, move out, consider and pass the National Defense Authorization Bill for Fiscal Year 2001. This legislation is important to the nation and to demonstrating to the men and women in uniform, their families and those who have gone before them, our current and continuing support and commitment to them on behalf of a grateful nation.

CONTINUING PROBLEMS FOR FEDERAL LAW ENFORCEMENT DUE TO McDADE LAW

Mr. LEAHY. Mr. President, I rise to talk about a pressing criminal justice problem. The problem stems from a provision slipped into the omnibus appropriations law during the last Congress, without the benefit of any hearings or debate by the Senate. Although some of us from both sides of the aisle objected to the provision at the time, our objections were ignored and the provision became law. It is having devastating effects on federal criminal prosecutions and, as I describe in some detail below, it is no exaggeration to say that this provision is costing lives.

In the last Congress, the omnibus appropriations measure for FY 1999 included a provision originally sponsored by former Representative Joseph McDade that was opposed by most members of the Senate Judiciary Committee, both Democrats and Republicans. Indeed, we sent a joint letter to the leadership of the Appropriations Committee urging that this provision be removed from any conference report because, in our view, the McDade law ''would seriously impair the effectiveness of federal prosecutors in their efforts to enforce federal criminal laws and protect our communities.''

Nevertheless, the McDade provision was enacted as part of that appropriations measure and went into effect on April 19, 1999. This law, now codified at 28 U.S.C. §530B, subjects federal prosecutors to the state bar rules, and discipline, of ''each State where such attorney engages in that attorney's duties.'' There has been enormous tension over what ethical standards apply to federal prosecutors and who has the authority to set those standards.

This debate over the ethical rules that apply to federal prosecutors was resolved with the McDade law at a time of heightened public concern over the high-profile investigations and prosecutions conducted by independent counsels. Special prosecutors Kenneth Starr and Donald Smaltz were the ''Poster boys'' for unaccountable federal prosecutors. By law, those special prosecutors were subject to the ethical guidelines and policies of the Department of Justice. They defended their controversial tactics by claiming to have conducted their investigations and prosecutions in conformity with Departmental policies.

The actions of these special prosecutors provided all the necessary fodder to fuel passage of the McDade law. For example, one of the core complaints the Department had against the McDade law is that federal prosecutors would be subject to restrictive state ethics rules regarding contacts with represented persons. A letter to the Washington Post from the former Chairman of the ABA ethics committee pointed out:

> [Anti-contact rules are] designed to protect individuals like Monica Lewinsky, who have hired counsel and are entitled to have all contacts with law enforcement officials go through their counsel. As Ms. Lewinsky learned, dealing directly with law enforcement officials can be intimidating and scary, despite the fact that those inquisitors later claimed it was okay for her to leave at any time.

I have outlined before my concerns about the tactics of these special prosecutors, such as requiring a mother to testify about her daughter's intimate relationships, requiring a bookstore to disclose all the books a person may have purchased, and breaching the longstanding understanding of the relationship of trust between the Secret Service and those it protects. I was appalled to hear a federal prosecutor excuse a flimsy prosecution by announcing after the defendant's acquittal that just getting the indictment was a great deterrent. Trophy watches and television talk show puffery should not be the trappings of prosecutors.

Yet, I opposed the McDade law and continue to believe that this law is not the answer. I firmly support improvements in the disciplinary process for federal prosecutors but this important task may be accomplished without hindering legitimate law enforcement investigative techniques and practices—which is what the McDade law is doing. While subjecting federal attorneys to state bar rules sounds like good policy at first blush, the McDade law has ceded to the vagaries of fifty state bar associations control of how federal prosecutions are to be conducted. I am concerned that Federal prosecutors are being hamstrung because the McDade law makes them answerable to multiple masters.

The Department of Justice has been surprisingly quiet, both before and after the McDade law went into effect, about seeking a legislative modification to address the most devastating consequences of this new law for federal law enforcement. Unfortunately, we are fast approaching the end of this Congress without making any progress on addressing the problems created by the McDade law.

I have asked the Department of Justice for an update on how the McDade law is working, and whether any of my fears were warranted. The results are in: This law has resulted in significant delays in important criminal prosecutions, chilled the use of federally-authorized investigative techniques and posed multiple hurdles for federal prosecutors.

The Justice Department's November, 1999, response to my prior questions on this issue stated that the McDade law ''has caused tremendous uncertainty,'' ''delayed investigations,'' ''creat[ed] a rift between agents and prosecutors,'' ''prevented attorneys and agents from taking legitimate, traditionally accepted investigative steps, to the detriment of pending cases,'' and served as the basis of litigation ''to interfere with legitimate federal prosecutions.'' Yet, these generalities do not fully demonstrate the significant adverse impact this law is continuing to have to slow down or bring to a standstill federal investigations of serious criminal wrongdoing. Let me describe some recent examples.

AIRLINE WHISTLE BLOWER

In one recent case, an airline mechanic whistleblower claimed that his airline was falsely claiming to the FAA that required maintenance procedures

had been performed on the airline's planes when in fact they had not been done. The FBI executed a search warrant for documents at the maintenance facility and began simultaneous interviews of the maintenance personnel to determine the validity of the allegations. The airline's attorney immediately interceded, claimed to represent all airline personnel, and halted the interviews. Because of the McDade law, the prosecutor was forced to tell the agents that they could not continue to interview the employees.

Rather than having several agents out interviewing witnesses simultaneously to avoid culpable witnesses from trying to get their stories ''straight,'' the prosecutor then had to resort to an alternative strategy to obtain information from the employees. The prosecutor subpoenaed the witnesses to the grand jury. Unfortunately, the risk of this strategy is that it may play right into the hands of those who are willing to cover up. With the grand jury route, one witness at a time testifies and is then debriefed immediately after by an attorney, who in turn briefs all future witnesses about what questions will be asked and what answers have already been given.

Indeed, the attorney for the airline again claimed to represent everyone who was subpoenaed to testify before the grand jury. The office advised the attorney that he had a conflict doing so, and the attorney then obtained a separate attorney for each witness.

The impact on this investigation was severe. Because the attorney for each witness insisted on a grant of immunity, and because of scheduling conflicts with the various attorneys, the investigation was stalled for many months. When the witnesses finally appeared before the grand jury, they had trouble remembering significant information to the investigation.

After about a year of investigation, one of the airline's planes crashed, with calamitous loss of life.

Immediately after the crash, the FBI received information that the plane had problems on the first leg of its trip. The agents could not go out and interview the airline's employees because of questions raised by the McDade law. Does the corporation have a right to be notified before interviews and to have its counsel present? Are these people represented by the corporate attorney? Thus, those interviews that are most often successful—simultaneous interviews of numerous employees—could not be conducted simply because of fear that an ethical rule—not the law—might result in proceedings against the prosecutor.

CHILD-MURDER INVESTIGATION

A 12-year-old girl was abducted while riding her bicycle near her family home in a Midwestern city in 1989. An exhaustive investigation led by the FBI turned up nothing. In 1996, an apparent eyewitness confessed on his deathbed to the abduction and stated that he had been told by an accomplice that an individual known as ''T,'' who was then in the custody of the state Department of Corrections, had buried the little girl's body in a deep freeze on T's property near a small mid-western city. T admitted to former inmates, to prison nurses and to his grandmother that he was involved in the case. When interviewed by the police, he on one occasion denied any involvement, but later admitted being present when the young girl was killed.

A federal prosecutor and two FBI agents attempted to meet with T at the county jail. The prosecutor explained that the purpose of the meeting was to obtain T's cooperation; T stated that he wanted to speak to his attorney, and was allowed to speak with his federal public defender from a prior closed case. The federal public defender informed T that he did not represent him, but T then spoke in confidence to the federal defender, who informed the prosecutor that T had no information and did not wish to continue the conversion.

Agents have located an individual who believes that T would confide in him and that he would be willing to assist in attempting to find out from T what had happened to the girl's body. This individual has agreed to a consensually monitored meeting with T.

Because of T's prior representation by the state and federal public defenders, the U.S. Attorney's office contacted the state bar disciplinary counsel concerning whether it could conduct the consensual monitoring. A staff attorney in the bar disciplinary office stated that T was a represented person and that the prosecutors could not make the contact until the public defenders informed T that they no longer represented him and the U.S. Attorney's Office gave T adequate opportunity to retain other counsel.

This advice was given by the State Bar Disciplinary Counsel despite the relevant U.S. Supreme Court and federal appellate case law to the contrary. See *Griffith* v. *Kentucky*, 479 U.S. 314, 321 n. 6. (1987) (a conviction becomes final when ''a judgment of conviction has been rendered, the availability of appeal exhausted, and the time for a petition for certiorari elapsed or a petition for certiorari finally denied''); *United States* v. *Fitterer*, 710 F.2d 1328 (8th Cir. 1983); *United States* v. *Dobbs*, 711 F.2d 84 (8th Cir. 1983) (contact with represented persons permitted in the course of pre-indictment criminal investigations).

The Chief Disciplinary Counsel for the State Bar made it clear that he was not bound by judicial determinations, including federal court decisions, other than those made by the State Supreme Court in which he was located. The investigation is currently at a standstill. The prosecutor is considering giving T immunity for his testimony, as a last resort.

OIL SPILL

After leaving the port of a major city, a ship on its way to a foreign country dumped thousands of gallons of fuel oil into the United States coastal waters near the major city. The spill killed wildlife and caused millions of dollars of damage to the coast. The Coast Guard pursued the ship and boarded it in international waters. While the Coast Guard was boarding the ship, the lawyers for the ship's owners were on the telephone to the ship's captain and to the Coast Guard. They claimed to represent all crew members and prohibited further interviews. The attorneys also told the Captain to direct the crew not to speak to the Coast Guard.

Because of the state ethical rules and the claim that those rules not only prevent AUSA's, but also federal investigative agents from speaking to corporate employees, the prosecutors directed the Coast Guard not to seek further interviews. The ship's crew as then spirited out of the foreign country and were not ever available to testify before the grand jury. No eyewitness to the spill ever materialized.

CLEAN WATER ACT INVESTIGATION

A United States Attorney's office is conducting an ongoing grand jury investigation into allegations that a large corporation violated the Clean Water Act. Certain former employees of this corporation have indicated that they have relevant information and are willing to speak with federal investigators about that information. Nothwithstanding their desire to speak to federal investigators, a state case has interpreted the relevant state's ethics rule as prohibiting contact with former as well as current employees of a represented corporation. A federal case has interpreted the same state's ethics rule as permitting contact with former employees.

The state's disciplinary counsel has conveyed his view that only state court decisions construing that state's ethics rule are controlling and that federal case law cannot be relied upon to govern proceedings that are brought solely in federal court.

As a consequence, federal prosecutors may be stymied by a State ethical rule and State court interpretation of that rule from gathering material evidence of a federal crime from willing witnesses.

KICKBACKS AND CONTRACT FRAUD

In *United States* v. *Talao*, 1998 WL 1114043 (N.D. Cal.), vacated in part by 1998 WL 1114044 (N.D. Cal.), a company's bookkeeper was subpoenaed to testify before the grand jury. Her employers were the subjects of the criminal investigation because they were believed to have failed to pay the prevailing wage on federally funded contracts, falsified payroll records, and demanded illegal kickbacks. The bookkeeper came to the U.S. Attorney's Office the day before the scheduled grand jury appearance and asked to speak to the prosecutor, but the prosecutor was not in.

The next day, when the bookkeeper arrived for her grand jury appearance, she encountered the prosecutor in the

hall outside the grand jury room. The bookkeeper agreed to meet with the prosecutor and the case agent, and in a ten minute conversation in a nearby witness room, the bookkeeper told the prosecutor that her employers (the subjects of the investigation) had pressed her to lie before the grand jury, she was afraid of them, and she did not want the company's lawyer to be in the same room as her or know what she had said in the grand jury, for fear that the attorney would report everything back to the employer.

During this interview, the corporate attorney banged on the witness room door and demanded to be present during the interview; he also asserted the right to be present in the grand jury. The prosecutor asked the bookkeeper whether she wished to speak to the attorney. She said that she did not. The grand jury later indicted the employers for conspiracy, false statements, and illegal kickbacks.

The district judge first ruled that the prosecutor violated the contacts with represented persons rule because there was a pre-existing Department of Labor administrative proceeding and qui tam action (the government had not intervened) and, therefore, the corporation had a right to have its attorney present during any interview of any employee, regardless of the employee's wishes, the status of the corporate managers, or the possibility that the attorney may have a conflict of interest in representing the bookkeeper. The judge referred the AUSA for disciplinary review by the State of California.

Upon rehearing, the judge held that, though the ethical rule violation was intentional, he would withdraw the referral to the state bar. He held that he would instruct the jury to consider the prosecutor's ethical violation in assessing the credibility of the bookkeeper. The government sought a writ of mandamus and that was argued before the Ninth Circuit Court of Appeals on March 15, 2000. The prosecutor has also sought to appeal the district court's misconduct finding.

MONITORED CONVERSATIONS

A common tool of law enforcement authorities who are investigating allegations of criminal and civil violations is to have either a law enforcement agent or a confidential informant (under the direction of a law enforcement agent) act in an undercover capacity. Often, during the course of these undercover investigations, undercover agents and confidential informants engage in a monitored conversation with individuals suspected of illegal conduct. When engaging in such monitored conversations, the law enforcement agent or confidential informant working for the government hides his true identity.

ABA Model Rule 8.4(c) provides that it is misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation. In one jurisdiction—Oregon—bar disciplinary counsel has interpreted the relevant version of this rule to prohibit attorneys not only from authorizing or conducting such consensual recordings but also from supervising or overseeing undercover investigations themselves, since the very nature of the undercover operation conduct involves deception. Thus, in Oregon, government attorneys may risk violating the ethics rules when they supervise legitimate criminal and civil law enforcement investigations that use investigative methods recognized by courts as lawful.

GRAND JURY INVESTIGATIONS

In a series of existing grand jury investigations, an attorney for a corporation under investigation prevented interviews of corporate employees by federal agents because of the rule governing contacts with represented persons. The following examples took place after the McDade law was passed.

a. In John Doe Corp. #1, as federal agents began to execute a search warrant at a company, the attorney for the corporation announced over the loudspeaker that he represented all of the employees and that no interviews could take place.

b. In John Doe Corp. #2, agents of the U.S. Customs Service executed a search warrant at a computer component manufacturer in a major U.S. city. While executing the warrant at Company A, a lawyer called the prosecutor and claimed to represent all employees at Company A and its subsidiaries. During the search the manager of Company B, a subsidiary of Company A, approached the agents and asked to cooperate, offering to tape conversations with those managers above him who had committed crimes. Because Company B was controlled by Company A, the prosecutor directed the agents not to conduct any undercover meetings or interview the potential witness.

Virtually every investigation involving a corporation is now subject to interference where none existed before.

WHISTLE BLOWER ACTIONS

Increasingly, the government uses its civil enforcement powers under federal statutes to crack down on corporations that engage in health care fraud, defense contractor fraud, and other frauds that cost the government—and the taxpayers—substantial sums of money. One method of pursuing such fraud claims is through qui tam suits, which often are initiated by corporate employees seeking to ''blow the whistle'' on offending companies.

Many states' ethics rules forbid government attorneys from obtaining relevant information from concerned whistle blowers and corporate ''good citizens'' without the consent of the counsel that represents the corporation whose conduct is under investigation. This prohibition, which affects criminal investigations as well, presents a particularly acute problem in civil enforcement investigations. Unlike criminal investigations, which sometimes can be conducted in the first instance by law enforcement officers, without the involvement of government attorneys (and the restrictions that attorneys' involvement brings), civil enforcement actions often are investigated directly by the government attorneys themselves, as the resources of federal law enforcement authorities typically are not available for civil enforcement matters.

WE NEED TO FIX THE MCDADE LAW

Due to my serious concerns about the adverse effects of the McDade law on federal law enforcement efforts, I introduced S. 855, the Professional Standards for Government Attorneys Act, on April 21, 1999. The Justice Department states that ''S. 855 is a good approach that addresses the two most significant problems caused by the McDade Amendment—confusion about what rule applies and the issue of contacts with represented parties.'' (Justice Department Response, dated November 17, 1999, to Written Questions of Senator LEAHY).

Since that time, I have conferred with the Chairman of the Judiciary Committee about crafting an alternative to the McDade law. This alternative would adhere to a basic concern of proponents of the McDade provision: the Department of Justice would not have the authority it has long claimed to write its own ethics rules. The legislation would establish that the Department may not unilaterally exempt federal trial lawyers from the rules of ethics adopted by the federal courts. Federal—not state—courts are the more appropriate body to establish rules of professional responsibility for federal prosecutors, not only because federal courts have traditional authority to establish such rules for federal practitioners generally, but because the Department lacks the requisite objectivity.

The measure would reflect the traditional understanding that when lawyers handle cases before a federal court, they should be subject to the federal court's rules of professional responsibility, and not to the possibly inconsistent rules of other jurisdictions. But incorporating this ordinary choice-of-law principle, the measure would preserve the federal courts' traditional authority to oversee the professional conduct of federal trial lawyers, including federal prosecutors. It thus would avoid the uncertainties presented by the McDade provision, which subjects federal prosecutors to state laws, rules of criminal procedure, and judicial decisions that differ from existing federal law.

The measure would also address the most pressing contemporary question of government attorney ethics—namely, the question of which rule should govern government attorneys' communications with represented persons. It asks the Judicial Conference of the United States to submit to the Supreme Court a proposed uniform national rule to govern this area of professional conduct, and to study the need for additional national rules to

govern other areas in which the proliferation of local rules may interfere with effective federal law enforcement. The Rules Enabling Act process is the ideal one for developing such rules, both because the federal judiciary traditionally is responsible for overseeing the conduct of lawyers in federal court proceedings, and because this process would best provide the Supreme Court an opportunity fully to consider and objectively to weigh all relevant considerations.

The problems posed to federal law enforcement investigations and prosecutions by the current McDade law are real with real consequences for the health and safety of Americans. I urge the Chairmen of the House and Senate Judiciary Committees, and my other colleagues, to work with me to resolve those problems in a constructive and fair manner.

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 central 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, airman, and Marine 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.

10TH ANNIVERSARY OF THE FREE AND FAIR ELECTIONS IN BURMA

Mrs. FEINSTEIN. Mr. President, as an original co-sponsor of Senator MOYNIHAN's resolution commemorating the 10th anniversary of the free and fair elections in Burma which were overturned by a military junta, I rise today to mark that event and to discuss the repressive conditions that have dominated the lives of the Burmese people for the past 37 years and that continue to define the terms of their existence to this very day.

For the past 12 years, a brutal authoritarian regime has denied the Burmese people the most basic human freedoms, including the rights of free speech, press, assembly, and the right to determine their own political destiny through free and competitive elections.

In 1988, the government led by General Ne Win—who overthrew the popularly elected government of Burma in 1962—brutally suppressed popular pro-democracy demonstrations. In September of that same year, the Government, in a futile public relations gambit to deflect international censure, reorganized itself into a junta of senior military officers and renamed itself the State Law and Order Restoration Council (SLORC).

The SLORC seemed to bow to international opinion in 1990, when it permitted a relatively free election for a national parliament, announcing before the election that it would peacefully transfer power to the elected assembly.

Burmese voters overwhelmingly supported anti-government parties, one of which, the National League for Democracy (NLD)—the party of Aung-San Suu-Kyi—won more than 60 percent of the popular vote and 80 percent of the parliamentary seats.

SLORC's public promises were a fiction. The military junta nullified the results of the elections and thwarted efforts by NLD representatives and others elected in 1990 to convene the rightfully elected parliament.

Instead, SLORC convened a government-controlled body, the National Convention, with the goal of approving a constitution to ensure that the armed forces would have a dominant role in the nation's future political structure. The NLD has declined to participate in the National Convention since 1995, perceiving it to be nothing more than a tool of the ruling military elite.

SLORC reorganized itself again in 1997, changing its name to the State Peace and Development Council (SPDC). But an oppressive regime by any other name remains an oppressive regime. Burma continues to be ruled by a non-elected military clique, this time headed by General Than Shwe. And, even though Ne Win ostensibly relinquished power after the 1988 pro-democracy demonstrations, in reality, he continues to wield informal, if declining, influence.

To this day, Burma continues to be ruled by fiat, denied both a valid constitution and a legislature representing the people.

To solidify its hold on power and suppress Burma's widespread grassroots democracy movement, the military junta—whether it be named SLORC or the SPDC—has engaged in a campaign of systematic human rights abuses throughout the 1990s. It has been aided in this effort by the armed forces—whose ranks have swelled from 175,000 to 400,000 soldiers—and the Directorate of Defense Services Intelligence (DDSI), a military and security apparatus that pervades almost every aspect of a Burmese citizen's life.

For many in Burma, the prospect for life has become nasty, brutish, and short. Citizens continue to live a tenuous life, subject at any time and without appeal to the arbitrary and too often brutal dictates of a military regime. There continue to be numerous credible reports, particularly in areas populated mostly by ethnic minority, of extrajudicial killings and rape. Disappearances happen with sickening regularity. Security forces torture, beat, and otherwise abuse detainees. Prison conditions are harsh and life threatening. Arbitrary arrest and detention for holding dissenting political views remains a fact of life. Since 1962, thousands of people have been arrested, detained, and imprisoned for political reasons, or they have ''disappeared''. Reportedly, more than 1,300 political prisoners languished in Burmese prisons at the end of 1998.

The Burmese judiciary is an SPDC tool. Security forces still systematically monitor citizens' movements and communications, search homes without warrants, relocate persons forcibly without just compensation or due process, use excessive force, and violate international humanitarian law in internal conflicts against ethnic insurgencies.

The SPDC severely restricts freedom of speech and of the press, and restricts academic freedom: since 1996, government fear of political dissent has meant the closing of most Burmese institutions of higher learning. And even verbal criticism of the government is an offense carrying a 20-year sentence.

And while the SPDC claims it recognizes the NLD as a legal entity, it refuses to recognize the legal political status of key NLD party leaders, particularly General-Secretary and 1991 Nobel Laureate Aung San Suu Kyi and her two co-chairs. The SPDC constrains their activities severely through security measures and threats.

The SPDC restricts freedom of religion. It exercises institutionalized control over Buddhist clergy and promotes discrimination against non-Buddhist religions. It forbids the existence of domestic human rights organizations and remains hostile to outside scrutiny of its human rights record. Violence and societal discrimination against women remain problems, as does severe child neglect, the forced labor of children, and lack of funding and facilities for education.

In sum, as the latest biannual State Department report on:

> Conditions in Burma and U.S. Policy Towards Burma notes, over the last six months the SPDC has made no progress toward greater democratization, nor has it made any progress toward fundamental improvement in the quality of life of the people of Burma. The regime continues to repress the National League for Democracy . . . and attack its leader, Aung San Suu Kyi, in the state-controlled press.

Burma's political repressiveness is matched only by its poverty. Burma's population is thought to be about 48 million—we can only rely on estimates because government restrictions make accurate counts impossible. The average per capita income was estimated to be about $300 in 1998, about $800 if considered on the basis of purchasing power parity.

Things do not have to be this way. Burma has rich agricultural, fishing, and timber resources. It has abundant mineral resources—gas, oil, and gemstones. The world's finest jade comes from Burma. But the economic deck is stacked against Burma.

Three decades of military rule and economic mismanagement have created widespread waste, loss, and suffering. Economic policy is suddenly reversed for political reasons. Development is killed by overt and covert state involvement in economic activity, state monopolization of leading exports, a bloated bureaucracy, arbitrary and opaque governance, institutionalized corruption, and poor human and physical infrastructure. Smuggling is rampant; the destruction of the environment goes on unabated. Decades of disproportionately large military budgets have meant scant spending on social development and economic infrastructure.

There is no price stability. The Burmese currency, the Kyat, is worthless. There is a telling anecdote about this: one year, Burma asked the U.K., then its primary foreign aid donor, to give it paper so that it could print more Kyat because the Kyat was so devalued that Burma could not afford to buy the paper needed to print it. Imagine, the paper was worth more as paper than as money. I don't know if the story is true or not. The point is that in Burma's case, it easily could have been. In 1998–1999, the official exchange rate was 6 Kyat to one dollar; the black market rate was 341 Kyat to the dollar. This says it all.

I could go on and on. But I don't need to. We all know that Burma's economy is a basket case. We all know that, for the Burmese people, mere existence, not life, is the norm. We all know that Burma cannot expect to begin the road to recovery, prosperity, and long term economic stability as long as the basic human rights and political will of the Burmese people are denied.

The questions before us now are: what tools do we have for stopping this government's inhumanity toward its own citizens and for giving hope to the Burmese people? Are the tools we are now using the correct ones?

The debate over unilateral sanctions represents a fundamental question in the conduct of U.S. foreign policy: Are U.S. interests advanced best by deepening relations or diminishing relations with a country that is not acting as we would like?

I do not endorse sanctions as a panacea. Each case must be considered on its own merits.

In Burma, I believe the United States government had a responsibility to respond to a situation in which the democratically-elected leaders had been summarily thrown out of office, assaulted, and imprisoned by renegade militarists.

Consequently, in 1996, then-Senator Cohen and I coauthored the current sanctions legislation on Burma. The Cohen-Feinstein amendment required the President to ban new investment by U.S. firms in Burma if he determined that the Government of Burma has physically harmed, rearrested for political acts, or exiled Aung San Suu Kyi or committed large-scale repression or violence against the Democratic opposition.

Shortly after Congress passed the Cohen-Feinstein Amendment, President Clinton implemented sanctions against Burma.

Unfortunately, since Cohen-Feinstein went into effect on October 1, 1996 there appears to be little improvement in human rights conditions in Burma: The SPDC continues to implement its repressive policies.

Nevertheless, until the SPDC shows a willingness to make progress towards democracy and improved human rights, the Cohen-Feinstein sanctions must remain in place.

The sanctions make us a leader on Burma and in forging a common international position. I believe, for example, that the European Union would have a much softer line on Burma if not for U.S. policy. The EU has no economic sanctions in place, but has taken some other measures, such as a visa ban for members of the SPDC government and support of the U.S. in introducing the annual United Nations Human Rights Committee resolution on Burma. The United States must continue trying to develop a multilateral approach, particularly with the ASEAN nations, to bring additional pressure to bear on the SLORC.

There is some indication that the sanctions are causing some hardships for the SPDC. For example, last year the SPDC let the International Committee of the Red Cross back into Burma under conditions the ICRC found acceptable, including access to prisons and prisoners. Although there was no clear link to the impact of sanctions in getting the ICRC back in, some analysts contend that the SPDC is heeding international pressure. This may indicate that the SPDC could be willing to make some positive changes, even though it is still an open question if they will change the ''core behavior'' that triggered the sanctions to begin with.

The bottom line is that the current sanctions should not be lifted without some major concession by the SPDC. To lift any sanctions without a concession would send the wrong signal and give the SPDC the message that they could continue to stifle democracy.

We should make it clear that the United States stands on the side of democracy, human rights, and the rule of law in Burma. We should make it clear that the United States stands on the side of Aung San Suu Kyi and the National League of Democracy and that we support their efforts to return Burma and its government to the people.

I am pleased to co-sponsor Senator MOYNIHAN's resolution which commemorates the 10th anniversary of the free and fair elections in Burma, and calls on the SPDC to: guarantee basic freedoms to the people of Burma; accept political dialogue with the National League for Democracy; comply with UN human rights agreements; and reaffirms U.S. sanctions as appropriate to secure the restoration of democracy.

I look forward to the day when the United States has cause to lift the Cohen-Feinstein sanctions and welcome Burma into the community of free nations. In the interim, I urge my colleagues to support the Moynihan resolution.

CONFIRMATION OF NICHOLAS G. GARAUFIS, OF NEW YORK

Mr. MOYNIHAN. Mr. President, I rise to express great appreciation for the confirmation of Nicholas G. Garaufis to be United States District Court Judge for the Eastern District of New York. I want to thank my colleague from New York, Senator SCHUMER, and Senator LEAHY, Chairman HATCH, Senator LOTT, Senator DASCHLE, and all Senators for confirming the nomination of Judge Garaufis. Hailing from Bayside, New York, he is a graduate of both Columbia College and Columbia School of Law and for the last five years has served as Chief Counsel for the Federal

Aviation Administration. He is superbly qualified and I have every confidence he will make an excellent addition to the Eastern District Court.

ARMED FORCES APPRECIATION DAY STATEMENT

Ms. LANDRIEU. Mr. President, each year, on the third Saturday in May, the nation expresses appreciation and gratitude to our military. In Louisiana, we are proud of our men and women in uniform and have a long-standing tradition of honoring them every year. We are proud of the military in times of war, and we are proud of the military in times of peace. We know that without our fighting men and women ''life, liberty and the pursuit of happiness'' would be just hollow words. Since the birth of our Nation, America's Armed Forces has served the United States with honor, courage, and distinction, both at home and abroad. America's patriots have assumed a sacred duty, understanding that our history, our heritage, and our honor, require us to bear the burdens of sacrifice. We acknowledge and applaud their selfless service, courage, and dedication to duty.

Today, thousands of troops are deployed throughout the world, operating in every time zone, and in every climate defending our freedom. Our sailors and Marines are aboard ships and submarines in the Adriatic. Our Air Force and Navy pilots fly the perilous skies over Iraq. Our soldiers keep the vigil and preserve the peace in the former Yugoslavia. They do it to promote American values: democracy and freedom from the oppression of demagogues, tyrants and totalitarian governments. The peace and freedom so longed for by people throughout the world often starts over here, on American soil. When our Armed Forces go overseas, they take with them our national values: a tradition of democracy and a love of individual liberty. Our service members are truly freedom's ambassadors.

So on behalf of the state of Louisiana and a grateful nation, we thank you. We thank you for all that you give to us every day of your lives. We thank those serving on active duty, those standing by in the Reserves and National Guard, and we thank all family members for their patience and their sacrifices. Thank you for your devotion to duty, for your loyalty, for your courage and for your patriotic and profound love of country.

NATIONAL MISSING CHILDREN DAY

Mr. GRAMS. Mr. President, I rise today to promote awareness of missing children and honor those who work to search and rescue the thousands of children who disappear each year. As my colleagues may know, today is recognized as National Missing Children Day.

In proclaiming the first National Missing Children Day in 1983, President Ronald Reagan noted, ''Our children are the Nation's most valuable and most vulnerable asset. They are our link to the future, our hope for a better life. Their protection and safety must be one of our highest priorities.'' Since that time, National Missing Children Day has been a reminder that we must strengthen our resolve to keep children safe.

I believe that the Federal Government can help state and local law enforcement agencies reunite missing and runaway children with their families. In particular, the Missing, Exploited, and Runaway Children Protection Act enacted by Congress last year is an example of an effective federal and state partnership that reduces crime and prevents missing children cases. This law reauthorized the National Center for Missing and Exploited Children and the Runaway and Homeless Youth Program through fiscal year 2003 and provides local communities with the resources to find missing children and prevent child victimization.

In my home state, the Jacob Wetterling Foundation and Missing Children Minnesota have worked effectively to locate missing children and raise public awareness about ways to prevent child abduction and sexual exploitation. Additionally, the Minnesota Association of Runaway Youth Services, comprising eighteen nonprofit agencies in Minnesota, has been instrumental in providing services to runaway and homeless youth and their families. Their efforts have been guided by the Runaway and Homeless Youth Program, which provides resources to community-based organizations to provide outreach, temporary shelter, and counseling each year to thousands of Minnesota's homeless young people.

I am also working to secure federal funding to support the State of Minnesota's development of a statewide criminal justice information sharing system that would allow police, judges, and other criminal justice professionals to communicate quickly about the criminal histories of violent offenders. My proposal will help to provide local communities with the technology to identify criminals and protect our communities from sexual predators and violent offenders.

As chairman of the Minnesota House Crime Prevention Committee, Representative Rich Stanek recently led the effort to pass ''Katie's Law''—legislation that will provide state funding for an integrated criminal justice system. I greatly appreciate Representative Stanek's dedication to improving the Minnesota criminal justice system and the opportunity to work with him on this very important public safety initiative.

Mr. President, I again commend the numerous volunteers, organizations, businesses, state legislators, and government agencies who all work on a daily basis to find missing children. I look forward to our continued work together.

Ms. LANDRIEU. Mr. President, I rise to commemorate this very special day, National Missing Children's Day. Proclaimed by President Ronald Reagan in 1983 and honored by every administration since, May 25th is the day 6 year old Ethan Patz disappeared from a New York City street corner on his way to school in 1979. His case remains unsolved and is an annual reminder to the nation to renew efforts to reunite missing children with their families and make child protection a national priority. As a mother of two beautiful children, I cannot imagine what I would do if my children were missing. All of us with children know that this a parent's greatest nightmare. Yet every 18 seconds a child disappears, and so each day over three thousand parents go through the terror of losing their child.

The Theme of this year's National Missing Children's Day is ''Picture them Home.'' This national public awareness campaign is aimed at encouraging the public at large to be aware of their important role in the recovery of these children. One in six children featured in the National Center for Missing and Exploited Children's photo-distribution program is recovered as a direct result of someone in the public recognizing the child in the picture and notifying the authorities. Unlike so many of our national tragedies, we can do something to help return a missing child to their families. I urge the American public to really look closely at pictures of missing children they see. The small gesture can be the key to reuniting a mother or father with their missing child.

In closing, I would like to commend those individuals who were honored this morning by the National Center for Missing and Exploited Children (NCMEC), the Fraternal Order of Police and the Office of Juvenile Justice and Delinquency Prevention at the U.S. Department of Justice Fifth Annual National Missing and Exploited Children's Awards Ceremony.

Sergeant Investigator Awilda Cartagena, Texas Dept. of Public Safety—For the recovery of Johnny Tello, a family abduction victim from Dallas, Texas, after a six-year search. Special Agent K. Jill Hill, Federal Bureau of Investigation, Little Rock, Arkansas—For the location and recovery of non-family abduction victim, three-year-old Destiny Leann Richards, who was kidnapped from her home in Mabelvale, Arkansas, on June 11, 1999, and located in a wooded area the next evening following extensive ground searches. Detective Captain David W. Bailey, accepting for the Lancaster (Ohio) Police Department—for the successful local location and recovery of three-year-old Ashley Taggart, abducted in April 1999 and found three days later in the home of a twice-convicted sexual predator. Senior Resident Agent Scott Wilson, Federal Bureau of Investigation,

Painesville, Ohio, Township Division—for the recovery of Nicole Nsour, an international child abduction victim, whose non-custodial father abducted her and held her in Jordan for over two months. Postal Inspector Paul Groza, Jr., U.S. Postal Inspection Service-Northwest Portland, Oregon—for the investigation resulting in the conviction of Jonathon and Sarah Aragorn for their construction of a Web Site to procure children for sexual relations with themselves and their children. Officer James E. Lee, Lake Bluff, Illinois, Police Department—For the investigation and arrest of Donald C. Moore, a local child mentor who was victimizing area youth entrusted to his care. Detective Michael Schirling, Burlington, Vermont, Police Department—For the investigation and apprehension of a 19-year-old fraternity president, summer camp counselor and student at the University of Vermont at Burlington, for possession of child pornography and child sexual abuse.

RUSSIA AS A RESPONSIBLE PARTNER

• Mr. HELMS. Mr. President, one of the myths dear to President Clinton's heart these days is that the government of Russia has been ''a supportive and reliable partner in the effort to bring peace and stability to the Balkans.'' That myth was shattered once again earlier this month when a war criminal indicted by the International Criminal Tribunal for the Former Yugoslavia, ICTY, was hosted in Moscow—not by Russia's criminal underworld—but by the Kremlin itself.

General Dragolub Ojdanic, Minister of Defense of the Federal Republic of Yugoslavia, visited Moscow for nearly a week earlier this month—from May 7–12, 2000. He was there as a guest of the government of the Russian Federation and enjoyed the privilege of attending President Vladimir Putin's inauguration ceremonies.

As Slobodan Milosevic's military Chief of Staff during the Kosovo war, General Ojdanic was directly responsible for the Serbian military's ethnic cleansing campaign in Kosovo. For this, the General was indicted by the ICTY for crimes against humanity and violations of the laws and customs of war for alleged atrocities against Albanians in Kosovo.

Mr. President, the ICTY has issued international warrants for General Ojdanic's arrest and extradition to The Hague. The Russian Federation, a permanent member of the United Nations Security Council which established the ICTY, has an obligation to arrest General Ojdanic and extradite him to The Hague if and when they have the opportunity.

But what did President Putin and his regime do when Ojdanic was in Moscow? Instead of arresting and sending him to The Hague, they provided a week of fine food and camaraderie and a privileged seat at the Putin inauguration!

What truly disturbs me, Mr. President, is that General Ojdanic's visit was not just for fun. He was there to work—to reestablish the links between the Milosevic regime and the Kremlin. While in Moscow, he held official talks with Defense Minister Sergeyev, Army Chief of Staff Anatoly Kvashnin, and Foreign Minister Ivanov.

On May 16, four days after General Ojdanic's visit to Moscow, Russia announced that it has provided the Serbian regime of Slobodan Milosevic with $102 million of a $150 million loan. The Russian government also announced that it will facilitate the sale to Serbia of $32 million worth of oil, despite the fact that the international community has imposed economic sanctions against the Milosevic regime.

I confess that I am impressed by the audacity of Russian President Putin. Here he is, providing the Milosevic regime with over $150 million in economic support while seeking debt relief from the international community and loans from the International Monetary Fund. He is doing this while his country seeks and receives food aid from the United States.

What should we conclude from all this?

First, President Putin seems comfortable ignoring the requirement to arrest and transfer indicted war criminals to The Hague. I suppose we can just add this to the long list of international obligations Mr. Putin sees fit to disregard.

Second, Russia does not share NATO's goals and objectives in bringing peace and stability to the Balkans. If it did, its leaders would not be so brazenly and warmly supporting senior officials of the Milosevic regime.

Third, the Kremlin must regard Western, and particularly, U.S. economic assistance and aid to be unconditional. He has evidently concluded that he can conduct his foreign policy with impunity and still count on the West's economic largesse. The fact that the hospitality and support provided to these Serbian war criminals occurs just one month before President Clinton's visit to Moscow shows how little respect Putin has for the policies of the United States.

Mr. President, what concerns me most about the relationship between the Kremlin and the Milosevic regime is the threat it poses to our men and women in uniform serving in the Balkans—and those of our allies. The political support the Kremlin provides Slobodan Milosevic directly jeopardizes the safety and security of American and allied forces deployed in the Balkans. This outreach by Putin to the Milosevic regime only encourages that brutal dictator to continue his policies of destruction in the Balkans.

While we are trying to force the Milosevic regime to step down and to turn power over to Serbia's democratic opposition, Russia is signaling to Milosevic that he can survive and even outlast the Alliance—and that Russia will help him prevail.

It is for these reasons, that I plan to introduce an amendment to the foreign operations appropriations bill that will restrict material and economic assistance the United States provides to the Russian Federation. There is no reason why the United States should be providing Russia loan forgiveness and economic assistance when the Kremlin continues to support a regime in Serbia whose forces directly threaten our troops and those of our allies trying to bring peace to the Balkans.

This amendment does four things:

First, it reduces assistance obligated to the Russian Federation by an amount equal in value to the loans, financial assistance, and energy sales the Government of the Russian Federation has provided and intends to provide to the Milosevic regime.

Second, it ensures U.S. opposition to the extension of financial assistance to Russia from the International Monetary Fund, the World Bank and other international financial institutions.

Third, it suspends existing programs to Russia provided by the Export-Import Bank and the Overseas Private Investment Corporation.

Fourth, it ensures the United States will oppose proposals to provide Russia further forgiveness, restructuring, and rescheduling of its international debt.

Mr. President, I sincerely believe that a partnership with Russia is possible and indeed, would serve the interests of both countries. A strategy of engagement, however, cannot and must not ignore reality. Partnership cannot occur when Russia blatantly supports a regime that continues to threaten stability in the Balkans, whose calling cards are ethnic cleansing and political repression, and that continues to threaten U.S. soldiers in the field.

I will be pleased to treat Russia as a responsible partner when it behaves as one.•

BIRTHDAY OF KATHERINE ''KITTY'' WILKA

Mr. DASCHLE. Mr. President, ''Mother's Day''—that special day when children the world over celebrate and honor their mothers—falls during the month of May. Appropriately, the month of May is also the month when one of the most selfless and dedicated mothers I know celebrates her birthday. Today, I would like to share the story of that remarkable woman from my home state of South Dakota.

I have known and admired Katherine ''Kitty'' Wilka for more than two decades. Today, as she celebrates her 70th birthday, she will be surrounded by numerous family members and friends. Kitty Wilka is the mother of 12, the grandmother of 29 and, as of last week, the great-grandmother of 3. But it is not just the size of the Wilka family that is noteworthy. It is also the quality of their character and the diversity of their accomplishments.

Kitty Wilka and her late husband, Bill, led by example and instilled admirable values in all their children. Widowed for over a decade, Kitty is the

heart and soul of her extended family. She is a role model for her children and grandchildren. Her life example epitomizes both the love of family and commitment to community.

Kitty has raised public servants, community and church leaders and business owners. After working for 18 years at McKennan Hospital in Sioux Falls, she continues to contribute to her community, volunteering at St. Lambert's Catholic Church and its school.

I must confess that I have personally benefitted from the Wilka family's belief in public service. Kitty's son, Jeff, has volunteered in my Sioux Falls office since my first election to the U.S. House of Representatives in 1978.

Born with cerebral palsy, Jeff grew up with a positive attitude and a determination to be involved in his community. He has been a loyal, dedicated and valued member of my Sioux Falls staff for over two decades. In fact, Jeff has become a fixture of sorts, having the second longest running tenure on my staff.

With the help of his loving mother and close-knit family, Jeff has overcome many obstacles in his life, including physical ailments that required surgery and therapy, and a dependency on alcohol. He has been sober for 11 years and is an ardent worker on behalf of many civic causes, including the Children's Care Hospital and School, the March of Dimes and Easter Seals. He also has a deeply held faith in our electoral process, working in the political trenches for many years for a variety of local, state and federal candidates in whose philosophy he believes.

I am proud of what Jeff has accomplished and the significant challenges he has overcome. I think he would be the first to tell you that his successes have been based upon the solid Midwestern values that Kitty and Bill Wilka instilled in him and his siblings. They taught their children to work hard, to never give up and to do their part to improve the communities in which they live. It is clear that Jeff has taken those lessons to heart.

Kitty Wilka has much to be proud of in her life. And I know that her loving family is extremely proud of her. I want to join her 12 children, 29 grandchildren and 3 great-grandchildren in wishing Kitty the very best on her birthday. She deserves it.

Happy 70th birthday, Kitty!

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Wednesday, May 24, 2000, the Federal debt stood at $5,676,761,996,112.82 (Five trillion, six hundred seventy-six billion, seven hundred sixty-one million, nine hundred ninety-six thousand, one hundred twelve dollars and eighty-two cents).

One year ago, May 24, 1999, the Federal debt stood at $5,597,943,000,000 (Five trillion, five hundred ninety-seven billion, nine hundred forty-three million).

Five years ago, May 24, 1995, the Federal debt stood at $4,887,785,000,000 (Four trillion, eight hundred eighty-seven billion, seven hundred eighty-five million).

Ten years ago, May 24, 1990, the Federal debt stood at $3,094,795,000,000 (Three trillion, ninety-four billion, seven hundred ninety-five million).

Fifteen years ago, May 24, 1985, the Federal debt stood at $1,751,794,000,000 (One trillion, seven hundred fifty-one billion, seven hundred ninety-four million) which reflects a debt increase of almost $4 trillion—$3,924,967,996,112.82 (Three trillion, nine hundred twenty-four billion, nine hundred sixty-seven million, nine hundred ninety-six thousand, one hundred twelve dollars and eighty-two cents) during the past 15 years.

LEBANON

Mr. BROWNBACK. Mr. President, earlier this week, the Senate passed Concurrent Resolution 116, commending Israel's withdrawal from Lebanon. The resolution notes the original reason Israel was forced to occupy a narrow security strip in southern Lebanon—constant attacks on Israeli civilians from Lebanon-based terror groups. Israel had no designs on Lebanese territory; the Jerusalem government was forced to do the job that the central Lebanese authorities were unable or unwilling to perform.

Lebanon is in a sad situation. It is a nation torn by sectarian strife, occupied by tens of thousands of Syrian troops, and overrun with terrorists. In the final analysis, however, the government of Lebanon must be called to account. For more than two decades, the international community has bemoaned Lebanon's fate without demanding responsible leadership. That era is now over.

There are Christians and Muslins in southern Lebanon whose fate hangs in the balance. They have been under the protection of Israel for more than two decades. What will happen to them? Will they be subject to the whims of yet another Lebanese militia, a Hezbollah state within a state? Will Christians be forced to flee, as they have from the West Bank and from so many other states? Or will the Lebanese central government and the Lebanese Army, as required under United Nations Security Council resolutions, take control of southern Lebanon and ensure safety and security for all?

Will the Lebanese government allow the United Nations and UNIFIL to do its job and deployment throughout the South? Or will Lebanon remain a pawn in the hands of terrorists, a puppet state in the hands of Syria and Iran? This is the test. The President and the Congress have demanded that Lebanon secure its southern border and reintegrate southern Lebanese into the country. Hezbollah must be disarmed. The Syrian military must be evicted. The world is watching and the time is now.

The citizens of northern Israel—indeed all Israelis—deserve to live within secure borders in peace. If they cannot, it is the solemn obligation of the Israeli government to secure those borders and to hunt down those who violate it and eliminate them. For my part as a United States Senator, I intend to do all that I can to support Israel in that aim, and to ensure that the means and the political, diplomatic and material support are at hand for the Israeli government to do just that.

This month could be a turning point for Lebanon, for Syria and for Israel. Or it could be the beginning of a new cycle of conflict. I pray that the Lebanese and the Syrians will be smart enough to seize the opportunity for real peace in the Middle East.

COMMEMORATING FREE ELECTIONS IN CROATIA

Mr. GORTON. Mr. President, today I rise with my colleagues, Senators FEINGOLD, HUTCHINSON, ABRAHAM, and LIEBERMAN, to introduce a resolution congratulating the people of Croatia on their successful parliamentary and presidential elections, the peaceful transition of power, and new initiatives for reform. In addition to congratulating the people of Croatia, the resolution solidifies U.S. support for their progress and encourages Croatian participation in the NATO Partnership for Peace program. One day, I hope that we will be expressing our support for Croatia, and other nations with similar democratic inclination, in NATO itself.

Mr. President, the Balkan nations that are embracing democracy must be supported at every opportunity available because the government could so easily have taken the other path. The leaders of Croatia could have chosen to repress popular involvement and other fundamental rights of democracy, but instead they have chosen the harder but correct path of working through discourse, debate, and democracy. Because we have also been through these trials as a nation, it is my hope that the American people will watch closely the progress of the Croatian people and will support their path to freedom, stability, and peace.

The most important benefit to come out of this election will hopefully be the resolution of Croatia's domestic difficulties. Through the successful election, the Croatian people have taken the reins of control. In addition to the power instilled by this self-determination, the Croatian people are hopefully now spurred to take up the mission of reform that might further improve their government. Among the stated goals of President Mesic are the reintroduction of Serbian refugees to the homes they left behind, reform of the privatization system that has faced serious corruption allegations, and support for the International Criminal

Tribunal for the Former Yugoslavia. These improvements would certainly go far to legitimize the new Administration in the view of the international community but more importantly, in the eyes of the Croatian people. President Mesic's continued efforts on these fronts will show its people that their new government takes seriously the need for honesty and accountability.

As the government wins the support of its people, I am also encouraged by the efforts of the new Administration to get involved with the European community. In such a volatile region, a nation uniting the many groups will be the key to fostering a stable political and economic atmosphere. Part of the victory of democracy in Croatia has been the new spirit of regional harmony that I hope will spread to its neighbors. Peace in the Balkan nations will only come with honest attempts to live with difference, and Croatia will be a leader in the efforts for peace there.

In addition to better conditions in the Balkans, democracy will encourage the involvement of other foreign nations. Just two weeks ago, Croatian President Stipe Mesic met with French President Jacques Chirac to discuss an agreement on stabilization and association, as well as the Croatian entrance to the NATO Partnership for Peace program. The resolution I am supporting today suggests U.S. support for the addition of Croatia in the partnership, and I am happy to inform my colleagues that the nations of NATO have announced that Croatia will become a full member of the Partnership for Peace program today. This is truly a great accomplishment, and it affirms the commitment of all NATO allies to help Croatia in its chosen path.

In addition to my appreciation for the democratic and international progress of the Croatian people, I would also like to take this opportunity to thank the work of the Croatian American Association in bringing this subject to my attention and to the attention of the American people. The Croatian American community has worked tirelessly to create bonds of friendship between our two nations, and I hope that as Croatia becomes more democratic and involved in worldwide political affairs that we, as Americans, will continue to support them.

Mr. President, I hope that this resolution will be an additional bond between two nations that democratic tenets have already joined.

ROLLING THUNDER'S 13TH ANNUAL RIDE FOR FREEDOM

Mr. CAMPBELL. Mr. President, today I want to recognize the 13th Annual Rolling Thunder ''Ride for Freedom'' and highlight the important role Rolling Thunder plays in making sure that our nation's POW/MIAs are honored and never forgotten.

The first time that Rolling Thunder's Ride for Freedom roared and rumbled its way to the Vietnam Memorial on Memorial Day 1988, 2,400 motorcycles banded together for the ride. Some 5,000 Veterans, their wives, children, and other citizens of all backgrounds gathered near the Vietnam Memorial Wall to honor and remember our nation's POW/MIAs. Since then, Rolling Thunder has grown into an international event that garners national attention and focuses it on remembering our POW/MIAs. In fact, Rolling Thunder has become such a large presence that anyone who happens to be anywhere near our nation's Capital cannot help but notice it. For example, last year's Rolling Thunder run included over 250,000 motorcycles and 400,000 participants. There were people at last year's run from every state in the nation, and many foreign countries including Canada, England, Germany, France, Austria, Holland, South Korea, Australia and New Zealand. Made up of over 40 Chapters throughout the United States, Rolling Thunder is a volunteer, non-profit organization.

I would like to thank the several organizations whose support and efforts have helped make Rolling Thunder possible here in Washington D.C. for the past twelve years: the Virginia Police, Virginia State Police, Maryland Police, D.C. Metropolitan Police, Park Police, Park Services and the Pentagon.

I also want to take this opportunity to highlight some legislation I sponsored and Rolling Thunder supports. Rolling Thunder's input and support has been invaluable to the legislative process.

The first bill I want to mention is S. 484, the Bring Them Home Alive Act of 1999. This legislation would grant asylum in the United States to foreign nationals from key countries who personally deliver a living American POW/MIA from either the Vietnam War or the Korean War to the United States.

A key section of this bill would help spread news of the Bring Them Home Alive Act around the world. This is needed to help make sure that the key foreign nationals who need to hear about this act, hear about it. The bill calls on the International Broadcasting Bureau to use its assets, including WORLDNET Television and its Internet sites, to spread the news. The bill also calls on Voice of America, Radio Free Europe and Radio Free Asia to participate.

If this bill leads to even one long-held POW/MIA being returned home to America alive this effort will be well worth it—10,000 times over. Even though it has been decades since these two wars ended, they have not ended for any Americans who may have been left behind and are still alive or their families and friends. As long as there remains even the slightest possibility that there may be surviving POWs in these regions, we owe it to our Soldiers, Sailors, Airmen and Marines to do everything possible to bring them home alive. This is the least we can do after all they have sacrificed.

Today, I am especially pleased to announce that S. 484 passed the Senate last Wednesday, May 24th. Now we need to get it passed in the House of Representatives and enacted into law.

Rolling Thunder was also helpful in getting another important bill enacted into law, the National POW-MIA Recognition Act, legislation I sponsored in the 105th Congress.

This law requires that the POW-MIA flag be displayed on important national buildings—all across America—on six important days. These days include: Memorial Day, Veterans Day, Independence Day, Armed Forces Day, Flag Day and National POW-MIA Recognition Day.

Rolling Thunder captures the American people's attention—and those elected to represent them—and then brightly focuses our attention on remembrance of, and continuing duty to, our nation's POWs and MIAs.

Thank you, Mr. President. I yield the floor.

H.R. 4489 IMMIGRATION AND NATURALIZATION SERVICE DATA MANAGEMENT IMPROVEMENT ACT OF 2000

Ms. COLLINS. Mr. President, I rise today to express my strong support for H.R. 4489, the ''Immigration and Naturalization Service Data Management Improvement Act of 2000.'' Passage of this legislation will repeal Section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 and prevent it from ever being implemented.

Section 110 of the 1996 Immigration law was intended to track individuals who overstay their legally permissible visit in the U.S. However, to accomplish that well-intentioned goal, this law required all foreign travelers or U.S. permanent residents to be individually recorded at ports of entry. In practical effect, the provisions would bring traffic to a halt on the Canadian border for miles.

Those of us who represent states along the Canadian border are well-aware of the close bonds between the U.S. and Canada. The U.S.-Canadian border is the longest continuous open border in the free world and Canadians come into our country freely and easily under current U.S. policy. In Maine, our ties with Canada are particularly deep because many Mainers' extended families live across the border in Canada. Our current border-crossing policy allows these family members to quickly and easily cross the border every day in order to be with a husband, wife, a brother, a sister, cousin or even in-laws as the case may be.

Canada is not only our friend and ally, but our largest trading partner—it is important to maintain and foster our relationship with our neighbor to the North by promoting U.S.-Canadian friendship and trade. The ill-thought out provisions passed as part of the 1996 immigration law would grossly delay

all those crossing the Northern border from Canada, and injure the Northern economy as critical trade and travel routes are slowed. In my State of Maine, this new border policy would have the most immediate impact on border communities such as Calais, Houlton, Madawaska, Fort Kent, and Jackman. Businesses in these communities rely on Canadians to cross the border each and every day in order to buy their goods and services. In addition, the impact on critical Maine trade, including lumber and tourism, would extend beyond these communities and reverberate across my State.

The bill we consider today, H.R. 4489, the Immigration and Naturalization Service Data Management Improvement Act of 2000, repeals Section 110 of the Immigration law. In its place, the bill directs the Immigration and Naturalization Service to amass data already collected at entrance and departure points in an electronically searchable manner. The legislation explicitly states no new documentary requirements or data collection can be directed as a result of the passage of this bill, ensuring that INS new database will rely on already available data.

Those of us who represent the northern regions of our country have been working for over four years now to repeal Section 110. With the support of Senate colleagues, the deadline for implementation of the entry/exit control system for land and sea points of entry has been postponed until March 31, 2001. But until now, we have been unable to break the impasse that left Section 110 in place. I salute all the efforts which have yielded this ground breaking agreement today, particularly the hard work of Senator ABRAHAM who has worked tirelessly on this issue. I look forward to passage of H.R. 4489, and a final end to the threat to the economy posed by Section 110 of the 1996 Immigration law.

Thank you, Mr. President. I yield the floor.

DASCHLE AMENDMENT NO. 3148

Mr. WARNER. Mr. President, on May 16, 2000, the United States Senate took a procedural vote on Senator DASCHLE's amendment to S. 2521, the Military Construction Appropriations Bill. Senator DASCHLE lost this procedural vote by a vote of 42–54.

I did not support the Daschle amendment at that time because it was a procedural amendment to an unrelated bill. This unrelated Daschle amendment kept the Senate away all day from the important business of the Military Construction Appropriations Bill. In addition, it appeared that the Daschle amendment might indefinitely delay consideration of this important bill. As Chairman of the Senate Armed Services Committee, I have a responsibility to secure passage of the important Military Construction Appropriations Bill. This bill provides critically needed funding for military construction projects, improves the quality of life for the men and women who are serving our country in the armed forces, and sustains the readiness of our armed forces. These areas are traditionally underfunded, and this bill provides the necessary funds to help make up for this shortfall. For these reasons, I did not support the Daschle amendment when it came before me on a procedural vote on May 16, 2000.

Subsequent to the procedural vote on the Daschle amendment on May 16, 2000, Senators LOTT and DASCHLE reached an agreement to have two up or down votes—one on the aforementioned Daschle amendment and another on an amendment to be offered by Senator LOTT. Under the agreement, debate on the amendments was limited by a time agreement.

Once this leadership agreement was reached, it became apparent that the Daschle amendment would no longer indefinitely delay the Military Construction Appropriations Bill. Therefore, my previous objections to this amendment were no longer relevant.

The Daschle amendment is a ''Sense of the Senate'' amendment. After stating a number of findings, the amendment states, among other things, that it is the Sense of the Senate that ''Congress should immediately pass a conference report to accompany'' the Juvenile Justice Bill that includes the Senate passed gun-related provisions.

During the Senate's debate of the Juvenile Justice Bill in May of 1999, I supported the Lautenberg amendment, and other amendments to close the gun show loophole in the Brady Act. I also supported an amendment to require licensed firearm dealers to provide a secure gun storage or safety device when a handgun is sold, delivered or transferred. Unfortunately, the Juvenile Justice Bill has been locked in a House and Senate Conference Committee.

I remain firm in my stance on these issues. I certainly hope that House and Senate conferees can reach an agreement in conference on the Juvenile Justice Bill. And, I will continue to support the common-sense gun provisions that passed the Senate during the Juvenile Justice debate. I believe the Senate passed gun-related amendments to the Juvenile Justice Bill will help keep guns out of the hands of convicted felons and increase public safety without infringing on the rights of law-abiding citizens. Therefore, when it became clear that the Daschle amendment would not indefinitely delay consideration of the Military Construction Appropriations Bill, I supported this amendment and voted for it on May 17, 2000.

ADDITIONAL STATEMENTS

SENATOR LANDRIEU WELCOMES HIS EXCELLENCY, MUGUR ISARESCU

• Ms. LANDRIEU. Mr. President, I would like to take this opportunity to extend a warm welcome to His Excellency, Mugur Isarescu, the Prime Minister of Romania. Prime Minister Isarescu's visit is very well-timed. United States' policy in the Balkans is at a decisive point. We took an extremely important vote in the Senate last week that served as a litmus test for our commitment to the region. I am relieved at the results. Ultimately, the United States did not sent the wrong signal to Serbia about our intentions. However, the amendment by the Senior Senators from Virginia and West Virginia, gave the Senate the opportunity to reevaluate our role in the Balkans. The debate of that amendment highlighted the need to establish a more coherent rationale for our leadership in the region.

Mr. President, that is why the Prime Minister's visit is so opportune. The United States has rarely had an ally that has suffered so much for the reward of serving a just cause. However, that is precisely what Romania has done. Romania enjoys good relations with all of its neighbors, but the historical links with Yugoslavia were particularly strong. Yugoslavia, under Tito, was a role-model for how Romania could find a middle path between the superpowers and allow western influence without provoking the Soviets. As you might expect, they shared strong commercial and economic ties. Furthermore, the Danube, the critical life-line for intra-European trade, runs through both countries.

Because of Romania's stalwart support of the NATO mission in Kosovo, we have compelled them to forgo these ties. It has come at great economic cost, and I believe that is incumbent upon the United States, and all of NATO to recognize this sacrifice. However, beyond calling attention to the steadfastness of Romania and other Partnership for Peace nations in our Kosovo mission, the Prime Minister's visit also represents a true opportunity. Romania has had to cope with instability and shifting power-struggles throughout its history. We are fortunate to have an ally who can provide wise counsel as we navigate our way through this region. Furthermore, Romania's help comes from a faultless motivation. Romania would like to be embraced by the institutions of the West. They earnestly desire to participate in NATO and the European Union. Rather than play a game of horse-trading, Romania has tried living up to the ideals of NATO membership before entering the alliance.

Mr. President, I would again like to welcome the Prime Minister, thank the Romanian people for their sacrifice in the Kosovo conflict, and wish the Romanian government well as it seeks to further the excellent working-relationship that we have established since the end of Communism.•

CONGRATULATING CENTRAL FALLS HIGH SCHOOL

• Mr. L. CHAFEE. Mr. President, on May 6th, twenty-five outstanding students from Central Falls High School in Rhode Island visited Washington to compete in the national finals of the ''We The People . . . The Citizen And The Constitution'' program. This is the third time that the Central Falls High School team has won the statewide competition, and I would like to commend their achievement.

The ''We The People . . . The Citizen And the Constitution'' program focuses on teaching our nation's students about the history, philosophy, and meaning of the Constitution and the Bill of Rights, as well as increasing civic participation. The national finals competition simulates a congressional hearing in which students testify as constitutional experts before a panel of judges.

I am very proud of Francisco Araujo, Sean Brislin, Andrzej Budzyna, Delia Buffington, Eloisa Dellagiovanna, Rachel Dittell, Renee Dittell, Matthew Doucett, Ricky Ferreira, Hipolito Fontes, Michelle Fontes, Sonia Gaitan, Jennifer Golenia, Joshua Lapan, Celia Marques, Edward Pare, Kassandra Reveron, Helen Reyes, Kathleen Roach, Amy Rodrigues, Anthony Rodrigues, Jennifer Savard, Cassie Tripp, Monica Vicente, and Leslie Viera for making it to the national finals. I applaud this terrific group of young men and women for their hard work and perseverance. Also, Mr. President, I want to congratulate Jeffry Schanck, a fine teacher who deserves so much credit for guiding the Central Falls High School team to the national finals.

Mr. President, it is encouraging to see young Rhode Islanders participating in the ''We The People . . . The Citizen And the Constitution'' program. They have learned that the Constitution is not just a piece of paper, but a living document that all Americans should cherish. It gives me great hope for the future of Rhode Island and our nation.•

IN HONOR OF MR. RICHARD BUNKER

• Mr. REID. Mr. President, I rise today to honor a distinguished Nevadan, a good man, and a good friend, Mr. Richard Bunker. Richard will be receiving the National Jewish Medical and Research Center's Humanitarian Award on June 3, 2000. The Humanitarian Award recognizes individuals who have made significant civic and charitable contributions, and whose concern is not personal, but for the greater community. There is no one more deserving of this honor than Richard Bunker.

Richard's legacy of service to the state of Nevada is long and remarkable. He has served as Assistant City Manager of Las Vegas and Clark County Manager, before being appointed Chairman of the prestigious State Gaming Control Board. He is currently a member of the Colorado River Commission and a member of the Board of Trustee for the Hotel Employees and Restaurant Employees International Union Welfare/Pension Funds.

As Chairman of the Colorado River Commission of Nevada, Richard is Nevada's ambassador on the Colorado River. With shrewdness and finesse, he has developed positive relations with officials of the Colorado River basin states. His political skill has firmly reestablished Nevada as a player on the important issues of the Colorado River community. He also made the critically needed expansion of Southern Nevada water facilities a reality when he brokered a financial plan with the business, developer, and gaming communities.

Over the years, Richard Bunker has also been recognized by a variety of distinguished organizations. In 1993, he received the prestigious Nevadan of the Year award from the University of Nevada, Las Vegas. The Anti-Defamation League honored Richard with the Distinguished Community Service Award in 1996. In June 1999, he was presented with the Lifetime Achievement Award by the Nevada Gaming Attorneys and the Clark County Bar Association.

For those of us who have had the pleasure to work closely with Richard, as I have, the above awards pale in comparison to his true grit. He is knowledgeable of the system of government and totally aware of the magic of our system of free enterprise. For the growth and development of southern Nevada, no one for the past twenty-five years has played a more key role than Richard Bunker.

On a more personal note, Richard has played an important part in my political endeavors. He has been an advisor, counselor, and sounding board. Above all else, he is a god listener, for this Richard, I am grateful.

I extend to you my congratulations and the appreciation of all Nevadans for your good work on their behalf.•

TRIBUTE TO PORTER HOSPITAL AND THE HELEN PORTER NURSING HOME

• Mr. JEFFORDS. Mr. President, it is a great honor for me to represent the people of the state of Vermont. On this occasion, I rise to pay tribute to two health care institutions in Vermont that add so much to their communities and make ''the Green Mountain State'' such a wonderful place to live.

This year Porter Hospital is celebrating its 75th anniversary and Helen Porter Nursing Home is celebrating its 30th anniversary of providing quality health care to the people of Addison County, Vermont. Together these two institutions have played a vital role in delivering a continuum of care to thousands of people. They have demonstrated their commitment to serving as catalysts in the development of health services for the people of this region.

Porter Hospital has been caring for its community since 1925 and is a full service, community hospital, providing emergency services and comprehensive medical care. Helen Porter Nursing Home provides skilled and intermediate care to residents in a homelike environment where privacy is honored and individuality respected.

The devoted and professional staff of both institutions provide the full range of health care from outpatient services and rehabilitation, to long-term care and Wellness programs. Additionally, Porter Hospital and Helen Porter Nursing Home have contributed significantly to the economic vitality of the region as major employers and active members of the Addison County business community.

In a rural state such as Vermont, we count our successes one community at a time. We hold our institutions dear and we thank the men and women who devote their lives to improving the health status of our state.

Porter Hospital and Helen Porter Nursing Home have displayed a steadfast commitment to improving the quality of life for the people of Addison County. The citizens of Vermont are tremendously grateful for that commitment, and I join them in sharing gratitude. Thank you.•

TRIBUTE TO NAVY REAR ADMIRAL JOHN D. HUTSON, USN

• Mr. LEVIN. Mr. President, I rise today to recognize and pay tribute to Rear Admiral John D. Hutson, USN, the Judge Advocate General of the Navy. Admiral Hutson will retire from the Navy on August 1, 2000, having completed a distinguished 27-year career of service to our Nation.

Admiral Hutson was born in North Muskegon, Michigan, and is a graduate of Michigan State University and the University of Minnesota Law School. He also earned a Master of Laws degree in labor law from Georgetown University Law Center.

During his military career, Admiral Hutson excelled at all facets of his chosen professions of law and naval service. He served as a trial and defense counsel at the Law Center, Corpus Christi, Texas, faithfully preserving military justice at its very foundations. As a staff judge advocate, he provided legal counsel to Commanding Officers at Naval Air Station, Point Mugu, California, and Portsmouth Naval Shipyard, Kittery, Maine. He served as an instructor and later as the Commanding Officer of Naval Justice School, Newport, Rhode Island, playing a critical role in preparing and mentoring future generations of judge advocates.

As the Executive Officer of the Naval Legal Service Office, Newport, Rhode Island, and later the Commanding Officer, Naval Legal Service Office, Europe and Southwest Asia, Naples, Italy, Admiral Hutson proved to be an inspiring leader. He guided young judge advocates in the understanding, appreciation and dedication of their roles as both judge advocates and naval officers, exemplifying the Navy's core values of honor, courage, and commitment.

During his career Admiral Hutson also provided counsel and support to senior leaders while serving as the Staff Judge Advocate and Executive Assistant to the Commander, Naval Investigative Command and as Executive Assistant to the Judge Advocate General of the Navy.

I am sure many of my colleagues remember and appreciate Admiral Hutson's service as a legislative counsel and later as the Director of Legislation in the Navy's Office of Legislative Affairs. During these assignments, he directly contributed to clear and thorough communication with Congress on the interests of the Navy in a broad range of legislative matters.

Admiral Hutson's dedication to service and superior performance in all assignments appropriately culminated in his appointment as the 36th Judge Advocate General of the Navy. In this role, he provided invaluable legal service to both the Secretary of the Navy and the Chief of Naval Operations, and the Judge Advocate General's Corps. He fulfilled these duties with great distinction, leaving the Judge Advocate General's Corps strong and well-prepared for the challenges of the 21st century.

It is fitting that following his retirement Admiral Hutson will become the Dean of the Franklin Pierce Law Center in Concord, New Hampshire, where he will continue to lead and mentor future servants of the law.

Mr. President, the Nation, the United States Navy, and the Judge Advocate General's Corps have been made better through the talent and dedication of Rear Admiral John D. Hutson. I know all of my colleagues join me in wishing him and his wife, Paula, fair winds and following seas.●

TRIBUTE TO MANUAL HIGH SCHOOL

● Mr. McCONNELL. Mr. President, I rise today to congratulate students at my alma mater, duPont Manual High School, for their victory in the U.S. Department of Energy's National Science Bowl.

I am proud to share with my colleagues that a team of five students from duPont Manual High School in Louisville, Kentucky, are the champions of the 2000 National Science Bowl. These young scholars worked diligently to reach the competition and through their academic excellence and teamwork, prevailed at the end of a tough, four-day challenge held in Chevy Chase, Maryland.

First, and most importantly, I recognize the students on this year's Manual High School team and commend them for their hard work and determination: Mariah Cummins, Marty Mudd, Matthew Reece, Gabe Wood, and Yan Xuan.

I also applaud and thank their teacher, Skip Zwanzig, who taught these students and provided the leadership which brought them to this year's competition.

The National Science Bowl is a rigorous academic competition among teams of high school students. This year is the 10th anniversary of the program, which has brought more than 60,000 high school mathematics and science students from across the country together in competition since its inception in 1991. The program is designed to encourage students and their teachers to achieve educational excellence in science and math. Competing teams are quizzed on topics in biology, chemistry, physics, astronomy, earth science, computer science, and mathematics.

Congratulations, Manual High, on your win and thank you for continuing Louisville's and the State of Kentucky's tradition of excellence in education.●

COMMENDING THE UNITED STATES POSTAL SERVICE ''CELEBRATE THE CENTURY EXPRESS''

● Mr. CLELAND. Mr. President, I rise today to commend the United States Postal Service for receiving two distinguished awards for its Celebrate the Century Express Educational Train Tour. I would like to thank Mr. Gary A. Thuro, Jr., Manager, Promotions, and Mr. Ernest Cascino, Jr., Project Manager, for bringing the awards to my attention. The United States Postal Service deserves special recognition for receiving the Department of Transportation's Design for Transportation National Award of Merit and the Transportation Marketing & Communications Association's 2000 Award of Excellence.

Both awards were presented in recognition of the United States Postal Service's Celebrate the Century Express Train which is a specially outfitted four-car Amtrak train and traveling postal history exhibition that serves as the ''iron ambassador'' of the Celebrate the Century commemorative stamp and education program. The train is a rolling history museum, presenting the story of how the mails and rails helped develop our country and, highlighting some of the most significant people, places and events of the 20th century.

Over its 18-month tour from March 1999 to fall 2000, the Celebrate the Century Express will visit dozens of communities across the nation, from the biggest cities to the smallest towns. In 1999, the train traveled over nearly 13,000 miles of track, visiting 36 cities in 18 states and being viewed by more than 150,000 people, including thousands of schoolchildren. The train is expected to make at least 36 stops this year before concluding its two-year run in November 2000.

The Design for Transportation National Awards 2000 honor those facilities and activities that exemplify the highest standards of design and have made an outstanding contribution to the nation's transportation systems and the people they serve. The United States Postal Service received a Merit Award (which is only given every 5 years) for achieving a high level of design quality for its Celebrate the Century Express. The Postal Service is among 30 winners out of more than 300 entries and is the only recipient to receive an award for any type of vehicle.

The Transportation Marketing & Communications Association's Transportation Communicators Award program, also known as the ''Tranny'' Awards, recognizes excellence in communications programs in the transportation and logistics industries. The program recognizes individual practitioners who apply solid communications principles and creativity to effectively promote the goals of their organizations. The United States Postal Service received an Award of Excellence in the category of ''best practices in special events'' and was one of 18 winners out of more than 150 entries.●

NATIONAL LAW ENFORCEMENT MEMORIAL DAY—THANK YOU ISN'T ENOUGH

● Mr. CARPO. Mr. President, I rise to discuss an innovative program in my home State of Idaho that honors our Nation's law enforcement officers.

As you know, May 15, 2000, was National Law Enforcement Memorial Day. This important day was established to commemorate the brave men and women of law enforcement who lost their lives in the line of duty. Law enforcement personnel risk their lives every day to protect and serve this Nation. According to statistics released by the U.S. Department of Justice, the incidents of violent crime are steadily declining. Their is no doubt that this is a direct result of the hard-work and dedication of law enforcement officers across the Nation.

This year, I was pleased to be able to join the Idaho Education Association in sponsoring a state-wide poster contest in conjunction with National Law Enforcement Memorial Day. Using the theme ''Thank You Isn't Enough,'' creative and talented public school students from communities throughout Idaho submitted posters honoring the service and sacrifices of law enforcement. The winning posters, chosen from four different grade ranges, were announced on May 15. The winning entries, which I will have the honor of displaying in my office here in Washington, D.C., were submitted by the following Idaho public school students:

Kindergarten through Second Grade: Jenefer Kramer from Westside Elementary in Idaho Falls.

Third through Fifty Grade: Mirella Toncheva from Washington Elementary in Pocatello.

Sixth through Eighth Grade: Jenni Henscheid from Sandcreek Middle School in Idaho Falls.

Ninth through Twelfth Grade: Cassey Newbold from Alameda Junior High School in Pocatello.

I congratulate these winners and all the students who submitted entries. Thanks also go to the Idaho Education Association for being a partner in this important event. It provided an excellent opportunity to honor Idaho's law enforcement community and educate our students on the importance of law enforcement services. I look forward to sponsoring this contest again in the future.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT ON THE CONTINUATION OF EMERGENCY WITH RESPECT TO THE FEDERAL REPUBLIC OF YUGOSLAVIA (SERBIA AND MONTENEGRO), THE BOSNIAN SERBS, AND KOSOVO—MESSAGE FROM THE PRESIDENT—PM 110

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication, stating that the emergency declared with respect to the Federal Republic of Yugoslavia (Serbia and Montenegro), as expanded to address the actions and policies of the Bosnian Serb forces and the authorities in the territory that they control within Bosnia and Herzegovina, is to continue in effect beyond May 30, 2000, and the emergency declared with respect to the situation in Kosovo is to continue in effect beyond June 9, 2000.

On December 27, 1995, I issued Presidential Determination 96–7, directing the Secretary of the Treasury, inter alia, to suspend the application of sanctions imposed on the Federal Republic of Yugoslavia (Serbia and Montenegro) and to continue to block property previously blocked until provision is made to address claims or encumbrances, including the claims of the other successor states of the former Yugoslavia. This sanctions relief, in conformity with United Nations Security Council Resolution 1022 of November 22, 1995 (hereinafter the ''Resolution''), was an essential factor motivating Serbia and Montenegro's acceptance of the General Framework Agreement for Peace in Bosnia and Herzegovina initialed by the parties in Dayton on November 21, 1995, and signed in Paris on December 14, 1995 (hereinafter the ''Peace Agreement''). The sanctions imposed on the Federal Republic of Yugoslavia (Serbia and Montenegro) were accordingly suspended prospectively, effective January 16, 1996. Sanctions imposed on the Bosnian Serb forces and authorities and on the territory that they control within Bosnia and Herzegovina were subsequently suspended prospectively, effective May 10, 1996, also in conformity with the Peace Agreement and the Resolution.

Sanctions against both the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Bosnian Serbs were subsequently terminated by United Nations Security Council Resolution 1074 of October 1, 1996. This termination, however, did not end the requirement of the Resolution that blocked those funds and assets that are subject to claims and encumbrances until unblocked in accordance with applicable law.

Until the status of all remaining blocked property is resolved, the Peace Agreement implemented, and the terms of the Resolution met, this situation continues to pose a continuing unusual and extraordinary threat to the national security, foreign policy interests, and the economy of the United States. For these reasons, I have determined that it is necessary to maintain in force these emergency authorities beyond May 30, 2000.

On June 9, 1998, I issued Executive Order 13088, ''Blocking Property of the Governments of the Federal Republic of Yugoslavia (Serbia and Montenegro), the Republic of Serbia, and the Republic of Montenegro, and Prohibiting New Investment in the Republic of Serbia in Response to the Situation in Kosovo.'' Despite months of preparatory consultations and negotiations, representatives of the Federal Republic of Yugoslavia (Serbia and Montenegro) in March 1999, completely blocked agreement on an internationally backed proposal for a political solution to the Kosovo crisis. Yugoslav forces reinforced positions in the province during the March negotiation and, as negotiations failed, intensified the ethnic cleansing of Albanians from Kosovo. Yugoslav security and paramilitary forces thereby created a humanitarian crisis in which approximately half of Kosovo's population of 2 million had been displaced from the province and an unknown but apparently large portion of the remaining population had been displaced within Kosovo by mid-April.

On April 30, 1999, I issued Executive Order 13121, ''Blocking Property of the Governments of the Federal Republic of Yugoslavia (Serbia and Montenegro), the Republic of Serbia, and the Republic of Montenegro, and Prohibiting Trade Transactions Involving the Federal Republic of Yugoslavia (Serbia and Montenegro) in Response to the Situation in Kosovo.'' Executive Order 13121 revises and supplements Executive Order 13088 to expand the blocking regime by revoking an exemption for certain financial transactions provided in Executive Order 13088; to impose a general ban on all U.S. exports and reexports to and imports from the Federal Republic of Yugoslavia (Serbia and Montenegro) (the ''FRY (S&M)'') or the Governments of the FRY (S&M), the Republic of Serbia, or the Republic of Montenegro; and to prohibit any transaction or dealing by a U.S. person related to trade with or to the FRY (S&M) or the Governments of the FRY (S&M), the Republic of Serbia, or the Republic of Montenegro. In addition, Executive Order 13121 directs that special consideration be given to Montenegro and the humanitarian needs of refugees from Kosovo and other civilians within the FRY (S&M) in the implementation of the Order. Finally, Executive Order 13121 also supplements Executive Order 13088 to direct that the commercial sales of agricultural commodities and products, medicine, and medical equipment for civilian end-use in the FRY (S&M) be authorized subject to appropriate safeguards to prevent diversion to military, paramilitary, or political use by the Governments of the FRY (S&M), the Republic of Serbia, or the Republic of Montenegro.

This situation continues to pose a continuing unusual and extraordinary threat to the national security, foreign policy interests, and the economy of the United States. For these reasons, I have determined that it is necessary to maintain in force these emergency authorities beyond June 9, 2000.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *May 25, 2000*.

REPORT ON THE NATIONAL EMERGENCIES WITH RESPECT TO THE FEDERAL REPUBLIC OF YUGOSLAVIA (SERBIA AND MONTENEGRO) AND KOSOVO—MESSAGE FROM THE PRESIDENT—PM 111

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act (IEEPA), 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report

on the national emergency with respect to the Yugoslavia (Serbia and Montenegro) emergency declared in Executive Order 12808 on May 30, 1992, and with respect to the Kosovo emergency declared in Executive Order 13088 on June 9, 1998.

WILLIAM J. CLINTON.
THE WHITE HOUSE, *May 25, 2000*.

MESSAGE FROM THE HOUSE

At 12:47 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that 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 of Washington, DC, and Ms. Roberta L. Holzwarth of Rockford, Illinois.

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. 336. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

The message further announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4444. 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 message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 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.

At 2:05 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House insists upon its amendment to the bill (S. 1692) to amend title 18, United States Code, to ban partial-birth abortion, and asks a conference with the Senate on the disagreeing votes of the two Houses thereon; and that Mr. HYDE, Mr. CANADY of Florida, Mr. GOODLATTE, Mr. CONYERS, and Mr. WATT of North Carolina, be the managers of the conference on the part of the House.

At 4:33 p.m., a message from the House of Representatives, delivered by Mr. Hayes, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3916. An act to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communication services.

The message also announced that the House has passed the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 331. Concurrent resolution commending Israel's redeployment from southern Lebanon.

MEASURE REFERRED

The following bill was read the first and second times by unanimous consent, and referred as indicated:

H.R. 3916. An act to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communication services; to the Committee on Finance.

MEASURES PLACED ON THE CALENDAR

The following bills were read the first and second times and placed on the calendar:

H.R. 4444. An act to authorize extension of nondiscriminatory treatment normal trade relations treatment) to the Peoples Republic of China, and to establish a framework for relations between the United States and the People's Republic of China.

H.R. 3660. an act to amend title 18, United States Code, to ban partial-birth abortions.

The following bills were read the second time and placed on the calendar:

H.R. 1291. An act to prohibit the imposition of access charges on Internet service provider.

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 transfers to North Korea, and for other purposes.

The following concurrent resolution was read and placed on the calendar:

H. Con. Res. 331. Concurrent resolution commending Israel's redeployment from southern Lebanon.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

S. 2645. To provide for the application of certain measures to the People's Republic of China in response to the illegal sale, transfer, or misuse of certain controlled goods, services, or technology, and for other purposes.

H.R. 3244. To combat trafficking of persons, especially into the sex trade, slavery, and slavery-like conditions in the United States and countries around the world through prevention, through prosecution and enforcement against traffickers, and through protection and assistance to victims of trafficking.

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–9114. A communication from the Justice Management Division, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Worksite Enforcement Activity Record and Index (LYNX); Immigration and Naturalization Service (INS)'' (Privacy Act System of Records JUSTICE/INS–025), received May 22, 2000; to the Committee on the Judiciary.

EC–9115. A communication from the Justice Management Division, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Attorney/Representative Complaint/Petition Files; Immigration and Naturalization Service (INS)'' (Privacy Act System of Records JUSTICE/INS–022), received May 22, 2000; to the Committee on the Judiciary.

EC–9116. A communication from the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Weighted Average Interest Rate Update'' (Notice 2000–27), received May 23, 2000; to the Committee on Finance.

EC–9117. A communication from the Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Freedom of Information Act; Disclosure of Records'' (RIN1505–AA76), received May 19, 2000; to the Committee on Finance.

EC–9118. A communication from the Secretary of Energy, transmitting the ''Program Update 1999'' for the Clean Coal Technology Demonstration Program; to the Committee on Energy and Natural Resources.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROTH, from the Committee on Finance, without amendment:

S. 2277: A bill to terminate the application of title IV of the Trade Act of 1974 with respect to the People's Republic of China (Rept. No. 106–305).

By Mr. HATCH, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 1854: A bill to reform the Hart-Scott-Rodino Antitrust Improvements Act of 1976.

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. FEINGOLD (for himself and Mr. JEFFORDS):

S. 2630. A bill to prohibit products that contain dry ultra-filtered milk products or casein from being labeled as domestic natural cheese, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SCHUMER (for himself and Mr. MOYNIHAN):

S. 2631. A bill to authorize a project for the renovation of the Department of Veterans

Affairs medical center in Bronx, New York; to the Committee on Veterans' Affairs.

By Mr. DEWINE (for himself, Mr. VOINOVICH, Mr. LAUTENBERG, and Mr. TORRICELLI):

S. 2632. A bill to authorize the President to present gold medals on behalf of the Congress to astronauts Neil A. Armstrong, Edwin E. ''Buzz'' Aldrin, Jr., and Michael Collins, the crew of Apollo 11; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. BOXER:

S. 2633. A bill to restore Federal recognition to the Indians of the Graton Rancheria of California; to the Committee on Indian Affairs.

By Mr. BOND:

S. 2634. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to provide liability relief to small businesses; to the Committee on Environment and Public Works.

By Mr. FRIST (for himself, Mr. HARKIN, Mr. JEFFORDS, Mrs. MURRAY, Mr. BINGAMAN, Ms. MIKULSKI, and Mr. REED):

S. 2635. A bill to reduce health care costs and promote improved health by providing supplemental grants for additional preventive health services for women; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DEWINE:

S. 2636. A bill to amend title 38, United States Code, to provide pay parity for dentists with physicians employed by the Veterans Health Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BAUCUS (for himself and Mr. BURNS):

S. 2637. A bill to require a land conveyance, Miles City Veterans Administration Medical Complex, Miles City, Montana; to the Committee on Veterans' Affairs.

By Mr. COCHRAN (for himself and Mr. LOTT):

S. 2638. A bill to adjust the boundaries of the Gulf Islands National Seashore to include Cat Island, Mississippi; to the Committee on Energy and Natural Resources.

By Mr. DOMENICI (for himself, Mr. KENNEDY, and Mr. WELLSTONE):

S. 2639. A bill to amend the Public Health Service Act to provide programs for the treatment of mental illness; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BOXER:

S. 2640. A bill to amend title 38, United States Code, to permit Department of Veterans Affairs pharmacies to dispense medications to veterans for prescriptions written by private practitioners, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CLELAND (for himself and Mr. COVERDELL):

S. 2641. A bill to authorize the President to present a gold medal on behalf of Congress to former President Jimmy Carter and his wife Rosalynn Carter in recognition of their service to the Nation; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HATCH:

S. 2642. A bill to amend the Internal Revenue Code of 1986 to provide major tax simplification; to the Committee on Finance.

By Mr. STEVENS (for himself and Mr. INOUYE):

S. 2643. A bill to amend the Foreign Assistance Act of 1961 to provide increased foreign assistance for tuberculosis prevention, treatment, and control; to the Committee on Foreign Relations.

By Mr. GORTON (for himself, Mrs. MURRAY, Mr. SANTORUM, Ms. MIKULSKI, Mr. STEVENS, Mr. COCHRAN, and Mr. L. CHAFEE):

S. 2644. A bill to amend title XVIII of the Social Security Act to expand medicare coverage of certain self-injected biologicals; to the Committee on Finance.

By Mr. THOMPSON:

S. 2645. A bill to provide for the application of certain measures to the People's Republic of China in response to the illegal sale, transfer, or misuse of certain controlled goods, services, or technology, and for other purposes; read the first time.

By Mr. COVERDELL:

S. 2646. A bill to suspend temporarily the duty on machines, and their parts, for use in the manufacture of digital versatile discs (DVDs); to the Committee on Finance.

By Mr. COVERDELL:

S. 2647. A bill to suspend temporarily the duty on machines, and their parts, for use in the manufacture of digital versatile discs (DVDs); to the Committee on Finance.

By Mr. COVERDELL:

S. 2648. A bill to amend the Harmonized Tariff Schedule of the United States to provide duty-free treatment for, and clarify the classification of, machines and components used in the manufacture of digital versatile discs (DVDs); to the Committee on Finance.

By Mr. COVERDELL:

S. 2649. A bill to suspend temporarily the duty on machines, and their parts, for use in the manufacture of digital versatile discs (DVDs); to the Committee on Finance.

By Mr. COVERDELL:

S. 2650. A bill to suspend temporarily the duty on machines, and their parts, for use in the manufacture of digital versatile discs (DVDs); to the Committee on Finance.

By Mr. COVERDELL:

S. 2651. A bill to suspend temporarily the duty on machines, and their parts, for use in the manufacture of digital versatile discs (DVDs); to the Committee on Finance.

By Mr. COVERDELL:

S. 2652. A bill to suspend temporarily the duty on machines, and their parts, for use in the manufacture of digital versatile discs (DVDs); to the Committee on Finance.

By Mr. COVERDELL:

S. 2653. A bill to suspend temporarily the duty on machines, and their parts, for use in the manufacture of digital versatile discs (DVDs); to the Committee on Finance.

By Mr. COVERDELL:

S. 2654. A bill to suspend temporarily the duty on machines, and their parts, for use in the manufacture of digital versatile discs (DVDs); to the Committee on Finance.

By Mr. COVERDELL : S. 2655. A bill to suspend temporarily the duty on machines, and their parts, for use in the manufacture of digital versatile discs (DVDs); to the Committee on Finance.

By Mr. COVERDELL:

S. 2656. A bill to suspend temporarily the duty on machines, and their parts, for use in the manufacture of digital versatile discs (DVDs); to the Committee on Finance.

By Mr. COVERDELL:

S. 2657. A bill to suspend temporarily the duty on machines, and their parts, for use in the manufacture of digital versatile discs (DVDs); to the Committee on Finance.

By Mr. COVERDELL:

S. 2658. A bill to suspend temporarily the duty on machines, and their parts, for use in the manufacture of digital versatile discs (DVDs); to the Committee on Finance.

By Mr. COVERDELL:

S. 2659. A bill to suspend temporarily the duty on machines, and their parts, for use in the manufacture of digital versatile discs (DVDs); to the Committee on Finance.

By Mr. COVERDELL:

S. 2660. A bill to suspend temporarily the duty on machines, and their parts, for use in the manufacture of digital versatile discs (DVDs); to the Committee on Finance.

By Mr. COVERDELL:

S. 2661. A bill to suspend temporarily the duty on machines, and their parts, for use in the manufacture of digital versatile discs (DVDs); to the Committee on Finance.

By Mr. COVERDELL:

S. 2662. A bill to suspend temporarily the duty on machines, and their parts, for use in the manufacture of digital versatile discs (DVDs); to the Committee on Finance.

By Mr. COVERDELL:

S. 2663. A bill to suspend temporarily the duty on machines, and their parts, for use in the manufacture of digital versatile discs (DVDs); to the Committee on Finance.

By Mr. COVERDELL:

S. 2664. A bill to suspend temporarily the duty on machines used in the manufacture of digital versatile discs; to the Committee on Finance.

By Mr. KYL (for himself and Mr. DOMENICI):

S. 2665. A bill to establish a streamlined process to enable the Navajo Nation to lease trust lands without having to obtain the approval of the Secretary of the Interior of individual leases, except leases for exploration, development, or extraction of any mineral resources; to the Committee on Indian Affairs.

By Mr. REID:

S. 2666. A bill to secure the Federal voting rights of persons who have fully served their sentences, including parole and probation, and for other purposes; to the Committee on the Judiciary.

By Mr. WARNER (for himself, Mr. KENNEDY, Mr. SARBANES, Mr. JEFFORDS, Mr. ROBB, and Mr. LEAHY):

S. 2667. A bill to designate the Washington Opera in Washington, D.C., as the National Opera; to the Committee on Governmental Affairs.

By Mr. GRAHAM (for himself and Mr. SMITH of Oregon):

S. 2668. A bill to amend the Immigration and Nationality Act to improve procedures for the adjustment of status of aliens, to reduce the backlog of family-sponsored aliens, and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MCCAIN:

S. Res. 314. A resolution expressing the sense of the Senate concerning the violence, breakdown of rule of law, and troubled pre-election period in the Republic of Zimbabwe; to the Committee on Foreign Relations.

By Mr. HELMS (for himself, Mr. BIDEN, Mr. FRIST, and Mr. FEINGOLD):

S. Res. 315. A resolution expressing the sense of the Senate regarding the crimes and abuses committed against the people of Sierra Leone by the Revolutionary United Front, and for other purposes; considered and agreed to.

By Mr. SESSIONS (for himself and Mr. SHELBY):

S. Res. 316. A resolution honoring Senior Judge Daniel H. Thomas of the United States District Court for the Southern District of Alabama; considered and agreed to.

By Mr. HELMS (for himself, Ms. MIKULSKI, Mr. ROTH, and Mr. BIDEN):

S. Con. Res. 118. A concurrent resolution commemorating the 60th anniversary of the execution of Polish captives by Soviet authorities in April and May 1940; to the Committee on Foreign Relations.

STATEMENT ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. FEINGOLD (for himself and Mr. JEFFORDS):

S. 2630. A bill to prohibit products that contain dry ultra-filtered milk products or casein from being labeled as domestic natural cheese, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

THE QUALITY CHEESE ACT OF 2000

Mr. FEINGOLD. Mr. President, along with Senator JEFFORDS, I am pleased to introduce the Quality Cheese Act of 2000. This legislation will protect the consumer, save taxpayer dollars and provide support to America's dairy farmers, who have taken a beating in the marketplace in recent years.

When Wisconsin consumers have the choice, they will choose natural Wisconsin cheese, but the Food and Drug Administration (FDA) and the U.S. Department of Agriculture (USDA) may change current law, and consumers won't know whether cheese is really all natural or not.

If the federal government creates a loophole for imitation cheese ingredients to be used in U.S. cheese vats, cheese bearing the labels ''domestic'' and ''natural'' will no longer be truly accurate.

If USDA and FDA allow a change in federal rules, imitation milk proteins known as milk protein concentrate or casein, could be used to make cheese in place of the wholesome natural milk produced by cows in Wisconsin or other part of the U.S.

Mr. President, I am deeply concerned by recent efforts to change America's natural cheese standard. This effort to allow milk protein concentrate and casein into natural cheese products flies in the face of logic and could create a loophole for unlimited amounts of substandard imported milk proteins to enter U.S. cheese vats.

My legislation will close this loophole and ensure that consumers can be confident that they are buying natural cheese when they see the natural label.

Our dairy farmers have invested heavily in processes that make the best quality cheese ingredients, and I am concerned about recent efforts to change the law that would penalize them for those efforts by allowing lower quality ingredients to flood the U.S. market.

Over the past decade, cheese consumption has risen at a strong pace due to promotional and marketing efforts and investments by dairy farmers across the country. Year after year, per capita cheese consumption has risen at a steady rate.

Back in the 1980's, when I served in the Wisconsin State Senate, cheese consumption topped 20 pounds per person. During the 1990s consumption increased by over 25 percent, and passed 25 pounds per person. Last year we saw an even more dramatic increase when per capita cheese consumption rose an amazing 1.5 pounds to reach 29.8 pounds.

This one-year increase amounts to the largest expansion since 1982! I am proud to say that my home state of Wisconsin, America's dairyland, was one of the main engines behind this growth. After all, when consumers see the label ''Wisconsin Cheese,'' they know that it is synonymous with quality.

Over the past two decades consumers have increased their cheese consumption due to their understanding, and taste for the quality natural cheese produced by America's dairy industry.

Recent proposals to change to our natural cheese standard could decrease consumption of natural cheese. These declines could result from concerns about the origin of casein and other forms of dry UF milk.

The vast majority of dry ultra filtered milk originates from countries with State Trading Enterprises. Many of these countries subsidize their dairy exports through these trading mechanisms, and have quality standards that are well below those of the United States.

While it is difficult to obtain specific numbers about the amount of dry UF milk produced in foreign countries, I have heard disturbing stories about the conditions under which the casein and milk proteins are sometimes produced.

For the most part, dry UF milk is not produced in the US. In fact, it is, for the most part, produced in countries where sanitary standards are well below those of the United States.

These products are sold on the international market, and under the proposed rule they could be labeled as natural cheese. This cheap, low quality dry UF milk tends to leave cheese greasy and increases separation problems.

The addition of this kind of milk will certainly leave the wholesome reputation of ''natural cheese'' significantly tarnished in the eyes of the consumer.

This change would seriously compromise decades of work by America's dairy farmers to build up domestic cheese consumption levels. It is simply not fair to America's farmers!

Mr. President, consumers have a right to know if the cheese they buy is unnatural. And by allowing unnatural dry UF milk into cheese, we are denying consumers the entire picture.

The Feingold-Jeffords legislation will paint the entire picture for the consumer, and allow them enough information to select cheese made from truly natural ingredients.

Allowing dry Ultra-Filtered milk into cheeses will have a significant adverse impact on dairy producers throughout the United States. Some estimate that the annual effect of the change on the dairy farm sector of the economy could be more than $100 million.

The proposed change to our natural cheese standard would also harm the American taxpayer.

If we allow dry UF milk to be used in cheese we will effectively permit unrestricted importation of these ingredients into the United States. Because there are no tariffs and quotas on these ingredients, these heavily subsidized products will displace natural domestic dairy ingredients.

These unnatural domestic dairy products will enter our domestic cheese market and may further depress dairy prices paid to American dairy producers.

Low dairy prices result in increased costs to the dairy price support program. So, at the same time that U.S. dairy farmers are receiving lower prices, the U.S. taxpayer will be paying more for the dairy price support program.

Mr. President, this change does not benefit the dairy farmer, consumer or taxpayer. Who then is it good for?

The obvious answer is nobody.

America's farmers have invested a tremendous amount of time and effort create the best cheese industry in the world. They should not be penalized for their efforts.

This legislation takes a two pronged approach to address these concerns. First, it prohibits dry ultra-filtered milk from being included in America's natural cheese standard.

Second, it requires the Food and Drug administration to conduct a study into the impact of allowing wet ultra-filtered milk into the natural cheese standard.

Let me be clear, currently, neither of these products are allowed in America's natural cheese standard. Under current regulations, wet ultra-filtered milk may only be used in natural cheese products if—and only if—both the wet UF milk and the cheese are produced at the same plant.

I have heard a number of concerns from dairy farmers, but the most immediate concern is the importation of milk protein concentrate and casein. This legislation is the first step in addressing their concerns, and ensuring that any future changes incorporate the concerns of America's dairy farmers.

Congress must shut the door on any backdoor efforts to stack the deck against America's dairy farmers. And we must pass my legislation that prevents a loophole that would allow changes that hurt the consumer, taxpayer and dairy farmer.

Thank you Mr. President. I yield the floor.

By Mr. SCHUMER (for himself and Mr. MOYNIHAN):

S. 2631. A bill to authorize a project for the renovation of the Department of Veterans Affairs medical center in Bronx, New York; to the Committee on Veterans' Affairs.

BRONX VA MEDICAL CENTER'S RESEARCH FACILITY LEGISLATION

• Mr. SCHUMER. Mr. President, I rise today with Senator DANIEL PATRICK MOYNIHAN to introduce legislation that would authorize renovations to the Bronx VA Medical Center's research facility.

This facility, when renovations are completed, will serve as a center of excellence for VA research on neurodegenerative diseases that are more prevalent in our veterans population than in any other group of Americans. Specifically, the research would focus on Alzheimer's and Parkinson's Disease, Multiple Sclerosis, Amyotrophic Lateral Sclerosis (ALS) and brain and spinal cord injury.

Major neurodegenerative diseases like Alzheimer's and Parkinson's tend to occur later in life and are progressive lifelong afflictions. Some 20 million Americans have been diagnosed with one of these diseases and the costs of their treatment have reached over $100 billion annually. US Census Bureau statistics indicate that because of our aging population, the incidence of neurodegenerative diseases and the associated human and economic costs will increase four-fold by 2040. Veterans, an aging population are disproportionately affected. Traumatic brain and spinal cord injury are also highly represented in the veterans population. Over 200,000 individuals in the US are living with spinal cord injury today, and another 2 million suffer traumatic brain injury annually.

The bill I introduce today would authorize $12.3 million for renovations to an aging facility on the campus of the Bronx VAMC. Department of Veterans Affairs researchers there, are in desperate need of modern, state-of-the-art laboratories to continue efforts to understand, treat and develop new methods of care for all Americans afflicted with these horrible diseases. This legislation represents an important step in ensuring that the quality of care provided to veterans in New York and across the country reflects our highest esteem for those who answered their country's call. We owe our veterans no less than the best medical care anywhere—and the research and treatments that come from this renovated facility will help ensure that happens. I urge my colleagues to join me in supporting and enacting this critical legislation.

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. 2631

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

SECTION 1. AUTHORIZATION OF MAJOR MEDICAL FACILITY PROJECT, DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs may carry out a major medical facility project for the renovation of the Department of Veterans Affairs medical center in Bronx, New York, in an amount not to exceed $12,300,000.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2001 for the Construction, Major Projects, account $12,300,000 for the project authorized in section 1.

(b) LIMITATION.—The project authorized in section 1 may only be carried out using—

(1) funds appropriated for fiscal year 2001 pursuant to the authorization of appropriations in subsection (a);

(2) funds appropriated for the Construction, Major Projects, account for a fiscal year before fiscal year 2001 that remain available for obligation; and

(3) funds appropriated for the Construction, Major Projects, account for fiscal year 2001 for a category of activity not specific to a project.●

By Mr. DEWINE (for himself, Mr. VOINOVICH, Mr. LAUTENBERG, and Mr. TORRICELLI):

S. 2632. A bill to authorize the President to present gold medals on behalf of the Congress to astronauts Neil A. Armstrong, Edwin E. ''Buzz'' Aldrin, Jr., and Michael Collins, the crew of Apollo 11; to the Committee on Banking Housing, and Urban Affairs.

CONGRESSIONAL GOLD MEDALS TO THE CREW OF THE APOLLO 11

Mr. DEWINE. Mr. President, today I am introducing legislation, along with my colleagues, Senators VOINOVICH, LAUTENBERG, and TORRICELLI, to authorize the President to present gold medals on behalf of Congress to astronauts Neil A. Armstrong, Edwin ''Buzz'' Aldrin, and Michael Collins—the heroic crew of the *Apollo 11*.

For thousands of years, man has gazed at the moon with awe, dreaming of the day when that celestial body would no longer be out of man's grasp. On July 20, 1969, thanks to the crew of the *Apollo 11*, the heavens became part of man's world.

The mission to the moon was a long and treacherous endeavor. It started with President Kennedy's vision to put a man on the moon before the end of the decade and concluded with a simple step and the immortal words: ''One small step for man and one giant leap for mankind.'' We owe a great deal of gratitude to the men and women of America's space program. And, I believe that presenting Congressional gold medals to the crew of *Apollo 11* is a fitting tribute to them and the mission.

The primary objective of *Apollo 11* was simple and straightforward: ''Perform a manned lunar landing and return.'' The mission, though, was anything but simple. The historic journey began with the *Eagle's* fiery lift-off at Cape Kennedy at 9:32 a.m. on July 19, 1969. The world watched as astronauts Armstrong, Aldrin, and Collins blasted toward outer space. While the millions who witnessed the event were excited and exhilarated, I do not think any of us truly appreciated the complexity and magnitude of the crew's responsibilities. One mistakenly pulled lever, one power failure could have rendered *Apollo 11* a disaster. When asked to recall his thoughts on the mission's outcome, Astronaut Michael Collins said: ''I am far from certain that we will be able to fly the mission as planned. I think we will escape with our skins, or at least I will escape with mine, but I wouldn't give better than even odds on a successful landing and return.''

On July 20, 1969, Armstrong and Aldrin began their descent to the lunar surface. The *Eagle* landed with less than 45 seconds worth of fuel and the buzz of several warning alarms. It was shortly after that landing when Neil Armstrong emerged from the craft and set foot on the moon's surface. Never before in the history of mankind had a human being set foot on another celestial body. The crew of *Apollo 11* embodied the spirit of discovery that is so prevalent in our space program. It is this same spirit that we need to communicate to our next generation.

Neil Armstrong, the commander of *Apollo 11*, was born on August 5, 1930, in my home state of Ohio. He developed an interest in flying at an early age. In fact, he obtained his student pilot's license before he got his driver's license. After high school, he received a scholarship from the U.S. Navy and studied aeronautical engineering. He later became an aviator in the Navy and was chosen for the space program with the second group of astronauts in 1962. He made seven flights in the X–15 program, reaching an altitude of 207,500 feet. He was the command pilot for *Gemini 8* and *Apollo 11*. After *Apollo 11*, he was Deputy Associate Administrator for Aeronautics at NASA from July 1970 until August 1971, when he left to become Professor of Aeronautical Engineering at the University of Cincinnati. He served on the National Commission on Space from 1985 to 1986 and on the Presidential Commission on the Space Shuttle Challenger Accident in 1986.

Edwin ''Buzz'' Aldrin was born in New Jersey on January 20, 1930. He attended the U.S. Military Academy at West Point, and later entered the U.S. Air Force, where he received pilot training. He was chosen with the third group of astronauts in 1963. He was a pilot on *Gemini 12*, where he was one of the key figures working to improve in-space docking and was the lunar module pilot for *Apollo 11*. After leaving NASA in 1971, he became Commandant of the Aerospace Research Pilot's School at Edwards Air Force Base in California. He retired from the Air Force in 1972 and became a consultant for the Comprehensive Care Corporation, Newport Beach, California. He has authored two books, ''Return to Earth'' and ''Men From Earth.''

Michael Collins was born on October 30, 1930, in Rome, Italy and later moved to Washington, DC. Upon finishing high school, he attended the U.S. Military Academy at West Point. Prior to joining NASA, he was a test pilot at the Air Force Flight Center, Edwards Air Force Base. He was chosen in the third group of astronauts in 1963. He served as a pilot for *Gemini 10*, where he set a world altitude record; became the nation's third spacewalker; and served as the command module pilot for *Apollo 11*. He left NASA in 1970 and was appointed Assistant Secretary of State

for Public Affairs. He became Director of the National Air and Space Museum at the Smithsonian Institution in April 1971 and was promoted to Under Secretary of the Smithsonian in April 1978. He retired from the Air Force with the rank of Major General. He has written numerous articles and two books, ''Carrying the Fire and Liftoff,'' as well as a children's book, ''Flying to the Moon and Other Strange Places.''

Mr. President, presenting Congressional Gold Medals to the crew of the *Apollo 11* is as much about the future as it is about the past. These medals will be a reminder of the great accomplishment of *Apollo 11* and her crew. Moreover, the presentation of the medals will help inspire future generations of Americans to continue striving to accomplish tasks that may seem out of reach, like putting a man on the moon. I am convinced that somewhere in our schools today are the next Neil Armstrong, Buzz Aldrin, and Michael Collins. Before long, our children will be talking about where they were when the first man or woman set foot on Mars. Let's honor the immense achievement of the crew of *Apollo 11*. I urge my colleagues to support presenting Congressional Gold Medals to Neil Armstrong, Edwin E. ''Buzz'' Aldrin, Jr., and Michael Collins.

By Mrs. BOXER:

S. 2633. A bill to restore Federal recognition to the Indians of the Graton Rancheria of California; to the Committee on Indian Affairs.

GRATON RANCHERIA RESTORATION ACT

Mrs. BOXER. Mr. President. I am delighted today to introduce legislation to restore federal recognition to the Graton Rancheria, which is composed of Coastal Miwok and Southern Pomo tribal members. This bill is identical to legislation that has been introduced in the House of Representatives by Congresswoman LYNN WOOLSEY. It is my great pleasure to carry this legislation in the Senate and to correct an injustice committed against these original inhabitants of the region some 34 years ago.

The Coastal Miwok and Southern Pomo Indians flourished in Marin and southern Sonoma counties for many hundreds of years. At the time of European settlement, there were as many as 5,000 of these tribal members. By the end of the 19th Century, however, disease and enforced labor had killed off most of them. And the federal government formally terminated the tribe's identity in 1966 under the California Rancheria Act, after concluding, incorrectly, that virtually all of the members were deceased.

The descendants of 12 Graton Rancheria survivors now number over 300, and they refer to themselves as the ''Federated Indians of Graton Rancheria''—after the town in southern Sonoma County where an acre-sized piece of their original reservation is still owned by a Miwok descendant.

This legislation not only restores dignity and a sense of identity to the Graton Rancheria, it will restore all federal rights and privileges to the tribal members including health, education, and housing services. It will also permit the Graton Rancheria to maintain an existing cemetery and place of worship. Finally, this bill is unique in that it contains a clause whereby the tribe permanently waives any right to casino-style gambling on their land.

Mr. President, the tribes of the Graton Rancheria are an integral and important part of the Bay Area's cultural heritage and history. It was wrong to terminate their status in 1966, and it is only right to restore their formal recognition now.

By. Mr. BOND:

S. 2634. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to provide liability relief to small businesses; to the Committee on Environmental and Public Works.

SMALL BUSINESS RELIEF ACT OF 2000

Mr. BOND. Mr. President, it is a pleasure for me to introduce the Small Business Relief Act of 2000. This bill will provide a lifeline for the thousands of small business owners threatened by lawsuits and litigation under the broken Superfund liability system.

This bill is simple. All this bill does is relieve innocent small business owners from superfund liability unless it is demonstrated that the small business is guilty of gross negligence or did contribute significantly to the toxic waste at the superfund site.

My bill will not let polluters off the hook. This common-sense proposal will make the Superfund program a little more reasonable and workable. With this legislation, we can begin to provide some relief to small business owners who are held hostage by potential Superfund liability.

For years now, members from both sides of the aisle have said that the Superfund program is broken, it doesn't work, it must be reformed. Unfortunately we haven't gotten past the rhetoric to fix the problem. Instead of making changes that will produce results that are better for the taxpayers, better for the environment, and more efficient for everyone involved—government agencies, federal bureaucrats, and Congress has protected this troubled and inefficient program from meaningful reform.

As Washington has played politics with the Superfund program, innocent Main Street small business owners across the nation, the engine of our economy, continue to be unfairly pulled into Superfund's legal quagmire. Even the EPA has stated its support for protecting restaurant owners, mom-and-pop convenience store operators, and other small business owners who have legally disposed of their trash and cannot afford the tab that comes with Superfund legal bills.

Let's put a human face on this: last year, just across the Missouri border—in Quincy, Illinois—160 small business owners were asked to pay the EPA more than $3 million for garbage legally hauled to a dump more than 20 years ago. The situation in Quincy is just one example of the very real, ongoing Superfund legal threat to small business owners across the nation.

Mr. President, we all know that Superfund was created to clean up the nation's most-hazardous waste sites. Superfund was not created to have small business owners sued for simply throwing out their trash! These small business owners are faced with so many challenges already, that the thousands of dollars in penalties and lawsuits leave them with no choice but to mortgage their businesses, their employees and their future to pay for the bills of a broken government program.

How many times will we tell ourselves that this unacceptable situation must be fixed before we act? Small business owners literally cannot afford to wait around while we delay action on the common-sense fixes required to protect them and our environment.

In recognition of our small businesses around the country and Small Business Week, I introduce this bill and look forward to leading the fight to ensure timely adoption of this long-overdue legislation.

By Mr. FRIST (for himself, Mr. HARKIN, Mr. JEFFORDS, Mrs. MURRAY, Mr. BINGAMAN, Ms. MIKULSKI, and Mr. REED):

S. 2635. A bill to reduce health care costs and promote improved health by providing supplemental grants for additional preventive health services for women; to the Committee on Health, Education, Labor, and Pensions.

THE WISEWOMAN EXPANSION ACT OF 2000

• Mr. FRIST. Mr. President, many of us associate cardiovascular disease with men, but the American Heart Association estimates that nearly one in two women will die of heart disease or stroke. Unfortunately, most women do not realize that they are at such high risk for cardiovascular disease because of its historically male stereotype. In fact, cardiovascular diseases kill nearly 50,000 more women each year than men. Even more alarming is a recent survey reported by the Society for Women's Health Research which revealed that not all physicians know that cardiovascular diseases are the leading cause of death among American women.

Each year nearly half a million women lose their lives as a result of heart disease and stroke. Since 1984, fortunately, men have experienced a decline in deaths due to cardiovascular diseases, while, unfortunately, women have not. Tragically, many of these deaths could have been prevented. Had these women known they were at risk

for cardiovascular disease, they could have taken preventive measures by not smoking, lowering their cholesterol or blood pressure, or by eating more nutritiously, and perhaps prevented becoming a victim of heart disease or stroke. For many women, prevention is truly the only cure, since it has been reported that as many as two-thirds of women who die from heart attacks have no warning symptoms of any kind.

Cardiovascular diseases kill more American females each year than the next 14 causes of death combined, including all forms of cancers. Over half of all cardiovascular deaths each year are women, and in 1997 alone heart diseases claimed the lives of 502,938 women. My home state of Tennessee has the second highest death rate from heart disease, stroke, and other cardiovascular diseases in the nation and the 13th highest ranking state in women's heart deaths. In 1997, 10,884 Tennessee women died from these two cardiovascular diseases alone. According to the CDC, women in the rural South are more likely to die of heart disease than those in other parts of the country. An even more disturbing disparity is that the age adjusted death from coronary heart disease for African-American women is nearly 72 percent higher than that of white women.

Fortunately, some preventive measures, such as physical activity and better nutrition, can be taken by women to reduce their risk for cardiovascular diseases, as well as other preventable diseases, such as osteoporosis. Osteoporosis, affecting one out of every two over 50, is also a preventable disease that American women are facing. Furthermore, osteoporosis is a health threat for roughly 28 million Americans, 80 percent of whom are women.

In an effort to continue to draw attention and greater awareness to health issues among American women, particularly cardiovascular diseases, I am very pleased to introduce today the ''WISEWOMAN Expansion Act of 2000,'' with Senator HARKIN. Our goal in expanding this program is to reduce the risk of cardiovascular diseases, and other preventable diseases, and to increase access to screening and other preventive measures for low-income and underinsured women. In addition to making cardiovascular diseases screening accessible to underserved women, this program will also educate them about their risk for cardiovascular diseases and how to make lifestyle changes thus giving them the power to prevent these diseases.

The National Breast and Cervical Cancer Early Detection Program (NBCCEDP), run by the Centers for Disease Control and Prevention (CDC), is an example of a successful program that has provided critical services to help prevent major diseases affecting American women. The NBCCEDP has done an outstanding job of bringing in low-income underinsured women and providing them with preventive screenings for breast and cervical cancers. The women who benefit from this program are generally too young for Medicare, unable to qualify for Medicaid or other state programs, and would otherwise fall through the cracks in our health system.

Our bill provides for the expansion of the WISEWOMAN (Well-Integrated Screening and Evaluation for Women in Massachusetts, Arizona, and North Carolina) demonstration project, which is run by the CDC in conjunction with the NBCCEDP, to additional states. The WISEWOMAN program capitalizes on the highly successful infrastructure of the NBCCEDP to offer ''one-stop shopping'' screening and preventive services for uninsured and low-income women. In addition to these very important breast and cervical cancer screenings, WISEWOMAN screens for cardiovascular disease risk factors and provides health counseling and lifestyle interventions to help women reduce behavioral risk factors. The program addresses risk factors such as elevated cholesterol, high blood pressure, obesity and smoking and provides important additional intervention and educational services to women who would not otherwise have access to cardiovascular disease screening or prevention. This bill also adds flexibility to the program language that would allow screenings and other preventive measures for diseases in addition to cardiovascular diseases, such as osteoporosis, as more preventive technology is developed.

Mr. President, I would like to thank Judy Womack and Dr. Joy Cox of the Tennessee Department of Health for their counsel and assistance on this legislation and for their efforts in helping Tennesseans.

This bipartisan bill is supported by the Susan G. Komen Breast Cancer Foundation, the Society for Women's Health Research, the American Cancer Society, the National Osteoporosis Foundation, and the American Heart Association. Mr. President, I ask unanimous consent to place the following letters of support in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

SOCIETY FOR
WOMEN'S HEALTH RESEARCH,
Washington, DC, May 24, 2000.

Hon. BILL FRIST,
Chair, Subcommittee on Public Health, Committee on Health, Education, Labor, and Pensions, Dirksen Senate Office Building, Washington, DC.

DEAR SENATORS FRIST AND HARKINS: On behalf of the Society for Women's Health Research, we express our appreciation for your leadership on the introduction of the ''WISEWOMAN Expansion Act of 2000.'' In addition to a strong national research program, disease prevention is vital to our nation's health. Chronic diseases, such as heart disease, cancer, diabetes, and ostoeoporosis are among the most prevalent, costly and preventable of all health problems.

As you know, women tend to live longer but not necessarily better than men. They have more chronic health conditions and are more economically insecure. Safety net programs often are the difference between life and death. The WISEWOMAN Expansion Act is building on a foundation that has provided positive feedback and will allow additional states to provide prevention services to those women in need. We applaud the flexibility of the legislation. With the passage of time, as new technologies develop, as disease burdens shift, and a lifestyle change, the program can address women's most critical health needs.

We thank you for your commitment to improving the nation's health through prevention. By focusing on the health of women, you ultimately will be improving the health of the nation's families.

Sincerely,

PHYLLIS GREENBERGER,
Executive Director.
ROBERTA BIEGEL,
Director of Government Relations.

THE SUSAN G. KOMEN
BREAST CANCER FOUNDATION,
Dallas, TX, May 19, 2000.

Hon. WILLIAM FRIST,
U.S. Senate, Russell Senate Building, Washington, DC.
Hon. TOM HARKIN,
U.S. Senate, Hart Senate Building, Washington, DC.

DEAR SENATORS FRIST AND HARKIN: On behalf of the Susan G. Komen Breast Cancer Foundation, I would like to express our support for The WISEWOMAN Expansion Act of 2000. Your leadership has made the expansion effort a reality and we intend to activate our Komen affiliates grassroots to help gather more Senatorial support. We understand that the expansion would allow flexibility for the WISEWOMAN program to grow and adapt with the needs of the individual states and will ensure full collaboration of the WISEWOMAN program with the National Breast and Cervical Cancer Early Detection Program (NBCCEDP) on which it is piggybacked.

Further, our discussions with your staff have reiterated the importance of being certain that the programs are funded separately and that the WISEWOMAN expansion is accomplished as a complement to the existing NBCCEDP effort.

We applaud your efforts to provide greater screening coverage for women as a means of detecting problems sooner and strongly believe that this program will save many lives as it expands nationwide.

The mission of the Susan G. Komen Breast Cancer Foundation is to eradicate breast cancer as a life-threatening disease by advancing research, education, screening and treatment. The Komen Foundation is comprised of 115 affiliates in 45 states and the District of Columbia, with over 40,000 volunteers and 4 international affiliates. Komen has raised well over $200 million in furtherance of its mission. But we cannot do it alone. It takes dedicated Members of Congress like you.

Again, thank you for your efforts to advance WISEWOMAN as a separate program and we look forward to working with you to make this legislation a reality for all.

With best regards,

DIANE L. BALMA,
Senior Counsel and Director of Public Policy.

NATIONAL OSTEOPOROSIS FOUNDATION,
Washington, DC, May 24, 2000.

Hon. TOM HARKIN,
Hon. BILL FRIST,
U.S. Senate,
Washington, DC.

DEAR SENATORS HARKIN AND FRIST: On behalf of the National Osteoporosis Foundation

(NOF), I commend you on the introduction of the bipartisan WISEWOMEN Expansion Act of 2000 that supports your effort to provide additional preventive health services, including osteoporosis screening, to low-income and uninsured women.

As you know, osteoporosis is a major health threat for more than 28 million Americans, 80 percent of whom are women. In the United States today, 10 million individuals already have the disease and 18 million more have low bone mass, placing them at increased risk for osteoporosis. Also, one out of every two women over 50 will have an osteoporosis-related fracture in their lifetime. It is estimated that the direct hospital and nursing home costs of osteoporosis are over $13.8 billion annually, with much of that attributed to the more than 1.5 million osteoporosis-related fractures that occur annually.

The health care services included in the WISEWOMEN program have provided positive results for many women who have participated and ultimately cost-savings for the states that have participated. Expansion of teh WISEWOMEN model to additional states and for additional preventive services, such as screening for osteoporosis, should enhance positive results for both the women and states participating in the program.

The National Osteoporosis Foundation is most appreciative of your efforts to promote improved bone health and endorses the WISEWOMEN Expansion Act of 2000.

Sincerely,

SANDRA C. RAYMOND,
Executive Director.●

● Mr. HARKIN. Mr. President, I am pleased to join Senator FRIST today to introduce the ''WISEWOMAN Expansion Act.'' This bill will help thousands of women have access to basic preventive health care they may otherwise not receive. The legislation builds on a successful demonstration program and expands screening services and preventive care for uninsured and low-income women across the nation.

Beginning in 1990, I worked as Chairman of the Labor, Health and Human Services and Education Appropriations Subcommittee to provide the funding for the National Breast and Cervical Cancer Early Detection Program (NBCCEDP), run through the Centers for Disease Control and Prevention. In Iowa alone, the program has successfully served 8694 women through 618 provider-based breast and cervical cancer screening sites.

Today, the Centers for Disease Control and Prevention currently run the WISEWOMAN (Well-Integrated Screening and Evaluation for Women in Massachusetts, Arizona and North Carolina) program through the NBCCEDP as a demonstration project. The program has successfully built upon the framework of the NBCCEDP to target other chronic diseases among women, including heart disease, the leading cause of death among women, and osteoporosis. The programs address risk factors such as elevated cholesterol, high blood pressure, obesity and smoking and provide important additional intervention services.

This demonstration project has been successful. It is now time to expand the program to additional states, and eventually make it nationwide. As the brother of two sisters lost to breast cancer and the father of two daughters, I know first hand the importance of making women's health initiatives a top priority. The first step to fighting a chronic disease like cancer, heart disease or osteoporosis is early detection. All woman deserve to benefit from the early detection and prevention made possible by the latest advances in medicine. This bill ensures a place for lower-income woman at the health care table.

Mr. President, the majority of Americans associate cardiovascular disease with men, but the American Heart Association estimates that nearly one in two women will die of heart disease or stroke. In fact, cardiovascular diseases kills nearly 50,000 more women each year than men. In my own state of Iowa, cardiovascular disease accounts for 44 percent of all dealths in Iowa. Close to 7,000 women die annually in Iowa from cardiovascular disease. Each year, nearly half a million women lose their lives as a result of heart disease and stroke. Sadly, with appropriate screening and interventions, many of these deaths could have been prevented.

Osteoporosis is also a preventable disease and affects 1 out of every 2 women over the age of 50. Fortunately, some of the preventive measures women can take to reduce their risk for cardiovascular diseases, such as eating more nutritious foods and exercising, can also reduce their risk for osteoporosis.

Mr. President, our bill would do the following:

Expand the current WISEWOMAN demonstration project to additional states;

Add flexibility to program language that would allow screenings and other preventive measures for diseases in addition to cardiovascular diseases;

Allow flexibility for the WISEWOMAN program to grow and adapt with the changing needs of individual states and our better understanding of new preventive strategies; and

Ensures continued full collaboration of the WISEWOMAN program with the NBCCEDP;

Authorizes the CDC to make competitive grants to states to carry out additional preventive health services to the breast and cervical cancer screenings at NBCCEDP programs, such as: screenings for blood pressure, cholesterol, and osteoporosis; health education and counseling; lifestyle interventions to change behavioral risk factors such as smoking, lack of exercise, poor nutrition, and sedentary lifestyle; and appropriate referrals for medical treatment and follow-up services.

In order to be eligible for this program, states are required to already participate in the NBCCEDP and to agree to operate their WISEWOMAN program in collaboration with the NBCCEDP.

Mr. President, this bipartisan legislation has the support of the National Osteoporosis Foundation, the American Cancer Society and the Komen Foundation, among others. I urge my colleagues to join us in supporting this critical legislation.●

By Mr. DEWINE:

S. 2636. A bill to amend title 38, United States Code, to provide pay parity for dentists with physicians employed by the Veterans Health Administration, and for other purposes; to the Committee on Veterans' Affairs.

THE DEPARTMENT OF VETERANS AFFAIRS DENTISTS APPRECIATION ACT

● Mr. DEWINE. Mr. President, as my colleagues know, there has been a great deal of attention given to the sizeable problems both in recruiting and in retaining the men and women in our military services. In response, Congress last year passed a 4.8 percent across the board pay raise, reformed the pay scales, and corrected a retirement system for our soliders, sailors, airmen, and marines in the service of our country. This year, Congress is considering ways to reform and improve the strength of our military health care system.

Mr. President, these measures are the least we can do to recognize the men and women of our military services for the important part they play in maintaining our nation's security and our influence around the globe.

But, Mr. President, there are other members of our civilian workforce that also face recruiting and retention problems, and deserve congressional attention. Last year, Congressman STEVE LATOURETTE and I introduced the Department of Veterans Affairs (VA) Nurse Appreciation Act, which is designed to correct a provision in the law that has been used in recent years to deny VA nurses the annual cost of living pay adjustments given to federal employees. In some cases, the law was used to cut the pay of some VA nurses. The law needs to be changed.

Today, I am introducing legislation to address another field of critical importance to the VA—dental care, which is also facing serious personnel retention problems. Over the past five years, the Department of Veterans Affairs has experienced a decline from 830 full-time dentists to only 630, and the numbers are still declining. In addition, the turnover rate during the past 2 years have been more than 11 percent. An increasing number of young and mid-career dentists are leaving the VA. There are fewer highly qualified applicants applying to fill vacant positions, and most vacancies take several months to fill. An additional concern is the aging of the current VA dental workforce. Within 2 years, almost 50 percent of all VA dentist will be eligible for regular or early-out retirement.

The legislation I am introducing today would attempt to address these challenges and ensure the availability of quality dental health care for our veterans.

One of the major reasons for the decline in the numbers of VA dentists is the availability of higher paying jobs in the civilian sector. The type of work done at the VA is more challenging than that of the average hometown dentist. VA dentists frequently provide their services to homeless veterans whose dental needs are much more demanding.

An additional reason is that even with the ''special pay'' and the ''responsibility pay'' that is available under current law, VA dentists' salaries still are not competitive with fellow non-VA dentists. In addition, all full-tme VA physicians receive a ''special pay'' incentive of $9,000 annually, while VA dentists receive only $3,500. The ''responsibility pay'' depends on the additional responsibilities the physician or dentist is performing.

The reason for the difference is that when current law was passed nearly a decade ago, there was a shortfall of physicians, and a ready supply of dentists.

The legislation I am introducing today, would correct this disparity and bring ''special pay'' for dentists to $9,000 annually and would increase the ''responsibility pay'' for dentists in management positions, so that they would be in the same responsibility pay range as physicians. This bill is similar to legislation introduced by Congressman BOB FILNER of California

The National Association of VA Physicians and Dentists have offered their full support for this initiative and so has the American Dental Association. As a matter of fact, a very dear longtime friend of my family, Doctor Dwight Pemberton, a friend of my parents and gransparents, was the one who brought this issue to my attention and encouraged me to introduce this legislation. I thank him for his support and advocacy for this legislation, and look forward to working toward a positive solution to this problem.

I urge my colleagues to support this bill for the continued reliable dental coverage for our veterans.

Mr. President, I ask unanimous consent that the text of the Department of Veterans Affairs Dentists Appreciation Act be printed in the RECORD.

S. 2636

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 ''Department of Veterans Affairs Dentists Appreciation Act''.

SEC. 2. PAY PARITY FOR DENTISTS.

(a) IN GENERAL.—Section 7435(b) of title 38, United States Code, is amended—

(1) in paragraph (1), by striking ''$3,500'' and inserting ''$9,000'';

(2) in paragraph (2)(A), by amending the table to read as follows:

''Length of Service	Rate	
	Minimum	Maximum
2 years but less than 4 years	$4,000	$6,000
4 years but less than 8 years	6,000	12,000
8 years but less than 12 years	12,000	18,000
12 years or more	12,000	25,000'';

(3) in paragraph (3)(A), by striking ''$20,000'' and inserting ''$40,000'';

(4) in paragraph (4)(A), by amending the table to read as follows:

''Position	Rate	
	Minimum	Maximum
Service Chief (or in a comparable position as determined by the Secretary)	$4,500	$15,000
Chief of Staff or in an Executive Grade	14,500	25,000
Director Grade	0	25,000'';

(5) in paragraph (4)(B), by amending the table to read as follows:

''Position	Rate
Deputy Service Director	$20,000
Service Director	25,000
Deputy Assistant Under Secretary for Health	27,500
Assistant Under Secretary for Health (or in a comparable position as determined by the Secretary)	30,000'';

(6) in paragraph (6), by striking ''$5,000'' and inserting ''$17,000''; and

(7) in paragraph (7)(A), by striking ''$5,000'' and inserting ''$15,000''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to any contract entered into under chapter 74 of title 38, United States Code, after the date of the enactment of this Act.●

By Mr. BAUCUS (for himself and Mr. BURNS):

S. 2637. A bill to require a land conveyance, Miles City Veterans Administration Medical Complex, Miles City, Montana; to the Committee on Veterans' Affairs.

MILES CITY VETERANS ADMINISTRATION MEDICAL COMPLEX LAND CONVEYANCE LEGISLATION

Mr. BURNS. Mr. President, I rise to express my support for legislation introduced today by my colleague, Senator BAUCUS, that will transfer ownership of the Miles City, Montana Veterans Hospital from the Veterans Administration to Custer County, Montana. Indeed, I am co-sponsor of this bill for the reason that within the Veterans Administration there are unused properties that have become liabilities that detract from the mission of the VA, which is to take care of our veteran population. At the same time, these resources could be assets to the communities where they exist.

This is exactly the situation we have in Miles City, Montana. Maintaining a facility that is no longer needed costs the VA approximately $500,000 that would otherwise be dedicated to improving access and quality of care for Montana's veterans. At the same time, the community of Miles City has need of additional space for use by the community college and other entities designed to enhance the quality of life and economic development opportunities for all the people of southeast Montana.

This legislation represents a creative solution that serves the best interest of all involved. The situation is not unique to Montana but we are willing to address the issue and take the first step towards a more efficient Veterans Administration. We need to dedicate the limited resources of this agency to the essential task of maintaining our commitment to America's veterans with adequate health care rather than to excessive administration and maintenance costs.

At the same time, what is a liability for the VA will be an asset to a community that has an inadequate tax base to support the development of infrastructure that will have a significant and long-lasting impact on jobs creation, educational opportunity, and will ultimately enhance the tax base as well.

The concept that is inherent in this bill is a win-win situation for all the affected parties and I encourage positive consideration by my colleagues.

By Mr. DOMENICI (for himself, Mr. KENNEDY, and Mr. WELLSTONE):

S. 2639. A bill to amend the Public Health Service Act to provide programs for the treatment of mental illness; to the Committee on Health, Education, Labor, and Pensions.

THE MENTAL HEALTH EARLY INTERVENTION, TREATMENT, AND PREVENTION ACT OF 2000

● Mr. DOMENICI. Mr. President, I rise today to introduce the Mental Health Early Intervention, Treatment, and Prevention Act of 2000 with my friend Senator KENNEDY.

Today we do not even question whether mental illness is treatable. But, today we recoil in shock and disbelief at the consequences of individuals not being diagnosed or following their treatment plans. The results are tragedies we could have prevented.

Just look at the tragic incidents at the Baptist Church in Dallas/Fort Worth, the Jewish Day Care Center in Los Angeles, and the United States Capitol to see the common link: a severe mental illness. Or the fact that there are 30,000 suicides every year, including 2,000 children and adolescents.

It was not too long ago that our nation decided we did not want to keep people chained in institutions. Simply put, it was inhumane to simply lock these individuals up without even using science to consider other alternatives. In fact, one of the first awards I received as a Senator was a Freedom Bell made from these very chains.

Make no mistake, our nation still has these same individuals with mental illness, we just do not have a very good way to deal with these individuals. Many of these individuals formerly locked up are now our neighbors taking the proper medication to control their illness.

However, our nation simply does not have an understanding of what happens when individuals stop taking their medications.

I believe the American people are ready for a direct assault on their consciences about a comprehensive approach to prevent the tragic incidents

mentioned. Many people just do not take notice because America is known for her freedom, but sadly many of these highly publicized incidents of mass violence all too often involve an individual with a mental illness.

When these incidents occur, my wife and I watch with horror on television and we often turn to each other and say that person was a schizophrenic or that individual was a manic depressive.

Sadly, society often does not want to take the extra step to help these individuals because they are either scared or simply do not know how to help. Unfortunately, there is no place that a community can take these individuals for help. The police can do very little and likewise for hospitals.

I believe we must come together as a nation to find a community based solution so when someone sees an individual in obvious need of help they will know exactly what to do.

Some of you may have seen the recent 4 part series of articles in the New York Times reviewing the cases of 100 rampage killers. Most notably the review found that 48 killers had some kind of formal diagnosis for a mental illness, often schizophrenia.

Twenty-five of the killers had received a diagnosis of mental illness before committing their crimes. Fourteen of 24 individuals prescribed psychiatric drugs had stopped taking their medication prior to committing their crimes.

In particular I would point to a couple of passages from the series: ''They give lots of warning and even tell people explicitly what they plan to do.'' . . . ''a closer look shows that these cases may have more to do with society's lack of knowledge of mental health issues . . . In case after case, family members, teachers and mental health professionals missed or dismissed signs of deterioration.''

It is for these reasons that I am so pleased that Senator KENNEDY has joined me to introduce this comprehensive piece of legislation. The legislation attempts to prevent these incidents and the other tragic results of mental illness before they happen.

The bill we are introducing today will provide for: A mental Illness Anti-Stigma and Suicide Prevention Campaign; Emergency Mental Health Centers to serve as the central receiving point in communities for families, friends, emergency medical personnel, and law enforcement to take an individual in need of emergency mental health services; Mental Health Awareness Training for Teachers and Medical Personnel to identify and respond to individuals with a mental illness; Mental Health Courts that will maintain separate dockets and handle only cases involving individuals with a mental illness; A Blue Ribbon Panel to make recommendations on issues relating to mental illness with a focus on the diagnosis and treatment of mental illness; and Increased Funding for Innovative Treatment and Research.

I really believe we have a historic opportunity to become preventers of serious, serious acts of violence before they happen. Thank you very much and I look forward to working with Senator KENNEDY and my colleagues on this legislative initiative.

Mr. President, I ask unanimous consent that a copy of the bill and a summary of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2639

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 ''Mental Health Early Intervention, Treatment, and Prevention Act of 2000''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Almost 3 percent of the adult population or 5 million individuals in the United States suffer from a severe and persistent mental illness.

(2) Twenty-five to 40 percent of the individuals who suffer from a mental illness in the United States will come into contact with the criminal justice system each year.

(3) Sixteen percent of all individuals incarcerated in State and local jails suffer from a mental illness.

(4) Suicide is currently a national public health crisis, with approximately 30,000 Americans committing suicide every year, including 2,000 children and adolescents.

(5) The stigma associated with mental disorders often discourages individuals from seeking treatment, decreases such individuals' access to housing and employment, and interferes with such individuals' full participation in society.

(6) In industrialized countries, mental illness constitutes 4 of the 10 leading causes of disability for individuals who are 5 years of age or older. Such illnesses are, in the order of prevalence, depression, schizophrenia, bipolar disorder, and obsessive compulsive disorder.

(7) Presently, nearly 7,500,000 children and adolescents, or 12 percent of such population, suffer from 1 or more types of mental disorders.

(8) Of the almost 850,000 individuals who are homeless in the United States, approximately ⅓ or about 300,000 of such individuals suffer from a serious mental illness.

(9) The majority of individuals with a mental illness can now be successfully treated.

(10) The primary care setting provides an important opportunity for the recognition of mental disorders, especially in children, adolescents, and seniors.

(11) The first Surgeon General's Report on Mental Health, released in December 1999, describes a vision for the future that includes 8 areas, being—

(A) continuing to build the science base;

(B) overcoming stigma;

(C) improving public awareness of effective treatment;

(D) ensuring the supply of mental health services and providers;

(E) ensuring delivery of state-of-the-art treatments;

(F) tailoring treatment to age, gender, race, and culture;

(G) facilitating entry into treatment; and

(H) reducing financial barriers to treatment.

SEC. 3. AMENDMENT TO THE PUBLIC HEALTH SERVICE ACT.

Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended by adding at the end the following:

''PART G—PROGRAMS FOR TREATMENT OF MENTAL ILLNESS

''SEC. 581. ANTI-STIGMA AND SUICIDE PREVENTION CAMPAIGN.

''(a) IN GENERAL.—The Secretary shall carry out a national anti-stigma and suicide prevention campaign to reduce the stigma often associated with mental illness.

''(b) USE OF FUNDS.—The Secretary shall use funds authorized for the campaign described in subsection (a)—

''(1) to make public service announcements to reduce any stigma associated with mental illness;

''(2) to provide education regarding mental illness, including education regarding the biology of mental illness, the effectiveness of treatment, and the resources that are available for individuals afflicted with a mental illness and for families of such individuals;

''(3) to provide science-based education regarding suicide and suicide prevention, including education regarding recognition of the symptoms that indicate that thoughts of suicide are being considered;

''(4) to provide education for parents regarding youth suicide and prevention;

''(5) to purchase media time and space;

''(6) to pay for out-of-pocket advertising production costs;

''(7) to test and evaluate advertising and educational materials for effectiveness; and

''(8) to carry out other activities that the Secretary determines will reduce the stigma associated with mental illness.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section—

''(1) $50,000,000 to carry out paragraphs (1), (2), (4), (5), (6), and (7) of subsection (b) for fiscal year 2001, and such sums as may be necessary for fiscal years 2002 through 2005; and

''(2) $25,000,000 to carry out paragraph (3) of subsection (b) for fiscal year 2001, and such sums as may be necessary for fiscal years 2002 through 2005.

''SEC. 582. MENTAL ILLNESS AWARENESS TRAINING GRANTS FOR TEACHERS AND EMERGENCY SERVICES PERSONNEL.

''(a) PROGRAM AUTHORIZED.—The Secretary shall award grants to States, political subdivisions of States, Indian tribes, and tribal organizations to train teachers and other relevant school personnel to recognize symptoms of childhood and adolescent mental disorders, to refer family members to the appropriate mental health services if necessary, to train emergency services personnel to identify and appropriately respond to persons with a mental illness, and to provide education to such teachers and personnel regarding resources that are available in the community for individuals with a mental illness.

''(b) EMERGENCY SERVICES PERSONNEL.—In this section, the term 'emergency services personnel' includes paramedics, firefighters, and emergency medical technicians.

''(c) DISTRIBUTION OF AWARDS.—The Secretary shall ensure that such grants awarded under subsection (a) are equitably distributed among the geographical regions of the United States and between urban and rural populations.

''(d) APPLICATION.—A State, political subdivision of a State, Indian tribe, or tribal organization that desires a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including a plan for the

rigorous evaluation of activities that are carried out with funds received under a grant under this section.

''(e) USE OF FUNDS.—A State, political subdivision of a State, Indian tribe, or tribal organization receiving a grant under subsection (a) shall use funds from such grant to—

''(1) train teachers and other relevant school personnel to recognize symptoms of childhood and adolescent mental disorders and appropriately respond;

''(2) train emergency services personnel to identify and appropriately respond to persons with a mental illness; and

''(3) provide education to such teachers and personnel regarding resources that are available in the community for individuals with a mental illness.

''(f) EVALUATION.—A State, political subdivision of a State, Indian tribe, or tribal organization that receives a grant under this section shall prepare and submit an evaluation to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require, including an evaluation of activities carried out with funds received under the grant under this section and a process and outcome evaluation.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $50,000,000 for fiscal year 2001 and such sums as may be necessary for each of fiscal years 2002 through 2005.

''SEC. 583. GRANTS FOR EMERGENCY MENTAL HEALTH CENTERS.

''(a) PROGRAM AUTHORIZED.—The Secretary shall award grants to States, political subdivisions of States, Indian tribes, and tribal organizations to support the designation of hospitals and health centers as Emergency Mental Health Centers.

''(b) HEALTH CENTER.—In this section, the term 'health center' has the meaning given such term in section 330, and includes community health centers and community mental health centers.

''(c) DISTRIBUTION OF AWARDS.—The Secretary shall ensure that such grants awarded under subsection (a) are equitably distributed among the geographical regions of the United States, between urban and rural populations, and between different settings of care including health centers, mental health centers, hospitals, and other psychiatric units or facilities.

''(d) APPLICATION.—A State, political subdivision of a State, Indian tribe, or tribal organization that desires a grant under subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including a plan for the rigorous evaluation of activities carried out with funds received under this section.

''(e) USE OF FUNDS.—

''(1) IN GENERAL.—A State, political subdivision of a State, Indian tribe, or tribal organization receiving a grant under subsection (a) shall use funds from such grant to establish or designate hospitals and health centers as Emergency Mental Health Centers.

''(2) EMERGENCY MENTAL HEALTH CENTERS.—Such Emergency Mental Health Centers described in paragraph (1)—

''(A) shall—

''(i) serve as a central receiving point in the community for individuals who may be in need of emergency mental health services;

''(ii) purchase, if needed, any equipment necessary to evaluate, diagnose and stabilize an individual with a mental illness;

''(iii) provide training, if needed, to the medical personnel staffing the Emergency Mental Health Center to evaluate, diagnose, stabilize, and treat an individual with a mental illness; and

''(iv) provide any treatment that is necessary for an individual with a mental illness or a referral for such individual to another facility where such treatment may be received; and

''(B) may establish and train a mobile crisis intervention team to respond to mental health emergencies within the community.

''(f) EVALUATION.—A State, political subdivision of a State, Indian tribe, or tribal organization that receives a grant under subsection (a) shall prepare and submit an evaluation to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require, including an evaluation of activities carried out with funds received under this section and a process and outcomes evaluation.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $50,000,000 for fiscal year 2001 and such sums as may be necessary for each of the fiscal years 2002 through 2005.

''SEC. 584. GRANTS FOR JAIL DIVERSION PROGRAMS.

''(a) PROGRAM AUTHORIZED.—The Secretary shall make up to 125 grants to States, political subdivisions of States, Indian tribes, and tribal organizations, acting directly or through agreements with other public or nonprofit entities, to develop and implement programs to divert individuals with a mental illness from the criminal justice system to community-based services.

''(b) ADMINISTRATION.—

''(1) CONSULTATION.—The Secretary shall consult with the Attorney General and any other appropriate officials in carrying out this section.

''(2) REGULATORY AUTHORITY.—The Secretary shall issue regulations and guidelines necessary to carry out this section, including methodologies and outcome measures for evaluating programs carried out by States, political subdivisions of States, Indian tribes, and tribal organizations receiving grants under subsection (a).

''(c) APPLICATIONS.—

''(1) IN GENERAL.—To receive a grant under subsection (a), the chief executive of a State, chief executive of a subdivision of a State, Indian tribe or tribal organization shall prepare and submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary shall reasonably require.

''(2) CONTENT.—Such application shall—

''(A) contain an assurance that—

''(i) community-based mental health services will be available for the individuals who are diverted from the criminal justice system, and that such services are based on the best known practices, reflect current research findings, include case management, assertive community treatment, medication management and access, integrated mental health and co-occurring substance abuse treatment, and psychiatric rehabilitation, and will be coordinated with social services, including life skills training, housing placement, vocational training, education job placement, and health care;

''(ii) there has been relevant interagency collaboration between the appropriate criminal justice, mental health, and substance abuse systems; and

''(iii) the Federal support provided will be used to supplement, and not supplant, State, local, Indian tribe, or tribal organization sources of funding that would otherwise be available;

''(B) demonstrate that the diversion program will be integrated with an existing system of care for those with mental illness;

''(C) explain the applicant's inability to fund the program adequately without Federal assistance;

''(D) specify plans for obtaining necessary support and continuing the proposed program following the conclusion of Federal support; and

''(E) describe methodology and outcome measures that will be used in evaluating the program.

''(d) USE OF FUNDS.—A State, political subdivision of a State, Indian tribe, or tribal organization that receives a grant under subsection (a) may use funds received under such grant to—

''(1) integrate the diversion program into the existing system of care;

''(2) create or expand community-based mental health and co-occurring mental illness and substance abuse services to accommodate the diversion program;

''(3) train professionals involved in the system of care, and law enforcement officers, attorneys, and judges; and

''(4) provide community outreach and crisis intervention.

''(e) FEDERAL SHARE.—

''(1) IN GENERAL.—The Secretary shall pay to a State, political subdivision of a State, Indian tribe, or tribal organization receiving a grant under subsection (a) the Federal share of the cost of activities described in the application.

''(2) FEDERAL SHARE.—The Federal share of a grant made under this section shall not exceed 75 percent of the total cost of the program carried out by the State, political subdivision of a State, Indian tribe, or tribal organization. Such share shall be used for new expenses of the program carried out by such State, political subdivision of a State, Indian tribe, or tribal organization.

''(3) NON-FEDERAL SHARE.—The non-Federal share of payments made under this section may be made in cash or in kind fairly evaluated, including planned equipment or services. The Secretary may waive the requirement of matching contributions.

''(f) GEOGRAPHIC DISTRIBUTION.—The Secretary shall ensure that such grants awarded under subsection (a) are equitably distributed among the geographical regions of the United States and between urban and rural populations.

''(g) TRAINING AND TECHNICAL ASSISTANCE.—Training and technical assistance may be provided by the Secretary to assist a State, political subdivision of a State, Indian tribe, or tribal organization receiving a grant under subsection (a) in establishing and operating a diversion program.

''(h) EVALUATIONS.—The programs described in subsection (a) shall be evaluated not less than 1 time in every 12-month period using the methodology and outcome measures identified in the grant application.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $10,000,000 for fiscal year 2001, and such sums as may be necessary for fiscal years 2002 through 2005.

''SEC. 585. SUICIDE PREVENTION ACROSS THE LIFE SPECTRUM.

''(a) IN GENERAL.—The Secretary shall award grants, cooperative agreements, or contracts to States, political subdivisions of States, Indian tribes, tribal organizations, and private nonprofit organizations to establish programs to reduce suicide deaths in the United States.

''(b) DURATION.—With respect to a grant, contract, or cooperative agreement awarded under subsection (a), the period during which payments under such award may be made to the recipient may not exceed 5 years.

''(c) SPECIAL POPULATIONS.—In awarding grants, contracts, and cooperative agreements under subsection (a), the Secretary shall ensure that a portion of such awards are made in a manner that will focus on the needs of populations who experience high or rapidly rising rates of suicide.

''(d) COLLABORATION.—In carrying out subsection (a), the Secretary shall ensure that

activities under this section are coordinated with activities carried out by the relevant institutes at the National Institutes of Health, the Health Resources and Services Administration, the Centers for Disease Control and Prevention, the Administration on Children and Families, and the Administration on Aging.

''(e) REQUIREMENTS.—A State, political subdivision of a State, Indian tribe, tribal organization, or private nonprofit organization desiring a grant, contract, or cooperative agreement under subsection (a) shall demonstrate that the program such entity proposes will—

''(1) provide for the timely assessment and treatment of individuals at risk for suicide;

''(2) use evidence-based strategies;

''(3) be based on best practices that are adapted to the local community;

''(4) integrate its program into the existing health care system in the community, including primary health care, mental health services, and substance abuse services;

''(5) be integrated into other systems in the community that address the needs of individuals, including the educational system, juvenile justice system, prisons, welfare and child protection systems, and community youth support organizations;

''(6) use primary prevention methods to educate and raise awareness in the local community by disseminating information about suicide prevention;

''(7) include services for the families and friends of individuals who completed suicide;

''(8) provide linguistically appropriate and culturally competent services;

''(9) provide a plan for the evaluation of outcomes and activities at the local level and agree to participate in a National evaluation;

''(10) provide or ensure adequate provision of mental health and substance abuse services, either through provision of direct services or referral; and

''(11) ensure that staff used in the program are trained in suicide prevention and that professionals involved in the system of care are given training in identifying persons at risk of suicide.

''(f) APPLICATION.—A State, political subdivision of a State, Indian tribe, tribal organization, or private nonprofit organization receiving a grant, cooperative agreement, or contract under subsection (a) shall prepare and submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require. Such application shall include a plan for the rigorous evaluation of activities funded under the grant, cooperative agreement, or contract, including a process and outcomes evaluation.

''(g) DISTRIBUTION OF AWARDS.—In awarding grants, contracts, and cooperative agreements under subsection (a), the Secretary shall ensure that such awards are equitably distributed among the geographical regions of the United States and between urban and rural populations.

''(h) EVALUATION.—A State, political subdivision of a State, Indian tribe, tribal organization, or private nonprofit organization receiving a grant, cooperative agreement, or contract under subsection (a) shall prepare and submit to the Secretary at the end of the program period, an evaluation of all activities funded under this section.

''(i) DISSEMINATION AND EDUCATION.—The Secretary shall ensure that findings derived from activities carried out under this section are disseminated to State, county, and local governmental agencies and nonprofit organizations active in promoting suicide prevention and family support activities.

''(j) AUTHORIZATION OF APPROPRIATION.—There are authorized to be appropriated to carry out this section $75,000,000 for fiscal year 2001, and such sums as may be necessary for fiscal years 2002 through 2005.

''SEC. 586. MENTAL ILLNESS OUTREACH SCREENING PROGRAMS.

''(a) IN GENERAL.—The Secretary shall award grants, cooperative agreements, or contracts to States, political subdivisions of States, Indian tribes, tribal organizations, and private nonprofit organizations to conduct outreach screening programs to identify children, adolescents, and adults with a mental illness or a mental illness and co-occurring substance abuse disorder and to provide referrals for such children, adolescents, and adults.

''(b) DURATION.—The Secretary shall award grants, cooperative agreements, or contracts under subsection (a) for a period of not more than 5 years.

''(c) APPLICATION.—A State, political subdivision of a State, Indian tribe, tribal organization, or private nonprofit organization desiring a grant, cooperative agreement, or contract under subsection (a) shall prepare and submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including—

''(1) a plan for the rigorous evaluation of activities funded under the grant, including a process and outcomes evaluation; and

''(2) provide or ensure adequate provision of mental health and substance abuse services, either through provision of direct services or referral.

''(d) USE OF FUNDS.—A State, political subdivision of a State, Indian tribe, tribal organization, or private nonprofit organization receiving a grant, cooperative agreement, or contract under subsection (a) shall use funds received under such grant—

''(1) to provide screening and referrals for children, adolescents, and adults with a mental illness, especially for underserved populations and groups historically less likely to seek mental health and substance abuse services;

''(2) to ensure that appropriate referrals are provided for children, adolescents, and adults in need of mental health services or in need of integrated services relating to a co-occurring mental illness and substance abuse disorder;

''(3) to utilize evidence-based and cost-effective screening tools; and

''(4) to utilize existing, or to develop if necessary, linguistically appropriate and culturally competent screening tools.

''(e) DISTRIBUTION OF AWARDS.—The Secretary shall ensure that such grants, cooperative agreements, and contracts awarded under subsection (a) are equitably distributed among the geographical regions of the United States and between urban and rural populations.

''(f) EVALUATION.—A State, political subdivision of a State, Indian tribe, tribal organization, or private nonprofit organization that receives a grant, cooperative agreement, or contract under subsection (a) shall prepare and submit to the Secretary an evaluation at the end of the program period regarding activities funded under the grant.

''(g) PUBLIC INFORMATION.—The Secretary shall ensure that the evaluations submitted under subsection (f) are available and disseminated to State, county and local governmental agencies, and to private providers of mental health and substance abuse services.

''(h) AUTHORIZATION OF APPROPRIATION.—There is authorized to be appropriated to carry out this section, $15,000,000 for fiscal year 2001, and such sums as may be necessary for fiscal years 2002 through 2005.

''SEC. 587. GRANTS FOR MENTAL ILLNESS TREATMENT SERVICES.

''(a) GRANTS FOR THE EXPANSION OF MENTAL HEALTH SERVICES.—

''(1) IN GENERAL.—The Secretary shall award grants, contracts, or cooperative agreements to States, political subdivisions of States, Indian tribes, tribal organizations, and private nonprofit organizations for the purpose of expanding community-based mental health services to meet emerging or urgent mental health service needs in local communities.

''(2) PRIORITY.—The Secretary shall give priority in making awards under paragraph (1) to States, political subdivisions of States, Indian tribes, tribal organizations, and private nonprofit organizations that—

''(A) have an integrated system of care or are committed to developing such system of care;

''(B) have a significant need for mental health services as shown by a needs assessment and a lack of funds for providing the needed services; and

''(C) will work with—

''(i) adults who have a history of repeated psychiatric hospitalizations, have a history of interactions with law enforcement or the criminal justice system, or are homeless; or

''(ii) children or adolescents who are at risk for suicide, parental relinquishment of custody, encounters with the juvenile justice system, behavior dangerous to themselves or others, or being homeless.

''(3) USE OF FUNDS.—A State, political subdivision of a State, Indian tribe, tribal organization, or private nonprofit organization receiving a grant, contract, or cooperative agreement under paragraph (1) may use the funds received under such grant, contract, or cooperative agreement to—

''(A) develop an integrated system of care for the provision of services for children with a serious emotional disturbance or adults with a serious mental illness;

''(B) expand community-based mental health services, which may include assertive community treatment, intensive case management, psychiatric rehabilitation, peer support services, comprehensive wraparound services, and day treatment programs;

''(C) ensure continuity of care for children, adolescents, and adults discharged from the hospital and returning to the community; and

''(D) provide outreach to children, adolescents, and adults in the community in need of mental health services, including individuals who are homeless.

''(b) GRANTS FOR THE INTEGRATED TREATMENT OF SERIOUS MENTAL ILLNESS AND CO-OCCURRING SUBSTANCE ABUSE.—

''(1) IN GENERAL.—The Secretary shall award grants, contracts, or cooperative agreements to States, political subdivisions of States, Indian tribes, tribal organizations, and private nonprofit organizations for the development or expansion of programs to provide integrated treatment services for individuals with a serious mental illness and a co-occurring substance abuse disorder.

''(2) PRIORITY.—In awarding grants, contracts, and cooperative agreements under paragraph (1), the Secretary shall give priority to applicants that emphasize the provision of services for individuals with a serious mental illness and a co-occurring substance abuse disorder who—

''(A) have a history of interactions with law enforcement or the criminal justice system;

''(B) have recently been released from incarceration;

''(C) have a history of unsuccessful treatment in either an inpatient or outpatient setting;

''(D) have never followed through with outpatient services despite repeated referrals; or

''(E) are homeless.

''(3) USE OF FUNDS.—A State, political subdivision of a State, Indian tribe, tribal organization, or private nonprofit organization that receives a grant, contract, or cooperative agreement under paragraph (1) shall use funds received under such grant—

''(A) to provide fully integrated services rather than serial or parallel services;

''(B) to employ staff that are cross-trained in the diagnosis and treatment of both serious mental illness and substance abuse;

''(C) to provide integrated mental health and substance abuse services at the same location;

''(D) to provide services that are linguistically appropriate and culturally competent;

''(E) to provide at least 10 programs for integrated treatment of both mental illness and substance abuse at sites that previously provided only mental health services or only substance abuse services; and

''(F) to provide services in coordination with other existing public and private community programs.

''(4) CONDITION.—The Secretary shall ensure that a State, political subdivision of a State, Indian tribe, tribal organization, or private nonprofit organization that receives a grant, contract, or cooperative agreement under paragraph (1) maintains the level of effort necessary to sustain existing mental health and substance abuse programs for other populations served by mental health systems in the community.

''(5) DISTRIBUTION OF AWARDS.—The Secretary shall ensure that grants, contracts, or cooperative agreements awarded under paragraph (1) are equitably distributed among the geographical regions of the United States and between urban and rural populations.

''(c) DURATION.—The Secretary shall award grants, contract, or cooperative agreements under subsections (a) and (b) for a period of not more than 5 years.

''(d) APPLICATION.—A State, political subdivision of a State, Indian tribe, tribal organization, or private nonprofit organization that desires a grant, contract, or cooperative agreement under subsection (a) or (b) shall prepare and submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. Such application shall include a plan for the rigorous evaluation of activities funded with an award under such subsections, including a process and outcomes evaluation.

''(e) EVALUATION.—A State, political subdivision of a State, Indian tribe, tribal organization, or private nonprofit organization that receives a grant, contract, or cooperative agreement under subsections (a)(1) and (b)(1) shall prepare and submit a plan for the rigorous evaluation of the program funded under such grant, contract, or agreement, including both process and outcomes evaluation, and the submission of an evaluation at the end of the project period.

''(f) AUTHORIZATION OF APPROPRIATION.—There is authorized to be appropriated to carry out this section—

''(1) $50,000,000 for subsection (a) for fiscal year 2001, and such sums as may be necessary for fiscal years 2002 through 2005; and

''(2) $50,000,000 for subsection (b) for fiscal year 2001, and such sums as may be necessary for fiscal years 2002 through 2005.

''SEC. 588. CENTERS OF EXCELLENCE FOR POST TRAUMATIC STRESS AND RELATED DISORDERS.

''(a) IN GENERAL.—The Secretary shall award grants, contracts, or cooperative agreements to public and nonprofit private entities for the purpose of establishing national and regional centers of excellence on psychological trauma response and for developing knowledge with regard to evidence-based practices for treating psychiatric disorders resulting from witnessing or experiencing a traumatic event.

''(b) PRIORITIES.—In awarding grants, contracts, or cooperative agreements under subsection (a) related to the development of knowledge on evidence-based practices for treating disorders associated with psychological trauma, the Secretary shall give priority to entities proposing programs that work with children, adolescents, adults, and families who are survivors and witnesses of domestic, school, and community violence and terrorism.

''(c) GEOGRAPHICAL DISTRIBUTION.—The Secretary shall ensure that grants, contracts, or cooperative agreements under subsection (a) with respect to centers of excellence are distributed equitably among the regions of the country and among urban and rural areas.

''(d) APPLICATION.—A public or nonprofit private entity desiring a grant, contract, or cooperative agreement under subsection (a) shall prepare and submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

''(e) EVALUATION.—The Secretary, as part of the application process, shall require that each applicant for a grant, contract, or cooperative agreement under subsection (a) submit a plan for the rigorous evaluation of the activities funded under the grant, contract, or agreement, including both process and outcomes evaluation, and the submission of an evaluation at the end of the project period.

''(f) DURATION OF AWARDS.—With respect to a grant, contract or cooperative agreement awarded under subsection (a), the period during which payments under such an award will be made to the recipient may not exceed 5 years. Such grants, contracts, or agreements may be renewed.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $50,000,000 for fiscal year 2001, and such sums as may be necessary for each of the fiscal years 2002 through 2005.

''SEC. 589. MENTAL ILLNESS TREATMENT COMPLIANCE INITIATIVE.

''(a) IN GENERAL.—The Secretary, acting through the Director of the National Institute of Mental Health, shall establish a research program to determine factors contributing to noncompliance with outpatient treatment plans, and to design innovative, community-based programs that use noncoercive methods to enhance compliance.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary.

''SEC. 590. CENTERS OF EXCELLENCE FOR TRANSLATIONAL RESEARCH.

''(a) IN GENERAL.—The Director of the National Institute of Mental Health shall establish Centers for Excellence in Translational Research to speed knowledge from basic scientific findings to clinical application.

''(b) PURPOSE.—Such centers shall—

''(1) engage in basic and clinical research and training of clinicians in the neuroscience of mental health; and

''(2) develop model curricula for the teaching of basic neuroscience to medical students, residents, and post doctoral fellows in clinical psychiatry and psychology.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary.

''SEC. 591. INCENTIVES TO INCREASE THE SUPPLY OF BASIC AND CLINICAL MENTAL HEALTH RESEARCHERS.

''(a) IN GENERAL.—The Secretary, acting through the Director of National Institute of Mental Health, shall develop and implement a program to increase the supply of basic researchers and clinical researchers in the mental health field. Such program may include loan forgiveness, scholarships, and fellowships with both stipends and funds for laboratory investigation. Such program, in part, shall be designed to attract both female and under-represented minority psychiatrists and psychologists into laboratory research in the neuroscience of mental health and mental illness.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary.

''SEC. 592. IMPROVING OUTCOMES FOR CHILDREN AND ADOLESCENTS THROUGH SERVICES INTEGRATION BETWEEN CHILD WELFARE AND MENTAL HEALTH SERVICES.

''(a) IN GENERAL.—The Secretary shall award grants, contracts or cooperative agreements to States, political subdivisions of States, Indian tribes, and tribal organizations to provide integrated child welfare and mental health services for children and adolescents under 19 years of age in the child welfare system or at risk for becoming part of the system, and parents or caregivers with a mental illness or a mental illness and a co-occurring substance abuse disorder.

''(b) DURATION.—With respect to a grant, contract or cooperative agreement awarded under this section, the period during which payments under such award are made to the recipient may not exceed 5 years.

''(c) APPLICATION.—

''(1) IN GENERAL.—To be eligible to receive an award under subsection (a), a State, political subdivision of a State, Indian tribe, or tribal organization shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

''(2) CONTENT.—An application submitted under paragraph (1) shall—

''(A) describe the program to be funded under the grant, contract or cooperative agreement;

''(B) explain how such program reflects best practices in the provision of child welfare and mental health services; and

''(C) provide assurances that—

''(i) persons providing services under the grant, contract or cooperative agreement are adequately trained to provide such services; and

''(ii) the services will be provided in accordance with subsection (d).

''(d) USE OF FUNDS.—A State, political subdivision of a State, Indian tribe, or tribal organization that receives a grant, contract, or cooperative agreement under subsection (a) shall use amounts made available through such grant, contract or cooperative agreement to—

''(1) provide family-centered, comprehensive, and coordinated child welfare and mental health services, including prevention, early intervention and treatment services for children and adolescents, and for their parents or caregivers;

''(2) ensure a single point of access for such coordinated services;

''(3) provide integrated mental health and substance abuse treatment for children, adolescents, and parents or caregivers with a mental illness and a co-occurring substance abuse disorder;

''(4) provide training for the child welfare, mental health and substance abuse professionals who will participate in the program carried out under this section;

''(5) provide technical assistance to child welfare and mental health agencies;

''(6) develop cooperative efforts with other service entities in the community, including

education, social services, juvenile justice, and primary health care agencies;

''(7) coordinate services with services provided under the medicaid program and the State Children's Health Insurance Program under titles XIX and XXI of the Social Security Act;

''(8) provide linguistically appropriate and culturally competent services; and

''(9) evaluate the effectiveness and cost-efficiency of the integrated services that measure the level of coordination, outcome measures for parents or caregivers with a mental illness or a mental illness and a co-occurring substance abuse disorder, and outcome measures for children.

''(e) DISTRIBUTION OF AWARDS.—The Secretary shall ensure that grants, contracts, and cooperative agreements awarded under subsection (a) are equitably distributed among the geographical regions of the United States and between urban and rural populations.

''(f) EVALUATION.—The Secretary shall evaluate each program carried out by a State, political subdivision of a State, Indian tribe, or tribal organization under subsection (a) and shall disseminate the findings with respect to each such evaluation to appropriate public and private entities.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $20,000,000 for fiscal year 2001, and such sums as may be necessary for each of fiscal years 2002 and 2005.''.

''SEC. 593. PRIMARY CARE RESIDENCY TRAINING GRANTS.

''(a) IN GENERAL.—The Secretary shall award grants to institutions with accredited residency training programs that provide residency training in primary care to provide training to identify individuals with a mental illness and to refer such individuals for treatment to mental health professionals when appropriate.

''(b) PRIMARY CARE.—In this section, the term 'primary care' includes family practice, internal medicine, pediatrics, obstetrics and gynecology, geriatrics, and emergency medicine.

''(c) DISTRIBUTION OF AWARDS.—The Secretary shall ensure that such grants awarded under subsection (a) are equitably distributed among the geographical regions of the United States and between urban and rural populations.

''(d) ELIGIBILITY.—In order to be eligible to receive a grant under this section, an institution with a residency training program shall require residents to demonstrate core competencies in the diagnosis, treatment options, and referral for treatment for individuals with a mental illness.

''(e) APPLICATION.—An institution with a residency training program desiring a grant under subsection (a) shall prepare and submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''(f) USE OF FUNDS.—An institution with a residency training program that receives a grant under subsection (a) shall use funds received under such grant to—

''(1) provide training for the diagnosis and treatment of mental illness, and for appropriate referrals to mental health professionals; and

''(2) develop model curricula or expand existing model curricula to teach primary care residents the relationship between physical illness and the mind and to effectively diagnose and treat mental illnesses and make appropriate referrals to mental health professionals which shall include—

''(A) the development of core competencies in the diagnosis, treatment options, and referral of individuals with a mental illness;

''(B) a testing component to ensure that residents demonstrate a proficiency in such core competencies; and

''(C) model curricula regarding neuroscience and behavior to enhance the understanding of mental illness.

''(g) EVALUATION.—An institution with a residency training program that receives a grant under subsection (a) shall prepare and submit to the Secretary an evaluation of the activities carried out with funds received under this section, including a process and outcomes evaluation.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 for fiscal year 2001 and such sums as may be necessary for each of fiscal years 2002 through 2005.

''SEC. 594. TRAINING AND CONTINUING EDUCATION GRANTS FOR PRIMARY HEALTH CARE PROVIDERS.

''(a) IN GENERAL.—The Secretary shall award grants to academic health centers, community hospitals, and out-patient clinics, including community health centers and community mental health centers, for the continuing education of appropriate primary care providers in the diagnosis, treatment, and referrals of children, adolescents, and adults with a mental illness to mental health professionals, and for the education of primary care providers in the delivery of effective medical care to such children, adolescents, and adults.

''(b) DISTRIBUTION OF AWARDS.—The Secretary shall ensure that such grants awarded under subsection (a) are equitably distributed among the geographical regions of the United States and between urban and rural populations.

''(c) APPLICATION.—An academic health center, community hospital, or out-patient clinic, including a community health center and a community mental health center, desiring a grant under subsection (a) shall prepare and submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including a plan for the rigorous evaluation of activities carried out with funds received under this section, including a process and outcomes evaluation.

''(d) USE OF FUNDS.—An academic health center, community hospital, or out-patient clinic, including a community health center and a community mental health center, that receives a grant under this section shall use funds received under such grant for the continuing education of primary care providers in the diagnosis, treatment options, and appropriate referrals of children, adolescents, and adults with a mental illness to mental health professionals, and for the education of primary care providers in the delivery of effective medical care to such children, adolescents, and adults.

''(e) EVALUATION.—An academic health center, community hospital, or out-patient clinic, including a community health center and a community mental health center, that receives a grant under this section shall prepare and submit an evaluation to the Secretary that describes activities carried out with funds received under this section.

''(f) DEFINITIONS.—In this section:

''(1) HEALTH CENTER.—The term 'health center' has the meaning given such term in section 330, and includes community mental health centers.

''(2) PRIMARY CARE.—The term 'primary care' includes family practice, internal medicine, pediatrics, obstetrics and gynecology, geriatrics, and emergency medicine.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $20,000,000 for fiscal year 2001 and such sums as may be necessary for each of fiscal years 2002 through 2005.

''SEC. 595. COMMISSION.

''(a) COMMISSION.—There is established a Commission that shall study issues regarding the diagnosis, treatment, rehabilitation, and hospitalization of individuals with a mental illness, make recommendations regarding the findings of such research, and develop model State legislation based on the results of such research if appropriate.

''(b) DUTIES.—The Commission established under subsection (a) shall—

''(1) study issues regarding the screening, diagnosis, and treatment of individuals with a mental illness in both an outpatient and inpatient setting;

''(2) study the effectiveness and results of outpatient and inpatient involuntary treatment of individuals with a mental illness, review existing laws governing outpatient involuntary treatment of individuals with a mental illness, and if appropriate, propose model State legislation to regulate such involuntary treatment;

''(3) study the effectiveness and results of promoting the inclusion of individuals with a mental illness in their treatment decisions and the use of psychiatric advance directives, and if appropriate, propose model State legislation;

''(4) review the report 'Mental Health: A Report of the Surgeon General' and develop policy recommendations for Federal, State, and local governments to guide the development of public policy, implement the findings of the Surgeon General;

''(5) develop mental health proposals, based on the supplemental report of the Surgeon General on mental health and race, culture, and ethnicity, to improve the diagnosis, treatment, rehabilitation, and hospitalization of individuals with a mental illness, and the utilization of services for such individuals among diverse populations;

''(6) study the coordination of services between the health care system, social services system, and the criminal justice system for individuals with a mental illness;

''(7) study the adequacy of current treatment services for mental illness; and

''(8) study issues regarding the mental illness of incarcerated individuals in the criminal justice system and develop recommendations for programs to identify, diagnose, and treat such individuals.

''(c) MEMBERS OF THE COMMISSION.—

''(1) IN GENERAL.—The Commission established under subsection (a) shall be composed of—

''(A) the Director of the National Institute of Mental Health;

''(B) the Director of the Center for Mental Health Services; and

''(C) a representative from a State or local mental health agency;

''(D) a judge;

''(E) a prosecutor;

''(F) a criminal defense attorney;

''(G) a constitutional law scholar;

''(H) a law enforcement official;

''(I) a county corrections official.

''(J) a board certified psychiatrist;

''(K) a psychologist;

''(L) a medical ethicist;

''(M) 2 mental health advocates, 1 of which shall be a consumer of mental health services; and

''(N) a family member of an individual with a mental illness.

''(2) SELECTION.—Members of the Commission established under subsection (a) shall be selected in the following manner:

''(A) The Majority Leader of the Senate, in consultation with the Minority Leader of the Senate, shall select 5 members of the Commission, with not more than 3 of such members being of the same political party.

''(B) The Speaker of the House of Representatives, in consultation with the Minority Leader of the House of Representatives, shall select 5 members of the Commission, with not more than 3 of such members being of the same political party.

''(C) The President shall select 5 members of the Commission, 2 of which shall be the Director of the National Institute of Mental Health and the Director of the Center for Mental Health Services.

''(d) REPORT.—

''(1) INTERIM REPORT.—Not later than 10 months after the date of enactment of this section, the Commission shall prepare and submit to Congress a report that describes the progress of the Commission regarding issues described in paragraphs (2) and (3) of subsection (b) and recommends the value of developing model State legislation.

''(2) FINAL REPORT.—Not later than 18 months after the date of enactment of this section, the Commission shall prepare and submit to the President and Congress a report that describes the findings of the Commission, and the recommendations and model legislation created by such Commission.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $1,500,000.''.

SEC. 4. LAW ENFORCEMENT MENTAL HEALTH GRANT PROGRAMS.

(a) IN GENERAL.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended by inserting after part U (42 U.S.C. 3796hh et seq.) the following:

"PART V—MENTAL HEALTH GRANT PROGRAMS

"Subpart 1—Mental Health Court Grant Program

"SEC. 2201. GRANT AUTHORITY.

''(a) PROGRAM AUTHORIZED.—The Attorney General shall make grants to States, State courts, local courts, units of local government, and Indian tribal governments, acting directly or through agreements with other public or nonprofit entities, for up to 125 Mental Health Court grant programs.

''(b) PURPOSE.—Such Mental Health Court grant programs described in subsection (a) shall involve—

''(1) the specialized training of law enforcement and judicial personnel, including prosecutors and public defenders, to identify and address the unique needs of individuals with a mental illness who come in contact with the criminal justice system; and

''(2) the coordination of criminal adjudication, continuing judicial supervision, and the delivery of mental health treatment and related services for preliminarily qualified individuals, including—

''(A) voluntary outpatient or inpatient mental health treatment, in the least restrictive manner appropriate as determined by the court, that carries with it the possibility of dismissal of charges or reduced sentencing upon successful completion of treatment; and

''(B) centralized case management involving the consolidation of cases, including violations of probation, and the coordination of all mental health treatment plans and social services, including substance abuse treatment where co-occurring disorders are present, life skills training, housing placement, vocational training, education, job placement, health care, and relapse prevention for each participant who requires such services.

''(c) CONSTRUCTION.—Nothing in this subpart shall preclude States from implementing a system to divert preliminarily qualified individuals in law enforcement custody for nonviolent or misdemeanor offenses out of the criminal justice system and into appropriate treatment programs.

"SEC. 2202. DEFINITION.

''In this subpart, subject to the requirements of section 2204(b)(8), the term, 'preliminarily qualified individual' means a person in law enforcement custody who—

''(1)(A) previously or currently has been diagnosed by a qualified mental health professional as having a mental illness, mental retardation, or a co-occurring mental illness and substance abuse disorder; or

''(B) manifests obvious signs of having a mental illness, mental retardation, or a co-occurring mental illness and substance abuse disorder during arrest or confinement or before any court; and

''(2) is deemed eligible by a designated judge.

"SEC. 2203. ADMINISTRATION.

''(a) CONSULTATION.—The Attorney General shall consult with the Secretary and any other appropriate officials in carrying out this subpart.

''(b) USE OF COMPONENTS.—The Attorney General may utilize any component or components of the Department of Justice in carrying out this subpart.

''(c) REGULATORY AUTHORITY.—The Attorney General shall issue regulations and guidelines necessary to carry out this subpart which shall include the methodologies and outcome measures proposed for evaluating each applicant program.

"SEC. 2204. APPLICATIONS.

''(a) IN GENERAL.—To request funds under this subpart, the chief executive of a State, a unit of local government, or an Indian tribal government shall submit an application to the Attorney General in such form and containing such information as the Attorney General may reasonably require.

''(b) CONTENTS.—In addition to any other requirement the Attorney General may specify under subsection (a), an application for a grant under this subpart shall—

''(1) identify related governmental or community initiatives which complement or will be coordinated with the proposal;

''(2) include a plan for the coordination of mental health treatment and social service programs for individuals needing such services, including life skills training, such as housing placement, vocational training, education, job placement, health care, relapse prevention, and substance abuse treatment where co-occurring disorders are present;

''(3) contain an assurance that—

''(A) there has been appropriate consultation with all affected mental health and social service agencies and programs in the development of the plan and that there will be sufficient ongoing coordination with the affected agencies and programs during implementation to ensure that they will have adequate capacity to provide the services;

''(B) the Mental Health Court program will provide continuing supervision of treatment plan compliance for a term not to exceed the maximum allowable sentence or probation for the charged or relevant offense and continuity of psychiatric care at the end of the supervised period;

''(C) individuals referred to a Mental Health Court will receive a full mental health evaluation by a qualified professional;

''(D) the Federal support provided will be used to supplement, and not supplant, State, Indian tribal, and local sources of funding that would otherwise be available; and

''(E) the program will be evaluated no less than once every 12 months using the methodology and outcome measures identified in the grant application;

''(4) include a long-term strategy and detailed implementation plan;

''(5) explain the applicant's inability to fund the program adequately without Federal assistance;

''(6) specify plans for obtaining necessary support and continuing the proposed program following the conclusion of Federal support;

''(7) describe the methodology and outcome measures that will be used in evaluating the program; and

''(8) identify plans to ensure that individuals charged with serious violent felonies, including murder, rape, crimes involving the use of a firearm or explosive device, and any other crimes identified by the applicant, will not be referred to the Mental Health Court.

"SEC. 2205. FEDERAL SHARE.

''The Federal share of a grant made under this subpart may not exceed 75 percent of the total costs of the program described in the application submitted under section 2204 for the fiscal year for which the program receives assistance under this subpart, unless the Attorney General waives, wholly or in part, the requirement of a matching contribution under this section. The use of the Federal share of a grant made under this subpart shall be limited to new expenses necessitated by the proposed program, including the development of treatment services and the hiring and training of personnel. In-kind contributions may constitute a portion of the non-Federal share of a grant.

"SEC. 2206. GEOGRAPHIC DISTRIBUTION.

''The Attorney General shall ensure that, to the extent practicable, an equitable geographic distribution of grant awards is made that considers the special needs of rural communities, Indian tribes, and Alaska Natives.

"SEC. 2207. REPORT.

''A State, State court, local court, unit of local government, or Indian tribal government that receives funds under this subpart during a fiscal year shall submit to the Attorney General a report in March of the following year regarding the effectiveness of this subpart.

"Subpart 2—Mental Health Screening and Treatment Grant Program in Jails and Prisons

"SEC. 2221. GRANT AUTHORITY.

''The Attorney General shall carry out a pilot program under which the Attorney General shall make a grant to 10 States selected by the Attorney General for use in accordance with this subpart.

"SEC. 2222. USE OF GRANT AMOUNTS.

''Amounts made available under a grant awarded under this subpart—

''(1) shall be used for mental health screening, evaluation, and treatment of individuals detained or incarcerated in State and local correctional institutions; and

''(2) may be used to incorporate mental health screening and treatment into the State and local probation and parole systems.

"SEC. 2223. MINIMUM GRANT AMOUNT.

''The amount of a grant awarded to a State under this subpart for any fiscal year shall not be less than 2.5 percent of the total amount made available to carry out this subpart for that fiscal year.

"SEC. 2224. STATE AND LOCAL ALLOCATION.

''Of the amount made available under a grant awarded to a State under this subpart—

''(1) 25 percent shall be used by the State in accordance with section 2222; and

''(2) 75 percent shall be distributed to units of local government within the State for use in accordance with section 2222.

"SEC. 2225. REPORT.

''A State that receives funds under this subpart during a fiscal year shall submit to the Attorney General a report in March of the following year regarding the effectiveness of this subpart.

Subpart 3—Law Enforcement Mental Health Training Grant Program

"SEC. 2231. GRANT AUTHORITY.

''The Attorney General shall make grants to States, which shall be used to train State and local law enforcement officers—

''(1) to identify and respond effectively to individuals with a mental illness who come into contact with the criminal justice system; and

''(2) regarding the mental health treatment resources available in the community for individuals with a mental illness who come into contact with the criminal justice system.''.

(b) TECHNICAL AMENDMENT.—The table of contents of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.), is amended by inserting after the item relating to part U the following:

''PART V—MENTAL HEALTH COURTS

''SUBPART 1—MENTAL HEALTH COURT GRANT PROGRAM

''Sec. 2201. Grant authority.
''Sec. 2202. Definition.
''Sec. 2203. Administration.
''Sec. 2204. Applications.

''SUBPART 2—MENTAL HEALTH SCREENING AND TREATMENT GRANT PROGRAM IN JAILS AND PRISONS

''Sec. 2221. Grant authority.
''Sec. 2222. Use of grant amounts.
''Sec. 2223. Minimum grant amount.
''Sec. 2224. State and local allocation.

''SUBPART 3—LAW ENFORCEMENT MENTAL HEALTH TRAINING GRANT PROGRAM

''Sec. 2231. Grant authority.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)) is amended by inserting after paragraph (19) the following:

''(20) There are authorized to be appropriated—

''(A) to carry out subpart 1 of part V, $10,000,000 for fiscal year 2001 and such sums as may be necessary for each of fiscal years 2002 through 2005;

''(B) to carry out subpart 2 of part V, $50,000,000 for fiscal year 2001 and such sums as may be necessary for each of fiscal years 2002 through 2005; and

''(C) to carry out subpart 3 of part V, $50,000,000 for fiscal year 2001 and such sums as may be necessary for each fiscal years 2002 through 2005.''.

THE MENTAL HEALTH EARLY INTERVENTION, TREATMENT, AND PREVENTION ACT OF 2000—SUMMARY

Twenty-five to forty percent of individuals in the United States with a mental illness come into contact with the criminal justice system each year. Sixteen percent of individuals incarcerated in state and local jails suffer from a mental illness. About 30,000 Americans, including 2,000 children and adolescents, commit suicide each year.

The bill seeks to prevent the often tragic results of mental illness, such as acts of violence and suicide, before they occur. It provides a series of programs to raise awareness about mental illness; to increase resources for the screening, diagnosis, and treatment of mental illness; and to increase resources to enable the criminal justice system to respond more effectively to persons with mental illness.

ANTI-STIGMA CAMPAIGN AND SUICIDE PREVENTION CAMPAIGN

The bill proposes an anti-stigma campaign using media and public education, aimed at reducing the stigma often associated with mental illness.

TRAINING FOR TEACHERS, EMERGENCY SERVICES PERSONNEL, AND PRIMARY CARE PROFESSIONALS

The bill proposes a program to provide training to teachers and emergency services personnel to identify and respond to individuals with mental illness, and to raise awareness about available mental health resources. A separate program will provide continuing education of primary care professionals in the delivery of mental health care.

EMERGENCY MENTAL HEALTH CENTERS

The Centers will serve as a specific site in communities for individuals in need of emergency mental health services, and will also provide mobile crisis intervention teams.

JAIL DIVERSION DEMONSTRATION

A demonstration initiative will create 125 programs to divert individuals with mental illness from the criminal justice system to community-based services.

SUICIDE PREVENTION ACROSS THE LIFE SPECTRUM

A program to provide timely assessment and referral for treatment for children, adolescents, and adults at risk for suicide, with priority given to groups experiencing high or increasing rates of suicide.

MENTAL ILLNESS TREATMENT GRANTS

A grant program will be available to develop or expand treatment services for mental illness in communities with urgent or emerging need for such services. Grants will also be available to provide integrated treatment for individuals with a serious mental illness and a co-occurring substance abuse disorder; the emphasis will be on individuals with a history of involvement with law enforcement or a history of unsuccessful treatment.

MENTAL ILLNESS OUTREACH SCREENING

A grant program will be established to conduct outreach screening to identify individuals with a mental illness or with a mental illness and a co-occurring substance abuse disorder, and provide appropriate referrals for treatment.

CENTERS OF EXCELLENCE FOR POST-TRAUMATIC STRESS AND RELATED DISORDERS

A grant program will be established to support national and regional centers of excellence to respond to psychological trauma, and to psychiatric disorders resulting from witnessing or experiencing a traumatic event.

EXPANDED ROLE OF THE NATIONAL INSTITUTE OF MENTAL HEALTH

The National Institute of Mental Health will study the factors that contribute to noncompliance with outpatient treatment plans. It will also establish centers of excellence for research, and increase the number of basic and clinical researchers.

INCREASED COORDINATION OF CHILDREN'S SERVICES

A program will be established to improve outcomes among at-risk children by integrating child welfare and mental health services.

BLUE RIBBON COMMISSION

The Commission will make recommendations on issues relating to mental illness. It will focus on diagnosis and treatment, and the interaction between mental illness and the criminal justice system.

MENTAL HEALTH COURTS

This demonstration program will create 125 Mental Health Courts with separate dockets to handle cases involving individuals with a mental illness. These individuals will be voluntarily assigned to out-patient or in-patient mental health treatment as an alternative sentence.

MENTAL HEALTH SCREENING AND TREATMENT IN JAILS AND PRISONS

A pilot program will be created to provide states and local governments with funds to screen, evaluate, and treat individuals with mental illness in local jails or state prisons.

LAWS ENFORCEMENT MENTAL HEALTH TRAINING

This program will train law enforcement officers to identify and effectively respond to individuals with a mental illness and to educate police officers about available mental health resources.●

● Mr. KENNEDY. Mr. President, I welcome this opportunity to work with Senator DOMENICI on this important issue of mental health care, and I commend him for his leadership. In American medicine today, patients with biochemical problems in their liver are treated with compassion, but those with biochemical problems in their brain are treated harshly. That discrepancy is unacceptable. The stigma against the mentally ill is a blatant form of discrimination. The legislation that Senator DOMENICI and I are introducing is intended to correct this inequity and to assure that those with mental illness will get the treatment they need.

The first-ever Surgeon General's Report on Mental Health was released last December. It provides a solid foundation on which to build. It is a powerful statement that treating the problems of mental illness more effectively must be one of our Nation's highest priorities. The Surgeon General's Report makes two basic points. Mental illness is a national crisis—and our treatment of the mentally ill is a national disgrace.

One in five Americans will experience some form of mental illness this year. Mental illnesses are our second leading cause of disability. Yet success rates for treating mental illnesses are as high as 80 percent. Effective drugs with limited side effects have become available in recent years. Note that the success rates for treatment of other chronic diseases, such as hypertension and diabetes, are not quite as high. But people with high blood pressure or diabetes still seek treatment. Unfortunately, fear, stigma and lack of available treatment combine to prevent individuals with mental illness from seeking treatment.

There are several reasons for this. First is stigma. People are afraid to admit mental illness to their doctors, or even to themselves. In fact, two-thirds of those with diagnosable mental illnesses do not seek treatment. Second, there is a very low public understanding of mental disorders and of the fact that they are treatable. Third, individuals with mental illness may not be correctly diagnosed or appropriately referred for treatment. Fourth, people who do seek treatment for mental illness find that it is not available or that their insurance plans will not cover it.

One result of the lack of treatment is suicide. Fifty percent more Americans die by their own hand each year than

are killed by other; 29,264 suicides occurred in 1998 compared with 17,350 homicides. Suicide is the third leading killer of the Nation's youth.

What is happening to many of those who suffer from mental illness? Jails and prisons represent the largest residential center for those suffering from mental illnesses, but few prisoners receive treatment there.

The bill that Senator DOMENICI and I are introducing today, ''The Mental Health Early Intervention, Treatment, and Prevention Act of 2000,'' is a giant step toward giving mental health the priority it deserves. But we cannot promote mental health without eradicating the stigma surrounding mental illness. Since fear and ignorance compound the problem, a campaign to improve public understanding about mental illness will combat the ignorance and decrease the fear.

Increased public understanding is not sufficient, however. Successful treatment of those suffering from mental illness requires effective care by skilled professionals. Many individuals with mental illness do not realize the nature of scope of their problem, and those whom they might encounter in daily life are unable to assist them. Our bill will enable us to reach out to find persons with mental illness. It will train teachers, police and others to provide front-line help.

Our legislation provides for the establishment of suicide prevention programs. It will also develop screening programs to identify and reach out to those with mental illnesses so that they seek effective treatment. We will also establish response teams and designate centers to provide patients with such treatment.

Patients suffering from mental illness are more likely to experience a greater number of physical ailments as well. Their primary care physicians are often not equipped to recognize mental illness or to make the appropriate referral to a mental health professional. Our bill will develop programs to train primary care health providers to treat the physical symptoms of those who suffer from mental illness, while making sure that they obtain care for their mental well-being too.

In addition, ignorance of the biology of the brain and the mind has often prevented the development of cures for many forms of mental illness. Our bill will develop educational programs to increase the numbers of researchers investigating the science of mental illness. Special emphasis will be given to training psychiatrists and psychologists in effective ways to bring the discoveries of the laboratory more quickly to the bedside of the patient.

Our bill will develop new strategies to assist individuals with mental illness in the criminal justice system and to strengthen the understanding of mental illness by law enforcement officials. It is likely, as a result, that many who suffer from mental illness will receive treatment rather than punishment, so that they contribute to society instead of being incarcerated by society.

Mental illness is a serious national problem that all of us must deal with more effectively. Our goal in this legislation is to give mental health the high priority it deserves. The enactment of this bill will help those millions of our fellow citizens who, at this moment, are suffering in silence.●

By Mrs. BOXER:

S. 2640. A bill to amend title 38, United States Code, to permit Department of Veterans Affairs pharmacies to dispense medications to veterans for prescriptions written by private practitioners, and for other purposes; to the Committee on Veterans' Affairs.

VETERANS PRESCRIPTIONS LEGISLATION

Mrs. BOXER. Mr. President, as the country enters this Memorial Day weekend to pay tribute to those who gave their lives to protect and defend the United States, I come before the Senate to introduce legislation aimed at making it easier for veterans to receive medications through the VA health care system.

Right now, VA pharmacies are prohibited from dispensing medications that are prescribed by non-VA practitioners. This means that veterans can not have their prescriptions filled at a VA facility if it is written by their private doctor. Under current law, veterans only have to pay $2 for each 30-day supply of medication supplied by the VA. Therefore, if a veteran needs to have a prescription filled by a non-VA practitioner, it can mean great out-of-pocket expenses. My legislation would change the current system to allow the VA to fill prescriptions that are written by non-VA practitioners.

This bill has been endorsed by The American Legion, the National Association of Uniformed Services and the Non-Commissioned Officers Association. I believe it is a common sense approach, and I think we owe it to veterans to make health care as affordable and accessible as possible.

Earlier today, I had the pleasure of speaking at the Veterans Washington Rally which was sponsored by the Vietnam Veterans of America, Rolling Thunder, the Jewish War Veterans and other veteran supporters. These veterans were asking for full funding for the VA health care system as spelled out in the Independent Budget, a comprehensive analysis of the VA budget which is prepared each year with the support of several veteran organizations.

Veterans are rightly concerned that current budget plans are barely enough to keep up with health care inflation and is nowhere near enough to provide quality emergency and long-term care or begin a serious fight against hepatitis C. I was proud to see these veterans fighting for the benefits and services that are rightly theirs, and I hope we can address their concerns when the Senate considers the VA–HUD appropriations bill later this year.

Thank you, Mr. President. And, may God bless all of America's veterans this Memorial Day.

By Mr. CLELAND (for himself and Mr. COVERDELL):

S. 2641. A bill to authorize the President to present a gold medal on behalf of Congress to former President Jimmy Carter and his wife Rosalynn Carter in recognition of their service to the Nation; to the Committee on Banking, Housing, and Urban Affairs.

TO AUTHORIZE THE PRESIDENT TO PRESENT THE GOLD MEDAL ON BEHALF OF CONGRESS TO FORMER PRESIDENT JIMMY CARTER AND FORMER FIRST LADY ROSALYNN CARTER

Mr. CLELAND. Mr. President, I rise today to introduce a bill that would authorize the President to present a Gold Medal on behalf of Congress to former President Jimmy Carter and former First Lady Rosalynn Carter in recognition of their service to the Nation. I would like to thank Senator COVERDELL for co-sponsoring this bill and extend an invitation to all our other colleagues to join us in supporting this legislation to award these two great Americans with Congress' highest honor.

It is widely agreed that President Jimmy Carter and his wife Rosalynn Carter have distinguished records of public service to the American people and the international community. Internationally, the Carters have been involved in a number of public service initiatives ranging from combating famine in Sub-Sahara Africa and encouraging better health care in Third World nations to serving as mediators in an effort to end civil wars in half a dozen countries. President Carter has monitored numerous foreign elections in an effort to spread democracy throughout the world.

A Congressional Gold Medal awarded by Congress will show the appreciation of the American public for the many contributions that President and Mrs. Carter have made, including service in public office from the state legislature to the White House. Jimmy and Rosalynn continue to promote human rights worldwide due to their active involvement in the nonprofit Carter Center in Atlanta that has initiated projects in more than 65 countries to resolve conflicts, promote human rights, build democracy, improve health care worldwide, and revitalize urban areas. In addition, the Carters serve as volunteers for Habitat for Humanity, which helps low income families build their own homes.

I hope that other members of Congress will join me and Senator COVERDELL in recognizing President and Mrs. Carter for their distinguished records of public service by awarding them the Congressional Gold Medal.

By Mr. HATCH:

S. 2642. A bill to amend the Internal Revenue Code of 1986 to provide major tax simplification; to the Committee on Finance.

THE TAX EASE AND MODERNIZATION ACT—PART I

Mr. HATCH. Mr. President, I rise today to introduce legislation intended to start us on the path to a simpler, more rational, and fairer federal tax system. The bill I am introducing in the Senate today, the Tax Ease and Modernization Act—Part I (TEAM–I), is designed to be the first of several installments to incrementally transform the Internal Revenue Code into a revenue collection device that is more efficient, more responsive to the needs of taxpayers, more able to help this nation compete in a global marketplace, and most importantly, much easier to understand, comply with, and administer.

I realize that this is a tall order. I also believe that such a transformation cannot occur overnight. This is why my plan calls for incremental action through a multi-year plan—a plan that we can start implementing this year rather than waiting for consensus to develop around a fundamental tax reform approach that centers on a flat tax, a national consumption tax, or some hybrid system.

As I said on this floor on April 4, 2000, when I announced this plan, I recognize the need for a new paradigm in taxation for this country. I believe our Internal Revenue Code is fundamentally flawed and needs to be replaced with a new system. But such a new tax code will require years of presidential leadership, public education, and an intelligent transition from the current system.

In the meantime, we should not wait for an elusive tax Utopia to come along and remove the immediate need for improvements to the Internal Revenue Code. We should begin to act now, and do what we can to make our current system better in the short run. This is what my plan is all about.

Mr. President, the bill I introduce today begins this transformation process by repealing or repairing some of the most complex and unfair provisions in the Internal Revenue Code. Moreover, it does so in a balanced way, with relief from complexity for every classification of taxpayer—low-income and high income individuals, school teachers and chief executive officers, members of neighborhood investment clubs and high rollers, small businesses and sprawling multinationals, people with IRS problems and families with foster children. The goals are to simplify the tax code and make it more fair for everyone.

Because the Internal Revenue Code is so riddled with complexity at every level, attempting to eliminate it all at once would be difficult at best. Therefore, this bill focuses on solving several of the largest problems affecting millions of taxpayers, then supplements these features with a number of smaller provisions that may appear relatively minor, but as a whole add a tremendous amount of complexity, unfairness, or hassle for many taxpayers, as well as for the Internal Revenue Service.

ALTERNATIVE MINIMUM TAX REPEAL

Mr. President, the Tax Ease and Modernization Act—Part I starts with repealing what is likely to be the largest source of tax compliance headaches for middle- and upper-income families over the next decade—the alternative minimum tax. The alternative minimum tax, or AMT for short, remains unknown to many Americans, and is not well understood even by those nearly 1 million taxpayers it already affects.

The AMT was originally designed to ensure that taxpayers with economic income who take advantage of the tax code's many incentive deductions and credits still pay some tax. However, because of basic design flaws, the AMT's reach now goes far beyond what was intended in 1969 when it was conceived or even in 1986 when it was expanded. In fact, the Treasury Department estimates that at least 17 million taxpayers will be subject to the nightmare-like complexity of the alternative minimum tax by 2010. Even the Clinton administration, traditionally a strong supporter of the AMT, now admits it has grown out of control and advocates changes to tame it.

This bill goes one better and repeals the alternative minimum tax altogether, Mr. President. It is time to rid the code of the kind of super-complexity brought by the AMT, which, in my view, has failed to achieve its objectives of bringing greater fairness to our tax system.

CAPITAL GAINS TAX SIMPLIFICATION

A second major provision of this bill would greatly simplify the taxation of capital gains. Many of my constituents were pleased in 1997 when Congress lowered the capital gains tax rates from 28 percent to 20 percent. However, many were not as excited when they found out what the new law meant come tax return filing time—a 54-line Schedule D accompanied by two worksheets and seven pages of instructions. This is compared to a 39-line form and just two pages of instructions prior to the change.

TEAM–I would simplify capital gains by repealing the current maximum rate approach and instituting a 50 percent exclusion, as was the case before the 1986 Tax Reform Act repealed the capital gains preference. In other words, taxpayers would be allowed to exclude 50 percent of the long-term capital gain from gross income. The remaining 50 percent would be taxed at ordinary income rates. This would do away with the need for a special computation on the tax forms. It would also result in a lower capital gains rate for every tax bracket, with those in the lowest tax brackets getting the largest rate decreases. This bill thus both simplifies capital gains and cuts the effective capital gains tax rate for all individuals.

We should not underestimate the importance of this change. Mr. President. Over the past few years the number of Americans who are invested in capital assets has skyrocketed. The Joint Economic Committee reported last month that the percentage of American families directly and indirectly holding stocks climbed from 31.6 percent in 1989 to 48.8 percent in 1998. Moreover, a recent Federal Reserve study shows that stockholdings made up a record 31.7 percent of household wealth in 1999. And this does not include other capital assets, such as bonds, real estate, and partnership interests. No longer can even the most hardened opponent of capital gains rate reductions argue that it is a tax break only for the wealthy.

In addition, there is abounding evidence that lowering the capital gains tax rate has had a very salutary effect on the economy over the years, particularly since the 1997 change. A 1999 study by Standard and Poor's DRI concluded that the 1997 capital gains tax reduction from a top rate of 28 percent to 20 percent was responsible for about 25 percent of he increase in stock prices from 1997 to 1999. Also, the cost of capital for new investment fell by about 3 percent as a result of the 1997 change. Clearly, when it comes to capital gains, simplicity is needed as well as lower rates. TEAM–I delivers both.

The bill I am introducing today also features a smaller but important provision relating to capital gains from the sale of a principal residence. In 1997, Congress passed a provision that allows homeowners to exclude up to $250,000 of capital gains from the sale of their principal residence. The number is $500,000 for married couples filing a joint return. This has been or will be a tremendous benefit for millions of American families. The provision was flawed in one respect, however, in that it was not indexed for inflation. My bill would index the exclusion for future inflation, in increments of $1,000.

EARNED INCOME TAX CREDIT SIMPLIFICATION

Mr. President, millions of lower-income taxpayers face one of the most complex tax provisions in the entire Internal Revenue Code—the Earned Income Tax Credit (EITC). Taxpayers trying to figure out if they can claim this credit and how to compute it face a daunting challenge—instructions and tables in the Form 1040 instructions that take up ten full pages, including a nine-step flowchart and two worksheets. Even all of this is not enough to provide all the needed information in every case.

Taxpayers, many if not most of whom are surely aggravated and confused by these rules, are referred to IRS Publication 596, a 54-page booklet, to even more detailed information.

Practically every professional tax group that has studied tax complexity recommends major simplification to the EITC. TEAM–I would provide major simplicity, while expanding the credit.

The bill would simplify the EITC rules in two ways, Mr. President. First it modifies the definition of earned income to include only taxable employee

compensation and business income readily available on Form 1040. Current law requires the consideration of nontaxable compensation, such as meals and lodging provided for the convenience of the employer and employer-provided educational assistance benefits. Many times these amounts are not readily available to the employee, who is likely to be uncertain whether such nontaxable compensation is provided or not.

Second, TEAM–I simplifies the definition of a dependent child. The source of one of the greatest complexities in the EITC is the definition of a qualifying child. Current law is confusing in part because the definition of a qualifying child is very similar, but not identical, to the definition of a dependent child for purposes of the dependency exemption. In some cases, a child can qualify a taxpayer for the EITC but not for the dependency exemption. The bill simplifies both the dependency exemption and the EITC by moving the definition of a dependent child closer to that of a qualifying child for purposes of the EITC. Thus, with this new definition, taxpayers who are able to claim a dependent child for the exemption should be able to also claim the child for purposes of the earned income tax credit. This solution is based on a concept proposed by the Clinton Administration in the budget for fiscal year 2001.

Mr. President, the bill also expands in three ways the earned income tax credit, which is a program that has proven vital in assisting millions of families at the margin of poverty. The first expansion provides a new category for taxpayers with three or more qualifying children, which offers a higher percentage credit. Current law provides different levels of the credit for taxpayers with no children, taxpayers with one qualifying child, and those with two or more. Secondly, the bill provides a larger maximum credit for all qualifying taxpayer with children by increasing the phaseout amount, which is the level of the taxpayer's earnings at which the credit begins to be phased out, from the current law level of $12,690 to $15,000.

Perhaps even more significantly, the bill takes a major step toward relieving the onerous marriage penalty inherent in the current Earned Income Tax Credit. This is accomplished by increasing the amount at which the credit begins to be phased out by an extra $5,000 for taxpayers who are married filing a joint return. While this will not eliminate the marriage penalty problem of the EITC, which is among the largest marriage penalties in the tax code, it does take an important step toward reducing it.

REPEAL OF LIMITATIONS ON ITEMIZED DEDUCTIONS AND PERSONAL EXEMPTIONS

Mr. President, two of the most unfair and complex provisions of the current tax law are aimed squarely at upper-middle and higher-income taxpayers. After the 1986 Tax Reform Act lowered the top tax rate to 28 percent, the Democratically led Congress decided that this was too low a tax rate for successful Americans who were considered wealthy. Rather than a straightforward increase in the top tax bracket, however, Congress decided to be sneaky about it and raised the marginal tax rates on certain taxpayers by limiting their itemized deductions and personal exemptions. The effects of these provisions are twofold. First, they obscure the true rate of tax being levied on taxpayers subject to these provisions. Second, and probably most damaging, they add a great deal of unwarranted complexity. My bill solves both problems by simply repealing these provisions.

BUSINESS TAX SIMPLIFICATION

While the Tax Ease and Modernization Act—Part I focuses mostly on the complexity problems of individual taxpayers, it does not ignore businesses, who often face complexity in the extreme. The second and third installments of this effort will feature many more simplification provisions to help ensure that American businesses stay competitive in the global marketplace and are not forced to waste resources on unnecessary tax compliance costs.

Part I features three relatively small but important provisions that will simplify taxes for practically all business taxpayers in America. The first provision would change the law to provide that corporate taxpayers no longer have to pay a higher rate of interest to the Internal Revenue Service on underpayments of tax than the rate the government pays to them for overpayments. Currently, individual taxpayers enjoy an equal interest rate for overpayments and underpayments. Corporations, however, must pay as much as a 4.5 percentage points more in interest on underpayments than they receive on overpayments. The bill would equalize these amounts at a rate of the short-term Applicable Federal Rate plus three percentage points.

The second business provision would clean up a complex inequity that was only partially addressed by the Internal Revenue Service Restructuring and Reform Act of 1998. That Act established a net interest rate of zero where interest is payable and allowable on equivalent amounts of overpayment and underpayment that exist for any tax period. However, that provision fell short of providing the simplicity and fairness needed by taxpayers. Therefore, my bill would extend the concept of global interest netting to all periods and would make the change retroactive as if enacted in the 1998 Act.

The final business provision included in TEAM–I would simplify the accounting for purchases of software by business taxpayers by allowing them to immediately expense the first $20,000 per year instead of capitalizing the cost and depreciating it over three years, as under current law. Having to depreciate relatively small software programs, which are often obsolete well before three years, is costly and complex.

MISCELLANEOUS SIMPLIFICATION PROVISIONS

Mr. President, the bill I introduce today includes a number of smaller but very important simplification provisions designed to ease the tax lives of all taxpayers. Many of these are similar or identical to provisions recently passed by the House in the Taxpayer Bill of Rights 2000 legislation. Other provisions are based on concepts recently suggested to Congress by Mr. Val Oveson, the National Taxpayer Advocate. One of the National Taxpayer Advocate's duties is to recommend to Congress what legislative changes are needed to improve the tax code and make it simpler and easier to administer. Last year, Mr. Oveson presented 53 separate recommendations for legislative improvement in the tax area. My bill incorporates more than a dozen of the most critical of these recommendations.

Also included in the bill are several other tax simplification measures, suggested by a variety of sources. One of these is S. 1952, a bill introduced last year by Senator ABRAHAM that would simplify the taxation of investors who participate in small investment clubs. Also included is the text of S. 670, a bill introduced last year by Senators JEFFORDS and DODD that would simplify the tax rules for foster care payments. This provision was also included in last year's large tax bill that was vetoed by President Clinton.

Another provision in the bill would help taxpayers who are former foster parents by providing that if those parent provide over one-half of the support of a foster child beyond the age where the state pays the expenses, they can claim the former foster child as a dependent, just as they could for their own child.

Mr. President, I have also included in TEAM–I another simplification provision, suggested by the Clinton Administration in its fiscal year 2001 budget, which would both simplify the law and remove a disincentive to young people working and saving for their future. Under current law, young people who can be claimed as dependents on their parents tax returns must file a return and pay income tax if they have over $250 of income from savings if their earnings from working plus that income from savings exceeds $700. My bill would increase the allowed amount of earnings from savings from $250 to $1,000 before a return or tax is required.

The bill I am introducing today also includes a provision added as a floor amendment to S. 1134, The Affordable Education Act, by Senator COLLINS, myself, and several others. This provision would allow elementary and secondary school teachers to deduct the cost of their professional development expenses without regard to the current-law 2-percent of adjusted gross income floor. This adds a small measure of both simplicity and fairness to the tax code.

Mr. President, the bill I am introducing is far from perfect. It represents

only a relatively small down payment on tax simplification in just a few areas of the Internal Revenue Code. However, I hope that its introduction will lay down a marker for tax simplification that will evoke further discussion and suggestions from interested groups and action toward simplification by my colleagues on the Finance Committee. I welcome comments on how this bill can be improved and what other tax simplification items should be considered in the future of this effort.

One thing I have learned in my study about the problems of our current tax system and ways to improve it is that simplification is far from simple. Some of the most complex portions of the Internal Revenue Code can be easily and reasonably be simplified by their repeal. Others parts, such as the Earned Income Tax Credit, should not be repealed but improved. Doing so, however, can be most difficult.

Moreover, Mr. President, simplification often comes at a cost of lost revenue. While I have not yet received an estimate of the revenue effect of this bill from the Joint Committee on Taxation, it seems clear that the numbers will be high. However, I have concluded that one of the best ways we can spend the projected surplus is on tax simplification. I like to think of it as tax relief for all taxpayers through simplification. Additionally, I believe that simplification should not create winners and losers. To the extent possible in my bill, I have tried to leave all taxpayers at least as well off as under current law. This, however, is also costly in terms of lost revenue.

While it is unclear whether Congress can pass, or whether the President will sign, major tax simplification legislation in this election year, I believe these issues are of such importance that we should not wait to embark on a major debate about them. I hope my colleagues in the Senate and House will join in the discussion, as well as taxpayer advocacy groups, businesses, and other stakeholders throughout the nation.

By Mr. STEVENS (for himself and Mr. INOUYE):

S. 2643. A bill to amend the Foreign Assistance Act of 1961 to provide increased foreign assistance for tuberculosis prevention, treatment, and control; to the Committee on Foreign Relations.

STOP TB NOW ACT OF 2000

Mr. STEVENS. Mr. President, today my friend the senior Senator from Hawaii, Senator INOUYE, and I are introducing the Stop TB Now Act.

This bill would amend the Foreign Assistance Act of 1961 to authorize one hundred million dollars in each of fiscal years 2001 and 2002 to fight tuberculosis. Each year, eight million people develop active tuberculosis. One and one-half million of those that develop active tuberculosis will die from that disease alone. One person can infect 10 to 15 people in a year.

The global economy and its mobile work force makes the world a smaller place. No country is immune from the reach of this highly contagious disease. In 1999, the United States had almost 18,000 active TB cases. That comes to 6.4 per 100,000 people. According to the Centers for Disease Control, Alaska was ranked fourth in per capita cases of active tuberculosis in 1999. Hawaii has been number one since at least 1997.

This bill has two components. A treatment strategy and the goal of arresting the rise of more dangerous strains of tuberculosis. The World Health Organization has developed directly observed treatment, short-course, referred to by its acronym DOTS. DOTS is a community-based treatment strategy. It uses standardized short course chemotherapy for 6 to 8 months, with direct observation of TB patients. Strict adherence to a drug regime is really the only way to successfully treat TB. Participation at the local level can perpetuate a culture of vigilance against this and other public health threats. Ineffective treatment strategies in the past have led to the emergency of multi-drug resistant tuberculosis, known as MDR–TB.

MDR–TB are strains that are resistant to one or both of the two most effective existing TB drugs. Drugs to treat MDR–TB are at least 100 times more expensive than traditional TB drugs.

This is a staggering cost. Even in our country where the medical community can readily identify and treat MDR–TB, half the patients still die. These are patients using MDR–TB drugs. According to the World Health Organization, in another 3 to 5 years, without a comprehensive prevention and treatment strategy, drug resistant strains of TB will be the dominant form of the disease. Time is of the essence.

In my own State of Alaska, we are concerned about the dramatic increase in MDR–TB in the Russian Far East. That region has enormous trade potential for the State. Our native peoples also travel there on cultural exchanges. Tuberculosis has been called the poor man's disease. Perhaps from our perspective it was once considered a poor country's disease. This is not the case and we cannot ignore the global reach of this disease and its new variants.

I know many of my colleagues on both sides of the aisle are concerned about tuberculosis, as well as its association with the AIDS epidemic. I urge my colleagues to join Senator INOUYE and myself in sponsoring this legislation. It is my hope Congress will act to address this threat this year.

By Mr. GORTON (for himself, Mrs. MURRAY, Mr. SANTORUM, Ms. MIKULSKI, Mr. STEVENS, Mr. COCHRAN, and Mr. L. CHAFEE):

S. 2644. A bill to amend title XVIII of the Social Security Act to expand Medicare coverage of certain self-injected biologicals; to the Committee on Finance.

THE ACCESS TO INNOVATION FOR MEDICARE PATIENTS ACT OF 2000

Mr. GORTON. Mr. President, we know the Medicare program has not kept pace with advances in medical care and changing technology, whether through access to new medical devices or to prescription drugs. Sometimes seniors do not have access to the most advanced care. That needs to change. Some issues, like adding a prescription drug benefit, required broad reform of the program and an influx of new money to pay for the changes. But there are some common sense changes that can be made today could enhance access to life-saving therapies for seniors, particularly those living in rural areas, and potentially save Medicare dollars.

Medicare covers drugs that are administered in the hospital or in a physician's office but will not cover self-injectable drugs or biologics to treat the same disease, notwithstanding the fact that the latter may be superior in terms of efficacy and safety and less expensive. This outdated policy creates a perverse incentive for drug companies to develop drugs that can only be administered by I.V. in a hospital or other acute setting. Those companies that ignore Medicare's coverage policy and develop their products so that they are patient-friendly are penalized, as are the patients who need these products. The end result is often higher costs to the Medicare program, lack of beneficiary access to the best therapies, and treatment delivery problems for beneficiaries in rural areas who may not be in a position to travel to a hospital to receive regular treatments.

Patients suffering from rheumatoid arthritis (RA) are particularly victimized by this coverage policy. RA is a devastating chronic disease. As the disease progresses, sufferers move from self-sufficiency to total disability. The pain in most cases is excruciating. Like all patients with a chronic disease, RA patients face extraordinary out of pocket costs. However, Medicare beneficiaries with RA face a unique set of costs.

One of the most promising breakthroughs for the treatment of RA is a self-injected biologic developed through recombinant DNA technology. It already has been proven to prevent and reverse disability caused by RA, as well as dramatically reduce pain and avoid costly surgery. For many RA sufferers with private insurance or on Medicaid, it has meant the difference between being confined to a wheelchair and walking—and even returning to the workforce!

Since it is self-injected, it is not covered by Medicare. Yet, Medicare will cover another therapy which happens to be delivered intravenously, simply because it is administered (via I.V.) in a hospital. In doing so, Medicare ends

up spending more money when one factors in the costs of services and ancillary drugs associated with administration of this covered therapy. Just as important, the current policy denies beneficiaries access to a therapy that has been proven to be more effective, less toxic, and much easier to administer. This anomaly in Medicare's existing drug coverage policy is rooted in 1960's medicine, before the advent of biotechnology and the development of patient-friendly therapies.

Fortunately, there is a simple, budget-neutral way to help seniors who are dependent on Medicare. The Access to Innovation for Medicare Patients Act of 2000, which I will introduce today, along with Senators MURRAY, MIKULSKI, SANTORUM, CHAFEE, and COCHRAN would change Medicare's current drug coverage policy to allow coverage for self-injected biologics that are prescribed in lieu of an intravenous or physician-administered therapy. It would provide individuals suffering from rheumatoid arthritis, multiple sclerosis, hepatitis C, and deep vein thrombosis access to the latest, most promising biotechnology therapies.

This is a modest, common sense change that can and should be accomplished this year regardless of what may happen on comprehensive Medicare reform. If we do enact a Medicare drug benefit this year, this bill should be a part of that. Failure to do so would institutionalize a coverage gap that denies seniors access to breakthrough technology and the best care our medical system provides to everyone else with private health coverage.

According to a budget impact analysis by the Lewin Group, this legislation would not cost the Medicare program money and actually could save approximately $2 million per year. This is a compassionate, common-sense improvement we can make this year to improve the Medicare program for seniors. I hope my colleagues will join me in cosponsoring this bill.

Mrs. MURRAY. Mr. President, I rise today in support of the Access to Innovation for Medicare Patients Act of 2000 and to thank my fellow colleague from Washington state, Senator GORTON, for his work on this important legislation. The Access to Innovation for Medicare Patients Act is critical for Medicare beneficiaries who suffer from chronic and debilitating diseases such as rheumatoid arthritis and multiple sclerosis.

As many of you know, rheumatoid arthritis and multiple sclerosis most often affect women. Until recently, few treatments existed. But advances in biotechnology products have given hope to thousands of individuals. Self-injectable biologic therapies have proven highly effective in reducing the daily, chronic pain that accompanies these devastating diseases. Patients have reported amazing results from self-injectable biologic therapies such as Enbrel in clinical trials.

However, before the Access to Innovation for Medicare Patients Act, no legislation existed that addressed adequate Medicare coverage of these therapies. Currently, Medicare only covers physician-administered therapies and most Medicare prescription drug coverage proposals do not address this issue at all or they place restrictive coverage caps on the use of self-injectable biologic therapies. Beneficiaries should not be denied access to the most effective and convenient therapies for their condition. Ultimately, coverage of self-injectable biologic therapies could save Medicare money in reducing costly, prolonged hospital stays and reducing the number of care provider visits. Most importantly, this legislation will improve the lives of Medicare beneficiaries who suffer from these diseases. Congress must ensure that seniors and the disabled receive the best possible medical treatment and therapies through the Medicare program.

Finally, on a more personal note, my family has had first-hand experience with the constant pain and frustration caused by multiple sclerosis. My father suffered from this devastating disease, and I witnessed his daily fight to overcome the pain that accompanied it. I know that self-injectable biologic therapy may have made his fight much easier. We cannot allow Medicare beneficiaries to suffer from preventable, overwhelming pain.

In the past, we worked to eliminate barriers to care and research. Today, we seek to tear down Medicare's barriers to self-injectable biologic therapies. Seniors and the disabled should not be denied these life-saving, treatments simply because they are self-injected.

Therefore, I rise today to join my colleagues, Senators GORTON, MIKULSKI, COCHRAN, STEVENS, and CHAFEE in introducing the Access to Innovation for Medicare Patients Act. This legislation would: provide access to innovative therapies that are now on the market and making enormous improvements in the life and care of Medicare beneficiaries; allow physicians to prescribe the most appropriate therapy for their patients; make a common-sense, responsible change in Medicare; and eliminate the current bias against biotechnology therapies inherent in the Medicare program and many of the prescription drug proposals.

I urge all of my colleagues to join me in supporting this legislation.

By Mr. KYL (for himself and Mr. DOMENICI):

S. 2665. A bill to establish a streamlined process to enable the Navajo Nation to lease trust lands without having to obtain the approval of the Secretary of the Interior of individual leases, except leases for exploration, development, or extraction of any mineral resources; to the Committee on Indian Affairs.

NAVAJO NATION TRUST LAND LEASING ACT OF 2000

Mr. KYL. Mr. President, I rise today with my colleague, Senator DOMENICI, to introduce the Navajo Nation Trust Land Leasing Act of 2000, a bill to establish a streamlined process for the Navajo Nation to lease trust lands without having to obtain the approval of the Secretary of the Interior. This new authority would apply to individual leases, except leases for exploration, development, or extraction of any mineral resources.

Mr. President, the current leasing process simply does not work very well. It can be cumbersome, and, because of the need to obtain approval from both the Nation and the Interior Department, the process can be lengthy. That can discourage many businesses from even considering locating the Navajo Reservation.

The fact is, there is no longer a need for the Secretary to be involved in routine leasing decisions that can and should be made by the Nation itself.

The changes proposed in this bill are intended to speed up the process for issuing leases by at least 50 percent, create predictable procedures for leasing trust land, and create incentives for businesses to open and operate in the Navajo Nation. It would help improve the management of tribal property, and promote economic development within the 100 Chapters of the Navajo Nation.

The need to create jobs and diversify the Reservation economy are clear. A December 1998 report by the Navajo Nation Division of Economic Development reported that the unemployment rate for the Nation was 43.3 percent, up 15.5 percent from 1990. An estimated 56 percent of Navajo families live below the poverty level, with a per capita annual income of just $5,759.

The lack of employment opportunities, low industrialization, slow development, insufficient infrastructure, weak economy, and difficulty in obtaining homesites and housing are causing many Navajo people to relocate to urban areas.

The Navajo Nation is looking for ways to reform its regulations to make it easier to attract and retain new businesses, and to create jobs that will improve the standard of living of Navajo people. The reforms in the Navajo National Trust Land Leasing Act will give the Nation some of the tools it needs to succeed in that regard.

Mr. President, the bill incorporates suggestions made by both the Navajo Nation and the Department of the Interior. There is one provision, though, that I will ask the Nation and the Department to review and provide further input. That is paragraph three of the proposed new Section 415(e) of title 25 of the U.S. Code.

As introduced, the bill gives the Secretary of the Interior the authority to approve or disapprove the Navajo Nation regulations under which the tribe will subsequently consider and approve leases of trust land. The Nation understandably wants to ensure that the Secretary acts promptly on the regulations once they are submitted. We do

not intend that the Secretary should be able to veto the regulations through inaction.

One way to address that concern is through the imposition of some time limit for Secretarial review—maybe 30 days. Another way might be to establish criteria in the law for the Secretary to use in reviewing the Nation's regulations. That approach would give the Secretary some guidance as to how the regulations should be assessed. It would also give the Navajo Nation some assurance that objective criteria will guide the Secretary's action. If the regulations meet the criteria, the Secretary's ability to disapprove them would be limited.

As I said, I will be asking both the Interior Department and the Nation for their further recommendations about these various approaches. The bill language on Secretarial approval or disapproval should, therefore, be considered open to change.

I ask unanimous consent that the text of the bill be printed in the RECORD at the conclusion of my remarks, and I look forward to early action on the legislation:

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2665

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 ''Navajo Nation Trust Land Leasing Act of 2000''.

SEC. 2. CONGRESSIONAL FINDINGS AND DECLARATION OF PURPOSES.

(a) FINDINGS.—Recognizing the special relationship between the United States and the Navajo nation and its members, and the Federal responsibility to the Navajo people, Congress finds that—

(1) the third clause of section 8, Article I of the United States Constitution provides that ''The Congress shall have Power...to regulate Commerce...with Indian tribes'', and, through this and other constitutional authority, Congress has plenary power over Indian affairs;

(2) Congress, through statutes, treaties, and the general course of dealing with Indian tribes, has assumed the responsibility for the protection and preservation of Indian tribes and their resources;

(3) the United States has a trust obligation to guard and preserve the sovereignty of Indian tribes in order to foster strong tribal governments, Indian self-determination, and economic self-sufficiency;

(4) pursuant to the first section of the Act of August 9, 1955 (25 U.S.C. 415), Congress conferred upon the Secretary of the Interior the power to promulgate regulations governing tribal leases and to approve tribal leases for tribes according to regulations promulgated by the Secretary;

(5) the Secretary of the Interior has promulgated the regulations described in paragraph (4) at part 162 of title 25, Code of Federal Regulations;

(6) the requirement that the Secretary approve leases for the development of Navajo trust lands has added a level of review and regulation that does not apply to the development of non-Indian land; and

(7) in the global economy of the 21st Century, it is crucial that individual leases of Navajo trust lands not be subject to Secretarial approval and that the Navajo Nation be able to make immediate decisions over the use of Navajo trust lands.

(b) PURPOSES.—The purposes of this Act are as follows:

(1) To establish a streamlined process for the Navajo Nation to lease trust lands without having to obtain the approval of the Secretary of the Interior of individual leases, except leases for exploration, development, or extraction of any mineral resources.

(2) To authorize the Navajo nation, pursuant to tribal regulations, which must be approved by the Secretary, to lease Navajo trust lands without the approval of the Secretary of the Interior of the individual leases, except leases for exploration, development, or extraction of any mineral resources.

(3) To revitalize the distressed Navajo Reservation by promoting political self-determination, and encouraging economic self-sufficiency, including economic development that increases productivity and the standard of living for members of the Navajo Nation.

(4) To maintain, strengthen, and protect the Navajo Nation's leasing power over Navajo trust lands.

(c) DEFINITIONS.—In this section:

(1) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given such term in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)).

(2) NAVAJO NATION.—The term ''Navajo Nation'' means the Navajo Nation government that is in existence on the date of enactment of this Act.

(3) TRIBAL REGULATIONS.—The term ''tribal regulations'' means the Navajo Nation regulations as enacted by the Navajo Nation Council or its standing committees and approved by the Secretary.

SEC. 3. LEASE OF RESTRICTED LANDS FOR THE NAVAJO NATION.

The first section of the Act of August 9, 1955 (25 U.S.C. 415) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking ''and'' at the end;

(B) in paragraph (2), by striking the period and inserting a semicolon; and

(C) by adding at the end the following:

''(3) the term 'individually owned Navajo Indian allotted lands' means Navajo Indian allotted land that is owned by 1 or more individuals located within the Navajo Nation;

''(4) the term 'Navajo Nation' means the Navajo Nation government that is in existence on the date of enactment of this Act;

''(5) the term 'Secretary' means the Secretary of the Interior; and

''(6) the term 'tribal regulations' means the Navajo Nation regulations as enacted by the Navajo Nation Council or its standing committees and approved by the Secretary.''; and

(2) by adding at the end the following:

''(e)(1) Any leases by the Navajo Nation for purposes authorized under subsection (a), except a lease for the exploration, development, or extraction of any mineral resources, shall not require the approval of the Secretary if the term of the lease does not exceed 75 years (including options to renew), and the lease is executed under tribal regulations that are approved by the Secretary under this subsection.

''(2) Paragraph (1) shall not apply to individually owned Navajo Indian allotted land located within the Navajo Nation.

''(3) The Secretary shall have the authority to approve or disapprove tribal regulations required under paragraph (1). The Secretary shall not have approval authority over individual leases of Navajo trust lands, except for the exploration, development, or extraction of any mineral resources. The Secretary shall perform the duties of the Secretary under this subsection in the best interest of the Navajo Nation.

''(4) If the Navajo Nation has executed a lease pursuant to tribal regulations required under paragraph (1), the United states shall not be liable for losses sustained by any party to such lease, including the Navajo Nation, except that—

''(A) the Secretary shall continue to have a trust obligation to ensure that the rights of the Navajo Nation are protected in the event of a violation of the terms of any lease by any other party to such lease, including the right to cancel the lease if requested by the Navajo Nation; and

''(B) nothing in this subsection shall be construed to absolve the United States from any responsibility to the Navajo Nation, including responsibilities that derive from the trust relationship and from any treaties, Executive Orders, or agreements between the United States and the Navajo Nation, except as otherwise specifically provided in this subsection.''.

Mr. DOMENICI. Mr. President, I am pleased to join Senator KYL today in introducing a bill to remove a major impediment to business development on the Navajo Nation. Our bill will accelerate the long and arduous process now in place for obtaining a business site lease on the Navajo Nation. For years I have heard case after case of large and small businesses waiting from two years to four years, and longer, for such a lease. Delays occur in both the tribal and the Bureau of Indian Affairs (BIA) lease approval processes.

This dual process exists as a direct result of the U.S. Government's trust responsibility for Indian reservation lands. In study after study for the past three decades, the tediously slow and cumbersome land leasing process on the Navajo Nation has been identified as a major obstacle to attracting new private business ventures.

In our search for ways to encourage more private enterprise for Navajos, I encouraged and sponsored the Navajo Economic Summit in Tohatchi, New Mexico in 1987. Again, many of our key speakers from the business world reminded us that the Navajo Nation itself, and its protective federal agency, the BIA, needed to find a better way to make land available for private enterprises.

Along another avenue of encouraging businesses to go to, or expand on the Navajo Nation, I cosponsored legislation by Senators INOUYE and MCCAIN that was incorporated into the Omnibus Budget Reconciliation Act of 1993. In Sections 13321 and 13322 of that Act, we were able to enact generous wage tax credits and accelerated depreciation for businesses that chose to locate or expand on America's Indian reservations. Despite the availability of a wage tax credit for every eligible Indian hired, many businesses still viewed the complexity of Indian courts and land allocation methods as comparable third world nations.

Business has not flocked to the Navajo Nation, although many tribes around the country have taken advantage of this wage tax credit. Our incentives allow a direct credit off-taxes

owed at the rate of 20 percent of the first $20,000 paid in wages and health insurance for every Indian hired. In addition, all investments from infrastructure to computers were given accelerated depreciation rates, about one-third faster than non-reservation investments.

The Navajo Nation is our Nation's largest Indian reservation in both area and population. About 200,000 Navajos live on a reservation that straddles four States and is slightly larger than the entire state of West Virginia. Unfortunately, the poverty rate is high, unemployment hovers around 40 percent year after year, and private sector jobs are all too rare. Sadly, the time lag for obtaining a new land lease also remains painstakingly slow.

I commend Navajo President Kelsey Begaye for his interest in encouraging a better system for making land available for businesses and other purposes. Although other incentives like access to State and Federal courts will still be needed, a faster land lease will go a long way to encourage more business activity.

Our bill will establish a streamlined process for the Navajo Nation to lease trust lands without having to obtain the approval of the Interior for individual leases. The exception is exploration, development, or extraction of any mineral resources. These types of leases will still require Secretarial approval.

The Secretary of Interior would be required to approve the regulations adopted by the Navajo Nation to implement this new leasing authority. Once approved, the Navajo Nation would have regulatory authority to finalize land leases that do not exceed 75 years. They will be able to do this without having to be second guessed by the BIA in a follow-up process that always adds months, and sometimes years, to the process.

The trust obligation of the Secretary of Interior would remain in place. The Navajo Nation, would, in effect, be acting as an agent of the Secretary. By eliminating the need for Secretarial (BIA) review of its land leasing decisions, however, our legislation will allow a more efficient land leasing system to be put in place.

I am confident that President Begaye's Administration will work hard to reduce the time the Navajo Nation itself now takes to issue a lease. Without the follow-up review by the BIA, the potential business applicant will be able to open up months sooner.

Rather than getting caught in a blame game, a new lease applicant will be able to focus on a single process for obtaining a land lease, and the Navajo Nation will be the responsible party for delays. Again, I admire the courage of President Begaye's Administration for its willingness to accept this responsibility and to encourage more private sector business activity on the largest Indian reservation in our country.

I believe this initiative will encourage the Navajo Nation to be more business friendly. I urge my colleagues to join us in allowing the Navajo Nation to fully accept the responsibility for creating a single track land leasing system in place of the dual system now required.

By Mr. REID:

S. 2666. A bill to secure the Federal voting rights of persons who have fully served their sentences, including parole and probation, and for other purposes; to the Committee on the Judiciary.

CIVIC PARTICIPATION ACT OF 2000

Mr. REID. Mr. President. I rise today to introduce the Civic Participation Act of 2000. This legislation would guarantee that individuals who have fully served their sentences have the right to vote in Federal elections.

The right to vote in a democracy is the most basic act of citizenship. It is a right that may not be abridged or denied by the United States, or any State, on account of race, color, gender or previous condition of servitude. This fundamental right is truly the most glaring example of a free society.

I can't help but think of Nelson Mandela's perspective on the right to vote. One would think that the most significant day in Mr. Mandela's life would have been the day he walked out of a South African prison after more than 27 years behind bars. Or perhaps, it might be the day he assumed the Presidency of post-apartheid South Africa. In fact, Mr. Mandela has said that the most important day in his life was the day he voted for the first time.

Mr. President, I am troubled that many people in this country are denied the right to vote, even when any sentence of imprisonment, parole or probation has been fully completed. Additionally, many individuals who have fully served their sentences and wish to regain their right to vote, must petition a pardon board, their State Governors, or even, in some States, must obtain a Presidential pardon. Few people have the financial or political resources needed to succeed in such efforts.

Furthermore, the denial of suffrage disproportionately affects ethnic minorities. Recent studies have indicated that an estimated thirteen percent of adult African-American males are unable to vote as a result of varying state disenfranchisement laws. This is even more troubling when we consider that voter turnout, especially among America's youth, is at a record low. As elected officials who have been given the privilege to serve by our fellow Americans, we need to recognize that the strength of a democracy depends upon the voluntary participation of its citizens.

Mr. President, let me be clear. Criminal activity must be punished. Stiff and appropriate sentences should be imposed upon those who violate our laws. However, we should not be disenfranchising those citizens who have fully completed their prescribed sentences, especially when those citizens should be reintegrated into society and our citizen-dependent democracy.

I want to make it perfectly clear that this legislation, in no way, extends voting rights to prisoners. In fact, my colleagues in the Senate know that I have led the fight in this body against frivolous lawsuits filed by prisoners. Furthermore, this legislation does not extend voting rights to persons on parole or probation. This legislation simply states that anyone who has successfully, and completely, served their entire sentence, including any parole and probation, may not be denied the right to vote.

Finally, this legislation would apply only to Federal elections, thereby protecting the rights of individual States to establish voting procedures for State elections.

In conclusion, Mr. President, I want to reiterate that this legislation is narrowly drafted to guarantee one of the most fundamental rights of citizens of our democracy, and I urge my colleagues to support this worthy endeavor.

By Mr. WARNER (for himself, Mr. KENNEDY, Mr. SARBANES, Mr. JEFFORDS, Mr. ROBB, and Mr. LEAHY):

S. 2667. A bill to designate the Washington Opera in Washington, D.C., as the National Opera; to the Committee on Governmental Affairs.

DESIGNATING THE WASHINGTON OPERA IN WASHINGTON, D.C., AS THE NATIONAL OPERA

Mr. WARNER. Mr. President, I am pleased to introduce legislation today with Senator KENNEDY, Senator SARBANES, Senator JEFFORDS, and Senator ROBB to designate the Washington Opera as the National Opera.

The Washington Opera has been an innovative leader in bringing to the metropolitan Washington area exceptional performances since 1956. The company has enjoyed tremendous success in the community over the years. Since 1980, the company has grown from 16 performances of four operas to 80 performances of eight operas for the 2000 season.

Mr. President, the purpose of this legislation is to recognize in our nation's capital an opera of national significance. Let me be clear to my colleagues that this legislation does not extend any Federal responsibilities or obligation for funding to the Washington Opera. It would not become part of any Federal activity. Today, the Washington Opera enjoys a contractual relationship with the Kennedy Center for the Performing Arts for use of its facilities. It is not affiliated with the Kennedy Center in any way other than being named as the resident opera company. This is an honorary designation, but there is no financial support for the opera from the Kennedy Center.

The legislation is only intended as a means of recognition of opera in our Nation's capital and its mission to bring to the nation a forum to highlight our musical heritage. Under its

new name, the National Opera will bring contained performances of American opera to the stage.

The history of the Washington Opera and its commitment to bringing opera as an art form to the Washington area community is to be commended. The Washington Opera's Education and Community Programs are dedicated to educating future audiences and making the experience of opera more available to residents of the region. Since 1992, over 150,000 students have participated in these programs. Today, there are over 22 programs that provide performance experiences, curriculum activities, in-school artist visits, professional development opportunities for teachers and young artists, and other activities that bring opera into our schools and communities.

Mr. President, with this national recognition comes the obligation for the Washington Opera to undertake additional programs to serve a larger national audience, expand community outreach for underprivileged youth, and other missions that embody a larger national presence. I am confident that the opera will enthusiastically accept this challenge.

I ask unanimous consent that the text of my legislation appear in the RECORD following my statement.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2667

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

SECTION 1. DESIGNATION.

The Washington Opera, organized under the laws of the District of Columbia, is designated as the ''National Opera''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Washington Opera referred to in section 1 shall be deemed to be a reference to the ''National Opera''.

By Mr. GRAHAM (for himself and Mr. SMITH of Oregon):

S. 2668. A bill to amend the Immigration and Nationality Act to improve procedures for the adjustment of status of aliens, to reduce the backlog of family-sponsored aliens, and for other purposes; to the Committee on the Judiciary.

FAMILY, WORK AND IMMIGRANT INTEGRATION AMENDMENTS OF 2000

• Mr. GRAHAM. Mr. President, I rise today to introduce bipartisan immigration legislation that will have a tremendous impact on thousands of families in the United States.

I am very pleased to be working with my colleague, GORDON SMITH of Oregon, on this effort.

There are several reasons for the introduction of this legislation.

1. It corrects past injustices.

Many of the immigrants helped by this legislation have been active, productive, hard-working members of our community for many years.

For example, the majority of Central Americans helped by this legislation have been in the United States since the early 1980s, when they fled tyranny and turmoil in their home countries.

The were welcomed into our nation by President Ronald Reagan.

These Central American nationals were made retroactively deportable by the 1996 immigration bill.

This legislation provides a state option to help legal immigrant children get needed health care.

The 1996 welfare bill deprived vulnerable, legal children from benefits.

This change is good public policy, from a health care perspective, an immigration perspective and a humanitarian perspective.

2. It is pro-family.

This legislation will speed the process that reunites family members.

It has been over ten years since the limits on family immigration were adjusted. This has resulted in waiting periods that could last years to bring immediate family members together.

Spouses and children would have an easier time in obtaining visas to visit their loved ones through this legislation.

In current practice, it is often very difficult to travel to visit legal residents in the United States while their immigration documents are pending—our legislation would ease the bureaucracy to allow families to be together for the events that shape their lives.

3. It is pro-business.

Congress has focused this session on increasing the number of high-tech workers for U.S. companies. I have long been supportive of that proposal.

Protections are in place for U.S. workers, and American business has the resources needed to keep our economy booming.

This legislation is pro-business in two ways.

It builds the pool of legal workers available by swifter family reunification.

And it offers an avenue for those workers who are already here and working to remain here.

They can stay here, and increase the productivity of our nation's businesses, or they can leave and work for foreign competitors.

I want them to stay.

Alan Greenspan agrees.

He has said during a House Banking and Financial Services Committee meeting in July of last year:

> Aggregated demand is putting very significant pressures on an ever-decreasing supply of unemployed labor. The one obvious means that we can use to offset that is expanding the number of people we allow in. . . . I think in reviewing our immigration laws in the context of the type of economy which we will be enjoying in the decade ahead is clearly on the table. . . .

4. Its omnibus nature allows groups to work together toward a common goal

All sides win in this equation.

Families. Children. Business. Our economy

By combining forces, groups that care about these issues can work together toward a comprehensive, prudent, rational immigration policy.

These coalitions are already being built.

I would like to submit a letter from May 16, 2000 from Jack Kemp, Henry Cisneros, and a wide range of business, religious, labor and immigrant advocacy groups endorsing components of this legislation.

This is a wonderful example of groups at the national and local level coalescing together around pro-family, pro-business, pro-justice ideals.

Our current immigration debates have had the negative effect of pitting one segment of our society against another, and pitting one nationality against another.

In the past . . . the debate has been if businesses get more workers, family reunification will suffer.

Nicaraguans and Cubans receive a swifter and more generous immigration status than similarly situated Central American and Caribbean nationals.

No one wins if these divides remain.

All of us win if we can work together and strengthen our nation by correcting past injustices, reuniting families and providing American businesses with the workers they desperately need.

I urge my colleagues to support this measure.

Since the bill covers many issues, I would like to submit a summary of the legislation for the RECORD along with the test and a supporting letter.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2668

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 ''Family, Work and Immigrant Integration Amendments of 2000''.

TITLE I—CENTRAL AMERICAN AND HAITIAN PARITY

SEC. 101. SHORT TITLE.

This title may be cited as the ''Central American and Haitian Parity Act of 2000''.

SEC. 102. ADJUSTMENT OF STATUS FOR CERTAIN NATIONALS FROM EL SALVADOR, GUATEMALA, HONDURAS, AND HAITI.

Section 202 of the Nicaraguan Adjustment and Central American Relief Act is amended—

(1) in the section heading, by striking ''NICARAGUANS AND CUBANS'' and inserting ''NICARAGUANS, CUBANS, SALVADORANS, GUATEMALANS, HONDURANS, AND HAITIANS'';

(2) in subsection (a)(1)(A), by striking ''2000'' and inserting ''2003'';

(3) in subsection (b)(1), by striking ''Nicaragua or Cuba'' and inserting ''Nicaragua, Cuba, El Salvador, Guatemala, Honduras, or Haiti''; and

(4) in subsection (d)—

(A) in subparagraph (A), by striking ''Nicaragua or Cuba'' and inserting ''Nicaragua, Cuba, El Salvador, Guatamala, Honduras, or Haiti; and

(B) in subparagraph (E), by striking ''2000'' and inserting ''2003''.

SEC. 103. APPLICATIONS PENDING UNDER AMENDMENTS MADE BY SECTION 203 OF THE NICARAGUAN ADJUSTMENT AND CENTRAL AMERICAN RELIEF ACT.

An application for relief properly filed by a national of Guatemala or El Salvador under

the amendments made by section 203 of the Nicaraguan Adjustment and Central American Relief Act which was filed on or before the date of enactment of this Act, and on which a final administrative determination has not been made, shall, at the election of the applicant, be considered to be an application for adjustment of status under the provisions of section 202 of the Nicaraguan Adjustment and Central American Relief Act, as amended by section 402 of this Act, upon the payment of any fees, and in accordance with procedures, that the Attorney General shall prescribe by regulation. The Attorney General may not refund any fees paid in connection with an application filed by a national of Guatemala or El Salvador under the amendments made by section 203 of that Act.

SEC. 104. APPLICATIONS PENDING UNDER THE HAITIAN REFUGEE IMMIGRATION FAIRNESS ACT OF 1998.

An application for adjustment of status properly filed by a national of Haiti under the Haitian Refugee Immigration Fairness Act of 1998 which was filed on or before the date of enactment of this Act, and on which a final administrative determination has not been made, may be considered by the Attorney General, in the unreviewable discretion of the Attorney General, to also constitute an application for adjustment of status under the provisions of section 202 of the Nicaraguan Adjustment and Central American Relief Act, as amended by section 402 of this Act.

SEC. 105. TECHNICAL AMENDMENTS TO THE NICARAGUAN ADJUSTMENT AND CENTRAL AMERICAN RELIEF ACT.

(a) IN GENERAL.—Section 202 of the Nicaraguan Adjustment and Central American Relief Act is amended—

(1) in subsection (a)—

(A) by inserting before the period at the end of paragraph (1)(B) the following: '', and the Attorney General may, in the unreviewable discretion of the Attorney General, waive the grounds of inadmissibility specified in section 212(a)(1) (A)(i) and (6)(C) of such Act for humanitarian purposes, to assure family unity, or when it is otherwise in the public interest'';

(B) by redesignating paragraph (2) as paragraph (3);

(C) by inserting after paragraph (1) the following:

''(2) INAPPLICABILITY OF CERTAIN PROVISIONS.—In determining the eligibility of an alien described in subsection (b) or (d) for either adjustment of status under this section or other relief necessary to establish eligibility for such adjustment, the provisions of section 241(a)(5) of the Immigration and Nationality Act shall not apply. In addition, an alien who would otherwise be inadmissible pursuant to section 212(a)(9) (A) or (C) of such Act may apply for the Attorney General's consent to reapply for admission without regard to the requirement that the consent be granted prior to the date of the alien's reembarkation at a place outside the United States or attempt to be admitted from foreign contiguous territory, in order to qualify for the exception to those grounds of inadmissibility set forth in section 212(a)(9) (A)(iii) and (C)(ii) of such Act.''; and

(D) by amending paragraph (3) (as redesignated by subparagraph (B)) to read as follows:

''(3) RELATIONSHIP OF APPLICATION TO CERTAIN ORDERS.—An alien present in the United States who has been ordered excluded, deported, or removed, or ordered to depart voluntarily from the United States under any provision of the Immigration and Nationality Act may, notwithstanding such order, apply for adjustment of status under paragraph (1). Such an alien may not be required, as a condition of submitting or granting such application, to file a separate motion to reopen, reconsider, or vacate such order. Such an alien may be required to seek a stay of such an order in accordance with subsection (c) to prevent the execution of that order pending the adjudication of the application for adjustment of status. If the Attorney General denies a stay of a final order of exclusion, deportation, or removal, or if the Attorney General renders a final administrative determination to deny the application for adjustment of status, the order shall be effective and enforceable to the same extent as if the application had not been made. If the Attorney General grants the application for adjustment of status, the Attorney General shall cancel the order.'';

(2) in subsection (b)(1), by adding at the end the following: ''Subsection (a) shall not apply to an alien lawfully admitted for permanent residence, unless the alien is applying for relief under that subsection in deportation or removal proceedings.'';

(3) in subsection (c)(1), by adding at the end the following: ''Nothing in this Act requires the Attorney General to stay the removal of an alien who is ineligible for adjustment of status under this Act.'';

(4) in subsection (d)—

(A) by amending the subsection heading to read as follows: ''SPOUSES, CHILDREN, AND UNMARRIED SONS AND DAUGHTERS.—'';

(B) by amending the heading of paragraph (1) to read as follows: ''ADJUSTMENT OF STATUS.—'';

(C) by amending paragraph (1)(A) to read as follows:

''(A) the alien entered the United States on or before the date of enactment of the Central American and Haitian Parity Act of 1999;'';

(D) in paragraph (1)(B), by striking ''except that in the case of'' and inserting the following: ''except that—

''(i) in the case of such a spouse, stepchild, or unmarried stepson or stepdaughter, the qualifying marriage was entered into before the date of enactment of the Central American and Haitian Parity Act of 1999; and

''(ii) in the case of''; and

(E) by adding at the end the following new paragraph:

''(3) ELIGIBILITY OF CERTAIN SPOUSES AND CHILDREN FOR ISSUANCE OF IMMIGRANT VISAS.—

''(A) IN GENERAL.—In accordance with regulations to be promulgated by the Attorney General and the Secretary of State, upon approval of an application for adjustment of status to that of an alien lawfully admitted for permanent residence under subsection (a), an alien who is the spouse or child of the alien being granted such status may be issued a visa for admission to the United States as an immigrant following to join the principal applicant, if the spouse or child—

''(i) meets the requirements in paragraphs (1) (B) and (1) (D); and

''(ii) applies for such a visa within a time period to be established by such regulations.

''(B) RETENTION OF FEES FOR PROCESSING APPLICATIONS.—The Secretary of State may retain fees to recover the cost of immigrant visa application processing and issuance for certain spouses and children of aliens whose applications for adjustment of status under subsection (a) have been approved. Such fees—

''(i) shall be deposited as an offsetting collection to any Department of State appropriation to recover the cost of such processing and issuance; and

''(ii) shall be available until expended for the same purposes of such appropriation to support consular activities.'';

(5) in subsection (g), by inserting '', or an immigrant classification,'' after ''for permanent residence''; and

(6) by adding at the end the following new subsection:

''(i) STATUTORY CONSTRUCTION.—Nothing in this section authorizes any alien to apply for admission to, be admitted to, be paroled into, or otherwise lawfully return to the United States, to apply for, or to pursue an application for adjustment of status under this section without the express authorization of the Attorney General.''.

(b) EFFECTIVE DATE.—The amendments made by paragraphs (1)(D), (2), and (6) shall be effective as if included in the enactment of the Nicaraguan and Central American Relief Act. The amendments made by paragraphs (1) (A)–(C), (3), (4), and (5) shall take effect on the date of enactment of this Act.

SEC. 106. TECHNICAL AMENDMENTS TO THE HAITIAN REFUGEE IMMIGRATION FAIRNESS ACT OF 1998.

(a) IN GENERAL.—Section 902 of the Haitian Refugee Immigration Fairness Act of 1998 is amended—

(1) in subsection (a)—

(A) by inserting before the period at the end of paragraph (1)(B) the following: '', and the Attorney General may waive the grounds of inadmissibility specified in section 212(a)(1)(A)(i) and (6)(C) of such Act for humanitarian purposes, to assure family unity, or when it is otherwise in the public interest'';

(B) by redesignating paragraph (2) as paragraph (3);

(C) by inserting after paragraph (1) the following:

''(2) INAPPLICABILITY OF CERTAIN PROVISIONS.—In determining the eligibility of an alien described in subsection (b) or (d) for either adjustment of status under this section or other relief necessary to establish eligibility for such adjustment, or for permission to reapply for admission to the United States for the purpose of adjustment of status under this section, the provisions of section 241(a)(5) of the Immigration and Nationality Act shall not apply. In addition, an alien who would otherwise be inadmissible pursuant to section 212(a)(9) (A) or (C) of such Act may apply for the Attorney General's consent to reapply for admission without regard to the requirement that the consent be granted prior to the date of the alien's reembarkation at a place outside the United States or attempt to be admitted from foreign contiguous territory, in order to qualify for the exception to those grounds of inadmissibility set forth in section 212(a)(9) (A)(iii) and (C)(ii) of such Act.''; and

(D) by amending paragraph (3) (as redesignated by subparagraph (B)) to read as follows:

''(3) RELATIONSHIP OF APPLICATION TO CERTAIN ORDERS.—An alien present in the United States who has been ordered excluded, deported, removed, or ordered to depart voluntarily from the United States under any provision of the Immigration and Nationality Act may, notwithstanding such order, apply for adjustment of status under paragraph (1). Such an alien may not be required, as a condition of submitting or granting such application, to file a separate motion to reopen, reconsider, or vacate such order. Such an alien may be required to seek a stay of such an order in accordance with subsection (c) to prevent the execution of that order pending the adjudication of the application for adjustment of status. If the Attorney General denies a stay of a final order of exclusion, deportation, or removal, or if the Attorney General renders a final administrative determination to deny the application for adjustment of status, the order shall be effective and enforceable to the same extent as if the

application had not been made. If the Attorney General grants the application for adjustment of status, the Attorney General shall cancel the order.''';

(2) in subsection (b)(1), by adding at the end the following: ''Subsection (a) shall not apply to an alien lawfully admitted for permanent residence, unless the alien is applying for such relief under that subsection in deportation or removal proceedings.'';

(3) in subsection (c)(1), by adding at the end the following: ''Nothing in this Act shall require the Attorney General to stay the removal of an alien who is ineligible for adjustment of status under this Act.'';

(4) in subsection (d)—

(A) by amending the subsection heading to read as follows: ''SPOUSES, CHILDREN, AND UNMARRIED SONS AND DAUGHTERS.—'';

(B) by amending the heading of paragraph (1) to read as follows: ''ADJUSTMENT OF STATUS.—'';

(C) by amending paragraph (1)(A), to read as follows:

''(A) the alien entered the United States on or before the date of enactment of the Central American and Haitian Parity Act of 1999;'';

(D) in paragraph (1)(B), by striking ''except that in the case of'' and inserting the following: ''except that—

''(i) in the case of such a spouse, stepchild, or unmarried stepson or stepdaughter, the qualifying marriage was entered into before the date of enactment of the Central American and Haitian Parity Act of 1999; and

''(ii) in the case of'';

(E) by adding at the end of paragraph (1) the following new subparagraph:

''(E) the alien applies for such adjustment before April 3, 2003.''; and

(F) by adding at the end the following new paragraph:

''(3) ELIGIBILITY OF CERTAIN SPOUSES AND CHILDREN FOR ISSUANCE OF IMMIGRANT VISAS.—

''(A) IN GENERAL.—In accordance with regulations to be promulgated by the Attorney General and the Secretary of State, upon approval of an application for adjustment of status to that of an alien lawfully admitted for permanent residence under subsection (a), an alien who is the spouse or child of the alien being granted such status may be issued a visa for admission to the United States as an immigrant following to join the principal applicant, if the spouse or child—

''(i) meets the requirements in paragraphs (1)(B) and (1)(D); and

''(ii) applies for such a visa within a time period to be established by such regulations.

''(B) RETENTION OF FEES FOR PROCESSING APPLICATIONS.—The Secretary of State may retain fees to recover the cost of immigrant visa application processing and issuance for certain spouses and children of aliens whose applications for adjustment of status under subsection (a) have been approved. Such fees—

''(i) shall be deposited as an offsetting collection to any Department of State appropriation to recover the cost of such processing and issuance; and

''(ii) shall be available until expended for the same purposes of such appropriation to support consular activities.'';

(5) in subsection (g), by inserting '', or an immigrant classification,'' after ''for permanent residence'';

(6) by redesignating subsections (i), (j), and (k) as subsections (j), (k), and (l), respectively; and

(7) by inserting after subsection (h) the following new subsection:

''(i) STATUTORY CONSTRUCTION.—Nothing in this section authorizes any alien to apply for admission to, be admitted to, be paroled into, or otherwise lawfully return to the United States, to apply for, or to pursue an application for adjustment of status under this section without the express authorization of the Attorney General.''.

(b) EFFECTIVE DATE.—The amendments made by paragraphs (1)(D), (2), and (6) shall be effective as if included in the enactment of the Haitian Refugee Immigration Fairness Act of 1998. The amendments made by paragraphs (1) (A)–(C), (3), (4), and (5) shall take effect on the date of enactment of this Act.

SEC. 107. MOTIONS TO REOPEN.

(a) NATIONALS OF HAITI.—Notwithstanding any time and number limitations imposed by law on motions to reopen, a national of Haiti who, on the date of enactment of this Act, has a final administrative denial of an application for adjustment of status under the Haitian Refugee Immigration Fairness Act of 1998, and is made eligible for adjustment of status under that Act by the amendments made by this title, may file one motion to reopen an exclusion, deportation, or removal proceeding to have the application reconsidered. Any such motion shall be filed within 180 days of the date of enactment of this Act. The scope of any proceeding reopened on this basis shall be limited to a determination of the alien's eligibility for adjustment of status under the Haitian Refugee Immigration Fairness Act of 1998.

(b) NATIONALS OF CUBA.—Notwithstanding any time and number limitations imposed by law on motions to reopen, a national of Cuba or Nicaragua who, on the date of enactment of the Act, has a final administrative denial of an application for adjustment of status under the Nicaraguan Adjustment and Central American Relief Act, and who is made eligible for adjustment of status under that Act by the amendments made by this title, may file one motion to reopen an exclusion, deportation, or removal proceeding to have the application reconsidered. Any such motion shall be filed within 180 days of the date of enactment of this Act. The scope of any proceeding reopened on this basis shall be limited to a determination of the alien's eligibility for adjustment of status under the Nicaraguan Adjustment and Central American Relief Act.

TITLE II—FILING DEADLINES FOR ADJUSTMENT OF STATUS OF CERTAIN CUBAN, NICARAGUAN, AND HAITIAN NATIONALS

SEC. 201. EXTENSION OF FILING DEADLINES FOR APPLICATIONS FOR ADJUSTMENT OF STATUS OF CERTAIN CUBAN, NICARAGUAN, AND HAITIAN NATIONALS.

(a) NICARAGUAN ADJUSTMENT AND CENTRAL AMERICAN RELIEF ACT.—Notwithstanding the expiration of the application filing deadline in section 202(a)(1) of the Nicaraguan Adjustment and Central American Relief Act (as contained in Public Law 105–100; 8 U.S.C. 1255 note), a Cuban or Nicaraguan national who is otherwise eligible for adjustment of status under that section may apply for that status through the date that is one year after the date of promulgation by the Attorney General of final regulations for the implementation of that section.

(b) HAITIAN REFUGEE IMMIGRATION FAIRNESS ACT.—Notwithstanding the expiration of the application filing deadline in section 902(a) of the Haitian Refugee Immigration Fairness Act of 1998 (as added by section 101(h) of division A of Public Law 105–277), a Haitian national who is otherwise eligible for adjustment of status under that section may apply for that status through the date that is one year after the date of promulgation by the Attorney General of final regulations for the implementation of that section.

TITLE III—LIBERIAN REFUGEE IMMIGRATION FAIRNESS

SEC. 301. SHORT TITLE.

This title may be referred to as the ''Liberian Refugee Immigration Fairness Act of 2000''.

SEC. 302. ADJUSTMENT OF STATUS.

(a) ADJUSTMENT OF STATUS.—

(1) IN GENERAL.—

(A) ELIGIBILITY.—The Attorney General shall adjust the status of an alien described in subsection (b) to that of an alien lawfully admitted for permanent residence, if the alien—

(i) applies for adjustment before April 1, 2004; and

(ii) is otherwise eligible to receive an immigrant visa and is otherwise admissible to the United States for permanent residence, except that, in determining such admissibility, the grounds for inadmissibility specified in paragraphs (4), (5), (6)(A), and (7)(A) of section 212(a) of the Immigration and Nationality Act shall not apply.

(B) INELIGIBLE ALIENS.—An alien shall not be eligible for adjustment of status under this section if the Attorney General finds that the alien has been convicted of—

(i) any aggravated felony (as defined in section 101(a)(43) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)); or

(ii) two or more crimes involving moral turpitude.

(2) RELATIONSHIP OF APPLICATION TO CERTAIN ORDERS.—An alien present in the United States who has been ordered excluded, deported, removed, or ordered to depart voluntarily from the United States under any provision of the Immigration and Nationality Act may, notwithstanding such order, apply for adjustment of status under paragraph (1), if otherwise qualified under that paragraph. Such an alien may not be required, as a condition on submitting or granting such application, to file a separate motion to reopen, reconsider, or vacate such order. If the Attorney General grants the application, the Attorney General shall cancel the order. If the Attorney General makes a final decision to deny the application, the order shall be effective and enforceable to the same extent as if the application had not been made.

(b) ALIENS ELIGIBLE FOR ADJUSTMENT OF STATUS.—

(1) IN GENERAL.—The benefits provided by subsection (a) shall apply to any alien—

(A) who is—

(i) a national of Liberia; and

(ii) has been continuously present in the United States from January 1, 1999, through the date of application under subsection (a); or

(B) who is the spouse, child, or unmarried son or daughter of an alien described in subparagraph (A).

(2) DETERMINATION OF CONTINUOUS PHYSICAL PRESENCE.—For purposes of establishing the period of continuous physical presence referred to in paragraph (1), an alien shall not be considered to have failed to maintain continuous physical presence by reasons of an absence, or absences, from the United States for any period or periods amounting in the aggregate to not more than 180 days.

(c) STAY OF REMOVAL.—

(1) IN GENERAL.—The Attorney General shall provide by regulation for an alien who is subject to a final order of deportation or removal or exclusion to seek a stay of such order based on the filing of an application under subsection (a).

(2) DURING CERTAIN PROCEEDINGS.—Notwithstanding any provision of the Immigration and Nationality Act, the Attorney General shall not order an alien to be removed from the United States if the alien is in exclusion, deportation, or removal proceedings

under any provision of such Act and has applied for adjustment of status under subsection (a), except where the Attorney General has made a final determination to deny the application.

(3) WORK AUTHORIZATION.—The Attorney General may authorize an alien who has applied for adjustment of status under subsection (a) to engage in employment in the United States during the pendency of such application and may provide the alien with an ''employment authorized'' endorsement or other appropriate document signifying authorization of employment, except that, if such application is pending for a period exceeding 180 days and has not been denied, the Attorney General shall authorize such employment.

(d) RECORD OF PERMANENT RESIDENCE.—Upon approval of an alien's application for adjustment of status under subsection (a), the Attorney General shall establish a record of the alien's admission for permanent record as of the date of the alien's arrival in the United States.

(e) AVAILABILITY OF ADMINISTRATIVE REVIEW.—The Attorney General shall provide to applicants for adjustment of status under subsection (a) the same right to, and procedures for, administrative review as are provided to—

(1) applicants for adjustment of status under section 245 of the Immigration and Nationality Act; or

(2) aliens subject to removal proceedings under section 240 of such Act.

(f) LIMITATION ON JUDICIAL REVIEW.—A determination by the Attorney General as to whether the status of any alien should be adjusted under this section is final and shall not be subject to review by any court.

(g) NO OFFSET IN NUMBER OF VISAS AVAILABLE.—Whenever an alien is granted the status of having been lawfully admitted for permanent residence pursuant to this section, the Secretary of State shall not be required to reduce the number of immigrant visas authorized to be issued under any provision of the Immigration and Nationality Act.

(h) APPLICATION OF IMMIGRATION AND NATIONALITY ACT PROVISIONS.—Except as otherwise specifically provided in this title, the definitions contained in the Immigration and Nationality Act shall apply in the administration of this section. Nothing contained in this title shall be held to repeal, amend, alter, modify, effect, or restrict the powers, duties, function, or authority of the Attorney General in the administration and enforcement of such Act or any other law relating to immigration, nationality, or naturalization. The fact that an alien may be eligible to be granted the status of having been lawfully admitted for permanent residence under this section shall not preclude the alien from seeking such status under any other provision of law for which the alien may be eligible.

TITLE IV—INCREASED FLEXIBILITY IN EMPLOYMENT-BASED IMMIGRATION

SEC. ___401. LIMITATION ON PER COUNTRY CEILING WITH RESPECT TO EMPLOYMENT-BASED IMMIGRANTS.

(a) SPECIAL RULES.—Section 202(a) of the Immigration and Nationality Act (8 U.S.C. 1152(a)) is amended by adding at the end the following new paragraph:

''(5) RULES FOR EMPLOYMENT-BASED IMMIGRANTS.—

''(A) EMPLOYMENT-BASED IMMIGRANTS NOT SUBJECT TO PER COUNTRY LIMITATION IF ADDITIONAL VISAS AVAILABLE.—If the total number of visas available under paragraph (1), (2), (3), (4), or (5) of section 203(b) for a calendar quarter exceeds the number of qualified immigrants who may otherwise be issued such visas, the visas made available under that paragraph shall be issued without regard to the numerical limitation under paragraph (2) of this subsection during the remainder of the calendar quarter.

''(B) LIMITING FALL ACROSS FOR CERTAIN COUNTRIES SUBJECT TO SUBSECTION (E).—In the case of a foreign state or dependent area to which subsection (e) applies, if the total number of visas issued under section 203(b) exceeds the maximum number of visas that may be made available to immigrants of the state or area under section 203(b) consistent with subsection (e) (determined without regard to this paragraph), in applying subsection (e) all visas shall be deemed to have been required for the classes of aliens specified in section 203(b).''.

(b) CONFORMING AMENDMENTS.—

(1) Section 202(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1152(a)(2)) is amended by striking ''paragraphs (3) and (4)'' and inserting ''paragraphs (3), (4), and (5)''.

(2) Section 202(e)(3) of the Immigration and Nationality Act (8 U.S.C. 1152(e)(3)) is amended by striking ''the proportion of the visa numbers'' and inserting ''except as provided in subsection (a)(5), the proportion of the visa numbers''.

(c) ONE-TIME PROTECTION UNDER PER COUNTRY CEILING.—Notwithstanding section 214(g)(4) of the Immigration and Nationality Act, any alien who—

(1) is the beneficiary of a petition filed under section 204(a) for a preference status under paragraph (1), (2), or (3) of section 203(b); and

(2) is eligible to be granted that status but for application of the per country limitations applicable to immigrants under those paragraphs,

may apply for, and the Attorney General may grant, an extension of such nonimmigrant status until the alien's application for adjustment of status has been processed and a decision made thereon.

SEC. ___402. INCREASED PORTABILITY OF H–1B STATUS.

(a) IN GENERAL.—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) is amended by adding at the end the following new subsection:

''(m)(1) A nonimmigrant alien described in paragraph (2) who was previously issued a visa or otherwise provided nonimmigrant status under section 101(a)(15)(H)(i)(b) is authorized to accept new employment upon the filing by the prospective employer of a new petition on behalf of such nonimmigrant as provided under subsection (a). Employment authorization shall continue for such alien until the new petition is adjudicated. If the new petition is denied, such authorization shall cease.

''(2) A nonimmigrant alien described in this paragraph is a nonimmigrant alien—

''(A) who has been lawfully admitted into the United States;

''(B) on whose behalf an employer has filed a nonfrivolous petition for new employment before the date of expiration of the period of stay authorized by the Attorney General; and

''(C) who, subsequent to such lawful admission, has not been employed without authorization in the United States before the filing of such petition.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to petitions filed before, on, or after the date of enactment of this Act.

SEC. ___403. SPECIAL PROVISIONS IN CASES OF LENGTHY ADJUDICATIONS.

(a) EXEMPTION FROM LIMITATION.—The limitation contained in section 214(g)(4) of the Immigration and Nationality Act with respect to the duration of authorized stay shall not apply to any nonimmigrant alien previously issued a visa or otherwise provided nonimmigrant status under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act on whose behalf a petition under section 204(b) to accord the alien immigrant status under section 203(b), or an application for adjustment of status under section 245 to accord the alien status under section 203(b), has been filed, if 365 days or more have elapsed since—

(1) the filing of a labor certification application on the alien's behalf (if such certification is required for the alien to obtain status under section 203(b)); or

(2) the filing of the petition under section 204(b).

(b) EXTENSION OF H1–B WORKER STATUS.—The Attorney General shall extend the stay of an alien who qualifies for an exemption under subsection (a) in one-year increments until such time as a final decision is made on the alien's lawful permanent residence.

(c) INCREASED JOB FLEXIBILITY FOR LONG DELAYED APPLICANTS FOR ADJUSTMENT OF STATUS.—

(1) Section 204 of the Immigration and Nationality Act (8 U.S.C. 1154) is amended by adding at the end the following new subsection:

''(j) JOB FLEXIBILITY FOR LONG DELAYED APPLICANTS FOR ADJUSTMENT OF STATUS TO PERMANENT RESIDENCE.—A petition under subsection (a)(1)(D) for an individual whose application for adjustment of status pursuant to section 245 has been filed and remained unadjudicated for 180 days or more shall remain valid with respect to a new job if the individual changes jobs or employers if the new job is in the same or a similar occupational classification as the job for which the petition was filed.''.

(2) Section 212(a)(5)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(5)(A)) is amended by adding at the end the following new clause:

''(iv) LONG DELAYED ADJUSTMENT APPLICANTS.—A certification made under clause (i) with respect to an individual whose petition is covered by section 204(j) shall remain valid with respect to a new job accepted by the individual after the individual changes jobs or employers if the new job is in the same or a similar occupational classification as the job for which the certification was issued.''.

(d) RECAPTURE OF UNUSED EMPLOYMENT-BASED IMMIGRANT VISAS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the number of employment-based visas (as defined in paragraph (3)) made available for a fiscal year (beginning with fiscal year 2001) shall be increased by the number described in paragraph (2). Visas made available under this subsection shall only be available in a fiscal year to employment-based immigrants under paragraph (1), (2), or (3) of section 203(b) of the Immigration and Nationality Act.

(2) NUMBER AVAILABLE.—

(A) IN GENERAL.—Subject to subparagraph (B), the number described in this paragraph is the difference between the number of employment-based visas that were made available in fiscal year 1999 and 2000 and the number of such visas that were actually used in such fiscal years.

(B) REDUCTION.—The number described in subparagraph (A) shall be reduced, for each fiscal year after fiscal year 2001, by the cumulative number of immigrant visas made available under paragraph (1) for previous fiscal years.

(C) CONSTRUCTION.—Nothing in this paragraph shall be construed as affecting the application of section 201(c)(3)(C) of the Immigration and Nationality Act (8 U.S.C. 1151(c)(3)(C)).

(3) EMPLOYMENT-BASED VISAS DEFINED.—For purposes of this subsection, the term ''employment-based visa'' means an immigrant

visa which is issued pursuant to the numerical limitation under section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)).

TITLE V—RESTORATION OF SECTION 245(i)

SEC. 501. REMOVAL OF CERTAIN LIMITATIONS ON ELIGIBILITY FOR ADJUSTMENT OF STATUS UNDER SECTION 245(i).

(a) IN GENERAL.—Section 245(i)(1) of the Immigration and Nationality Act (8 U.S.C. 1255(i)(1)) is amended by striking ''(i)(1)'' through ''The Attorney General'' and inserting the following:

''(i)(1) Notwithstanding the provisions of subsections (a) and (c) of this section, an alien physically present in the United States who—

''(A) entered the United States without inspection; or

''(B) is within one of the classes enumerated in subsection (c) of this section;

may apply to the Attorney General for the adjustment of his or her status to that of an alien lawfully admitted for permanent residence. The Attorney General''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall be effective as if included in the enactment of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998 (Public Law 105–119; 111 Stat. 2440).

TITLE VI—REGISTRY DATES

SEC. 601. SHORT TITLE.

This title may be cited as the ''Date of Registry Act of 2000''.

SEC. 602. RECORD OF ADMISSION FOR PERMANENT RESIDENCE IN THE CASE OF CERTAIN ALIENS.

(a) IN GENERAL.—Section 249 of the Immigration and Nationality Act (8 U.S.C. 1259) is amended—

(1) in subsection (a), by striking ''January 1, 1972'' and inserting ''January 1, 1986''; and

(2) by striking ''JANUARY 1, 1972'' in the heading and inserting ''JANUARY 1, 1986''.

(b) EFFECTIVE DATES.—

(1) GENERAL RULE.—The amendments made by subsection (a) shall take effect on the date of enactment of this Act.

(2) EXTENSION OF DATE OF REGISTRY.—

(A) PERIOD BEGINNING JANUARY 1, 2002.—Beginning on January 1, 2002, section 249 of the Immigration and Nationality Act (8 U.S.C. 1259) is amended by striking ''January 1, 1986'' each place it appears and inserting ''January 1, 1987''.

(B) PERIOD BEGINNING JANUARY 1, 2003.—Beginning on January 1, 2003, section 249 of such Act is amended by striking ''January 1, 1987'' each place it appears and inserting ''January 1, 1988''.

(C) PERIOD BEGINNING JANUARY 1, 2004.—Beginning on January 1, 2004, section 249 of such Act is amended by striking ''January 1, 1988'' each place it appears and inserting ''January 1, 1989''.

(D) PERIOD BEGINNING JANUARY 1, 2005.—Beginning on January 1, 2005, section 249 of such Act is amended by striking ''January 1, 1989'' each place it appears and inserting ''January 1, 1990''.

(E) PERIOD BEGINNING JANUARY 1, 2006.—Beginning on January 1, 2006, section 249 of such Act is amended by striking ''January 1, 1990'' each place it appears and inserting ''January 1, 1991''.

TITLE VII—BACKLOG REDUCTION FOR FAMILY-SPONSORED IMMIGRANTS

SEC. 701. FAMILY BACKLOG REDUCTION.

(a) WORLDWIDE LEVEL OF FAMILY-SPONSORED IMMIGRANTS.—Notwithstanding section 201(a)(1) of the Immigration and Nationality Act, the number of aliens who may be issued immigrant visas or who may otherwise acquire the status of an alien lawfully admitted for permanent residence as a family-sponsored immigrant described in section 203(a) of such Act (or who are admitted under section 211(a) of such Act on the basis of a prior issuance of a visa to their accompanying parent under such section 203(a)) in any fiscal year is limited to—

(1) the number provided for in section 201(a)(1) of such Act, plus

(2) 200,000 for fiscal year 2001 and each fiscal year thereafter.

(b) PER COUNTRY LEVELS FOR FAMILY-SPONSORED IMMIGRANTS.—(1) Notwithstanding section 202(a)(2) of the Immigration and Nationality Act, the total number of immigrant visas made available to natives of any single foreign state or dependent area under subsections (a) and (b) of section 203 of that Act in any fiscal year may not exceed the sum of—

(A) the number specified in section 202(a)(2) of that Act, plus

(B) the number computed under paragraph (2).

(2) The number computed under this paragraph is—

(A) 33 percent of the number computed under section 202(a)(2) of that Act for each of fiscal years 2001, 2002, 2003, 2004, and 2005, or

(B) 25 percent of the number computed under section 202(a)(2) for each fiscal year thereafter.

(c) AUTHORIZATION OF APPROPRIATIONS.—(1) There are authorized to be appropriated to the Department of Justice and the Department of State such sums as may be necessary to provide for the additional visa issuances and admissions authorized under subsection (a).

(2) There are authorized to be appropriated to the Department of Justice such sums as may be necessary to process backlog adjudications of the Immigration and Naturalization Service.

TITLE VIII—ALIEN CHILDREN PROTECTION

SEC. 801. SHORT TITLE.

This Act may be cited as the ''Alien Children Protection Act of 2000''.

SEC. 802. USE OF APPROPRIATE FACILITIES FOR THE DETENTION OF ALIEN CHILDREN.

(a) IN GENERAL.—Except as provided in subsection (b), in the case of any alien under 18 years of age who is awaiting final adjudication of the alien's immigration status and who does not have a parent, guardian, or relative in the United States into whose custody the alien may be released, the Attorney General shall place such alien in a facility appropriate for children not later than 72 hours after the Attorney General has taken custody of the alien.

(b) EXCEPTION.—The provisions of subsection (a) do not apply to any alien under 18 years of age who the Attorney General finds has engaged in delinquent behavior, is an escape risk, or has a security need greater than that provided in a facility appropriate for children.

(c) DEFINITION.—In this section, the term ''facility appropriate for children'' means a facility, such as foster care or group homes, operated by a private nonprofit organization, or by a local governmental entity, with experience and expertise in providing for the legal, psychological, educational, physical, social, nutritional, and health requirements of children. The term ''facility appropriate for children'' does not include any facility used primarily to house adults or delinquent minors.

SEC. 803. ADJUSTMENT TO PERMANENT RESIDENT STATUS.

Section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) is amended by adding at the end the following:

''(1)(1) The Attorney General may, in the Attorney General's discretion, adjust the status of an alien under 18 years of age who has no lawful immigration status in the United States to that of an alien lawfully admitted for permanent residence if—

''(A)(i) the alien (or a parent or legal guardian acting on the alien's behalf) has applied for the status; and

''(ii) the alien has resided in the United States for a period of 5 consecutive years; or

''(B)(i) no parent or legal guardian requests the alien's return to the country of the parent's or guardian's domicile, or with respect to whom the Attorney General finds that returning the child to his or her country of origin would subject the child to mental or physical abuse; and

''(ii) the Attorney General determines that it is in the best interests of the alien to remain in the United States notwithstanding the fact that the alien is not eligible for asylum protection under section 208 or protection under section 101(a)(27)(J).

''(2) The Attorney General shall make a determination under paragraph (1)(B)(ii) based on input from a person or entity that is not employed by or a part of the Service and that is qualified to evaluate children and opine as to what is in their best interest in a given situation.

''(3) Upon the approval of adjustment of status of an alien under paragraph (1), the Attorney General shall record the alien's lawful admission for permanent residence as of the date of such approval, and the Secretary of State shall reduce by one the number of visas authorized to be issued under sections 201(d) and 203(b)(4) for the fiscal year then current.

''(4) Not more than 500 aliens may be granted permanent resident status under this subsection in any fiscal year.''.

SEC. 804. ASSIGNMENT OF GUARDIANS AD LITEM TO ALIEN CHILDREN.

(a) ASSIGNMENT.—Whenever a covered alien is a party to an immigration proceeding, the Attorney General shall assign such covered alien a child welfare professional or other individual who has received training in child welfare matters and who is recognized by the Attorney General as being qualified to serve as a guardian ad litem (in this section referred to as the ''guardian''). The guardian shall not be an employee of the Immigration and Naturalization Service.

(b) RESPONSIBILITIES.—The guardian shall ensure that—

(1) the covered alien's best interests are promoted while the covered alien participates in, or is subject to, the immigration proceeding; and

(2) the covered alien understands the proceeding.

(c) REQUIREMENTS ON THE ATTORNEY GENERAL.—The Attorney General shall serve notice of all matters affecting a covered alien's immigration status (including all papers filed in an immigration proceeding) on the covered alien's guardian.

(d) DEFINITION.—In this section, the term ''covered alien'' means an alien—

(1) who is under 18 years of age;

(2) who has no lawful immigration status in the United States and is not within the physical custody of a parent or legal guardian; and

(3) whom no parent or legal guardian requests the person's return to the country of the parent's or guardian's domicile or with respect to whom the Attorney General finds that returning the child to his or her country of origin would subject the child to physical or mental abuse.

SEC. 805. SENSE OF CONGRESS.

Congress commends the Immigration and Naturalization Service for its issuance of its

''Guidelines for Children's Asylum Claims'', dated December 1998, and encourages and supports the Service's implementation of such guidelines in an effort to facilitate the handling of children's asylum claims.

SEC. 806. GENERAL ACCOUNTING OFFICE REPORT.

The Comptroller General of the United States shall prepare a report to Congress regarding whether and to what extent United States Embassy and consular officials are fulfilling their obligation to reunify, on a priority basis, children in foreign countries whose parent or parents are legally present in the United States.

TITLE IX—BENEFITS RESTORATION

SEC. 901. SHORT TITLE.

This title may be cited as the ''Immigrant Children's Health Improvement Act of 2000''.

SEC. 902. OPTIONAL ELIGIBILITY OF CERTAIN ALIEN PREGNANT WOMEN AND CHILDREN FOR MEDICAID.

(a) IN GENERAL.—Subtitle A of title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611–1614) is amended by adding at the end the following:

''SEC. 405. OPTIONAL ELIGIBILITY OF CERTAIN ALIENS FOR MEDICAID.

''(a) OPTIONAL MEDICAID ELIGIBILITY FOR CERTAIN ALIENS.—A State may elect to waive (through an amendment to its State plan under title XIX of the Social Security Act) the application of sections 401(a), 402(b), 403, and 421 with respect to eligibility for medical assistance under the program defined in section 402(b)(3)(C) (relating to the medicaid program) of aliens who are lawfully residing in the United States (including battered aliens described in section 431(c)), within any or all (or any combination) of the following categories of individuals:

''(1) PREGNANT WOMEN.—Women during pregnancy (and during the 60-day period beginning on the last day of the pregnancy).

''(2) CHILDREN.—Children (as defined under such plan), including optional targeted low-income children described in section 1905(u)(2)(B).''.

(b) APPLICABILITY OF AFFIDAVITS OF SUPPORT.—Section 213A(a) of the Immigration and Nationality Act (8 U.S.C. 1183a(a)) is amended by adding at the end the following:

''(4) INAPPLICABILITY TO BENEFITS PROVIDED UNDER A STATE WAIVER.—For purposes of this section, the term 'means-tested public benefits' does not include benefits provided pursuant to a State election and waiver described in section 405 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.''.

(c) CONFORMING AMENDMENTS.—

(1) Section 401(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611(a)) is amended by inserting ''and section 405'' after ''subsection (b)''.

(2) Section 402(b)(1) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(b)(1)) is amended by inserting '', section 405,'' after ''403''.

(3) Section 403(a) of such Act (8 U.S.C. 1613(a)) is amended by inserting ''section 405 and'' after ''provided in''.

(4) Section 421(a) of such Act (8 U.S.C. 1631(a)) is amended by inserting ''except as provided in section 405,'' after ''Notwithstanding any other provision of law,''.

(5) Section 1903(v)(1) of the Social Security Act (42 U.S.C. 1396b(v)(1)) is amended by inserting ''and except as permitted under a waiver described in section 405(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996,'' after ''paragraph (2),''.

(d) EFFECTIVE DATE.—The amendments made by this section take effect on October 1, 1999.

SEC. 903. OPTIONAL ELIGIBILITY OF IMMIGRANT CHILDREN FOR SCHIP.

(a) IN GENERAL.—Section 405 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as added by section 102(a), is further amended—

(1) in the heading, by inserting ''**AND SCHIP**'' before the period; and

Under that section may apply for that status through the date that is one year after the date of promulgation by the Attorney General of final regulations for the implementation of that section.

TITLE X—ADMISSION OF SPOUSES AND CHILDREN OF CERTAIN NONIMMIGRANTS

SEC. 1001. ADMISSION OF CERTAIN "B" AND "F" VISA NONIMMIGRANTS WHO ARE SPOUSES OR CHILDREN OF UNITED STATES PERMANENT RESIDENT ALIENS.

Section 212 of the Immigration and Nationality Act (8 U.S.C. 1182) is amended by adding at the end thereof the following new subsection:

''(r)(1) Notwithstanding any other provision of law, no alien—

''(A) who is—

''(i) the spouse or child of an alien lawfully admitted for permanent residence to the United States; and

''(ii) not eligible to enter the United States as an immigrant except by reason of being such a spouse or child; and

''(B) who seeks admission to the United States for purposes of visiting the permanent resident spouse or parent or for studying in the United States; and

''(C) who is otherwise qualified;

may be denied issuance of a visa, or may be denied admission to the United States, as a nonimmigrant alien described in section 101(a)(15)(B) who is coming to the United States temporarily for pleasure or as a nonimmigrant alien described in section 101(a)(15)(F).

''(2) Whenever an alien described in paragraph (1) seeks admission to the United States as a nonimmigrant alien described in section 101(a)(15)(B) who is coming temporarily for pleasure or as a nonimmigrant alien described in section 101(a)(15)(F), the fact that a petition has been filed on the alien's behalf for classification of the alien as an alien lawfully admitted for permanent residence shall not constitute evidence of the alien's intention to abandon his or her foreign residence.''.

THE FAMILY, WORK AND IMMIGRANT INTEGRATION AMENDMENTS OF 2000—SUMMARY

1. Central American and Haitian Parity: provides for adjustment of status for Salvadorans, Guatemalans, Hondurans and Haitians on the same terms as that extended to Cubans and Nicaraguans in 1997 under NACARA.

2. Extension of filing deadlines for applications for adjustment of status of certain Cuban, Nicaraguan, and Haitian nationals: extends the deadline to apply for adjustment of status by one year after the date of issuance of final NACARA regulations.

3. Liberian Refugee Immigration Fairness: allows Liberian refugees who have been continuously present in the US to apply for adjustment of status.

4. Increased Flexibility in Employment-Based Immigration: eliminates per country limitation if additional visas are available, increases portability of H–1B visas, encourages swifter adjudication of petitions, and allows unused visas from one year to be used the following year.

5. Restoration of Section 245(i): restores the provision permitting those who are out of status but otherwise eligible for permanent residence to adjust their status in the United States by paying a fine.

6. 1986 Registry Date: updates the current registry date from 1972 to 1986 that allows adjustment of status to all persons of good character who have resided in the United States prior to 1986. The registry date would be moved up one year each for the next five years to 1991 in FY 2006.

7. Backlog reduction for family-sponsored immigrants: would provide additional visas for family members of citizens and permanent residents to reduce backlogs in the family-based immigration categories: 250,000 additional visas for three years, 200,000 for two years and 150,000 permanently; per country ceilings are raised proportionately.

8. Alien Child Protection Act: provides unaccompanied or orphaned children in the jurisdiction of the INS with several protections. Among other things, it states that if a child is detained, it must be in a child-appropriate facility. They can have access to a guardian ad litem or similar advocate to navigate through the immigration process.

9. Benefits Restoration: restores modest benefits for legal immigrants, including optional eligibility of certain immigrants for Medicaid and optional eligibility of immigrant children for SCHIP programs (state child health plans). States would be given the option to provide Medicaid to all children and pregnant women who are lawfully residing in the US, regardless of when they arrived. Pregnant women would remain eligible during the first 60 days after their pregnancy. If a state elects the Medicaid option, it may also provide all lawfully present children access to this CHIP (state child health plan) program. Immigrant sponsors would not be required to pay back assistance provided to children or pregnant women.

10. Admission of spouses and children of certain nonimmigrants: would allow spouses and children of permanent residents who have green card applications pending to enter the US with nonimmigrant student and/or visitor visas. Hundreds of thousands can't get nonimmigrant student and/or visitor visas now because of State Department interpretations that if you have a green card application pending you are presumed likely to overstay a temporary visa to visit the US on a limited basis.

MAY 16, 2000.

DEAR MEMBERS OF CONGRESS. Today, as throughout American history, immigrants have proven essential to the economic, political and social development of our nation. Immigrants make important contributions consistent with America's fundamental values of family, work, justice and community.

It is important that our immigration policies reflect these values and ensure that all persons enjoy equal protection and due process under the Constitution and laws of the land. Our immigration policies should also be responsive to economic needs and ensure appropriate protections and opportunities for citizens and immigrants.

Immigration reforms consistent with American values and economic needs should be a high priority on the national agenda this year.

Currently, there is wide support in Congress for immigration reforms to address the need to better educate and train citizens and lawful immigrants now here, and to increase the number of H–B visas to admit more highly-skilled immigrants so as to meet the economic needs of certain industries experiencing shortages of workers with these skills. While we may differ on specific provisions of proposed bills, we agree that appropriate skilled immigrant admissions contribute to economic growth and job creation.

The undersigned further believe that, in addition to proposals on high skilled visas, the following issues regarding persons already in the United States or awaiting family reunification also warrant congressional

action as early as possible: 1) allow Salvadorans, Guatemalans, Hondurans and Haitians to apply for adjustment of status on the same terms as already provided to Cubans and Nicaraguans in 1997; 2) allow adjustment of status to all persons of good character who have resided in the United States and established ties to American communities; 3) restore the provision permitting those who are out of status but otherwise eligible for permanent residence to adjust their status in the United States; 4) reunite families by establishing a program to provide additional visas for family members of citizens and permanent residents so as to reduce unacceptable backlogs and help stabilize the workforce.

Other immigration reforms also deserve congressional action, which will be addressed in further correspondence. We believe that there is a broad consensus now that Congress should enact the proposals noted above on a priority basis in the national interest.

Sincerely,

INDIVIDUALS

HENRY CISNEROS.
RICHARD GILDER.
BILL ONG HING.
JACK KEMP.
RICK SWARTZ.

NATIONAL ORGANIZATIONS

Americans for Tax Reform, Grover Norquist, President

Center for Equal Opportunity, Linda Chavez, President

Club for Growth, Steve Moore, President

Empower America, J.T. Taylor, President

Hotel Employees and Restaurant Employees Union, John Wilhelm, President

Service Employees International Union, Andrew Stern, President

United Farm Workers of America, AFL–CIO, Arturo Rodriguez, President

Union of Needletrades and Industrial Textile Employees (UNITE), Jay Mazur, President

American Immigration Lawyers Association, Jeanne Butterfield, Executive Director

Arab American Institute, James Zogby, President

Dominican American National Roundtable, Victor Capellan, President

Haitian American Foundation, Inc., Leonie Hermantin, Executive Director

Immigrant Support Network, Shailesh Gala, President

Lutheran Immigration and Refugee Services, Ralston Deffenbaugh, President

U.S. Catholic Conference/Migration and Refugee Services, Most Reverend Bishop Nicholas DiMarzio, Chairman, National Conference of Catholic Bishops' Committee on Migration

National Asian Pacific American Legal Consortium, Karen Narasaki, Executive Director

National Association of Latino Elected and Appointed Officials, Arturo Vargas, Executive Director

National Coalition for Haitian Rights, Jocelyn McCalla, Executive Director

National Council of La Raza, Raul Yzaguirre, President

National Farm Worker Ministry, Virginia Nesmith, Executive Director

National Immigration Forum, Frank Sharry, Executive Director

National Immigration Law Center, Susan Drake, Executive Director

National Puerto Rican Coalition, Manuel Mirabal, President/CEO

New America Alliance, Tom Castro, President

Polish American Congress, Edward Moskal, President

Salvadoran American National Network, Oscar Chacon, President

Southeast Asian Resource Action Center, Ka Ying Yang, Executive Director

William C. Velasquez Institute, Antonio Gonzalez, President

LOCAL ORGANIZATIONS

Centro Presente, M. Elena Letona, Executive Director

Centro Romero, Daisy Funes, Executive Director

Haitian American Grassroots Coalition, Jean-Robert Lafortune, Chairman

Heartland Alliance for Human Needs & Human Rights, Sid Mohn, President

Immigrant Legal Resource Center, Mark Silverman

Jewish Community Federation of San Francisco, the Peninsula, Marin and Sonoma Counties, Wayne Feinstein, Executive Vice President

Los Angeles County Federation of Labor, Miguel Contreras, Executive Secretary Treasurer

New York Association for New Americans, Mark Handelman, Executive Vice President

New York Immigration Coalition, Margie McHugh, Executive Director●

ADDITIONAL COSPONSORS

S. 662

At the request of Mr. L. CHAFEE, the names of the Senator from Indiana (Mr. LUGAR) and the Senator from New Hampshire (Mr. SMITH) were added as cosponsors 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. 763

At the request of Mr. THURMOND, the names of the Senator from Hawaii (Mr. INOUYE) and the Senator from Connecticut (Mr. DODD) were added as cosponsors of S. 763, a bill to amend title 10, United States Code, to increase the minimum Survivor Benefit Plan basic annuity for surviving spouses age 62 and older, and for other purposes.

S. 1145

At the request of Mr. HATCH, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1145, a bill to provide for the appointment of additional Federal circuit and district judges, and for other purposes.

S. 1196

At the request of Mr. COVERDELL, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1196, a bill to improve the quality, timeliness, and credibility of forensic science services for criminal justice purposes.

S. 1364

At the request of Mr. BAYH, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 1364, a bill to amend title IV of the Social Security Act to increase public awareness regarding the benefits of lasting and stable marriages and community involvement in the promotion of marriage and fatherhood issues, to provide greater flexibility in the Welfare-to-Work grant program for long-term welfare recipients and low income custodial and noncustodial parents, and for other purposes.

S. 1419

At the request of Mr. SANTORUM, his name was added as a cosponsor of S. 1419, a bill to amend title 36, United States Code, to designate May as ''National Military Appreciation Month''.

S. 1464

At the request of Mr. HAGEL, the name of the Senator from Florida (Mr. MACK) was added as a cosponsor of S. 1464, a bill to amend the Federal Food, Drug, and Cosmetic Act to establish certain requirements regarding the Food Quality Protection Act of 1996, and for other purposes.

S. 1562

At the request of Mr. NICKLES, the name of the Senator from Washington (Mr. GORTON) was added as a cosponsor of S. 1562, a bill to amend the Internal Revenue Code of 1986 to classify certain franchise operation property as 15-year depreciable property.

S. 1706

At the request of Mrs. HUTCHISON, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1706, a bill to amend the Federal Water Pollution Control Act to exclude from stormwater regulation certain areas and activities, and to improve the regulation and limit the liability of local governments concerning co-permitting and the implementation of control measures.

S. 1851

At the request of Mr. CAMPBELL, the names of the Senator from Utah (Mr. HATCH) and the Senator from Hawaii (Mr. INOUYE) were added as cosponsors of S. 1851, a bill to amend the Elementary and Secondary Education Act of 1965 to ensure that seniors are given an opportunity to serve as mentors, tutors, and volunteers for certain programs.

S. 1874

At the request of Mr. GRAHAM, the name of the Senator from Minnesota (Mr. WELLSTONE) was added as a cosponsor of S. 1874, a bill to improve academic and social outcomes for youth and reduce both juvenile crime and the risk that youth will become victims of crime by providing productive activities conducted by law enforcement personnel during non-school hours.

S. 1940

At the request of Mr. LEAHY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1940, a bill to amend the Immigration and Nationality Act to reaffirm the United States' historic commitment to protecting refugees who are fleeing persecution or torture.

S. 2005

At the request of Mr. BURNS, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 2005, a bill to repeal the modification of the installment method.

S. 2007

At the request of Mr. CONRAD, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 2007, a bill to amend title

38, United States Code, to improve procedures relating to the scheduling of appointments for certain non-emergency medical services from the Department of Veterans Affairs, and for other purposes.

S. 2018

At the request of Mrs. HUTCHISON, the names of the Senator from Montana (Mr. BURNS), the Senator from Maryland (Mr. SARBANES), and the Senator from Hawaii (Mr. INOUYE) were added as cosponsors of S. 2018, a bill to amend title XVIII of the Social Security Act to revise the update factor used in making payments to PPS hospitals under the medicare program.

S. 2077

At the request of Mr. SANTORUM, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor 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. 2084

At the request of Mr. LUGAR, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 2084, a bill to amend the Internal Revenue Code of 1986 to increase the amount of the charitable deduction allowable for contributions of food inventory, and for other purposes.

S. 2123

At the request of Ms. LANDRIEU, the name of the Senator from Michigan (Mr. ABRAHAM) was added as a cosponsor of S. 2123, a bill 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 for other purposes.

S. 2231

At the request of Mr. COVERDELL, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 2231, a bill to provide for the placement at the Lincoln Memorial of a plaque commemorating the speech of Martin Luther King, Jr., known as the ''I Have A Dream'' speech.

S. 2260

At the request of Mr. COVERDELL, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 2260, a bill to allow property owners to maintain existing structures designed for human habitation at Lake Sidney Lanier, Georgia.

S. 2274

At the request of Mr. GRASSLEY, the names of the Senator from Washington (Mrs. MURRAY), the Senator from Hawaii (Mr. INOUYE), and the Senator from Arkansas (Mrs. LINCOLN) were added as cosponsors 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. 2298

At the request of Mr. JEFFORDS, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 2298, a bill to amend title XVIII of the Social Security Act to clarify the definition of homebound with respect to home health services under the medicare program.

S. 2299

At the request of Mr. L. CHAFEE, the names of the Senator from Oregon (Mr. SMITH) and the Senator from Arkansas (Mrs. LINCOLN) were added as cosponsors of S. 2299, a bill to amend title XIX of the Social Security Act to continue State Medicaid disproportionate share hospital (DSH) allotments for fiscal year 2001 at the levels for fiscal year 2000.

S. 2344

At the request of Mr. BROWNBACK, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor 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. 2365

At the request of Ms. COLLINS, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 2365, a bill to amend title XVIII of the Social Security Act to eliminate the 15 percent reduction in payment rates under the prospective payment system for home health services.

S. 2386

At the request of Mrs. FEINSTEIN, the names of the Senator from Wyoming (Mr. ENZI) and the Senator from Ohio (Mr. DEWINE) were added as cosponsors of S. 2386, a bill to extend the Stamp Out Breast Cancer Act.

S. 2403

At the request of Mr. BAYH, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 2403, to amend the Internal Revenue Code of 1986 to reduce the marriage penalty by providing a nonrefundable marriage credit and adjustment to the earned income credit.

S. 2408

At the request of Mr. BINGAMAN, the name of the Senator from Kentucky (Mr. BUNNING) 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. 2419

At the request of Mr. JOHNSON, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 2419, a bill to amend title 38, United States Code, to provide for the annual determination of the rate of the basic benefit of active duty educational assistance under the Montgomery GI Bill, and for other purposes.

S. 2459

At the request of Mr. COVERDELL, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 2459, a bill 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.

S. 2476

At the request of Mr. BURNS, the name of the Senator from North Dakota (Mr. CONRAD), was added as a cosponsor of S. 2476, a bill to amend the Communications Act of 1934 in order to prohibit any regulatory impediments to completely and accurately fulfilling the sufficiency of support mandates of the national statutory policy of universal service, and for other purposes.

S. 2557

At the request of Mr. MURKOWSKI, the names of the Senator from Idaho (Mr. CRAIG), the Senator from Colorado (Mr. ALLARD), and the Senator from Texas (Mrs. HUTCHISON) were added as cosponsors of S. 2557, a bill to protect the energy security of the United States and decrease America's dependency on foreign oil sources to 50 percent by the Year 2010 by enhancing the use of renewable energy resources, conserving energy resources, improving energy efficiencies, and increasing domestic energy supplies, mitigating the effect of increases in energy prices on the American consumer, including the poor and the elderly, and for other purposes.

S. 2589

At the request of Mr. JOHNSON, the names of the Senator from North Dakota (Mr. CONRAD) and the Senator from Wisconsin (Mr. FEINGOLD) were added as cosponsors of S. 2589, a bill to amend the Federal Deposit Insurance Act to require periodic cost of living adjustments to the maximum amount of deposit insurance available under that Act, and for other purposes.

S. 2609

At the request of Mr. CRAIG, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2609, a bill to amend the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act to enhance the funds available for grants to States for fish and wildlife conservation projects, and to increase opportunities for recreational hunting, bow hunting, trapping, archery, and fishing, by eliminating chances for waste, fraud, abuse, maladministration, and unauthorized expenditures for administration and implementation of those Acts, and for other purposes.

S. 2610

At the request of Mr. HARKIN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2610, a bill to amend title XVIII of the Social Security Act to improve the provision of items and services provided to Medicare beneficiaries residing in rural areas.

S. 2625

At the request of Ms. COLLINS, the name of the Senator from Vermont

(Mr. JEFFORDS) was added as a cosponsor of S. 2625, a bill to amend the Public Health Service Act to revise the performance standards and certification process for organ procurement organizations.

S. 2629

At the request of Mr. HELMS, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of 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.''

S. CON. RES. 57

At the request of Mr. LIEBERMAN, the names of the Senator from South Dakota (Mr. JOHNSON), the Senator from Oklahoma (Mr. INHOFE), the Senator from Virginia (Mr. WARNER), and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. Con. Res. 57, a concurrent resolution concerning the emancipation of the Iranian Baha'i community.

S. CON. RES. 100

At the request of Mr. HAGEL, the names of the Senator from Idaho (Mr. CRAIG) and the Senator from Texas (Mr. GRAMM) 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.

S. RES. 266

At the request of Mr. SANTORUM, his name was added as a cosponsor of S. Res. 266, a resolution designating the month of May every year for the next 5 years as ''National Military Appreciation Month.''

AMENDMENT NO. 3166

At the request of Ms. MIKULSKI, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of amendment No. 3166 proposed to S. 2603, an original bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2001, and for other purposes.

SENATE CONCURRENT RESOLUTION 118—COMMEMORATING THE 60TH ANNIVERSARY OF THE EXECUTION OF POLISH CAPTIVES BY SOVIET AUTHORITIES IN APRIL AND MAY 1940

Mr. HELMS (for himself, Ms. MIKULSKI, Mr. ROTH, and Mr. BIDEN) submitted the following concurrent resolution; which was referred to the committee on Foreign Relations:

S. CON. RES. 118

Whereas 60 years ago, between April 3 and the end of May 1940, more than 22,000 Polish military officers, police officers, judges, other government officials, and civilians were executed by the Soviet secret police, the NKVD;

Whereas Joseph Stalin and other leaders of the Soviet Union, following meeting of the Soviet Politburo on March 5, 1940, signed the decision to execute these Polish captives;

Whereas 14,537 of these Polish victims have been documented at 3 sites, 4,406 in Katyn (now in Belarus), 6,311 in Miednoye (now in Russia), and 3,820 in Kharkiv (now in Ukraine);

Whereas the fate of approximately 7,000 other victims remains unknown and their graves together with the graves of other victims of communism, are scattered around the territory of the former Soviet Union and are now impossible to locate precisely;

Whereas on April 13, 1943, the German army announced the discovery of the massive graves in the Katyn Forest, when that area was under Nazi occupation;

Whereas on April 15, 1943, the Soviet Information Bureau disavowed the executions and attempted to cover up the Soviet Union's responsibility for these executions by declaring that these Polish captives had been engaged in construction work west of Smolensk and had fallen into the hands of the Germans, who executed them;

Whereas on April 28–30, 1943, an international commission of 12 medical experts visited Katyn at the invitation of the German government and later reported unanimously that the Polish officers had been shot three years earlier when the Smolensk area was under Soviet administration;

Whereas until 1990 the Government of the Soviet Union denied any responsibility for the massacres and claimed to possess no information about the fate of the missing Polish victims;

Whereas on April 13, 1990, Soviet President Mikhail Gorbachev acknowledged the Soviet responsibility for the Katyn executions;

Whereas this admission confirmed the 1951–52 extensive investigation by the United States House of Representatives Select Committee to Conduct an Investigation and Study of the Facts, Evidence, and Circumstances of the Katyn Forest Massacre and its Final Report (pursuant to House Resolution H.R. 390 and H.R. 539, 82d Congress);

Whereas that committee's final report of December 22, 1952, unanimously concluded that ''beyond any question of reasonable doubt, that the Soviet NKVD (People's Commissariat of Internal Affairs) committed the mass murders of the Polish officers and intellectual leaders in the Katyn Forest near Smolensk'' and that the Soviet Union ''is directly responsible for the Katyn massacre''; and

Whereas that report also concluded that ''approximately 15,000 Polish prisoners were interned in three Soviet camps: Kozielsk, Starobielsk, and Ostashkov in the winter of 1939–40'' and, ''with the exception of 400 prisoners, these men have not been heard from, seen, or found since the spring of 1940'': Now, therefore, be it

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

(1) remembers and honors those Polish officers, government officials, and civilians who were murdered in April and May 1940 by the NKVD;

(2) recognizes all those scholars, researchers, and writers from Poland, Russia, the United States and, elsewhere and, particularly, those who worked under Soviet and communist domination and who had the courage to tell the truth about the crimes committed at Katyn, Miednoye, and Kharkiv; and

(3) urges all people to remember and honor these and other victims of communism so that such crimes will never be repeated.

SENATE RESOLUTION 314—EXPRESSING THE SENSE OF THE SENATE CONCERNING THE VIOLENCE, BREAKDOWN OF RULE OF LAW, AND TROUBLED PRE-ELECTION PERIOD IN THE REPUBLIC OF ZIMBABWE

Mr. MCCAIN submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 314

Whereas people around the world supported the Republic of Zimbabwe's quest for independence, majority rule, and the protection of human rights and the rule of law;

Whereas Zimbabwe, at the time of independence in 1980, showed bright prospects for democracy, economic development, and racial reconciliation;

Whereas the people of Zimbabwe are now suffering the destabilizing effects of a serious, government-sanctioned breakdown in the rule of law, which is critical to economic development as well as domestic tranquility;

Whereas a free and fair national referendum was held in Zimbabwe in February 2000 in which voters rejected proposed constitutional amendments to increase the president's authorities to expropriate land without payment;

Whereas the President of Zimbabwe has defied two high court decisions declaring land seizures to be illegal;

Whereas previous land reform efforts have been ineffective largely due to corrupt practices and inefficiencies within the Government of Zimbabwe;

Whereas recent violence in Zimbabwe has resulted in several murders and brutal attacks on innocent individuals, including the murder of farm workers and owners;

Whereas violence has been directed toward individuals of all races;

Whereas the ruling party and its supporters have specifically directed violence at democratic reform activists seeking to prepare for upcoming parliamentary elections;

Whereas the offices of a leading independent newspaper in Zimbabwe have been bombed;

Whereas the Government of Zimbabwe has not yet publicly condemned the recent violence;

Whereas President Mugabe's statement that thousands of law-abiding citizens are enemies of the state has further incited violence;

Whereas 147 out of 150 members of the Parliament in Zimbabwe (98 percent) belong to the same political party;

Whereas the unemployment rate in Zimbabwe now exceeds 60 percent and political turmoil is on the brink of destroying Zimbabwe's economy;

Whereas the economy is being further damaged by the Government of Zimbabwe's ongoing involvement in the war in the Democratic Republic of the Congo;

Whereas the United Nations Food and Agricultural Organization has issued a warning that Zimbabwe faces a food emergency due to shortages caused by violence against farmers and farm workers; and

Whereas events in Zimbabwe could threaten stability and economic development in the entire region: Now, therefore, be it

Resolved, That the Senate—

(1) extends its support to the vast majority of citizens of the Republic of Zimbabwe who are committed to peace, economic prosperity, and an open, transparent parliamentary election process;

(2) strongly urges the Government of Zimbabwe to enforce the rule of law and fulfill its responsibility to protect the political and civil rights of all citizens;

(3) supports those international efforts to assist with land reform which are consistent with accepted principles of international law and which take place after the holding of free and fair parliamentary elections;

(4) condemns government-directed violence against farm workers, farmers, and opposition party members;

(5) encourages the local media, civil society, and all political parties to work together toward a campaign environment conducive to free, transparent and fair elections within the legally prescribed period;

(6) recommends international support for voter education, domestic and international election monitoring, and violence monitoring activities;

(7) urges the United States to continue to monitor violence and condemn brutality against law abiding citizens;

(8) congratulates all the democratic reform activists in Zimbabwe for their resolve to bring about political change peacefully, even in the face of violence and intimidation; and

(9) desires a lasting, warm, and mutually beneficial relationship between the United States and a democratic, peaceful Zimbabwe.

Mr. McCAIN. Mr. President, Zimbabwe is in the midst of a political crisis that threatens its future, and that is destabilizing its regional neighbors. I believe the Senate should go on record in support of Zimbabwe's democratic activists and against the authoritarian tactics of President Robert Mugabe, whose campaign of state-directed violence and intimidation against opposition party members, farmers, and farm workers are devastating the nation he leads, impoverishing his people and tarnishing his country's prospects.

As my colleagues know, in February, President Mugabe lost a referendum he had called in expectation of victory to grant himself additional constitutional powers. This historic loss, coupled with the emergence of the opposition Movement for Democratic Change, signaled that Mugabe's days as President were numbered.

But after twenty years in power, hopes that Mugabe would go quietly into the night after founding and presiding over his nation for two decades are demonstrably naive. Mugabe today is clearly doing everything in his power to avoid joining the tiny cadre of African leaders who have voluntarily transferred power following free and fair elections. On the contrary: Mugabe has incited a racial crisis over property rights and sent his army to fight a war in which Zimbabwe has no stake, all in the hopes of prolonging his hold on the power he apparently regards as his birthright. But the average Zimbabwean, who is poorer by one-third than when Mugabe came to power twenty years ago and who currently suffers the effects of 50 percent unemployment and an inflation rate of 70 percent, would likely disagree with Mugabe's assessment of the continuing benefits of his rule.

President Mugabe has shamelessly encouraged the squatter occupation of Zimbabwe's commercial farms for political purposes. In doing so, he actively abandons the rule of law in favor of mob rule, in the process destroying the nation's wealth. An internationally agreed-upon process of land redistribution funded by Britain, the United States, and other powers collapsed after it became clear that the only land redistribution Mugabe favored was that which transferred white-owned farms intact to his political cronies.

As if economic collapse and politically motivated race-baiting weren't enough, Mugabe has dispatched 12,000 troops to fight in the civil war in the Democratic Republic of Congo, at a cost of millions of dollars to his government, while an AIDS crisis and economic stagnation grow. Independent observers cannot discern any tangible Zimbabwean national interest in Congo that merits a costly troop deployment, although such observers do note that Mugabe and his military allies have profited handsomely from using the mission to exploit Congo's natural resource base.

Facing heavy domestic and international pressure, Mugabe has finally scheduled elections for next month. Based on its level of popular support, the beleaguered Movement for Democratic Change should do very well in the upcoming parliamentary elections, assuming they are not stolen by Mugabe and his ZANU–PF. The current rubber-stamp parliament, in which the ZANU–PF controls 147 of 150 seats, would likely change hands, altering the country's course and hopefully reinstating the rule of law and the democratic protections Zimbabwe's people deserve. Many observers believe, however, that only intense and sustained international pressure can prevent an electoral outcome inconsistent with the wishes of Zimbabwe's voters.

The level of election-related violence and intimidation against the opposition is made clear by a May 22, 2000, International Republican Institute report, from which I quote:

> The [Movement for Democratic Change] released on May 10 a comprehensive report documenting more than 5,000 acts of violence and intimidation throughout the country in the past 10 weeks. At least 15 black MDC members and supporters, four white farmers, and a policeman have been killed since the February constitutional referendum that marked ZANU–PF's first defeat at the ballot box since taking power in 1980. At least 300 people have been driven from rural homes that have been wrecked or burned. Hundreds have been beaten and maimed. At least eight women have been raped because of perceived allegiance to opposition parties. In 92 percent of the cases, the perpetrators of the violence were either known supporters of the ruling party or government employees. Of the victims, 41 percent were MDC supporters and 51 percent were black farm workers and suspected MDC sympathizers. Most observers agree that land reform is not the real issue, but is being used as a smokescreen to mask government efforts to crush political opposition.

The International Republican Institute, which I chair, is deeply involved in pre-election security, training, and registration and will play an important monitoring role throughout Zimbabwe's electoral process. IRI is sponsoring an audit of Zimbabwe's voter registration rolls, training 3,000 domestic poll monitors, conducting voter education and public opinion polling, providing funding to support legal challenges to electoral conditions inimical to a free and fair vote, sponsoring an election-related violence-monitoring unit, and fielding a bipartisan international election observation team to observe and report on the electoral process in Zimbabwe. Both IRI and its counterpart, the National Democratic Institute, have indicated that the conditions for credible democratic elections simply do not exist at present.

In light of these grim pre-electoral assessments, and the heavy-handedness of Mugabe's rule in the period preceding the vote, I believe the Senate should clearly state its support for free and transparent elections in Zimbabwe, the rule of law, appropriate international assistance for a peaceful process of land reform, and the political activists who brave Mugabe's wrath in the name of democratic rule. My resolution makes a series of findings concerning the violence, breakdown of rule of law, and troubled pre-election period in Zimbabwe. The resolution resolves that the Senate:

(1) extends its support to the vast majority of citizens of the Republic of Zimbabwe who are committed to peace, economic prosperity, and an open, transparent parliamentary election process;

(2) strongly urges the Government of Zimbabwe to enforce the rule of law and fulfill its responsibility to protect the political and civil rights of all citizens;

(3) supports those international efforts to assist with land reform which are consistent with accepted principles of international law and which take place after the holding of free and fair parliamentary elections;

(4) condemns government-directed violence against farm workers, farmers, and opposition party members;

(5) encourages the local media, civil society, and all political parties to work together toward a campaign environment conducive to free, transparent and fair elections within the legally prescribed period;

(6) recommends international support for voter education, domestic and international election monitoring, and violence monitoring activities;

(7) urges the United States to continue to monitor violence and condemn brutality against law-abiding citizens;

(8) congratulates all the democratic reform activists in Zimbabwe for their resolve to bring about political change peacefully, even in the face of violence and intimidation; and

(9) desires a lasting, warm, and mutually beneficial relationship between the United States and a democratic, peaceful Zimbabwe.

I hope my colleagues will join me in expressing our strong support for the democratic rights and freedoms of the

people of Zimbabwe. Their will, not President Mugabe's personal whims, should determine their country's course. Democratic rule in neighboring South Africa, Botswana, and Mozambique has served those countries well. Zimbabwe's citizens should be no less fortunate.

SENATE RESOLUTION 315—EXPRESSING THE SENSE OF THE SENATE REGARDING THE CRIMES AND ABUSES COMMITTED AGAINST THE PEOPLE OF SIERRA LEONE BY THE REVOLUTIONARY UNITED FRONT, AND FOR OTHER PURPOSES

Mr. HELMS (for himself, Mr. BIDEN, Mr. FRIST, and Mr. FEINGOLD) submitted the following resolution; which was considered and agreed to:

S. RES. 315

Whereas more than 1,000,000 of Sierra Leone's 5,200,000 population are internally displaced and more than 500,000 are refugees as a direct result of the civil war in Sierra Leone, at least 50,000 people have been killed during the civil war, untold numbers of people have been mutilated and disabled largely by the Revolutionary United Front, and more than 20,000 individuals, including many children, are missing or have been kidnapped by the Revolutionary United Front;

Whereas the Revolutionary United Front continues to terrorize the population of Sierra Leone by mutilating their enemies and innocent civilians, including women and children, by chopping off their ears, noses, hands, arms, and legs;

Whereas the Revolutionary United Front continues to terrorize the population of Sierra Leone by decapitating innocent victims, including children as young as 10 months old and elderly men and women;

Whereas the Revolutionary United Front abducts women and children for use as forced laborers, sex slaves, and as human shields during skirmishes with government forces and the forces of the Economic Community of West African States;

Whereas the Revolutionary United Front has kidnapped boys as young as 6 or 7 years old and used them to kill and steal and to become soldiers, and its forces have routinely raped women and young girls as a terror tactic;

Whereas the Revolutionary United Front has abducted civilians, missionaries, humanitarian aid workers, United Nations peacekeepers, and journalists;

Whereas Charles Taylor, the President of Liberia, has provided and continues to provide significant support and direction to the Revolutionary United Front in exchange for diamonds and other natural resources and is therefore culpable for the abuses in Sierra Leone;

Whereas the Lome Peace Accords did not hold the Revolutionary United Front accountable for their abuses and, in fact, rewarded Foday Sankoh and other Revolutionary United Front leaders with high government offices and control of diamond mining throughout Sierra Leone;

Whereas the Revolutionary United Front in Sierra Leone is not a legitimate political movement, entity, or party;

Whereas all sides in the civil war in Sierra Leone are guilty of serious human rights abuses; and

Whereas the Revolutionary United Front led by Foday Sankoh is responsible for breaking the Lome Peace Accords and for the violent aftermath that has consumed Sierra Leone since May 1, 2000: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the United States Government should do all in its power to help ensure that the Revolutionary United Front and its leaders, as well as other groups committing human rights abuses in Sierra Leone, are held accountable for the crimes and abuses committed against the people of Sierra Leone;

(2) the United States Government should not condone, support, or be a party to, any agreement that provides amnesty to those responsible for the crimes and abuses in Sierra Leone; and

(3) the United States Government should not provide incentives of any kind to regional supporters of the Revolutionary United Front until all support from them to the Revolutionary United Front has ceased.

SENATE RESOLUTION 316—HONORING SENIOR JUDGE DANIEL H. THOMAS OF THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ALABAMA

Mr. SESSIONS (for himself and Mr. SHELBY) submitted the following resolution; which was considered and agreed to:

S. RES. 316

Whereas Daniel H. Thomas devoted his life to the dedicated and principled service of his country, his State, and his community;

Whereas Daniel H. Thomas, a native of Prattville, Alabama, was born August 25, 1906, to Judge C.E. Thomas and Augusta Pratt.

Whereas Daniel H. Thomas obtained his law degree from the University of Alabama in 1928, where his uncle, Daniel H. Pratt, served as President pro tem of the Board of Trustees of the University;

Whereas Daniel H. Thomas, having served his country with distinction for 3 years as a Navy Lieutenant during World War II, returned to Mobile, Alabama and continued in the practice of law with Mr. Joseph C. Lyons and Sam Pipes in the law firm of Lyons, Thomas and Pipes until he was elevated to the Federal bench;

Whereas Daniel H. Thomas was appointed a United States District Judge for the Southern District of Alabama by President Truman in 1951, joining in distinguished judicial service his father, C.E. Thomas, who was a probate judge of Augusta County, Alabama, his uncle, William Thomas, who served the State of Alabama as a Supreme Court Justice, and his uncle, J. Render Thomas, who served many years as the Clerk of the Supreme Court of Alabama;

Whereas 49 years of judicial service made Judge Thomas one of the longest serving Federal judges in American history;

Whereas the years of distinguished judicial service by Judge Thomas were characterized by unflinching integrity and unquestioned legal ability;

Whereas in a time of great political and social turmoil, Judge Thomas inspired continued respect for the rule of law established under the Constitution of the United States, and for the propositions that "all men are created equal" and deserve "equal protection of the laws" by faithfully adhering to the precedents of the United States Supreme Court, even when such actions were not popular;

Whereas the depth of legal scholarship exhibited by Judge Thomas led him to become one of the most respected experts in the nation in the important field of Admiralty Law;

Whereas the reach of service by Judge Thomas to his country extended beyond his courtroom to his community through his active leadership as a founding trustee of the Ashland Place Methodist Church in Mobile, Alabama, and to America's youth through his efforts in support of the Boy Scouts of America;

Whereas Judge Thomas, a man who enjoyed the outdoors, being an accomplished fisherman and quail hunter, exhibited great common sense, had a vibrant sense of humor, and was extremely friendly and thoughtful of others, thereby truly fitting the description of a true "southern gentleman";

Whereas Judge Thomas truly was a great judge whose life was the law, and who was loved and respected by members of the bar and community to a degree seldom reached and never surpassed;

Whereas Judge Thomas passed away at his home in Mobile, Alabama, on Thursday, April 13, 2000;

Whereas the members of the Senate extend our deepest sympathies to the wife of Judge Thomas, Catherine Miller Thomas, his 2 sons, Daniel H. Thomas, Jr. and Merrill P. Thomas, other family members, and a host of friends that he had across the country; and

Whereas in the example of Judge Daniel H. Thomas, the American people have an enduring symbol of moral courage, judicial restraint, and public service: Now, therefore, be it

Resolved, That—

(1) the Senate honors the memory of Judge Daniel H. Thomas for his exemplary service to his country; and

(2) the Secretary of the Senate is directed to transmit a copy of this resolution to the family of the deceased.

AMENDMENTS SUBMITTED

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2001

HELMS AMENDMENT NO. 3172

Mr. HELMS submitted an amendment intended to be proposed by him to the bill (S. 2522) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001, and for other purposes; as follows:

On page 140, between lines 19 and 20, insert the following:

SEC. ___. SUPPORT BY THE RUSSIAN FEDERATION FOR SERBIA.

(a) FINDINGS.—Congress finds that—

(1) General Dragolub Ojdanic, Minister of Defense of the Federal Republic of Yugoslavia (Serbia and Montenegro) and an indicted war criminal, visited Moscow from May 7 through May 12, 2000, as a guest of the Government of the Russian Federation, attended the inauguration of President Vladimir Putin, and held talks with Russian Defense Minister Igor Sergeyev and Army Chief of Staff Anatoly Kvashnin;

(2) General Ojdanic was military Chief of Staff of the Federal Republic of Yugoslavia during the Kosovo war and has been indicted by the International Criminal Tribunal for the Former Yugoslavia (ICTY) for crimes against humanity and violations of the laws

and customs of war for alleged atrocities against Albanians in Kosovo;

(3) international warrants have been issued by the International Criminal Tribunal for the Former Yugoslavia for General Ojdanic's arrest and extradition to the Hague;

(4) the Government of the Russian Federation, a permanent member of the United Nations Security Council which established the International Criminal Tribunal for the Former Yugoslavia, has an obligation to arrest General Ojdanic and extradite him to the Hague;

(5) on May 16, 2000, Russian Minister of Economics Andrei Shapovalyants announced that his government has provided the Serbian regime of Slobodan Milosevic $102,000,000 of a $150,000,000 loan it had reactivated and will sell the Government of Serbia $32,000,000 of oil despite the fact that the international community has imposed economic sanctions against the Government of the Federal Republic of Yugoslavia and the Government of Serbia;

(6) the Government of the Russian Federation is providing the Milosevic regime such assistance while it is seeking debt relief from the international community and loans from the International Monetary Fund, and while it is receiving corn and grain as food aid from the United States;

(7) the hospitality provided to General Ojdanic demonstrates that the Government of the Russian Federation rejects the indictments brought by the International Criminal Tribunal for the Former Yugoslavia against him and other officials, including Slobodan Milosevic, for alleged atrocities committed during the Kosovo war; and

(8) the relationship between the Government of the Russian Federation and the Governments of the Federal Republic of Yugoslavia and Serbia only encourages the regime of Slobodan Milosevic to foment instability in the Balkans and thereby jeopardizes the safety and security of American military and civilian personnel and raises questions about Russia's commitment to its responsibilities as a member of the North American Treaty Organization-led peacekeeping mission in Kosovo.

(b) ACTIONS.—

(1) Fifteen days after the date of enactment of this Act, the President shall submit a report to Congress detailing all loans, financial assistance, and energy sales the Government of the Russian Federation or entities acting on its behalf has provided since June 1999, and intends to provide to the Government of Serbia or the government of the Federal Republic of Yugoslavia or any entities under the control of the Governments of Serbia or the Federal Republic of Yugoslavia.

(2) If that report determines that the Government of the Russian Federation or other entities acting on its behalf has provided or intends to provide the governments of Serbia or the Federal Republic of Yugoslavia or any entity under their control any loans or economic assistance and oil sales, then the following shall apply:

(A) The Secretary of State shall reduce assistance obligated to the Russian Federation by an amount equal in value to the loans, financial assistance, and energy sales the Government of the Russian Federation has provided and intends to provide to the Governments of Serbia and the Federal Republic of Yugoslavia.

(B)(i) The Secretary of the Treasury shall instruct the United States executive directors of the international financial institutions to oppose, and vote against, any extension by those institutions of any financial assistance (including any technical assistance or grant) of any kind to the Government of the Russian Federation except for loans and assistance that serve basic human needs.

(ii) In this subparagraph, the term ''international financial institution'' includes the International Monetary Fund, the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Multilateral Investment Guaranty Agency, and the European Bank for Reconstruction and Development.

(C) The United States shall suspend existing programs to the Russia Federation provided by the Export-Import Bank and the Overseas Private Investment Corporation and any consideration of any new loans, guarantees, and other forms of assistance by the Export-Import Bank or Overseas Private Investment Corporation to Russia.

(D) The President of the United States should instruct his representatives to negotiations on Russia's international debt to oppose further forgiveness, restructuring, and rescheduling of that debt, including that being considered under the ''Comprehensive'' Paris Club negotiations.

NOTICE OF HEARINGS

SUBCOMMITTEE ON FORESTS AND PUBLIC LAND MANAGEMENT

Mr. CRAIG. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Subcommittee on Forests and Public Land Management.

The hearing will take place on Wednesday, June 8, 2000, at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building in Washington, D.C.

The purpose of this hearing is to receive testimony on H.R. 359, an Act to clarify the intent of Congress in Public Law 93–632 to require the Secretary of Agriculture to continue to provide for the maintenance and operation of certain water impoundment structures that were located in the Emigrant Wilderness at the time the wilderness area was designed in that Public Law; H.R. 468, an Act to establish the Saint Helena Island National Scenic Area; H.R. 1680, an Act to provide for the conveyance of forest Service property in Kern County, California, in exchange for county lands suitable for inclusion in Sequoia National Forest; S. 1817, a Bill to validate a conveyance of certain lands located in Carlton County, Minnesota, and to provide for the compensation of certain original heirs; S. 1972, a Bill to direct the Secretary of Agriculture to convey to the town of Dolores, Colorado, the current site of the Joe Rowell Park; S. 2111, a Bill to direct the Secretary of Agriculture to convey for fair market value 1.06 acres of land in the San Bernardino National Forest, California, to KATY 101.3 FM, a California corporation.

Those who wish to submit written statements should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, D.C. 20510. For further information, please contact Mark Rey at (202) 224–6170.

SUBCOMMITTEE ON WATER AND POWER

Mr. SMITH of Oregon. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Subcommittee on Water and Power.

The hearing will take place on Wednesday, June 14, 2000, at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building in Washington, D.C.

The purpose of this hearing is to conduct oversight on the National Marine Fisheries Service's draft Biological Opinion and its potential impact on the Columbia River operations.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Subcommittee on Water and Power, Committee on Energy and Natural Resources, United States Senate 364 Dirksen Senate Office Building, Washington, D.C. 20510–6150.

For further information, please call Trici Heninger, staff assistant, or Colleen Deegan, Counsel, at (202) 224–8115.

SUBCOMMITTEE ON NATIONAL PARKS, HISTORIC PRESERVATION, AND RECREATION

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Subcommittee on National Parks, Historic Preservation, and Recreation of the Committee on Energy and Natural Resources. The propose of this hearing is to receive testimony on the United States General Accounting Office March 2000 report entitled ''Need to Address Management Problems that Plague the Concessions Program''.

The hearing will take place on Thursday, June 15, 2000, at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, SD–364 Dirksen Senate Office Building, Washington, DC 20510–6150.

For further information, please contact Jim O'Toole or Kevin Clark of the committee staff at (202) 224–6969.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. ROBERTS. Mr. President, I ask unanimous consent that the committee on Commerce, Science,and Transportation be authorized to meet on Thursday, May 25, 2000, at 9:30 am.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. ROBERTS. 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 Thursday,

May 25 at 9:30 a.m. to conduct an oversight hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. ROBERTS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Thursday, May 25, 2000, at 10:00 a.m., in SD226.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. ROBERTS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Thursday, May 25, 2000, at 2:00 p.m., in SD226.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON NATIONAL PARKS, HISTORIC PRESERVATION AND RECREATION

Mr. ROBERTS. Mr. President, I ask unanimous consent that the Subcommittee on National Parks, Historic Preservation and Recreation be authorized to meet during the session of the Senate on Thursday, May 25 at 2:30 p.m. to conduct an oversight hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FINANCIAL INSTITUTIONS

Mr. ROBERTS. Mr. President, I ask unanimous consent that the Subcommittee on Financial Institutions be authorized to meet during the session of the Senate on Thursday, May 25, 2000, to conduct a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON INTERNATIONAL SECURITY, PROLIFERATION, AND FEDERAL SERVICE.

Mr. ROBERTS. Mr. President, I ask unanimous consent that the Subcommittee on International Security, Proliferation, and Federal Services be authorized to meet during the session of the Senate on Thursday, May 25, 2000, at 10:00 a.m. for a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PUBLIC HEALTH

Mr. ROBERTS. Mr. President, I ask unanimous consent that the Subcommittee on Public Health, be authorized to meet for a hearing during the session of the Senate on Thursday, May 25, 2000, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. ROBERTS. Mr. President, I ask unanimous consent that Major Scott Kindsvater from Dodge City, KS, a major in the United States Air Force, an F–15 pilot, and a congressional fellow, be granted the privilege of the floor during the foreign policy dialog.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLELAND. Mr. President, I ask unanimous consent my legislative fellow, Chris Grant, be given access to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that Tom Lederer, a congressional fellow serving in Senator CONRAD's office, be granted floor privileges during the consideration of the crop insurance conference report.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. LUGAR. Mr. President, on behalf of our majority leader, Senator LOTT, 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.

The Senator from Ohio.

Mr. DEWINE. Seeing my colleague from Georgia on the floor, if he would like to proceed. I am going to be about 10 minutes.

Mr. COVERDELL. The Senator was recognized. It is appropriate he has his 10 minutes.

FREE TRADE IN THE AMERICAS

Mr. DEWINE. Mr. President, as you know, our colleagues in the House passed, by a vote of 237–197, legislation to establish permanent normalized trade relations with China. The vote yesterday condensed months of intense debate over economics, foreign policy, and national security concerns with regard to that relationship with China.

This is significant legislation, and I look forward to a thorough Senate debate on this matter. I will have more to say about this very important issue during that debate. There are very significant economic and trade concerns, but there are also some very significant national security issues that must be discussed.

Over the last several months, the current administration has invested considerable time, energy, and resources to achieving House approval of what is essentially a bilateral agreement with China. While this issue is a very important one, I also believe we need to place it in its proper context and consider whether our overall trade policies have been successful.

I am concerned that over the last 4 years, the administration's pursuit of a bilateral trade agreement with China has come at the expense of missed bilateral and even multilateral trade agreements and economic opportunities right here within our own hemisphere.

Regardless of what the potential economic benefits that PNTR with China could offer, the bottom line is that stability and economic opportunity within our own hemisphere always must be a top priority. To that extent, we, as a nation, stand to lose or gain, depending on the economic health and security of our own neighbors. What that means is that ultimately a strong and free and prosperous hemisphere means a strong and free and prosperous United States.

The reality is that in 1997, we had an opportunity to move forward to give the President greater authority to negotiate new trade agreements with countries in our own hemisphere. Sadly, that did not happen. Now it will be up to our next President to pursue new markets in this hemisphere. If we as a country do not lead, other nations and their businesses will take our place. No country is waiting for us to act first.

In the end, the longer we wait to pursue more trade opportunities in our own hemisphere, the more we stand to lose.

Take, for example, my home State of Ohio. The future of Ohio's economy is linked to our ability to send our products abroad. Given the chance, Ohio's businessmen and women and Ohio's farmers can and do compete effectively on the world stage. For example, in most years, one-third to one-half of Ohio's major cash crops—corn, wheat, and soybeans—are found in markets and meals outside our country. In 1998, the city of Cincinnati increased its exports by slightly more than $1 billion. It was the fourth-biggest such increase in the country. Columbus, OH, boosted its exports by $92.5 million, ranking 36th in the country and second in the State in terms of percentage growth. Open trade opportunities have allowed Ohio's and the Nation's economy to continue thriving.

This argument has been used to support granting permanent normal trade relations with China. Much of the public debate has focused on the potential of more than 1 billion Chinese consumers. Yet, we are ignoring another very sizable market—the market within our own hemisphere. Right here in our hemisphere, with a combined gross domestic product (GDP) of more than $10 trillion—a hemisphere encompassing 800 million people—trade with our hemispheric neighbors represents vast opportunities. These are opportunities that we must not ignore.

Right now, Europe, Asia, and Canada are securing their economic fortunes throughout Latin America and Central America. Take the example of Brazil—the world's eighth largest economy. In 1997, the European Union—the EU—exported to Brazil more than they did to any other country, and between 1990 and 1998, their exports grew 255 percent. Also, although United States exports to Argentina are double that of Asia's, our growth rate is less than half of Asia's incredible 1664 percent increase from 1990 to 1998.

As my colleagues can see, other nations are riding the tides of change—of free-market economics and openness—and integrating into the world economy. The region's ''Mercosur'' or common market—which includes Argentina, Brazil, Paraguay, Uruguay, and associate member Chile—is the world's

largest growing trading bloc, experiencing trade growth of 400 percent between 1990 and 1998. In 1990, they bought less than $7 billion worth of U.S. products. In 1997, their U.S. purchases had grown to $23 billion.

The Europeans aren't asleep at the wheel either. As of now, the European Union is the largest trading partner with the Mercosur countries. Trade between the EU and the Mercosur countries totaled $42.7 billion in 1996 compared to $31 billion for the United States. Additionally, between 1990 and 1998, the EU's market share of all Mercosur imports increased from 23 percent to 27 percent. It is becoming increasingly obvious that the European Union is not going to sit idly by and let the United States gain any market share in our own hemisphere, our own region. In fact, the EU recently has intensified negotiations with the Mercosur toward consolidating the two regional blocs. Moves like this represent more than just a loss of export opportunities for our Nation—they represent a lack of leadership to aggressively pursue new markets in our own hemisphere.

This is the hemisphere we live in. Those should be our markets. To lose them through neglect would be a truly shameful outcome for our country.

There is enough of a consciousness in Latin America of the benefits of economic liberalization that we will see more and more trade barriers go down—to somebody's benefit. The question that remains is: Will we in the United States be in on that market, or not?

I am optimistic, though, that our Nation can capture a larger share of markets in our hemisphere now that the Senate passed and the President signed into law the Caribbean Basin Trade Enhancement Act. This act will bring tremendous benefits to the United States and to the Caribbean Basin. It will enhance our economic security, both by opening new markets for American products and by strengthening the economies of our closest neighbors. And, it would create new hope for those left jobless by Hurricanes Mitch and Georges.

The CBI law will extend duty-free treatment to apparel assembled in the Carribean Basin—or assembled and cut in the region—using U.S. fabric made from U.S. yarn. This will help strengthen existing U.S.-CBI partnerships in the apparel industry, because the duty-free treatment will help U.S. apparel manufacturers maintain their competitiveness with the Asian market.

CBI is a good law. It is a good law that was long, long overdue. In the context of our overall trade policy, it represents a modest step forward. To do more toward further expanding market opportunities abroad will require strong leadership both in the Congress and from the President.

Despite the success of CBI, plenty of unfinished business remains with regard to our hemispheric trading partners and our hemispheric trading policies, as well as our overall trading strategy. It will be incumbent upon our next President and this Congress to deal with this unfinished business of our country. I am hopeful that several important initiatives will, in fact, be pursued. That is why I believe the next administration and the next Congress needs to approve fast track trading authority.

It is not a stretch to say that America's continued leadership in the global economy is fundamentally dependent on our ability to secure new markets abroad. By giving the President greater flexibility to negotiate trade agreements, and by giving the President the ability to set the pace and the timing of many of our most important trade negotiations, Congress would be giving the President the authority to negotiate trade deals very quickly, but also the ability to assert and protect the continued international economic supremacy of the United States. And that—that is key to our economic future.

Finally, ultimately, our Nation's ability to aggressively promote free and fair trade and enter into trade agreements with countries within our hemisphere is critical. The more we pursue economic initiatives with our neighbors, the more we, as a nation, stand to gain and in ways that go beyond economic growth. In a region that is largely Democratic, a hemispheric commitment to free and fair trade will strengthen Democratic principles and the rule of law. Such pursuits are good for the Caribbean Basin; they are good for Central America; they are good for Latin America; and they are good for agriculture and business right here at home in the United States. Overall, it just makes good sense.

I thank the Chair and yield the floor.

Mrs. BOXER. Mr. President, after long and difficult deliberation, I have decided to vote for permanent normal trade relations with China. The House of Representatives has now passed the bill and I expect the Senate to take it up next month, after the Memorial Day recess.

California is the leading state in world trade. Its location on the Pacific Rim makes our relationship with Asia extremely important.

During my congressional career, I have supported some of the trade relations proposals we have considered and opposed others. I believe that each trade proposal should be considered on its own, and I do not have an ideological bent on the issue of trade.

The decision on this bill—to grant permanent normal trade relations status to China—has been one of the hardest I have ever had to make, because the arguments on both sides have merit. I would like to review in this statement the excellent points made by both sides in the debate.

First, with respect to human rights, those opposed to PNTR cite China's continuing terrible human rights record. They argue that by not having annual review of China's trade status, we will lose our strongest leverage to force China to change its behavior. It is also argued that by granting China permanent normal trade relations, we are rewarding and legitimizing the leaders who have such a bad human rights record. Finally, the argument that increased contact with China will improve human rights conditions is undermined by the facts. According to the 1999 State Department Human Rights Report, the Chinese government's human rights record has deteriorated over the past several years, despite increased contacts between China and the United States.

But there are human rights advocates who support PNTR for China. They believe that isolating China will be bad for human rights, because the leaders will then be under no outside pressure to change their behavior. They also argue that, over time, people to people contacts through the media, internet and travel will expose the Chinese people to international standards and values and will continue to gradually loosen rigid, authoritarian structures. This is why such esteemed human rights leaders as the Dalai Lama and Wang Dan, on of the Tiananmen Square leaders, support PNTR for China.

The human rights concerns are why inclusion of the Levin amendment in the House bill is so important to me. This regime to monitor human rights and worker rights in China will put these issues in sharp focus and will significantly increase our knowledge about whether the Chinese people are making progress in these areas. I commend Congressman LEVIN for his leadership in attaching this important safeguard to the legislation.

Second, with respect to the impact of PNTR on American jobs, there are arguments on both sides. Opponents say that bringing China into the World Trade Organization and granting it permanent normal trade status will result in the loss of more than 800,000 jobs in the United States. They believe it will allow multinational corporations to move many operations into China, where worker wages and benefits are much lower, wages being as low as 13 cents an hour.

The principal argument in favor of PNTR is that we must pass it in order to get the benefits of the trade agreement negotiated by the Clinton administration last year, which requires China to lower trade barriers and open up the Chinese market to all kinds of American products and services, including many from my State of California. Supporters estimate that implementation of this agreement will increase exports of U.S. goods to China by more than $13 billion per year by 2005. Supporters also argue that granting PNTR to China will give the U.S. the ability to force Chinese compliance with all terms of the trade agreement,

including with WTO-authorized sanctions if necessary. If PNTR is not granted, the U.S. could not avail itself of WTO enforcement procedures.

So it is clear that there are strong arguments on both sides of the human rights and workforce/labor issues.

But the reason I have decided to vote in favor of permanent normal trade relations status for China is because, first and foremost, I believe that it is my responsibility as a United States Senator to put the national security of the United States above all other considerations. And on the national security question, in my opinion, there is only one rational view.

I believe that through engagement with China we have the best opportunity to avoid a cold war type atmosphere, which hung like a cloud over this nation—indeed, the world—for 45 years after World War II.

A vote against PNTR would suggest that the U.S. views China as an adversary and would make it much more difficult to engage China to work with us constructively in key strategic areas. Of particular concern to me is China's role in efforts to bring peace and stability to the Korean Peninsula. China encouraged North Korea's compliance with the U.S.–DPRK (North Korea) framework which halted the North's nuclear weapons program, and China will undoubtedly have to be part of any solution that integrates North Korea into the international community.

China also plays a key role in the international community's response to the continuing conflict between India and Pakistan. China has in fact condemned both nations for conducting nuclear tests, and has urged them both to conduct no more tests, to avoid deploying or testing missiles, and to work to resolve their differences over Kashmir through dialogue, rather than military action.

Finally, China is playing an increasingly active and constructive role in Asian security and stability. U.S. isolation of China would seriously undermine our ability to influence China's future orientation, and would set us on a dangerous path of confrontation.

I am under no illusions that granting PNTR to China will make it our new best friend. But failure to do so could well make it an adversary of the sort that we lived with for almost half a century until the fall of the Berlin Wall and the disintegration of the Soviet Union. That is a risk we should not take.

The PRESIDING OFFICER. The Senator from Georgia.

THE RUNOFF ELECTION IN PERU

Mr. COVERDELL. Mr. President, it is fortuitous that the Senator from Ohio would make his remarks before mine. I share and agree with most of what he has said with regard to trade.

I rise on a point that could be a troubling cloud that, even if the next President and even if the next Congress were to take the suggestions of the Senator from Ohio, and if certain events that are unfolding this very minute were to take a wrong turn, could dramatically and negatively affect these trade opportunities.

The Andean region—Colombia, Peru, Ecuador, Bolivia, Panama, and Venezuela—is experiencing difficult times. I rise specifically today about events that are under advisement this minute in Peru.

As those who follow events there know, very aggressive behavior by President Fujimori led to a constitutional override of a two-term limitation on his Presidency, and he is seeking a third term. The elections on April 9 were viewed as flawed by the international community. Severe questions occurred as to whether or not a fair election had occurred. The OAS, the Carter Center, NDI, and other international observers have argued that the runoff election which will occur this Sunday, unless postponed, is in severe doubt and question. The Organization of American States, along with others, has said that the computer system—which is crucial to the vote count and crucial to monitoring the election—is not in a condition for which a fair election can occur and as a result they would not be able to accredit the election. If an election occurs this Sunday, for which all national and international interests have said you cannot appropriately observe the election, you can't tell whether it has been fair or not, if the government proceeds with that, it will be a serious blow to the democratic countries that the Senator from Ohio alluded to and to constitutional law and to the growth of democracy in our hemisphere.

Very recently, Senator LEAHY from Vermont and I authored a joint resolution on this matter which reads: Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled that it is the sense of the Congress that the President of the United States should promptly convey to the President of Peru, if the April 9, 2000, elections are deemed by the international community not to have been free and fair, the United States will review and modify as appropriate its political and economic and military relations with Peru and will work with other democracies in the hemisphere and elsewhere towards restoration of democracy in Peru. This is passed by the House. This is passed by the Senate. This is signed by the President of the United States and, therefore, this is the policy of the United States with regard to these elections.

The situation has not improved. As I said, we have a computer system that is flawed. We have the opposition candidate who has withdrawn from the election. We have the Organization of American States saying we will withdraw all observers. We are hours away from a very serious turnback and reversal in our hemisphere in the country of Peru. Constitutional law, the hemisphere of new democracies, will have suffered a blow.

Supposedly, in the next 2 or 3 hours, their electoral commission will make a statement as to whether they will listen to the world, listen to the OAS, listen to the United States Congress, the President of the United States, and delay these elections or not.

I rise only for the purpose of saying that it will be an acknowledged blemish on so much progress that had been made in this last decade. It will have dire and long-reaching consequences if the Government of Peru does not hear a world talking to it.

I can only pray that in the next hour or two, the government will recognize that it must have an environment under which elections will be fair and observers will have the ability to adjudicate this was a fair election or this was not. To my colleagues, I say, there are events unfolding in this hemisphere to which we must pay far more attention. As the Senator from Ohio said, the vast majority of our trade now is in this hemisphere. It exceeds Europe and it exceeds the Pacific. It had better be a healthy place because it means a great deal to us and our fellow citizens.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

MEASURE READ FOR THE FIRST TIME—S. 2645

Mr. THOMPSON. Mr. President, I rise to introduce a bill, the China Nonproliferation Act, which I now send to the desk on behalf of myself and Senator TORRICELLI, as well as the following original cosponsors: Senators COLLINS, DEWINE, INHOFE, KYL, SANTORUM, and SPECTER.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

Mr. THOMAS. Mr. President, I ask that the bill be read for the first time.

The PRESIDING OFFICER. The clerk will read the bill for the first time.

The assistant legislative clerk read as follows:

A bill (S. 2645) to provide for the application of certain measures to the People's Republic of China in response to the illegal sale, transfer, or misuse of certain controlled goods, services, or technology, and for other purposes.

Mr. THOMPSON. I now ask for the bill's second reading.

The PRESIDING OFFICER. Is there objection?

Mr. LOTT. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard. The bill will be held at the desk.

Mr. LOTT. 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. LOTT. 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. LOTT. Mr. President, I apologize to the Senator from Tennessee for my objection. I was engaged in a discussion and did not hear what he was asking for. I understand it had been worked out and was ready to go. We were not clear on exactly what was happening.

The Senator from Tennessee wishes to reclaim the floor, and I yield.

Mr. THOMPSON. I didn't hear the majority leader.

Mr. LOTT. I was explaining why I objected.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. THOMPSON. Mr. President, I ask for the bill's second reading.

The PRESIDING OFFICER. Is there objection?

Mr. DASCHLE. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard. The bill will remain at the desk.

Mr. THOMPSON. I yield the floor.

MEASURES PLACED ON THE CALENDAR—H.R. 1291, H.R. 3591, H.R. 4051, AND H.R. 4251

Mr. LOTT. Mr. President, I understand there are four bills at the desk due for their second reading.

The PRESIDING OFFICER. 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 firearm 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. LOTT. Mr. President, I object to further proceedings on these bills at this time.

The PRESIDING OFFICER. The bills will be placed on the calendar.

PROVIDING FOR THE ADJOURNMENT OF BOTH HOUSES OF CONGRESS

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now turn to the adjournment resolution just received from the House, that the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, all without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 336) was agreed to, as follows:

H. CON. RES. 336

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Thursday, May 25, 2000, or Friday, May 26, 2000, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 10:30 a.m. on Tuesday, June 6, 2000, for morning-hour debate, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Thursday, May 25, 2000, Friday, May 26, 2000, Saturday, May 27, 2000, or Sunday, May 28, 2000, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, June 5, 2000, or Tuesday, June 6, 2000, as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or at such other time on that day as may be specified by its Majority Leader or his designee in the motion, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

UNANIMOUS-CONSENT REQUESTS

Mr. LOTT. Mr. President, we had talked over the period of, I guess, 2 or 3 weeks about trying to come to an agreement so we could go back to the very important bill, S. 2, the Education Opportunities Act of 2000. We still have pending on that bill, I believe, two amendments for debate, and I don't know if we have the time agreement for a final vote. We do not, but we have Senators JEFFORDS, STEVENS, DOMENICI, and others—and maybe Senator KENNEDY is on that amendment—plus a second Kennedy amendment. What we have been trying to do is agree to another grouping of amendments after that but preferably to go ahead and get agreement on a list of very important amendments on both sides of the aisle that are related to elementary and secondary education and have votes on those amendments and then come to a conclusion.

I wanted to see if we could make any progress in that regard and, hopefully, we can get agreement on this. If not, we will keep working to see if we can find a way to reach an agreement.

I ask unanimous consent that when the Senate resumes consideration of S. 2, the Educational Opportunities Act of 2000, the Stevens amendment No. 3139 remain the pending amendment, and that the education-related amendments which follow be the only first-degree amendments in order to be offered; that they be subject to relevant second-degree amendments; that debate on all amendments, whether first or second degree, be limited to 1 hour equally divided; and following the conclusion of debate on or in relation to the first-degree amendments listed, the bill be read the third time, and the Senate proceed to a vote on final passage.

I also ask consent that when the Senate receives the House companion measure, it proceed immediately to its consideration; that all after the enacting clause be stricken, the text of the Senate bill be inserted, the bill advanced to third reading and passed; that the Senate then insist on its amendments, request a conference with the House, and the Chair be authorized to appoint conferees on the part of the Senate, all without any intervening action or debate, and that S. 2 be indefinitely postponed.

The remaining first-degree amendments in order to be offered to S. 2—and I note again these will be 1 hour each equally divided—are:

An amendment by Senator JEFFORDS relating to high schools; an amendment by Senator STEVENS involving physical education programs; an amendment by Senator BINGAMAN regarding accountability; an amendment by Senator SANTORUM which calls for full funding for IDEA; the Kennedy amendment regarding teacher quality; a Hutchison amendment regarding single-sex schools; an amendment by Senator DODD involving 21st century schools; an amendment by Senator GREGG involving 21st century schools; an amendment by Senators HARKIN and BINGAMAN concerning school construction grant programs; an amendment by Senator VOINOVICH regarding IDEA funding options; an amendment by Senator WELLSTONE regarding fairness and accuracy in testing; an amendment by Senator GRAMS involving alternative testing; an amendment by Senator REED involving parental involvement; an amendment by Senator KYL which would deal with parental opt-out for bilingual education; an amendment by Senator MIKULSKI involving community technology centers; an amendment by Senator ASHCROFT involving IDEA discipline—an amendment, I might add, he has been trying to get in the order for several weeks now, and we have not been able to get it agreed to in the order, and I must say that at one point he could have insisted on it but was agreeable to setting it aside with the understanding he would get a shot at it later on—a relevant amendment by Senator LOTT; a relevant amendment by Senator DASCHLE; a relevant managers' amendment by Senator JEFFORDS; and a relevant managers' amendment by Senator KENNEDY.

The PRESIDING OFFICER. Is there objection?

Mr. DASCHLE. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DASCHLE. Mr. President, let me simply respond to the distinguished majority leader.

As he knows, in past debates on ESEA, there have been an average of 22 Republican amendments that have been considered, an average. In some cases, that number has exceeded 30 amendments. The average number of

amendments in total considered during the ESEA debate has been 37 amendments.

I have no objection at all to the amendment suggested by the distinguished majority leader.

I note with interest that the school safety amendment offered by Senator LAUTENBERG was not on his list.

I would ask that the Senate resume consideration of the ESEA bill, and following the two amendments previously ordered, the Senate consider the following first-degree amendments subject to relevant second-degree amendments, and they be considered in alternating fashion as the sponsors become available: Senator SANTORUM, Senator BINGAMAN, Senator HUTCHISON, Senator DODD, Senator GREGG, Senator HARKIN, Senator VOINOVICH, Senator MIKULSKI, Senator STEVENS, Senator WELLSTONE, Senator GRAMS, Senator REED, Senator KYL, and Senator LAUTENBERG.

Mr. LOTT. Mr. President, reserving the right to object, are all those amendments on this list that I read, plus Senator LAUTENBERG? Is there an additional Wellstone amendment in that list?

Mr. DASCHLE. I guess I would have to consult with the majority leader in greater detail to know whether each of these amendments is exactly referenced in his unanimous consent list. As I understand it, this is the list that our two sides have been building upon in reaching some agreement on proceeding to the next block of amendments. Obviously, there are other amendments we would want to consider. But this is a block of amendments for which there would be no opposition to addressing as the next block on this side.

Mr. LOTT. Mr. President, further reserving the right to object, would that list include the other language I had in my unanimous consent request that would take us to a conclusion? I believe I understood the minority leader was saying that it would not. Is that accurate?

Mr. DASCHLE. The majority leader is correct. We will be in a position—and could be in a position in the not too distant future—to agree ultimately to a finite list of amendments. I was not aware that the distinguished leader would be interested in pursuing this this afternoon. This is the first I heard of it. But we would be prepared at some point certainly during the time these amendments are being considered to offer perhaps a final list that would bring us to closure on the bill. I would be happy to work with the majority leader over the recess in an effort to finalize that list, and proceed with that goal in mind.

Mr. LOTT. Mr. President, I would object to the request at this time. But I am encouraged that we could get together and work to try to find a way to develop a list that would complete this very important education bill and bring it to final passage.

I think we should pursue this to see if we can develop the list. I don't know how long it would be.

Mr. KENNEDY. Mr. President, will the leader yield for a question?

Mr. LOTT. I will in just a moment.

It sounded as if we had around 20 amendments, and it sounded as if the minority leader added three or four that were not on our list. We are talking about as many as 24 amendments. We have taken up six. That would put us at 30. I don't think that is necessarily an excessive list on something that is this important.

But the point is, if we could at least pursue some finite list that would get us to a conclusion, I would certainly like to do that.

I would be glad to yield to Senator KENNEDY.

Mr. KENNEDY. Mr. President, if I could ask the majority leader, since probably the first priority of American families—even beyond having small class sizes, well-trained teachers, modern schools and computers, digital divide, afterschool programs, and safety and security in the schools—is the reduced opportunity for children to be able to have access to guns prior to going to school, it is not going to make much difference if we have small class sizes and guns are in the school.

I am asking the majority leader if he is unwilling to permit a vote on the Senate floor of the Lautenberg amendment, which is really directed towards safety and security in the schools, as part of the measure. I think this is enormously important because we want to see the conclusion of the debate on ESEA. But I think it is important for Members to know whether we are going to be denied an opportunity to deal with what is the most important concern of parents; that is, safety and security in schools.

I am wondering what the position of the majority leader is on that issue.

Mr. LOTT. Mr. President, if I might respond, this is about elementary and secondary education. Obviously, there is a lot we need to do to be of assistance to administrators, teachers, parents, and children at the elementary and secondary education level. Certainly, the local and State officials need to do more. We need to improve the quality of our schools, they need to be child centered, and they need to be safe and drug free. But I think it is about elementary and secondary education, and amendments should be germane to this area.

I think it is a far stretch to say that a Lautenberg amendment which has to do with gun shows relates to elementary and secondary education. I think we should be sensitive to that area. We should do what we can to provide safety for children, and to make sure children don't get guns, have access to them, or make use of them.

But I also think one of the things we can do that I supported, and which is in the juvenile justice bill that we passed earlier, and was in the making for 3 years—that included assistance for schools and dealing with these safety problems—for instance, funds would be available for metal detectors. A lot of schools are now doing that. They have a greater need for assistance. That is why I wanted to get the juvenile justice bill through. While I still plan to urge the juvenile justice conference report be completed, and it be brought back to the Senate, that is the place where this issue or these issues should be dealt with.

The direct answer to the Senator's question is it is not germane, and I think it would be a major problem with elementary and secondary education legislation. Certainly, I would object to it.

Mr. KENNEDY. If I could briefly follow up, in 1994, the Senator from Texas, Mr. GRAMM, offered an amendment cosponsored by the Republican leader. There was no objection from that side of the aisle to that measure at that particular time. I don't know how the Senator voted at that time, or whether he indicated it was appropriate to bring it up at that time. But it was noted as the gun amendment. The Senate has addressed the gun issues. It was brought up by the Senator from Texas and was cosponsored by the majority leader at that time. I believe the Senator from Mississippi voted for it at that time.

Mr. LOTT. Mr. President, without knowing exactly which Gramm amendment the Senator is speaking of, the way he described it, I probably voted for it and was supportive of it. But one of the problems I have, as suggested earlier, is that I understand, for instance, it leaves out the Ashcroft amendment. He has been very cooperative, to use that famous word, in not insisting that he be included in the earlier groupings. He at one point actually could have, within his rights, actually forced us to vote on it, and he didn't do it.

I would want to talk to both sides about including the Ashcroft amendment. It doesn't include the two managers' amendments, or the two leaders' amendments, which I think surely we would be willing to do. And it doesn't bring the bill to third reading. I think we need to talk about those issues, and I hope we can do that.

Mr. President, if I could proceed, I had indicated earlier this year that we would go to the Defense authorization bill. I believe it was this week. For a variety of reasons, we weren't able to go to Defense authorization. Of course, the way we usually do these bills is we go to the Defense authorization and complete that, and then go to the Defense appropriations bill and complete both of them.

Earlier there were objections to taking up the Agriculture appropriations bill. I might say now that I understand why it has not been completed by the House. We thought the House would act on Agriculture appropriations this week. They did not do that. We have in

the past quite often gone to appropriations bills in the Senate and took them up to the third reading but without actually completing them and waiting for the House to act.

Senator DASCHLE has indicated there are some points within the Agriculture bill in the Senate with which they have problems, and they want to have, I guess, an option to remove provisions of the Agriculture appropriations bill using rule XVI.

It is obviously very important. Even though we took the emergency agriculture portion, $7.1 billion, out of the Agriculture appropriations bill and put it in the crop insurance bill that just passed, it still has some disaster money in it and some emergency moneys, I believe, for North Carolina and other areas. I hope we can find a way to get an agreement to go to that bill or to the DOD appropriations bill.

There we are. We have been unable to get an agreement to go to DOD authorization. We have not yet been able to work out something on Agriculture or Defense. However, hopefully during this recess we can look at the importance of these issues and see if we can get an agreement of how to proceed on one or two of these.

I think we are close to getting agreement on the e-commerce digital signature bill and also very close on bankruptcy, and therefore perhaps those two could be combined along with the satellite loan bill. That may be available early in the week we come back. I hope it will be because I think there are only two or three points outstanding on the three of them.

For now, I ask consent that the Senate turn to the DOD authorization bill, S. 2549, and only DOD-related amendments be in order during the pendency of the bill.

The PRESIDING OFFICER. Is there objection?

Mr. DASCHLE. Mr. President, I object. I simply again indicate my reason for objecting is not because I don't want to go to DOD authorization. I would love very much to work with our majority leader in attempting to proceed to that bill. I have no problem with calling it up and permitting the full Senate to work its will.

Again, he has proposed that it be done with only relevant amendments. I remind the majority leader, Senator HUTCHINSON offered a forced abortions in China amendment to DOD authorization just 2 years ago, and there have been many Republican nonrelevant amendments offered.

I assume I am protecting the rights of Members on both sides of the aisle in insisting we have the opportunity to offer amendments, and I will work with the majority leader to see that we can take up this bill and work through his concern about amendments.

Until we can work that out, I object to moving to it.

Mr. LOTT. We had talked, Mr. President, about seeing if we could come to an agreement on how to proceed to the Defense appropriations bill, realizing that the authorizers want to get their bill done because, among other things, it does authorize and make some changes in law. It is not just about spending. It does have some very important language in it with regard to health benefits for our military personnel and their families and retirees. So there is a need to get the authorization bill done, and we need to find a way to get it done.

Another way to proceed would be to take up the Department of Defense appropriations bill. I know Senator STEVENS talked to Senator BYRD and Senator DASCHLE about going ahead to that, even though the House has not acted, on the assumption that the House will act on that the week we return and we would probably be able to take up that House bill or it would be here before we complete it. However, it is hard to say now if that will be accomplished or not. We don't know that the House will have it done by Tuesday of next week or Wednesday of the week we come back.

I ask consent that we go to the Defense appropriations bill which was reported out of the Appropriations Committee on May 18 by unanimous vote of all the members of the Appropriations Committee.

The PRESIDING OFFICER. Is there an objection?

Mr. DASCHLE. Mr. President, I object again for two reasons: First, the bill is not here; and, second, because we have not taken up the authorization bill and our colleagues have indicated that is a very important matter. We always attempt to deal with the authorization requirements prior to the time we deal with the appropriations requirements. This unanimous consent request does not allow for that.

I ask the majority leader what is wrong with taking up the one appropriations bill that has been sent here by the House. I note that on May 22 the Transportation appropriations bill was received from the House. It is pending in the Senate.

I won't ask unanimous consent, but I ask the majority leader whether his intention would be to take up the one House-passed bill that is here. Clearly, we would have no objections to doing that. It is important we make the most use of our time. Because the House-passed appropriations bill having to do with transportation is already here, I am curious as to why we have chosen not to take it up until now and why we wouldn't take it up just as soon as we come back.

Mr. LOTT. Mr. President, I certainly agree. I think we should take it up as soon as we can. It has come over from the House, but it has not been reported, I don't believe, from the subcommittee or the full committee here.

I asked the chairman of the subcommittee, Senator SHELBY, why that is the case—and, by the way, immediately urged him to do it as quickly as he can—and I understand it was because Senator LAUTENBERG of New Jersey had wanted another hearing at the subcommittee level before they marked it up, and that they were going to need, in the next few days, to get it done.

Hopefully, they will report that bill out by Wednesday or Thursday of the week we return and we will be able to go to that; either if we got it Thursday, we could do it Thursday or Friday, or we could go do it the first thing next week. I am pushing the committee to act on it. I don't know what the outstanding issue is, but I understand they wanted to have one more committee hearing for some reason.

Let me provide a little incentive to all sides to work together on the Defense appropriations bill. I will not now move to proceed to it, but I will move to proceed to that bill when we reconvene after the recess, and have a vote, if necessary, on proceeding to the Defense appropriations bill.

But over the next 10 days, we have time to work between the authorizers and the appropriators and everybody who has a concern about that bill, and hopefully something can be worked out so we can proceed on the authorization bill, and then, of course, immediately go to the appropriations bill after that.

If we cannot get something worked out over the recess period or agree on some sort of schedule, I will have no alternative at that point but to move to proceed to the DOD appropriations bill. I prefer to have something we have worked out between the authorizers and the appropriators and the Democratic leadership and the Republican leadership so we can make good use of our time.

We do have 4 weeks in the month of June when we come back. We have a lot of work we need to do. We need to move at least half a dozen appropriations bills during the month of June. We need to take a look at the House-passed China trade status bill, see how much time we would need on the floor, and try to get some idea of what amendments might be offered.

It would not be my intent to try to limit amendments on the China permanent trade status bill. I think we should say right from the beginning if we add any new material to it, any new amendments or language, it would have to go back to conference with the House and then vote again in the House and Senate. That may be OK, but I want to take a little time when we come back and see if we can work through the time that would be required, when would be the first time to take it up, and what amendments might be in the offing from both sides of the aisle. Our staffs will be working on that during the recess. Plus, we could have other issues.

I mentioned the conference report and other bills that are pending, so we are going to have to have a full month in June. I also remind my colleagues that in July—I was looking at the calendar last night and was really a little

bit chagrined to realize we only will have 3 weeks between the Fourth of July recess and the conventions in August.

I had really thought we would have four; if we could do five or six appropriations bills in that window. So we really are under pressure, with the 7 weeks we have in the summer, to move 11 appropriations bills. That is going to be a monumental task, and it is going to take work with each other on both sides of the aisle. I know that. We cannot move it without everybody giving it a shot. But it makes it awfully hard for us to be doing other issues, other than the China trade bill, which we hope to get worked in there at some point.

With that, I think we have talked enough about schedule. I hope we can come to some agreements over the next 10 days as to exactly how we will proceed the first week we are back.

I yield the floor.

COMMEMORATING FREE ELECTIONS IN CROATIA

Mr. GORTON. Mr. President, today I join with my colleagues, Senators FEINGOLD, HUTCHISON, ABRAHAM, and LIEBERMAN, who will introduce a resolution congratulating the people of Croatia on their successful parliamentary and presidential elections, the peaceful transition of power, and new initiatives for reform. In addition to congratulating the people of Croatia, the resolution expresses U.S. support for their progress and encourages Croatian participation in the NATO Partnership for Peace. One day, I hope that we will be expressing our support for Croatia, and other nations with similar democratic inclination, as members of NATO itself.

The Balkan nations embracing democracy must be supported at every opportunity available became the government could so easily have taken the other path. The leaders of Croatia could have chosen to repress popular involvement and other fundamental rights of democracy, but instead have chosen the harder but correct path of working through discourse, debate, and democracy. Because we have also been through these trials as a nation, I hope that the American people will watch closely the progress of the Croatian people and will support their path to freedom, stability, and peace.

The most important benefit to come out of this election will be the resolution of Croatia's domestic difficulties. Through the successful election, the Croatian people have taken the reins of control. In addition to the power instilled by this self-determination, the Croatian people are now spurred to take up the mission of reform that should further improve their government. Among the stated goals of President Mesic are the reintroduction of Serbian refugees to the homes they left behind, reform of the privatization system that has faced serious corruption allegations, and support for the International Criminal Tribunal for the Former Yugoslavia. These improvements would certainly go far to legitimize the new Administration in the view of the international community, but more importantly, in the eyes of the Croatian people. President Mesic's continued efforts on these fronts will show its people that their new government takes seriously the need for honesty and accountability.

As the government wins the support of its people, I am also encouraged by the efforts of the new Administration to get involved with the European community. In such a volatile region, a nation uniting the many groups will be the key to fostering a stable political and economic atmosphere. Part of the victory of democracy in Croatia has been the new spirit of regional harmony that I hope will spread to its neighbors. Peace in the Balkan nations will only come with honest attempts to live with differences, and Croatia will be a leader in the efforts for peace there.

In addition to better conditions in the Balkans, democracy will encourage the involvement of other foreign nations. Just two weeks ago, Croatian President Stipe Mesic met with French President Jacques Chirac to discuss an agreement on stabilization and association, as well as the Croatian entrance to the NATO Partnership for Peace. The resolution I am supporting today suggests U.S. support for the addition of Croatia in the partnership, and I am happy to inform my colleagues that the nations of NATO have announced that Croatia will become a full member of the Partnership for Peace program today. This is truly a great accomplishment, and it affirms the commitment of all NATO allies to help Croatia in its chosen path.

In addition to my appreciation for the democratic and international progress of the Croatian people, I would also like to take this opportunity to thank the work of the Croatian American Association in bringing this subject to my attention and to the attention of the American people. The Croatian American community has worked tirelessly to create bonds of friendship between our two nations, and I hope that as Croatia becomes more democratic and involved in worldwide political affairs that we, as Americans, will continue to support them.

I hope that this resolution will be an additional bond between two nations that democratic tenets have already joined.

The PRESIDING OFFICER (Mr. SMITH of Oregon). The majority leader.

MEASURE READ THE FIRST TIME—H.R. 3244

Mr. LOTT. Mr. President, I understand H.R. 3244 is at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 3244) to combat trafficking of persons, especially into the sex trade, slavery, and slavery-like conditions in the United States.

Mr. LOTT. I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard.

AUTHORIZING THE 2000 DISTRICT OF COLUMBIA SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN TO BE RUN THROUGH THE CAPITOL GROUNDS

Mr. LOTT. I ask unanimous consent the Rules Committee be discharged from further consideration of H. Con. Res. 280, 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 (H. Con. Res. 280) authorizing the 2000 District Of Columbia Special Olympics Law Enforcement Torch Run to be run through the Capitol Grounds.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. I ask unanimous consent the resolution be agreed to, the motion to reconsider be laid upon the table, and any statements appear in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 280) was agreed to.

NATIONAL MOMENT OF REMEMBRANCE

Mr. LOTT. Mr. President, I ask unanimous consent the Judiciary Committee be discharged from further consideration of H. Con. Res. 302, and the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, the clerk will report the resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 302) calling on the people of the United States to observe a National Moment of Remembrance to honor the men and women of the United States who died in pursuit of freedom and peace.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. KERREY. Mr. President, I rise to offer my support for passage of H. Con. Res. 302, a resolution proclaiming a National Moment of Remembrance.

As we gather with family and friends in observance of Memorial Day, I urge all Americans to take time to reflect upon the day's true meaning. Whether we attend a public observance, mark a grave, or simply bow our heads in quiet reflection, all Americans should remember to honor those who by serving,

put their faith and trust in the ideals for which our nation stands.

The legislation we are about to pass will establish a National Moment of Remembrance at 3:00 local time on Memorial Day. At that time, I am hopeful all Americans will join together in recognition of those men and women who have died in military service of our nation.

Finally, I thank my colleague from Nebraska, Senator HAGEL, and Carmella LaSpada of No Greater Love for their efforts in making the National Moment of Remembrance a reality.

Mr. LOTT. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and finally any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 302) was agreed to.

The preamble was agreed to.

EXPRESSING THE SENSE OF THE SENATE REGARDING THE CRIMES AND ABUSES COMMITTED AGAINST THE PEOPLE OF SIERRA LEONE

Mr. LOTT. Mr. President, I ask unanimous consent the Senate now proceed to the immediate consideration of S. Res. 315, submitted earlier by Senator HELMS for himself and others.

The PRESIDING OFFICER. The clerk will state the resolution by title.

A resolution (S. Res. 315) expressing the sense of the Senate regarding the crimes and abuses committed against the people of Sierra Leone by the Revolutionary United Front, and for other purposes.

There being no objection, the Senate proceeded to consider the resolution.

Mr. HELMS. Mr. President, Sierra Leone is a failed state and merely hoping that a few new Bangladeshi or Indian peacekeepers will turn the situation around is irresponsible. The President should bear this in mind as he decides U.S. policy in Sierra Leone—especially the extent of U.S. military involvement there or support for a U.N. or regional peacekeeping or peacemaking operation.

All of us—100 Senators—must remind ourselves that the rebels in Sierra Leone—the Revolutionary United Front (RUF)—cannot be dealt with as if it were a political party. The Revolutionary United Front has terrorized the population of Sierra Leone by mutilating their enemies—and innocent civilians, including women and children—by chopping off their ears, noses, hands, arms, and legs.

At some point the downtrodden people of Sierra Leone must find a way to hold their own leadership responsible. But it's impossible to overlook the fact that Liberian President Charles Taylor provides succor to the sadistic Revolutionary United Front.

Taylor (with enthusiastic participation of regional leaders, including Maummar Qadhafi) provides leadership, weapons and safe haven while the RUF digs diamonds using slave labor in payment for services rendered.

It's shameful that President Clinton's hand-picked emissary hugs the godfather of the RUF like a brother and contemplates negotiating with his henchmen. Or had it not been for certain Congressional objections, the U.S. Government would be shoveling foreign aid to Charles Taylor.

Mr. President, the Resolution I offer, along with Senators BIDEN, FRIST, and FEINGOLD, speaks for itself. The Administration should take note, as it attempts to formulate U.S. policy, that at this stage of the game there is bipartisan ''concern'' (and I use that world in the most understated diplomatic fashion) about the policy of the United States and the sorry performance of the United Nations.

Mr. FRIST. Mr. President, the showdown in Sierra Leone between the Revolutionary United Front (RUF) and the United Nations peacekeepers they have taken hostage, robbed, killed and humiliated has enormous implications for the future of the United Nations. It is a sort of Midway Island for UN peacekeeping: a loss there could doom future operations across the continent, and possibly further afield. However, a frantic effort to salvage the UN operation there by reinstating the unjust peace accord may win the battle for peace keeping operations in the short run, but it could be devastating for the UN and for Sierra Leone in the long run.

The Clinton administration and the United Nations have staked an unusual amount of capital on a successful UN mission in Sierra Leone. After the UN's shocking withdrawal from Rwanda in the days before the genocide began, a success in African peacekeeping became a must for the embattled Kofi Annan, who oversaw that withdrawal and later became Secretary-General.

The Clinton administration's motives for backing a massive UN peacekeeping operation agreement is harder to understand beyond a history of making multilateralization itself a foreign policy goal. With an almost mantra-like regularity, they have touted ''African solutions for African problems.'' Yet two ''African solutions'' to the conflict in Sierra Leone were abandoned. In 1995–96, 300 South African mercenaries drove rebels from the capital and the major diamond fields, brought them to the negotiating table and set the stage for elections. Predictably, under donor pressure, they were forced to leave and the war resumed. Later, Nigeria led a West African intervention force and again restored peace by aggressively pursuing the sadistic but cowardly RUF.

Both of these ''African solutions'' were dropped because they conflicted with the dreamy notion that says a UN mission can end a war of unspeakable barbarity without getting its hands dirty. The West African regional force cost a fraction of the UN mission and actually brought a modicum of peace to Sierra Leone, yet the administration never even requested from Congress the $25 million needed to continue their presence. Instead, the Nigerians were given blue helmets and impotent rules of engagement then ''reinforced'' with Kenyan, Indian and Zambian troops that have been robbed of their weapons and taken hostage. The U.S. portion of the price tag for this disaster soared to $118 million for next fiscal year alone.

The United Nations peacekeeping mission in Sierra Leone and the frantic effort to salvage it now would be defensible if the Lomé accord had ever been a viable peace. The agreement rewarded the rape, mutilation, forced conscription of children and killing campaign of the RUF with the vice-presidency, cabinet positions and exclusive domain over the diamond fields. Literally the only portion of the agreement implemented since it was signed in July of last year is the most outrageous and inexplicable: recognition of the RUF as a political party and a part of the government.

With the Lomé accord the RUF was given the privilege of reaping both the benefits of peace and the benefits of war simultaneously. It was a tragic and shameful contradiction that was obvious from the beginning. Because a successful UN peace agreement and peacekeeping operation had itself become the goal, rather than stability for Sierra Leone and defeat of the RUF, the contradiction was ignored. It was this self-delusion that was the West's greatest disservice to Sierra Leone, far exceeding our refusal to send our own troops.

Because the potential failure of the UN in Sierra Leone has made it high noon for all peacekeeping in Africa, including Congo, we may be in the process of repeating the mistakes of Lomé simply to win a short term battle for multilateralism. Making a deal with the devil once is unwise, making it twice is unforgivable. Trying to force the reality of the brutality and recidivism of the RUF and the failure of the Lomé accord to conform to our sense of order and to our desire for ''clean hands'' verges on international sociopathy.

I am not suggesting that we end the peace mission in Sierra Leone, but we cannot repeat the mistakes of the Lomé accord by again rewarding the RUF. To do so would set up a repeat of the current tragedy for Sierra Leone and indignity for the UN. Whether under the auspice of the UN or Nigeria, the rules of engagement in Sierra Leone must be realistic and aggressive. Most of all, we must seek accountability for the horrific war crimes committed there. It will be bloody and hard to watch, but not as horrific as the RUF has proven to be. For the sake of the suffering Sierra Leoneans we are supposed to be helping, accountability

for criminals and justice for their victims cannot again be sacrificed to our own intellectual impulses.

Mr. LOTT. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 315) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 315

Whereas more than 1,000,000 of Sierra Leone's 5,200,000 population are internally displaced and more than 500,000 are refugees as a direct result of the civil war in Sierra Leone, at least 50,000 people have been killed during the civil war, untold numbers of people have been mutilated and disabled largely by the Revolutionary United Front, and more than 20,000 individuals, including many children, are missing or have been kidnapped by the Revolutionary United Front;

Whereas the Revolutionary United Front continues to terrorize the population of Sierra Leone by mutilating their enemies and innocent civilians, including women and children, by chopping off their ears, noses, hands, arms, and legs;

Whereas the Revolutionary United Front continues to terrorize the population of Sierra Leone by decapitating innocent victims, including children as young as 10 months old and elderly men and women;

Whereas the Revolutionary United Front abducts women and children for use as forced laborers, sex slaves, and as human shields during skirmishes with government forces and the forces of the Economic Community of West African States;

Whereas the Revolutionary United Front has kidnapped boys as young as 6 or 7 years old and used them to kill and steal and to become soldiers, and its forces have routinely raped women and young girls as a terror tactic;

Whereas the Revolutionary United Front has abducted civilians, missionaries, humanitarian aid workers, United Nations peacekeepers, and journalists;

Whereas Charles Taylor, the President of Liberia, has provided and continues to provide significant support and direction to the Revolutionary United Front in exchange for diamonds and other natural resources and is therefore culpable for the abuses in Sierra Leone;

Whereas the Lome Peace Accords did not hold the Revolutionary United Front accountable for their abuses and, in fact, rewarded Foday Sankoh and other Revolutionary United Front leaders with high government offices and control of diamond mining throughout Sierra Leone;

Whereas the Revolutionary United Front in Sierra Leone is not a legitimate political movement, entity, or party;

Whereas all sides in the civil war in Sierra Leone are guilty of serious human rights abuses; and

Whereas the Revolutionary United Front led by Foday Sankoh is responsible for breaking the Lome Peace Accords and for the violent aftermath that has consumed Sierra Leone since May 1, 2000: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the United States Government should do all in its power to help ensure that the Revolutionary United Front and its leaders, as well as other groups committing human rights abuses in Sierra Leone, are held accountable for the crimes and abuses committed against the people of Sierra Leone;

(2) the United States Government should not condone, support, or be a party to, any agreement that provides amnesty to those responsible for the crimes and abuses in Sierra Leone; and

(3) the United States Government should not provide incentives of any kind to regional supporters of the Revolutionary United Front until all support from them to the Revolutionary United Front has ceased.

AUTHORIZING THE PLACEMENT OF A PLAQUE WITHIN THE SITE OF THE VIETNAM VETERANS MEMORIAL

Mr. LOTT. I ask unanimous consent the Energy Committee be discharged from further consideration of H.R. 3293, and that the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3293) to amend the law that authorized Vietnam Veterans Memorial to authorize placement within the site of the memorial of a plaque to honor those Vietnam veterans who died after their service in the Vietnam war but as a direct result of that service.

There being no objection, the Senate proceeded to consider the bill.

Mr. LOTT. I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

The bill (H.R. 3293) was read the third time and passed.

Mr. LOTT. Mr. President, I should note this is legislation that is sponsored in the Senate by Senator BEN CAMPBELL of Colorado, but this is a House bill, originally sponsored by Congressman GALLEGLY of California. I thank Senator WYDEN for helping us work through getting this cleared, since it is an authorization for the Vietnam Veterans Memorial before this Memorial Day weekend. I commend the three Senators and others who were involved in that issue.

IMMIGRATION AND NATURALIZATION SERVICE DATA MANAGEMENT IMPROVEMENT ACT OF 2000

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to consideration of H.R. 4489, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4489) to amend section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. ABRAHAM. Mr. President, I support the passage of H.R. 4489, the Immigration and Naturalization Service Data Management Improvement Act of 2000, which makes very important revisions to section 110 of the 1996 Immigration Act. I, along with many of my colleagues, introduced an identical Senate companion to this bill, S. 2599, late last week.

As originally enacted, section 110 of the 1996 law mandated that an automated system be established to record the entry and exit of all aliens as a means to provide more information on individuals who ''overstay'' their visas. In the opinion of many, it became clear that this well-intentioned measure, if implemented, could have an unforeseen impact. Today, when INS or Customs officials inspect people at land borders, they examine papers as necessary and make quick determinations, using their discretion on when to solicit more information. Section 110, however, was being understood to require revisions to that system that would have greatly complicated travel across the land border by mandating that every single passenger of every single vehicle be required to provide detailed information in a form that could be entered into a computer on the spot. According to Dan Stamper, president of the Detroit International Bridge Company, even assuming an incredibly quick 30 seconds per individual, the traffic delays could exceed 20 hours in numerous jurisdictions at the northern border. This would obviously create extraordinary economic and environmental harm. Moreover, it would divert scarce law enforcement resources away from more effective measures.

Out of concern for its harmful impact on Michigan and law enforcement, I passed legislation in 1998 to delay implementation of section 110 from its original start date of September 30, 1998, until March 30, 2001. But it remained clear that a delay could not sufficiently satisfy concerns that the INS might develop a system that would prove harmful to the people of Michigan and other states.

FRED UPTON showed great leadership in the House on this issue and served his constituents extraordinarily well in helping to forge this compromise. LAMAR SMITH deserves great credit for working closely with us and his other House colleagues in making an agreement that meets the economic and security interests of all sides on this issue. And JOHN LAFALCE also provided important assistance in this effort.

This is a great victory for the people of Michigan. This agreement strikes the right balance in enhancing our security and immigration enforcement needs while ensuring that we preserve the jobs and the other economic benefits Michigan receives from our close relationship with Canada.

This product of the agreement with the House replaces the current requirement that by March 30, 2001, a record of arrival and departure be collected for every alien at all ports of entry, with a more achievable requirement that the

Immigration and Naturalization Service develop an ''integrated entry and exit data system'' that focuses on data INS already regularly collects at ports of entry.

The goal of section 110 has been to track individuals who overstay their allowable stay in the United States. That goal is redirected into a more achievable direction. INS will be directed to put in electronic and retrievable form the information already collected at ports of entry and pursue other measured step to improve enforcement of U.S. immigration laws. It is also directed to prepare a report on unmatched entry and departure data. That report is required to contain not only numbers of unmatched records, but an analysis of those numbers. The purpose of the latter requirement is to make sure that sufficient context for the data is provided to ensure that readers of the report are able to understand to what extent unmatched records reflect actual overstays, versus to what extent they are simply a function of data weakness (such as a lag time between the acquisition of the data and the entry of the data into the system). This will allow those charged with assessing the system to be in a better position to recommend its proper use and recommend ways of improving it. To that end, and to the end of otherwise improving implementation of the section, a task force chaired by the Attorney General that will include representatives of other government agencies and the private sector is established to examine the effectiveness of the system, ways of improving it, and the need for and costs of any additional measures, including security improvements. The bill also calls for increased international cooperation in securing the land borders.

In essence, the agreement substitutes this approach in place of a mandate that a system be developed that would have required that all foreign travelers or U.S. permanent residents be individually recorded into a system at ports of entry and exit, thereby likely bringing traffic to a halt on the northern border for miles, trapping U.S. travelers in the process and costing potentially tens of thousands of jobs in manufacturing, tourism and other industries. The agreement also maintains the status quo in preventing new documentary requirements on Canadian travelers.

The bottom line is that we will have a system that enhances law enforcement capabilities and will not impose new or onerous requirements on travelers that would damage Americans or the American economy.

I thank the cosponsors of S. 2599, who have been so important in achieving success in this long 3-year effort: Senators LEAHY, GRAMS, KENNEDY, SNOWE, COLLINS, CRAIG, GORTON, JEFFORDS, SCHUMER, GRAHAM, LEVIN, DEWINE, MURRAY, MOYNIHAN, and VOINOVICH. I also thank Majority Leader LOTT for his strong support on this issue and for recognizing the impact on northern border states if we did not solve this problem. Senator GORTON also played an important role in this successful effort. I thank Senator HELMS and his staff, who permitted an amendment related to section 110 to be part of the State Department authorization bill last year, which I think elevated the awareness of this issue and contributed to the solution we see today. Senator BIDEN and his staff were also supportive of this effort. And, of course, Senator GRAMS and his leadership were essential for the outcome today.

Mr. President, I yield the floor.

Mr. LEAHY. Mr. President, this bill accomplishes the important goal of eliminating the existing section 110 of the Illegal Immigration Reform and Immigration Responsibility Act, IIRIRA. I am an original cosponsor of the Senate version of this bill, the Immigration and Naturalization Service Data Management Improvement Act of 2000.

Section 110 would mandate that the Immigration and Naturalization Service (INS) establish an automated system to record the entry and exit of all aliens. If implemented, such a provision would have terrible consequences for States all across our Northern Border. Its repeal will help protect America's economy and reinforce our excellent relationship with Canada.

To implement and maintain an automated system for monitoring the entry and exit of ''all aliens,'' INS and Customs agents would have to stop each vehicle or individual entering or exiting the United States at all ports of entry. Canadians, U.S. permanent residents, and many others who are not currently required to show documentation of their status would likely either have to carry some form of identification or fill out paperwork at the points of entry.

This sort of tracking system would be extraordinarily costly to implement along the Northern Border, especially since there is no current system or infrastructure to track the departure of citizens and others leaving the United States.

Section 110 would also lead to excessive and costly traffic delays for those living and working near the border. These delays would surely have a negative impact on the $2.4 billion in goods and services shipped annually from Vermont to Canada and would likely reduce the $120 million per year that Canadians spend in Vermont.

This legislation would replace the existing section 110 with a new provision that requires the Attorney General to implement an ''integrated entry and exit data system.'' This system would simply integrate the arrival and departure data which already is authorized or required to be collected under current law, and which is in electronic format within databases held by the Justice and State Departments. The INS would not be required to take new steps to collect information from those entering and leaving the country, meaning that Canadians will have the same ability to enter the United States as they do today.

This bill will ensure that tourists continue to freely cross the border, without additional documentation requirements. This bill will also guarantee that more than $1 billion in daily cross-border trade is not hindered in any way. Just as importantly, Vermonters and others who cross our nation's land borders on a daily basis to work or visit with family or friends should be able to continue doing so without additional border delays.

The interconnection between Canada and the United States may be demonstrated most clearly by a store in Derby Line, Vermont. Actually, only part of the store is located in Derby Line—the other side of it is in Rock Island, Quebec. The U.S.-Canadian border runs down the middle of the store, and a white stripe is painted there to mark it. Would the integrated entry and exit data system called for under section 110 have had to monitor the clerks who move from one side of the store to the other collecting goods? This is just one of many examples that would make the implementation of section 110 a destructive folly for Vermont, and I am sure that Senators from other States along the Northern Border can tell similar stories about their States.

This is an issue that I have worked on ever since section 110 was originally adopted in 1996. In 1997, along with Senator ABRAHAM and others, I introduced the Border Improvement and Immigration Act of 1997. Among other things, that legislation would have (1) specifically exempted Canadians from any new documentation or paperwork requirements when crossing the border into the United States; (2) required the Attorney General to discuss the development of ''reciprocal agreements'' with the Secretary of State and the governments of contiguous countries to collect the data on visa overstayers; and (3) required the Attorney General to increase the number of INS inspectors by 300 per year and the number of Customs inspectors by 150 per year for the next three years, with at least half of those inspectors being assigned to the Northern Border.

I also worked with Senator KENNEDY, Senator ABRAHAM, and other Senators to obtain postponements in the implementation date for the automated system mandated by section 110. We were successful in those attempts, delaying implementation until March 30, 2001. But delays are by nature only a temporary solution; in the legislation we vote on today, I believe we have found a permanent solution that allows us to keep track of the flow of foreign nationals entering and leaving the United States without crippling commerce or our important relationship with Canada. That is why I am proud to be a cosponsor of this legislation, and why I urge my colleagues to vote in favor of it today.

The Immigration mistakes of 1996: I fought against the adoption of section

110 in 1996, when this Congress passed the IIRIRA. It was wrong at the time, it is wrong today, and I am relieved that we are prepared to do away with it. But our job of rectifying the wrongs of our 1996 immigration legislation is far from over; indeed, it has hardly begun. I would like to use this occasion to draw my colleagues' attention to what I believe our next priorities should be in the immigration area.

Expedited removal: First, in the 1996 Anti-Terrorism and Effective Death Penalty Act (AEDPA), a bill ostensibly about terrorism, Congress instituted an immigration measure called expedited removal. Under expedited removal, low-level INS officers with cursory supervision have the authority to summarily remove people who arrive at our border without proper documentation, or with facially valid documentation that the officer simply suspects is invalid. No review—administrative or judicial—is available of the INS officer's decision, which is rendered after a so-called secondary inspection interview. Expedited removal was widely critized at the time as ignoring the realities of political persecution, since people being tortured by their government are quite likely to have difficulties obtaining valid travel documents from that government. Its adoption was viewed by many—including a majority of this body—as an abandonment of our historical commitment to refugees and a misplaced reaction to our legitimate fears of terrorism.

When we debated the IIRIRA later the same year, I offered an amendment with Senator DEWINE to restrict the use of expedited removal to times of immigration emergencies, which would be certified by the Attorney General. This more limited authority was all that the Administration had requested in the first place, and it was far more in line with our international and historical commitments. This amendment passed the Senate with bipartisan support, but it was removed in one of the most partisan conference committees I have ever witnessed. As a result, the extreme version of expedited removal contained in AEDPA became law, and was implemented in 1997. Ever since, I have attempted to raise consciousness about the problems with expedited removal.

Last year, I introduced the Refugee Protection Act (S. 1940) with Senator BROWNBACK and five other Senators of both parties. The bill is modeled closely on the 1996 amendment that passed the Senate, and I was optimistic that it too would be supported by a broad coalition of Senators. It allows expedited removal only in times of immigration emergencies, and it provides due process rights and elemental fairness for those arriving at our borders without sacrificing security concerns. But even as the Refugee Protection Act has gained additional cosponsors, it has been ignored by the Senate leadership. Indeed, the bill has not even received a hearing in the Judiciary Committee, despite my request.

Meanwhile, in the little more than three years that expedited removal has been in operation, we already have numerous stories of valid asylum seekers who were forced to leave our country without the opportunity to convince an immigration judge that they faced persecution in their native lands. To provide just one example, ''Dem,'' a Kosovar Albanian, was summarily removed from the U.S. after the civil war in Kosovo had already made the front pages of America's newspapers. During his interview with the INS inspector who had unreviewable discretion over his fate, he was provided with a Serbian translator who did not speak Albanian, rendering the interview a farce. Instead of being embraced as a political refugee, he was put on the next plane back to where his flight had originated. We only know about his story at all because he was dogged enough to make it back to the United States. On this second trip, he was found to have a credible fear of persecution and he is currently in the midst of the asylum process.

Perhaps the most distressing part of expedited removal is that there is no way for us to know how many deserving refugees have been excluded. Because secondary inspection interviews are conducted in secret, we typically only learn about mistakes when refugees manage to make it back to the United States a second time, like Dem, or when they are deported to a third country they passed through on their way to the United States. This uncertainty should lead us to be especially wary of continuing this failed experiment.

Unjust deportation: Another injustice in the 1996 legislation that we must address is its drastically expanded definition of what makes a legal resident deportable. First, the IIRIRA defined the term ''aggravated felony'' in such a way as to make numerous misdemeanors deportable offenses. Then it applied this new standard retroactively, so that people who had committed crimes in the past that were so minor they did not even serve jail time were now subject to automatic deportation—including people who pleaded guilty to those crimes without any reason to believe there would be immigration consequences for that plea. The effects of this change have been unfair to numerous men and women, and their families, who have worked hard for years to turn their lives around, and have paid taxes, contributed their labor to the American economy, and raised children who are American citizens. I applaud the efforts of those in the House who are working to do away with retroactivity altogether.

I have chosen to take a narrower approach to this issue, focusing on the effect that this punitive policy has had on decorated war veterans who are being deported without any administrative or judicial consideration of the equities. I have introduced the Fairness to Immigrant Veterans Act, S. 871, which would ensure that veterans of our Armed Forces who have committed ''aggravated felonies'' have the opportunity to go before an immigration judge and plead their case to stay in the United States. It would also give veterans the right to federal court review of the immigration judges' decisions, and allow them to be released from detention while their claim is pending. If this bill becomes law, we will still be able to deport people who have committed serious crimes and present a danger to the community, regardless of their service record. But we will give veterans every opportunity to show that they and their families deserve a second chance, a chance they have earned through the sacrifices they made for our country.

Veterans groups have been very supportive of this legislation, with the American Legion, AMVETS, Vietnam Veterans of America, and the Blinded American Veterans all endorsing the bill. Despite these endorsements and my efforts to promote this legislation, however, the majority has failed even to hold a hearing on this bill.

Restoring basic benefits: Unfortunately, the IIRIRA and the AEDPA were not the only 1996 laws that distorted our immigration policy and harmed immigrants. The welfare reform law, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, added to that year's anti-immigration chorus, unreasonably restricting the eligibility of legal immigrants for social safety net provisions. It barred many legal immigrants from receiving Supplemental Security Income (SSI), food stamps, and Medicaid coverage, even as Congress sought to ensure that Medicaid be preserved for those who were leaving welfare. It has prevented the children of legal immigrants from eligibility under the new Children's Health Insurance Program (CHIP). Under this statute, if legal immigrants (or their children) become sick, or lose their job, they are simply out of luck. These punitive restrictions were aimed not at illegal immigrants—who already were ineligible for most benefits—but at legal immigrants, people who were invited to come here and work, people who paid taxes and contributed to our society in myriad ways.

Senators MOYNIHAN and GRAHAM have introduced S. 792, the Fairness for Legal Immigrants Act, to rectify this injustice, and I am a proud cosponsor of their bill. Among other things, the bill would:

Permit States to cover all eligible legal immigrant pregnant women and children under Medicaid immediately;

Permit states to cover all legal immigrant children under CHIP;

Restore SSI eligibility for legal immigrants who arrived here before August 1996 and who are elderly and poor but not disabled by SSI standards;

Restore SSI eligibility for legal immigrants who arrived here after August 1996 and become disabled after entering the country; and

Restore food stamp eligibility for all pre-August 1996 legal immigrants.

This is a vital bill, but the majority has declined even to hold a hearing on it since it was introduced in April 1999. It is difficult to tell whether this inaction results from indifference to the plight of these legal immigrants, or from a belief on the majority's part that immigrants come here to take advantage of the social safety net that our country offers. If it is the latter, I would recommend to my colleagues to remarks made by former Housing and Urban Development Secretary and Republican Vice-Presidential candidate Jack Kemp at a recent press conference designed to highlight the need for Congress to take action on a variety of immigration legislation. Mr. Kemp said that immigrants do not come to the United States because of its welfare system—they come here because they want to make a better life for themselves through hard work. I would add, and I'm sure that Jack Kemp would agree, that they often come here to experience political freedom they cannot obtain in their own countries.

Detention: The IIRIRA made the detention of asylum seekers who arrive without proper documents mandatory until they establish a credible fear of persecution. It allowed the INS no discretion, even where asylum applicants had relatives willing to take them in and spare the government the cost of detaining them, or even where the asylum applicants were children. It took this step even though the INS had already issued regulations that prevented asylum applicants from working while their applications were pending—a step that had drastically reduced the filing of frivolous applications.

This detention mandate has created serious strains for the INS and has led to often inhumane conditions for people who are fleeing persecution. For example, in October 1998, the Miami Herald reported that the INS—under the pressures created by the 1996 law—had Warehoused some of its detainees to a local jail in the Florida Panhandle. The jailers there constructed an ''electric blanket'' that it ''placed over detainees, who [were] then subjected to intense electric shocks.'' These asylum seekers were forced to remain under the blanket ''for hours, worried about repeated shocks, and when refused bathroom privileges, they often soiled themselves. . . . They [also] endured broken bones, racial slurs, and attacks with Mace and pepper spray.''

The Refugee Protection Act, which I talked about earlier, also addresses the detention issue. It clarifies that the Attorney General is not obligated to detain asylum seekers while their claims are being procesed—the bill preserves the Attorney General's ability to do so, but does not encourage detention. Asylum seekers are not criminals and they do not deserve to be imprisoned or detained without cause. Detention may be appropriate in rare cases, but it should be used sparingly. Detention is also extraordinarily costly for the taxpayers; indeed, the Department of Justice has projected that by the year 2001 it will need bed space for 24,000 INS detainees. The current policy is a humanitarian and fiscal failure, and we must reform it.

Conclusion: Although I am proud of the legislation we pass today, we have equally necessary and more challenging tasks ahead of us if we truly want to address the damage done by the laws passed in 1996. I urge my colleagues to focus on these issues and to work during the time we have remaining in this Congress to create sensible immigration laws. Let us not leave it to another Congress to fix the mistakes the majority made 4 years ago.

Mr. LOTT. Mr. President, I ask unanimous consent that the bill 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. Without objection, it is so ordered.

The bill (H.R. 4489) was read the third time and passed.

HONORING SENIOR JUDGE DANIEL H. THOMAS

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Res. 316, submitted earlier by Senators SESSIONS and SHELBY.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 316) honoring Senior Judge Daniel H. Thomas of the United States District Court of the Southern District of Alabama.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. Mr. President, I am familiar with this particular judge. He was from Mobile, AL, 40 miles from my hometown of Pascagoula, MS. He served long and honorably, having reached a grand old age of 94. He was known particularly for his expertise in admiralty. He will be sincerely missed by those who have known him over the years as a Federal judge.

Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 316) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 316

Whereas Daniel H. Thomas devoted his life to the dedicated and principled service of his country, his State, and his community;

Whereas Daniel H. Thomas, a native of Prattville, Alabama, was born August 25, 1906, to Judge C.E. Thomas and Augusta Pratt.

Whereas Daniel H. Thomas obtained his law degree from the University of Alabama in 1928, where his uncle, Daniel H. Pratt, served as President pro tem of the Board of Trustees of the University;

Whereas Daniel H. Thomas, having served his country with distinction for 3 years as a Navy Lieutenant during World War II, returned to Mobile, Alabama and continued in the practice of law with Mr. Joseph C. Lyons and Sam Pipes in the law firm of Lyons, Thomas and Pipes until he was elevated to the Federal bench;

Whereas Daniel H. Thomas was appointed a United States District Judge for the Southern District of Alabama by President Truman in 1951, joining in distinguished judicial service his father, C.E. Thomas, who was a probate judge of Augusta County, Alabama, his uncle, William Thomas, who served the State of Alabama as a Supreme Court Justice, and his uncle, J. Render Thomas, who served many years as the Clerk of the Supreme Court of Alabama;

Whereas 49 years of judicial service made Judge Thomas one of the longest serving Federal judges in American history;

Whereas the years of distinguished judicial service by Judge Thomas were characterized by unflinching integrity and unquestioned legal ability;

Whereas in a time of great political and social turmoil, Judge Thomas inspired continued respect for the rule of law established under the Constitution of the United States, and for the propositions that ''all men are created equal'' and deserve ''equal protection of the laws'' by faithfully adhering to the precedents of the United States Supreme Court, even when such actions were not popular;

Whereas the depth of legal scholarship exhibited by Judge Thomas led him to become one of the most respected experts in the nation in the important field of Admiralty Law;

Whereas the reach of service by Judge Thomas to his country extended beyond his courtroom to his community through his active leadership as a founding trustee of the Ashland Place Methodist Church in Mobile, Alabama, and to America's youth through his efforts in support of the Boy Scouts of America;

Whereas Judge Thomas, a man who enjoyed the outdoors, being an accomplished fisherman and quail hunter, exhibited great common sense, had a vibrant sense of humor, and was extremely friendly and thoughtful of others, thereby truly fitting the description of a true ''southern gentleman'';

Whereas Judge Thomas truly was a great judge whose life was the law, and who was loved and respected by members of the bar and community to a degree seldom reached and never surpassed;

Whereas Judge Thomas passed away at his home in Mobile, Alabama, on Thursday, April 13, 2000;

Whereas the members of the Senate extend our deepest sympathies to the wife of Judge Thomas, Catherine Miller Thomas, his 2 sons, Daniel H. Thomas, Jr. and Merrill P. Thomas, other family members, and a host of friends that he had across the country; and

Whereas in the example of Judge Daniel H. Thomas, the American people have an enduring symbol of moral courage, judicial restraint, and public service: Now, therefore, be it

Resolved, That—

(1) the Senate honors the memory of Judge Daniel H. Thomas for his exemplary service to his country; and

(2) the Secretary of the Senate is directed to transmit a copy of this resolution to the family of the deceased.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations reported by the Armed Services Committee: Calendar Nos. 526 and 527.

I further ask unanimous consent that the nominations be confirmed, the motions to reconsider be laid upon the table, any statements relating to the nominations be printed in the RECORD, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

ARMY

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, 0000.

NAVY

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, 0000.

Mr. LOTT. Mr. President, Senator REED, who is in the Chamber, has personal knowledge of one of these nominees. He wants to make a statement at this time.

Mr. REED. I thank the majority leader for his kindness.

Mr. President, I am fortunate enough to know both of these gentlemen: Adm. Bob Natter, an extraordinary naval officer who has been confirmed as a four-star admiral; and, most particularly, I am pleased that my colleagues have confirmed the nomination of Col. Daniel Kaufman to be a brigadier general in the U.S. Army and dean of the Academic Board at West Point.

I have known Dan Kaufman for over 30 years. I was a plebe at West Point in Company C–2 when he was a first classman in the summer 1967. He is an extraordinary individual, a great soldier, a distinguished scholar.

I also recognize the gentleman whom he is succeeding, Gen. Fletcher Lamkin, who is the current dean. General Lamkin has done an outstanding job at West Point. I thank him for his service.

But I am delighted to be able to stand here in the well of the Senate to commend Dan Kaufman. He is a soldier first, a soldier of war above everything else.

After graduating from West Point in 1968, he volunteered for training as an Army ranger. He sought an assignment as an armor officer. He was a platoon leader with the 11th Armored Cavalry Regiment in Vietnam.

He received a Bronze Star for valor in action and received two Purple Hearts leading his platoon in Vietnam.

He returned to the Army in the United States and pursued his graduate education at the Kennedy School at Harvard, and once again Dan Kaufman and I were together. After he received his master's degree at Harvard, and subsequent service with the 82nd Airborne Division, he received a Ph.D. in political science at the Massachusetts Institute of Technology.

He combines these two virtues and values: A soldier's soldier and a scholar's scholar.

He is the ideal choice for the deanship at West Point today, for a school in transformation, for an Army in transformation. As a soldier, he has seen war. He understands that one of the greatest privileges an American can ever have is the privilege of leading American soldiers. Also, one of the greatest honors an American can have is to lead those soldiers well. He has won such an honor.

He is also someone who is in touch with the greater Army. He is someone that has been actively involved in numerous issues that deal with the Army, not just academically but very much in its day-to-day activities.

He is not an ivory tower scholar. He is an actively engaged soldier. He will instill in the cadets vital skills: the ability to analyze a changing world; and a zest to learn throughout their careers, and to help the Army and move it forward.

He is also a family man. His wife Kathryn, his son David, his daughter Emily—they all serve too, and serve the Army extraordinarily well.

The mission at West Point is to train young men and women of character for a career of selfless service to the Army and the Nation.

Dan Kaufman will expand that mission and move it forward for a generation of West Point cadets who will enter our Army and will do so better prepared, as soldiers who are able to lead as thoughtful members of our military forces.

And something else. Because of his example, because of the choices he will make, their hearts and their lives will march to a very simple but profound cadence: Duty, honor, country.

I thank the majority leader and yield back my time.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

ORDERS FOR TUESDAY, JUNE 6, 2000

Mr. LOTT. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment, under the provisions of House Concurrent Resolution 336, until 10 a.m. on Tuesday, June 6. I further ask consent that on Tuesday, 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 12:30 p.m., with Senators speaking for up to 5 minutes each, with the following exceptions: Senator DURBIN, or his designee, from 10 a.m. to 11 a.m.; and Senator THOMAS, or his designee, from 11 a.m. until 12 noon.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. I further ask unanimous consent that the Senate stand in recess from the hours of 12:30 p.m. to 2:15 p.m. for the weekly policy conferences to meet.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TUESDAY, JUNE 6, 2000

Mr. LOTT. 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.

There being no objection, the Senate, at 5:20 p.m., adjourned until Tuesday, June 6, 2000, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate May 25, 2000:

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED IN ACCORDANCE WITH ARTICLE II, SECTION 2, CLAUSE 2, OF THE CONSTITUTION:

To be rear admiral (lower half)

CAPT. ELEANOR C. MARIANO, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. NANCY E. BROWN, 0000
CAPT. DONALD K. BULLARD, 0000
CAPT. ALBERT M. CALLAND, III, 0000
CAPT. ROBERT T. CONWAY, JR., 0000
CAPT. JOHN P. CRYER, III, 0000
CAPT. THOMAS Q. DONALDSON, V, 0000
CAPT. JOHN J. DONNELLY, 0000
CAPT. STEVEN L. ENEWOLD, 0000
CAPT. JAY C. GAUDIO, 0000
CAPT. CHARLES S. HAMILTON, II, 0000
CAPT. JOHN C. HARVEY, JR., 0000
CAPT. TIMOTHY L. HEELY, 0000
CAPT. CARLTON B. JEWETT, 0000
CAPT. ROSANNE M. LEVITRE, 0000
CAPT. SAMUEL J. LOCKLEAR, III, 0000
CAPT. RICHARD J. MAULDIN, 0000
CAPT. ALEXANDER A. MILLER, 0000
CAPT. MARK R. MILLIKEN, 0000
CAPT. CHRISTOPHER M. MOE, 0000
CAPT. MATTHEW G. MOFFIT, 0000
CAPT. MICHAEL P. NOWAKOWSKI, 0000
CAPT. STEPHEN R. PIETROPAOLI, 0000
CAPT. PAUL J. RYAN, 0000
CAPT. MICHAEL A. SHARP, 0000
CAPT. VINSON E. SMITH, 0000
CAPT. HAROLD D. STARLING, II, 0000
CAPT. JAMES STAVRIDIS, 0000
CAPT. PAUL E. SULLIVAN, 0000
CAPT. MICHAEL C. TRACY, 0000
CAPT. MILES B. WACHENDORF, 0000
CAPT. JOHN J. WAICKWICZ, 0000
CAPT. ANTHONY L. WINNS, 0000

DEPARTMENT OF COMMERCE

ROBERT S. LARUSSA, OF MARYLAND, TO BE UNDER SECRETARY OF COMMERCE FOR INTERNATIONAL TRADE, VICE DAVID L. AARON, RESIGNED.

DEPARTMENT OF STATE

ROBIN CHANDLER DUKE, OF NEW YORK, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO NORWAY.

UNITED STATES INSTITUTE OF PEACE

MARC E. LELAND, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR A TERM EXPIRING JANUARY 19, 2003, VICE MAX M. KAMPLEMAN, TERM EXPIRED.

HARRIET M. ZIMMERMAN, OF FLORIDA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR A TERM EXPIRING JANUARY 19, 2003. (REAPPOINTMENT)

BARRY GOLDWATER SCHOLARSHIP & EXCELLENCE IN EDUCATION FOUNDATION

DONALD J. SUTHERLAND, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION FOUNDATION FOR A TERM EXPIRING AUGUST 11, 2002. (REAPPOINTMENT)

THE JUDICIARY

STEPHEN M. ORLOFSKY, OF NEW JERSEY, TO BE UNITED STATES CIRCUIT JUDGE FOR THE THIRD CIRCUIT, VICE MORTON I. GREENBERG, RETIRING.

DEPARTMENT OF JUSTICE

NORMAN C. BAY, OF NEW MEXICO, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF NEW MEXICO FOR THE TERM OF FOUR YEARS, VICE JOHN JOSEPH KELLY, RESIGNED.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 25, 2000:

IN THE ARMY

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, 0000

IN THE NAVY

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, 0000

EXTENSIONS OF REMARKS

RIVERDALE COMMUNITY CENTER

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. ENGEL. Mr. Speaker, nearly three decades ago the rise in juvenile delinquency led to the creation of the Riverdale Community Center. It gave a growing number of teenagers, who were unsupervised after school because their parents worked, a place to go. Drug and alcohol abuse were escalating as was teen pregnancy. The dropout rate was also soaring. The Community Center was organized to provide a structure where, under adult supervision, teens could escape the dangerous crosscurrents of life in the streets.

A free weekend recreation center was opened, then an after school program was added followed by a drug outreach program. Soon more than 1,400 teens a year participated in the after school program. In addition, the Center developed an Adult and Youth Education Center where, for modest fees, families could take classes. This program now serves upwards of 1,000 children, adults and seniors in a variety of courses.

Today, more than 2,400 people a year enjoy the many programs at the Riverdale Community Center.

The Center is a marvelous example of what a community can do when faced with adversity. Instead of wringing their hands, the parents of Riverdale mobilized. The Riverdale Community Center every year serves more people in more and better ways. I am proud to honor the Center on the occasion of its annual brunch. I congratulate the Center for all it has accomplished—and it has accomplished an awful lot.

IN SPECIAL RECOGNITION OF KYLE W. HEMMINGER ON HIS APPOINTMENT TO ATTEND THE UNITED STATES MILITARY ACADEMY AT WEST POINT

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. GILLMOR. Mr. Speaker, I rise today to pay special tribute to an outstanding young man from Ohio's Fifth Congressional District. I am happy to announce that Kyle W. Hemminger of Port Clinton, Ohio, has been offered an appointment to attend the United States Military Academy at West Point, New York.

Mr. Speaker, Kyle's offer of appointment poises him to attend the United States Military Academy this fall with the incoming cadet class of 2004. Attending one of our nation's military academies is an invaluable experience that offers a world-class education and demands the very best that these young men and women have to offer. Truly, it is one of the most challenging and rewarding undertakings of their lives.

Kyle is an outstanding student who brings a special mix of leadership, service, and dedication to the incoming class of West Point cadets. While attending Port Clinton High School, Kyle has attained a grade point average of 3.929, which places him seventh in his class of one hundred ninety-three students. Kyle is a member of the National Honor Society and has received the Port Clinton Kiwanis Scholar Athlete Award for his academic achievements.

Outside the classroom, Kyle has distinguished himself as an excellent student-athlete. On the fields of competition, Kyle served as Captain of the Varsity Football team and received the 1997 and 1998 Football Ironman Award. Kyle is also a member of the Varsity Wrestling team and was named the 1997–1998 Most Improved Wrestler. He is the President of the Leadership Council and is a member of the Varsity Club. In addition, Kyle has performed in several school musicals and was a delegate to Buckeye Boys State.

Mr. Speaker, I would ask my colleagues to stand and join me in paying special tribute to Kyle W. Hemminger. Our service academies offer the finest education and military training available anywhere in the world. I am sure that Kyle will do very well during his career at West Point and I wish him the very best in all of his future endeavors.

URGING COMPLIANCE WITH HAGUE CONVENTION ON CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION

SPEECH OF

HON. TILLIE K. FOWLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Mrs. FOWLER. Mr. Speaker, I rise in strong support of H. Con. Res. 293, which urges all parties to the Hague Convention on the Civil Aspects of International Child Abduction to comply with this important treaty.

Too many countries that have signed this compact fail to live up to its principles. Whether by design or passivity, these countries act as obstacles to reuniting parents with their kidnapped children. This not only occurs with rogue nations that ignore basic human rights; but even some of our closest allies.

I first became acquainted with this issue several years ago when a constituent of mine lost his only daughter to his German ex-wife. She was only 15-months old. For the next four years, he followed the Hague Convention to the letter, going to court in the United States and Germany to seek custody and visitation with his little girl and paying child support. Though a German court eventually awarded him visitation rights, his wife refused to comply and the German courts failed to enforce their own orders.

I was shocked at the impudence of the German government in its application of the Hague Convention. But, I was even more outraged at the failure of our own government to act as an aggressive advocate on behalf of American parents. The U.S. State Department left him to fend for himself, which his ex-wife appeared to have all of Germany fighting for her. I wrote to Secretary Albright, our Ambassador to Germany, and others seeking assistance, but my efforts were rebuffed as well. This happens to thousands of American parents every year, with similar responses.

Today's resolution says with firm resolve that the U.S. Congress will stand with these left-behind parents and fight for their children. When we unite with these parents in even a simple ''sense of Congress'' resolution, things can change and these nations will take notice.

Because of all the publicity that has been generated by this resolution and this issue, my constituent's ex-wife finally complied with the court-ordered visitation. He saw his little girl for the very first time in nearly four years last week. As he puts it, ''I can't see her very often, she doesn't speak English, and hardly knows who I am, but I feel like I just won the lotto.''

That is what this is all about. I urge all of my colleagues to support H. Con. Res. 293.

HONORING MR. GEORGE WILLIAM ROBERTSON

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. HOYER. Mr. Speaker, today I recognize and honor the life of Mr. George William Robertson, a community activist in Southern Maryland fondly known simply as ''Capt. Billy.'' Captain Billy was born in Baltimore on June 12, 1930, and grew up along the Potomac River. By the age of 19, he knew he wanted to live off the water and built Robertson's Crabhouse on the Potomac shores in Popes Creek. He purchased Capt. Drink's restaurant in 1986 and renamed it Capt. Billy's.

Captain Billy had many pastimes. In addition to his passions for the water and his restaurant, he owned Dahlgren Hardware Store in Virginia, was an avid horseman as he loved to race with friend Gene Euster, a zealous golfer, and a competitive bowler who was inducted into the Duckpin's Bowler's Hall of Fame. Another passion of his was cars, which he turned into a business by opening Capt. Billy's Auto Sales on U.S. 301 in La Plata. Every week with friend Dave Phillips, he attended car auctions throughout Maryland and Pennsylvania.

Captain Billy was diagnosed with gall bladder cancer in January 1999. Together with his friend Robert Mitchell, he sponsored a benefit golf tournament in August 1999 at Swan Point Golf Course in Issue. Four hundred golfers participated to raise $170,000 for the American Cancer Society. For his efforts to fight the

disease, the American Cancer Society recently presented him with the Excalibur Award. In addition, he was a strong supporter of Civista Medical Center in La Plata. At the first Mardi Gras Ball sponsored by the Physicians Memorial Hospital Foundation, he was crowned ''King Rex.'' Robertson also raised money for Richard R. Clark Senior Center in La Plata, Hospice of Charles County, United Way of Charles County, Melwood, local churches and schools, and supported Newburg Volunteer Rescue Squad, Bel Alton Volunteer Fire Department, and local softball and baseball leagues.

In closing Mr. Speaker, I would like to take this moment to speak on behalf of the people of Southern Maryland, for whom Captain Billy gave so much, and thank him for all that he has done to benefit our community and our country. We remember his life and the memories he has given us. On behalf of the people of my district, thank you Captain Billy.

TRIBUTE TO REV. PHILIP RONAN BRENNAN

HON. JOHN T. DOOLITTLE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. DOOLITTLE. Mr. Speaker, today I wish to recognize the Reverend Philip Ronan Brennan, a remarkable man who has rendered fifty years of service to the people of my Northern California district.

Born on August 23, 1926, in Duleek, County Meath, Ireland, Philip Brennan was ordained as a Roman Catholic priest on June 18, 1950, in Dublin. His first assignment in the priesthood brought him half way around the world to the beautiful Sierra Nevada Mountains of California, where he has made his home ever since. In fact, although born in Ireland, he is now a naturalized citizen of the United States. It is here that he has offered a lifetime of compassion and dedication to others.

Beginning as an associate pastor at St. Joseph's Catholic Church in Auburn, in 1950, Reverend Brennan later went on to serve as an assistant at Assumption of the Blessed Virgin Mary parish in Truckee in 1952. In 1956, he began an eleven-year assignment as Chaplain at Folsom State Prison. In this capacity, he worked with some of those members of society who stand in the greatest need of comfort and guidance. Then, in 1967, Father Brennan advanced to the position of pastor at Corpus Christi parish in Tahoe City, California, which included the community of Squaw Valley.

In 1972, Rev. Philip Brennan returned to where he began his ministry, serving as pastor at St. Joseph's Catholic Church in Auburn. During his years in Auburn, he negotiated the purchase of a 16-acre parcel of land in North Auburn, moving St. Joseph's school from the overcrowded and landlocked downtown location to the new site. He also sparked the building of a large parish center there. Recognizing his contributions to the community, in 1988 the City of Auburn named Father Brennan as one of the 100 most influential people in the city's first 100 years of history.

After spending eight years at St. Joseph's, Father Brennan moved to the small town of Sutter Creek, serving for 12 years as pastor at the Immaculate Conception parish. Since retirement in 1992, he has again settled in Auburn, where he continues to sit on Diocesan committees and acts as supply pastor throughout the Sacramento Diocese.

As he celebrates the Golden Jubilee of his ordination to the priesthood on June 18, I join with his many friends and admirers in honoring the Rev. Philip Ronan Brennan for his tireless efforts to meet the temporal and spiritual needs of those he has served so faithfully. No price can be placed on Father Brennan's contributions. His influence cannot be measured. His service cannot be gauged. His is a life well-lived, and I thank him for it.

HONORING JOSEPH PURE

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. ENGEL. Mr. Speaker, America has been very fortunate in that many of its finest citizens come from other lands, landing here to better their lives or sometimes only hoping to escape persecution. Joseph Pure is a man who did both. He was born in Bialystock, Poland 75 years ago. Like all European Jewry he came face to face with the Holocaust. He is more fortunate than the great majority because he survived. He came to America from a ravished Europe and in the course of his life here founded the very successful Woodworking Specialty Company and several other firms. But he did not forget his heritage and was extremely supportive of Jewish causes. He also became a mentor for a generation of young.

His strong character, determination, industry and luck made him a success in America and made America a better country for his coming here. He is a shining example of how people can prosper under freedom, away from the evils of totalitarianism.

Joseph Pure was married to the late Alice Pure and they had three children, Samuel, Ellen and Vivian, and a granddaughter, Nicole Negrin. I want to wish him a very happy 75th birthday. He has earned the best wishes of all of us.

IN SPECIAL RECOGNITION OF THOMAS J. ROOT ON HIS APPOINTMENT TO ATTEND THE UNITED STATES MILITARY ACADEMY

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. GILLMOR. Mr. Speaker, I rise today to pay special tribute to an outstanding young man from Ohio's Fifth Congressional District. I am happy to announce that Thomas J. Root of Norwalk, Ohio has been offered an appointment to attend the United States Military Academy at West Point, New York.

Mr. Speaker, TJ's offer of appointment poises him to attend the United States Military Academy this fall with the incoming cadet class of 2004. Attending one of our nation's military academies is an invaluable experience that offers a world-class education and demands the very best that these young men and women have to offer. Truly, it is one of the most challenging and rewarding undertakings of their lives.

TJ brings a special mix of leadership, service, and dedication to the incoming class of West Point cadets. While attending Norwalk High School, TJ has attained an astounding grade point average of 4.329, which places him fourth in his class of one hundred fifty-three students. TJ is a member of the National Honor Society, Principal's List, and was Captain of the Academic Challenge Team. Additionally, TJ placed fifth in the state on the Ohio Test of Scholastic Achievement Pre-Calculus exam. TJ was twice presented with the Huron County American Legion Award for his academic accomplishments.

Outisde the classroom, TJ has distinguished himself as an excellent student-athlete. On the fields of competition, TJ has earned letters in Varsity Football and Wrestling. TJ was also named Captain of both the Football and Wrestling teams. TJ has also been active in the Norwalk High School Key Club and with his church youth group.

Mr. Speaker, I would ask my colleagues to stand and join me in paying special tribute to Thomas J. Root. Our service academic offer the finest education and military training available anywhere in the world. I am sure that TJ will do very well during his career at West Point and I wish him the very best in all of his future endeavors.

RECOGNIZING THE SALT RIVER PROJECT

HON. J.D. HAYWORTH

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. HAYWORTH. Mr. Speaker, I rise to acknowledge the profound and positive impact that Salt River Project has had on the state of Arizona for nearly 100 years. Accordingly, SRP has a deserving place in the Library of Congress' Local Legacies.

SRP is the oldest multipurpose federal reclamation project in the nation, older even than the state of Arizona. Named for the major river that supplies much of the water to the region, SRP is the Phoenix area's largest supplier of water and among the largest public power utilities in the United States.

SRP's history links people, events, and projects that have defined the progress and prosperity of Arizona. Its legacy includes the cooperative water management efforts of late nineteenth-century settlers, President Theodore Roosevelt's passage of the National Reclamation Act of 1902, and the construction of major dams throughout the state.

SRP continues to power the state of Arizona today, providing reliable and affordable electricity and water, and extraordinary community service. Its canals are an integral part of our environment and serve as a lasting reminder of SRP's importance to the future of our state.

For these and many others reasons, SRP is a fitting and valuable addition to the Library of Congress' Local Legacies.

TRIBUTE TO THE INTERNATIONAL COALITION FOR MISSING ISRAELI SOLDIERS

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. LANTOS. Mr. Speaker, I rise today to recognize the International Coalition for Missing Israeli Soldiers and its dedicated staff. Since its inception seven years ago, the Coalition has been the driving force behind the international grassroots campaign to return Israel's missing soldiers to their families. The Coalition's efforts, both in the United States and abroad, have jarred the conscience of the international community on behalf of American citizen Zachary Baumel and other missing Israeli soldiers. The single-minded dedication of this organization to assisting these soldiers, who were all but forgotten by the international community, has thrust the issue once again onto the international agenda.

In particular, Mr. Speaker, I want to note the successful lobbying efforts of the Coalition for legislation which I introduced in the Congress last year—H.R. 1175, ''a bill to Locate and Secure the Release of Zachary Baumel, an American Citizen, and Other Israeli Soldiers Missing in Action.'' Some one hundred Members of the House joined as cosponsors of this legislation, and ultimately the bill passed with the unanimous support of both the House and Senate. It was signed into law by President Clinton last November. I took this action in order to raise the priority of this issue in American foreign policy and to facilitate a more concerted effort to bring closure on this matter after eighteen frustrating years.

Mr. Speaker, Israel is our closest ally in the region, and some years ago Israel played a major role in securing the release of American hostages being held in Lebanon. Now it is fitting that we repay this debt and take meaningful action on behalf of Israel's missing soldiers. Success in this endeavor can only strengthen American initiatives in the Middle East by creating an atmosphere that can make Middle East peace a reality.

On June 4th of this year, Mr. Speaker, the Coalition is sponsoring ''An Evening of Conscience'' Dinner in Jerusalem. I would like to take this opportunity to wish the Coalition great success at this upcoming event and recognize the leadership and staff of the Coalition for the remarkable work that has been done by Coalition Chairman Daniel Eisen, and the Coalition staff members: Brigitte Silverberg, Reya Eisen, Daniel Ehrlich, Daniel Grisarou, Gittel Davis, Gedalya Gower, and the Coalition's Washington representatives Alyza D. Lewin and Vicki Iseman.

Mr. Speaker, it is my sincere hope that Zachary Baumel, Tzvi Feldman, Yehuda Katz, and Ron Arad will soon be home with their families and that the dedicated staff of the Coalition will be able to find other uses for their many talents.

HONORING THE GRAND TRAVERSE BAND OF OTTAWA AND CHIPPEWA INDIANS

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. KILDEE. Mr. Speaker, as a lifelong Michigan resident, and as Co-Chair of the House Congressional Native American Caucus, it gives me great pleasure to stand before you today to speak on the Grand Traverse Band of Ottawa and Chippewa Indians. On May 27, the Band will celebrate 20 years of reaffirmed federal recognition.

The Grand Traverse Band has a rich and long history. The Tribe entered into treaties with the United States in 1836 and 1855. These treaties specified land for the Band, but a misinterpretation caused the Band's recognition to be terminated, and it was left without federal assistance. Determined to rectify this error, the Tribe applied for federal recognition under the Indian Reorganization Act in 1934, and was denied by the Bureau of Indian Affairs. It tried again, unsuccessfully in 1943. Such disappointment would have deterred many people, but the members of the Grand Traverse Band were steadfast, and tried once again in 1978, and on May 27, 1980, the Tribe's federal recognition was finally reaffirmed.

In these twenty years, the Grand Traverse Band has served as a strong example of tribal self-determination. It has developed a strong socioeconomic system. It established a solid infrastructure, and provides many governmental services to its members. The Tribe is the county's largest employer and is among the largest employers within a six-county area. Northwest Michigan is a better place because of the Grand Traverse Band.

Last year, the Tribe was honored by Harvard University for providing an outstanding example of tribal governance. The Harvard Project on American Indian and Economic Development noted the Tribe's innovation in crafting a formula for distributing its share of the Michigan Indian Land Claim Settlement Award. I would also like to acknowledge George Bennett, Chairman of the Tribe, and my friend of more than 30 years, for his leadership.

Mr. Speaker, the Grand Traverse Band of Ottawa and Chippewa Indians have enriched many lives with its history and heritage. I consider myself a better person for working alongside the Tribe on many issues and concerns. After a long fight to achieve federal recognition, the Band has much to celebrate with this milestone. I ask my colleagues in the 106th Congress to please join me in congratulating the Grand Traverse Band on 20 years of reaffirmed recognition of their retained sovereignty, and wishing it continued success.

TRIBUTE TO THE HON. DENNIS GILLETTE

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. GALLEGLY. Mr. Speaker, I pay tribute to Dennis Gillette, who is retiring next month as Executive Assistant to the President for Special Projects at California Lutheran University in Thousands Oaks, CA.

It is his second retirement from his second successful career. In his spare time he has managed to hold elective office—he is currently Mayor of the City of Thousand Oaks—and support so many non-profit organizations that it would be impossible to list them all. He also holds a California Teaching Credential and has taught at numerous academies, universities and colleges.

Dennis began his CLU career in 1988, coming on board as Vice President for University Development. He also served as Vice President for Administrative Services/Treasurer prior to his current position. In this post, he is responsible for overseeing several major construction and design projects.

His first career was with the Ventura County Sheriff's Department, where he rose to the rank of Assistant Sheriff. During his 25 years of the Department, he also served on the original Thousand Oaks Police Department and was Chief of Police for the cities of Camarillo and Thousand Oaks.

Not surprisingly, Dennis Gillette has been awarded numerous honors over the years, including being named ''Man of the Year'' by the Conejo Valley Chamber of Commerce in 1987, and the Conejo Valley Historical Society's ''Don Triunfo'' in 1992. He has received commendations from Optimist International and the Optimist clubs in Thousand Oaks and Camarillo. The cities of Thousand Oaks, Camarillo, Simi Valley, Moorpark, and Ventura have honored his commitment to community.

Dennis' wife, Terry, is an English teacher for the Conejo Valley Unified School District. They have two daughters, Kristine and Lisa. In 1983, the Gillettes were named the Conejo Valley Family of the Year.

Mr. Speaker, I know my colleagues will join me in wishing Dennis and his family the best on the occasion and his second retirement, and Godspeed for whatever new endeavors he may decide to undertake.

HONORING PARKCHESTER CHORUS

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. ENGEL. Mr. Speaker, today we have something to sing about: The Parkchester Chorus is celebrating its 60th Anniversary. This wonderful group performed its first spring concert in 1940. It was founded by residents of the Parkchester housing complex and is the oldest choral group in the Bronx. Over the years the group has expanded from out of the Parkchester community and now draws its members from as far as New Jersey and Connecticut. But it still reflects its roots in the Bronx as a multi-ethnic, multi-racial, nonsectarian choral group.

The Parkchester Chorus is a vital part of the cultural life of the Bronx. I want to take this opportunity to congratulate the Chorus and its members for their valuable contributions to our lives and their gift of music to our parents, to us and to future generations. I offer them three musical cheers.

IN SPECIAL RECOGNITION OF LUKE M. TWAREK ON HIS APPOINTMENT TO ATTEND THE UNITED STATES NAVAL ACADEMY

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. GILLMOR. Mr. Speaker, I rise today to pay special tribute to an outstanding young man from Ohio's Fifth Congressional District. I am happy to announce that Luke M. Twarek of Marblehead, Ohio, has been offered an appointment to attend the United States Naval Academy in Annapolis, Maryland.

Mr. Speaker, Luke's offer of appointment poises him to attend the United States Naval Academy this fall with the incoming midshipmen class of 2004. Attending one of our nation's military academies is an invaluable experience that offers a world-class education and demands the very best that these young men and women have to offer. Truly, it is one of the most challenging and rewarding undertakings of their lives.

Luke brings an outstanding mix of leadership, service, and dedication to the incoming class at the Naval Academy. While attending Danbury High School, Luke has attained a grade point average of 4.055, which places him first in his class of forty-six students. Luke is a member of the National Honor Society and is an Honor Roll member. Luke has received the PTO Academic Honors Award and Academic Letters in each year of high school. Clearly, Luke has performed very well in the classroom.

On the fields of competition, Luke has distinguished himself as a fine student-athlete. He is a four-year member of the Varsity Football team and served as co-captain during his senior season. Luke is also a four-year letter winner on the Varsity Track team. In fact, Luke has received the Scholar-Athlete Award in both football and track. Luke serves as Vice President of the Key Club, Editor of the school web page, and co-captain of the Academic Challenge Team. He is also a member of the Science Club, Concert and Pep Band, Computer Club, and has attended the Naval Academy Summer Seminar.

Mr. Speaker, I would ask my colleagues to stand and join me in paying special tribute to Luke M. Twarek. Our service academies offer the finest education and military training available anywhere in the world. I am sure that Luke will do very well at the Naval Academy and I wish him the very best in all of his future endeavors.

HONORING ASIAN PACIFIC AMERICAN HERITAGE MONTH

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Ms. ESHOO. Mr. Speaker, I rise today in honor of Asian Pacific American Heritage Month. It's important that we recognize the rich cultural heritage of the Asian and Pacific Islander American community and all that they have contributed to America and American values.

All too often, Asian and Pacific Islander Americans are subject to prejudice and acts of violence. We must resolve to repair the damage done from past abuses and recognize and promote equality in every walk of life and in every way possible.

I introduced H. Con. Res. 111 to condemn acts of prejudice against Asian and Pacific Islander Americans and support political and civic participation by Asian and Pacific Islander Americans. I'm also proud to be a co-sponsor of legislation and a signatory on several letters that recognize the rich heritage of Asian and Pacific Americans and condemn past wrongs.

I ask my fellow colleagues to join me in supporting the following bills and letters:

I'm proud to be a signatory of Representative MATSUI's open letter in support of the President's initiative aimed at preserving WWII-era Japanese American Internment Camps in order to educate future generations about lessons learned from this stain on our nation's history.

I'm proud to be a co-sponsor of the Wartime Parity and Justice Act which would grant relief to Japanese Latin Americans who were abducted and unlawfully interned in the United States but who were not included in the settlement agreement signed into law by the Civil Liberties Act of 1988.

I call for the leadership of the Congress to move forward without delay on the nomination of Bill Lann Lee as the Assistant Attorney General for Civil Rights and I pay tribute to the efforts of the Administration to act on Bill Lann Lee's appointment.

The President has appointed more Asian Pacific Americans to Administration positions and the Federal bench than any other President. In June 1999, the Clinton-Gore Administration issued an Executive Order dedicated to improving the lives of Asian Pacific Americans, the first of its kind ever issued. President Clinton has also proposed $698 million for civil rights enforcement this year—a 13 percent increase—to prosecute criminal civil rights cases, including hate crimes and police misconduct.

Asian and Pacific Islander Americans have suffered unfounded and demagogic accusations of disloyalty throughout the history of the United States. We should, instead, recognize the rich cultural heritage of the Asian and Pacific Islander American community and all they have contributed to America and American values.

We must never forget the strength our country has gained from the inspiration, the hard work, the loyalty and the leadership of Asian and Pacific Americans and all they contribute to the strength of our nation.

RECOGNITION OF FRANK McDUFFIE

HON. ROBIN HAYES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. HAYES. Mr. Speaker, I rise today to recognize the heroism of Mr. Frank McDuffie of Richmond County, North Carolina. Mr. McDuffie joined the Navy in 1935 at a time when America was trying to recover from the Great Depression and Europe was in turmoil. Even in 1940, the war raging in Europe seemed distant and surreal. Yet on that infamous day in early December, 1941, Mr. McDuffie experienced the dark reality of war. Serving as a machine gun operator and a cook aboard the USS *Nevada*, Mr. McDuffie was stationed below the water line of the ship as Japanese bombers shelled Pearl Harbor. As the United States was violently thrust into World War II, Mr. McDuffie peered through the ship's window to see the Rising Sun flying overhead and felt the bombs' vibrations rumbling through the Nevada. Tied to the USS *Arizona* and the USS *Oklahoma*, the *Nevada* managed to cut loose while withstanding the onslaught of rapid machine gun fire and torpedo explosions. However, the damage to the ship was extensive enough that the ship had to run aground to avoid sinking at sea. Although the *Nevada* faired better than the *Oklahoma* and the *Arizona*, both of which sank due to extensive damage, she survived with a gaping hole.

Nearly 60 years after that foreboding day in December, 1941, I stand today before you to honor Mr. Frank McDuffie. Mr. McDuffie is illustrative of the Greatest American Generation—a generation of ordinary men and women asked to do the extraordinary. He joined the Navy to defend the United States and its citizens, to protect the freedoms and liberties we deem natural and God-given. Men like Mr. McDuffie, ordinary citizens willing to make the ultimate sacrifice for their country, provided the foundation on which America grew to become a great nation of unsurpassed international leadership and influence. Veterans like Mr. McDuffie are genuine American heroes. Mr. McDuffie's experience is a reminder that this country was built on the sacrifices of the brave men and women who served in the military to protect our country and preserve our freedom.

REMEMBERING A TRUE PUBLIC SERVANT, MAYOR JOE BOB PARKER

HON. TERRY EVERETT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. EVERETT. Mr. Speaker, I'd like to offer tribute to a man I've known all my life, a man who was a true public servant to the small Southeast Alabama community in which we both grew up.

On Monday, the Town of Midland City in my congressional district lost its mayor of many years and I lost a good friend. Mayor Joe Bob Parker passed away on May 22 while on duty at his post in the historic Midland City City Hall.

Joe Bob Parker served his community for 12 years as mayor and before that for 16 years on the city council. He was so popular with the people that he was unopposed for reelection to a fourth term in office at the time of his passing.

I'm sure that you could go anywhere in America and not find a more dedicated public official or a bigger friend. He was instrumental in promoting local industrial development, fighting for a much-needed senior citizens center, and was even recognized by the Alabama League of Municipalities with a Distinguished Service Award.

As a native of his beloved Midland City, I stand today with all the people of that south Dale County town in remembering and celebrating the life of one of the finest people I've ever known. Joe Bob Parker was special to us and he will be missed.

PERSONAL EXPLANATION

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. CAPUANO. Mr. Speaker, on May 23, 2000, I attended the funearl for the brother of Representative ANTHONY WEINER and was therefore unable to cast votes on rollcalls 214 through 223. Had I been present, I would have voted in the following manner: ''Yea'' on rollcall 214; ''yea'' on rollcall 215; ''yea'' on rollcall 216; ''yea'' on rollcall 217; ''yea'' on rollcall 218; ''yea'' on rollcall 219; ''yea'' on rollcall 220; ''yea'' on rollcall 221; ''yea'' on rollcall 222; ''yea'' on rollcall 223.

HONORING THE UNITED HOCKEY LEAGUE CHAMPION FLINT GENERALS

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. KILDEE. Mr. Speaker, today I congratulate the Flint Generals of the United Hockey League, who on May 17, defeated the Quad City Mallards in the UHL Colonial Cup Championship series. The game was truly an exciting battle, which the Generals won 5–4.

The Generals are a great example of what hard work, determination, and a passionate desire to win can accomplish. The Generals celebrated a stellar regular season with a record of 51–14–9, and 111 points. This not only earned them the Central Division Championship, but they tied a league record for most points by a team in the regular season.

The Generals went on to score decisive victories in the postseason, defeating the Madison Kodiaks, the Muskegon Fury, and ultimately, a strong and skilled Mallard team.

The Generals are the third team to bring a professional hockey championship to my hometown of Flint, Michigan. They are another testament to the rich sports history that exists throughout the state of Michigan. Their accomplishments shine bright in the eyes of the people of Flint. Mr. Speaker, I ask my colleagues in the 106th Congress to join me in saluting the Flint Generals. They are true champions.

HONORING THE WEST END MEMORIAL SCHOOL IN WOODBURY, NEW JERSEY

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. ANDREWS. Mr. Speaker, on May 24, at 1:30 to 2:30 p.m., at West End Memorial School in Woodbury, NJ, Col. Larry Engel, vice-president of the Battleship NJ Foundation, will present a print of the Battleship to the Woodbury School District, certificates to the three elementary schools and decals to the 178 fifth grade students who raised $1,000 toward the Battleship's Museum. They stitched over 1,400 needlepoint bookmarks and sold them for $.50 each, several Easter baskets which sold for $5 each and issued $1 stock certificates to local businesses and civic organizations toward their Battleship NJ Peace Project. The students will present an assembly to the 4th and 5th grade students dedicated to those who have served our nation. Col. Engel will address the group about the NJ and Memorial Day. The students will present a check to Col. Engel for the Museum.

HONORING REV. DOCTOR WILLY UPSHAW

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. ENGEL. Mr. Speaker, the year 2000 is significant for many reasons, not least of which is it being the 33rd anniversary of the Rev. Doctor Willie Upshaw's ministry at the Mt. Carmel Baptist Church in Yonkers, a church which has grown under his guidance and inspiration from 150 congregants to more than 2,500.

This incredible expansion of his ministry is based on his motto: ''Its no secret what God can do.'' The high esteen and love given the Rev. Upshaw by his congregation is based on his devotion to his pastoral duties of visiting and praying with the sick and shut-ins, dedicating infants, bringing God to patients at nursing homes and to prisons, and helping those in the community who seek him out for his wisdom and counsel.

Under his pastorate eight deacons have been ordained and seven ministers licensed, of who two have been ordained. Under Pastor Upshaw the Youth Church Ministry has been organized, drawing large numbers of young people to membership through the Rites of Passage and Vows of Purity programs, movements made easier by the Pastor's great love for all youth.

Pastor Upshaw has also served in many other capacities: Executive Vice President of the Yonkers Council of Churches, President of the Ministerial Fellowship of Yonkers, member of the Central Hudson Baptist Association, and member of the Board of Directors of the Yonkers General Hospital among so many others.

Rev. Upshaw has contributed an almost infinite amount of goodness and decency into the community. I am proud to stand here today to congratulate him on 33 years of his pastorate and to wish him, and all of us, many more years.

IN SPECIAL RECOGNITION OF JEREMY L. HAAS ON HIS APPOINTMENT TO ATTEND THE UNITED STATES AIR FORCE ACADEMY

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. GILLMOR. Mr. Speaker, I rise today to pay special tribute to an outstanding young man from Ohio's Fifth Congressional district. I am happy to announce that Jeremy L. Haas of Sandusky, Ohio, has been offered an appointment to attend the United States Air Force Academy in Colorado Springs, Colorado.

Mr. Speaker, Jeremy's offer of appointment poises him to attend the United States Air Force Academy this fall with the incoming cadet class of 2004. Attending one of our nations' military academies is an invaluable experience that offers a world-class education and demands the very best that these young men and women have to offer. Truly, it is one of the most challenging and rewarding undertakings of their lives.

Jeremy brings a great deal of leadership, service, and dedication to the incoming class at the Air Force Academy. While attending Sandusky High School, Jeremy has performed very well in the classroom. Jeremy has attained a grade point average of 3.775, which places him eighteenth in his class of three hundred six students. Jeremy is a member of the National Honor Society. In addition, Jeremy has received Scholar Athlete Awards in Football and Track in each year of his high school career.

On the fields of competition, Jeremy has distinguished himself as a fine student-athlete. He is a member of the Varsity Football team and has participated in the summer running and weightlifting programs. Jeremy is also a member of the Varsity Track team. In addition, Jeremy has been involved with the International Club and the Sandusky High School band. He has also served as a volunteer at the Sandusky Community Police Station.

Mr. Speaker, I would ask my colleagues to stand and join me in paying special tribute to Jeremy L. Haas. Our service academies offer the finest education and military training available anywhere in the world. I am sure that Jeremy will do very well at the Air Force Academy and I wish him the very best in all of his future endeavors.

POEM BY SOL AXELROD

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. ACKERMAN. Mr. Speaker, it is with great pride that I share a poem written by my constituent Mr. Sol Axelrod of Commack, New York. The Merchant Marines have served as the sixth Armed Force of our country. Mr. Alexrod beautifully describes our ocean-going Patriots who have laid down their lives for freedom. As Memorial Day approaches, I thought his words were particularly moving.

Forever at Rest

Yes, I recall that fateful day

A mighty force had struck my way.
Being thrust upon the deck,
With no feeling in my legs or neck

''Abandon ship'', a voice cried out
I could not stir or even shout.

Merchant seamen rest in the deep
Heroes in eternal sleep
Confined to a watery grave.
Patriots, bold and brave.

To my regret, I cannot leave.
There is no consolation for those who grieve—
Here forever, I am part of the sea
Having given my life for others to be free.

HONORING SHOLL'S CAFETERIA, A WASHINGTON LANDMARK

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. STEARNS. Mr. Speaker, on March 15th, I joined in celebrating the 72nd Anniversary of Sholl's Cafeteria. Sholl's is more than a business, it is a cherished institution here in Washington.

One of the most important family rituals is eating together, joining together in a daily activity and discussing the events of the day and the plans for tomorrow. Sholl's provides this family atmosphere by providing a place for people to come together in an enjoyable environment, to share in taking a meal and to experience the sense of community.

I would like to submit for the RECORD this poem by John Seitz which honors this Washington landmark.

ODE TO SHOLL'S CAFETERIA
(By John R. Seitz)

Come bring along a friend to Sholl's. Liver and onions! Ah, the rolls! The chopped steak is the best in town. Meatloaf or blue fish share renown.
Some folks favor the rhubarb pie, While pumpkin's what others swear by. Something lighter you might savor Is egg custard, rich in flavor.
Water glasses catch the eye, Sparkling with ice as you go by. Coffee is smooth from cup to cup, Whichever time of day you sup.
Is breakfast the meal you prefer? The eggs will suit without demur. The bacon's always crisp and done. Waffles, pastries, suit everyone!
So grab a tray, and step in line. The wait's not long, and you'll do fine. Sit where you like, then dig right in, Your tasty meal waits to begin.
Now you may hear, a threatening fear, That Sholl's could close and disappear. It's true; but Sholl's is open now. It plans to stay, and here is how.
Patrons, diners, all who should Step forth for food that's cheap and good, Promote tradition with these goals! So ''S.O.S.''—''Support Our Sholl's!''

EXTENSION OF REMARKS CONCERN FOR RELIGIOUS MINORITIES IN IRAN

HON. SAXBY CHAMBLISS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. CHAMBLISS. Mr. Speaker, ten percent of the citizens of the Islamic Republic of Iran are members of religious minority groups. According to the State Department and internationally recognized human rights organizations, religious minorities in Iran—including Sunni Muslims, Baha'is, Christians, and Jews—have all been the victims of human rights abuses simply because of their religious beliefs. More than half the Jews in Iran have been forced to flee that country since the Islamic Revolution of 1979 because of religious persecution.

Five Jews have been executed by the Iranian government in the past five years without having been tried. There has been an increase in anti-Semitic propaganda in the government-controlled Iranian press. I want to express my concern today about the thirteen Jews who Iran accused of spying for the United States and Israel and who were arrested on the eve of Passover in 1999. These men are currently being held in an Iranian jail, and although their trial has already begun, they have still not been charged. Further, contrary to Iranian law, these prisoners have been denied the right to choose their own legal counsel, and ten of the defendants have been imprisoned for over a year without any legal representation.

Both Israel and the United States have denied that these men were spying on their behalf. But, this case is indicative of the continued concern I have regarding Iran. From the continuing development of long range missiles capable of striking our friends and allies in the Middle East, to the lack of basic human rights and freedom for the Iranian people, to support for terrorists who target Americans, Iran persists in engaging in a pattern of unacceptable behavior that should cause all of us great apprehension.

Mr. Speaker, I urge my colleagues to join me in expressing alarm about Iran. It is my hope that the thirteen Jews currently being held on these trumped up espionage charges will be accorded their basic legal rights and that Iran will release all prisoners held on the basis of their religious beliefs.

HONORING MILES LERMAN

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. BACA Mr. Speaker, after 22 years of dedicated service, Miles Lerman will soon step down as Chairman of the United States Holocaust Memorial Council. At the end of this month, the Museum will be honoring his extraordinary commitment and dedicated leadership.

I would like to join with Mr. Lerman's fiends and colleagues in saluting his years of service not just to our Nation, but for the cause of justice throughout the world.

During World War II, Mr. Lerman fought the Nazis as a partisan in the forests of southern Poland. Upon liberation, he returned to his native town only to discover that his mother and siblings had been murdered.

After the War, he rebuilt his life in the United States, with his wife Chris, a survivor of Auschwitz.

Mr. Lerman has long been prominent in Jewish leadership, for which he received the medal of achievement from the Prime Minister of the State of Israel.

In 1980 he was appointed by President Carter to the United States Holocaust Memorial Council, to build a national Holocaust Memorial Museum in tribute to the victims of Nazi atrocities. He has been reappointed repeatedly by subsequent presidents. The United States Holocaust Memorial Museum is now the largest single repository of Holocaust artifacts in the world outside of the Nazi death camps.

In recognition of these achievements, President Clinton appointed Miles Lerman as Chairman of the United States Holocaust Memorial Council, the governing body of the United States Holocaust Memorial Museum.

Mr. Lerman has also received numerous honors throughout his distinguished career, including the Outstanding Civilian Service Medal, Department of the Army, May 15, 1996; The Inaugural Israeli Bonds Freedom Award, the State of Israel Bonds, Washington D.C. June 5, 1994; the Jules Cohen Memorial Award, Jewish Community Relations Council, Philadelphia, Pennsylvania, for commitment to international human rights and holocaust education, March 3, 1994; Commander's Cross (the highest award for a non-citizen of Poland), presented by Lech Walesa, President of the Republic of Poland, April 3, 1993; the Partisans Cross, for bravery in combat with the Nazi invaders, presented by the Order of Council of Ministers of the Republic of Poland, July 14, 1989; Prime Minister's Medal of Achievement, the State of Israel Bonds, June 10, 1973.

HONORING GERALD SQUILLANTE

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. ENGEL. Mr. Speaker, we all rely on hospitals for our well-being or more accurately, the people in our hospitals to help us through our individual crises. One of the people I want to praise today for his work is Gerald Squillante, Director of the School of Radiation Therapy at Montefiore Medical Center.

He has brought diligence and compassion to his work and he is being honored for his 18 years of service at Montefiore Hospital to the people of the community. He graduated from the first class of the School of Radiation at Montefiore Medical Center's Radiation Oncology Department.

For the 18 years he has served as Director he has dedicated his time and ability to assist the administrative, technical and medical staff whenever they have called on him. He has been a dedicated teacher who helped his students reach their goal of graduating from the School of Radiation Therapy Technology and to pass the National Registry Examination in order to obtain their licenses to treat.

He has shown care and devotion to his family, his colleagues and his students, who are known with affection as ''Jerry's Kids''.

I want to join with his family, friends, colleagues and students in wishing him the very best on his anniversary. The work he does certainly is a benefit to all of us.

IN SPECIAL RECOGNITION OF KRISTY L. LAUDICK ON HER APPOINTMENT TO ATTEND THE UNITED STATES MILITARY ACADEMY AT WEST POINT

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. GILLMOR. Mr. Speaker, I rise today to pay special tribute to an outstanding young woman from Ohio's Fifth Congressional District. I am happy to announce that Kristy L. Laudick of Van Wert, Ohio, has been offered an appointment to attend the United States Military Academy at West Point, New York.

Mr. Speaker, Kristy's offer of appointment poises her to attend the United States Military Academy this fall with the incoming cadet class of 2004. Attending one of our nation's military academies is an invaluable experience that offers a world-class education and demands the very best that these young men and women have to offer. Truly, it is one of the most challenging and rewarding undertakings of their lives.

Kristy brings a special mix of leadership, service, and dedication to the incoming class of West Point cadets. While attending the Culver Military Academy in Culver, Indiana, Kristy has attained a grade point average of 3.42, which places her thirty-third in her class of one hundred seventy-nine students. During her time at Culver Military Academy, Kristy has received several commendations for her superior scholastic efforts. During her first year, she received two Gold Cards. Kristy received two gold A's, one Silver Star, and one Gold Star during her second year. In addition, she received two Gold Stars and two Silver A's for her academic efforts in her third year.

Outside the classroom, Kristy has distinguished herself as an excellent student-athlete. On the fields of competition, Kristy has participated in Varsity Cross Country, Varsity Swimming, and Varsity Crew. She has also been involved in the Fall Rowing Club. Kristy has served as Secretary of the Campus Activity Board and is involved in the German Club, Band, and Fellowship of Christian Athletes.

Mr. Speaker, I would ask my colleagues to stand and join me in paying special tribute to Kristy L. Laudick. Our service academies offer the finest education and military training available anywhere in the world. I am sure that Kristy will do very well during her career at West Point and I wish her the very best in all of her future endeavors.

A SALUTE TO REDFORD HIGH SCHOOL

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. CONYERS. Mr. Speaker, I rise today in recognition of Mrs. Teresa Holder-Hagood and the students of Redford Senior High School in my home district of Detroit, MI. On Tuesday, April 25th, 2000, I was honored to visit with them to discuss various issues the students deemed important.

The memorable opportunity was prompted by a visit from Mrs. Holder-Hagoods' government class to my Detroit office in September of last year. The students were quite inquisitive, following up their visit with over 40 written requests to join them and address an even larger assembly. After personally responding to each inquiry, I arranged to meet with several classes of Redford students on Tuesday, April 25th, 2000; we were joined by my former staffer Ms. Susan Watson, a ''locked-out'' Detroit newspaper columnist, now with the Detroit Federation of Teachers.

Our visit proved to be a very stimulating session, capturing the essential character of the Detroit secondary-school community. After I was introduced by Ms. Cheri Luster, a sophomore in the school's college-prep curriculum, I found myself fielding questions covering a wide array of topics ranging from racial profiling and mandatory minimums to voting and education reform. While the student's inquiries were incisive, I could not help but be struck by their outstanding scholastic accomplishments, including, but not limited to, two Grand Winners in Math and Science at the Metro-Detroit Annual Engineering Fair and Leading Contender at the National Competition on Robotics—2000. At a time in our nation's history when an understanding of information and technological innovation is critical, these successes deserve acclaim.

Morever, Redford Senior High School is currently celebrating its 80th Anniversary; what more wonderful way to mark the occasion than to tout these victories in national scholastic competitions.

In the early 1900's, the very first teacher at Redford, Mr. Hiram Wilmarth, started out in a small white-frame school teaching only eight students. Today, Mrs. Holder-Hagood and her Redford colleagues, under the guidance of Principal Dr. Walter McLean, exemplify that same kind of solid commitment to student achievement. As senior teacher in the Social Studies Department and school ''Special Events Chairperson'', Mrs. Holder-Hagood, who has taught at Redford since 1969, utilizes the kind of educational tools which enrich her student's understanding of real world institutions in real time, through interactive experience.

This approach to education is epitomized by the ''Close-Up'' educational program here in Washington, D.C., which arranges ''close-up'' meetings with Capital Hill legislators. Several Detroit area schools, including Redford, have visited my Washington office through this wonderful program, and its benefits have been quite rewarding for all participants.

From its humble beginnings in 1907 of just under 10 registrants, Redford High School's enrollment has mushroomed to approximately 2,500 students from many backgrounds and cultures, and on Thursday, June 22, 2000, Redford High School expects to graduate over 250 seniors.

While there is still much reform needed in our nation's urban learning centers, stories of triumph, like those being authorized by Mrs. Teresa Holder-Hagood and the students, teachers, administrators and parents of Redford High, remind us of what true heroism really is and encourage us all. And so, on behalf of the U.S. House of Representatives, I want to wish Redford Senior High School of Detroit a Happy 80th Anniversary and every success in the coming years.

INTRODUCTION OF H.R. 4528

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. GILMAN. Mr. Speaker, today I am introducing a bill H.R. 4528 the International Academic Opportunity Act of 2000 along with the distinguished gentleman from New York, Mr. HINCHEY to encourage undergraduate college students to study abroad for a year.

Experts agree that a global society is the future. Americans, need to be prepared to operate in an international environment and economy. This preparation starts at a young age and is the reason I am introducing this measure to assist college-level students to study abroad.

I have been a longstanding supporter of international exchanges, because exposure to a world outside of one's home country leads to greater understanding. People-to-people contact—the seeing, doing and interacting—is how we learn to appreciate similarities, differences or other ways of doing things. I would like to expand the horizons of our college students by providing incentive grants to encourage lower income students to consider a study abroad program.

This bill authorizes $1.5 million to be made available to the State Department for grants up to $5,000. These incentive grants are to be used to cover travel or other expenses related to studying overseas. The intention of the bill is to provide current study abroad programs that exist on many college and university campuses with funds that would allow them to reach out to other students that may not have considered such study because of the added expense of travel and living.

Developed with the assistance of college administrators and exchange experts, it is hoped that a streamlined program will encourage more students to participate in an overseas educational program and motivate them to learn and apply a foreign language. These experiences and skills will serve them well as they enter the workforce. Through these grants, I want to help prepare and motivate our young students to participate in the international arena.

Mr. Speaker, I submit the full text of this important measure to be inserted at this point in the RECORD:

H.R. 4528

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 ''International Academic Opportunity Act of 2000''.

SEC. 2. STATEMENT OF PURPOSE.

It is the purpose of this Act to establish an undergraduate grant program for students of limited financial means from the United States to enable such students to study at institutions of higher education in foreign countries. Such foreign study is intended to broaden the outlook and better prepare such students of demonstrated financial need to assume significant roles in the increasingly global economy.

SEC. 3. ESTABLISHMENT OF GRANT PROGRAM FOR FOREIGN STUDY BY AMERICAN COLLEGE STUDENTS OF LIMITED FINANCIAL MEANS.

(a) ESTABLISHMENT.—Subject to the availability of appropriations and under the authorities of the Mutual Educational and Cultural Exchange Act of 1961, the Secretary of

State shall establish and carry out a program in each fiscal year to award grants of up to $5,000, to individuals who meet the requirements of subsection (b), toward the cost of 1 academic year of undergraduate study at an institution of higher education in a foreign country.

(b) ELIGIBILITY.—An individual referred to in subsection (a) is an individual who—

(1) is a student in good standing at an institution of higher education in the United States (as defined in section 101(a) of the Higher Education Act of 1965);

(2) has been accepted for an academic year of study at an institution of higher education outside the United States (as defined by section 102(b) of the Higher Education Act of 1965);

(3) is receiving any need-based student assistance under title IV of the Higher Education Act of 1965; and

(4) is a citizen or national of the United States.

(c) APPLICATION AND SELECTION.—

(1) Grant application and selection shall be carried out through accredited institutions of higher education in the United States or combination of such institutions under such procedures as are established by the Secretary of State.

(2) In considering applications for grants under this section, priority consideration shall be given to applicants who are receiving Federal Pell Grants under title IV of the Higher Education Act of 1965.

SEC. 4. REPORT TO CONGRESS.

The Secretary of State shall report annually to the Congress concerning the grant program established under this Act. Each such report shall include the following information for the preceding year:

(1) The number of participants.

(2) The institutions of higher education in the United States that participants attended.

(3) The institutions of higher education outside the United States participants attended during their year of study abroad.

(4) The areas of study of participants.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated $1,500,000 for each fiscal year to carry out this Act.

SEC. 6. EFFECTIVE DATE.

This Act shall take effect October 1, 2000.

CONGRATULATING KAHUKU HIGH AND INTERMEDIATE SCHOOL

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mrs. MINK of Hawaii. Mr. Speaker, I rise today to express my heartiest congratulations to the students at Kahuku High and Intermediate School in Kahuku, Hawaii on winning the Region 1 award at the We the People . . . the Citizen and the Constitution national finals held in Washington, DC, May 6–8, 2000.

This prestigious award is presented to the school in each of five geographic regions with the highest cumulative score during the first two days of the national finals. These outstanding young people competed against 50 other classes from throughout the nation and demonstrated a remarkable understanding of the fundamental ideas and values of American constitutional government.

The Kahuka High and Intermediate team—Cady Albert, Stephen Allred, Amber Alvarez, Brandon Barker, Ben Burroughs, Travis Cameron, Lauren Day, Nicole Francisco, Janae Hanson, Shin Ho, Erik Kokkonen, Michael Lau, Jason Ludlow, Shantel Musick, Ryan Nielson, Jon Robertson, Steven Robertson, Heather Sandison, Mea Shimizu, Jennifer Sickler, and Noa Walker—bring great honor to their school, their teachers, and to the State of Hawaii. I also take this opportunity to commend their teacher Sandra Cashman, State Coordinator Lyla Berg, and District Coordinator Sharon Kaohi on this marvelous achievement.

I want to recognize and thank the Center for Civic Education, which conducts the We the People program, for providing this wonderful program for our young people. We the People . . . The Citizen and the Constitution reaches more than 26 million students at elementary, middle, and high schools.

HONORING CALVIN B. ALDERMAN

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. TOWNS. Mr. Speaker, I rise today to congratulate Calvin B. Alderman on the occasion of his graduation from Medgar Evers College.

Mr. Alderman, born in Brooklyn, NY, was raised singularly by his mother. In 1986 his son, Calvin B. Alderman, Jr., was born. Two years after the arrival of his son came the birth of his daughters, Shakeera and Traquana. In an effort to support his children, he worked as a carpenter's apprentice for the Yonkers Construction Company for 5 years until he was shot three times in a robbery attempt. The incident left him with a spinal cord injury, requiring extensive physical rehabilitation therapy and a wheelchair for mobility.

After his recovery he became determined to improve the quality of his life. He began researching the rights of disabled persons. He discovered that many people with disabilities were unaware not only of their civil rights but, of federal, state, and city agencies which provide services to help ease the burdens of the disabled. He saw his accident as a way of getting him to help others with disabilities. After his research, he decided to attend Medgar Evers College, and began to advocate for the disabled.

He entered the CUNY B. A. Program at Medgar Evers College and will now graduate in June 2000. While enrolled at Medgar Evers College, he became actively involved in student organizations. He was the president of the Differently Abled Student Association (DASA) from 1995 to 1998, a nondelegate in the University Student Senate (USS) from 1996 to 1998, and a student advocate from 1995 to the present. He has also served as the vice president of Phi Beta Sigma Fraternity Inc. Alpha Phi Chapter, from 1997 to 2000, a member of the Public Administration/Public Policy Club from 1996 to 1997, and the vice-chairman of Disabled Student Affairs from 1998 to 1999 to name some of his affiliations.

Mr. Speaker, I wish to recognize the accomplishments of Calvin Alderman, and wish him continued success in his advocacy and future ventures.

IN HONOR OF JOHN A. ERTOLA

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Ms. PELOSI. Mr. Speaker, I rise to pay tribute to a man who is a pillar of the San Francisco community. John A. ''Jack'' Ertola is receiving an award as ''San Franciscan of the Year'' from the San Francisco Forum, and it is an honor that he richly deserves.

Born in San Francisco's North Beach area, Jack learned the value of community service at home. His mother, Marie, was active in community groups, and his father, Charlie, became a member of the board of supervisors. Jack absorbed these lessons well and has been a longtime servant to his country and community.

As a young man, Jack answered the call of duty and served in the U.S. Army during World War II. After attending the College of Marin, he graduated from Stanford University in 1951. He continued his education at the University of San Francisco Law School and earned his juris doctor degree in 1954.

Jack went into the private practice of law. In 1964, he was appointed to the San Francisco board of Supervisors. He became president of the board of supervisors in 1968.

When he left the board of supervisors in 1970, he became a Superior Court Judge. In this capacity he served the people of San Francisco honorably for 20 years. In 1987, he was selected as Judge of the Year by the San Francisco Trial Attorneys. Jack has been a member of the California Veterans' Board and was counsel to the board president of the San Francisco Fire Commission. He has also served on the University of San Francisco Law School Board and the Lawyers' Club Board of Directors.

Outside of his government and professional activities, Jack has been an active member of the community. He served on the board of directors of the Telegraph Hill Neighborhood Association and as president of the Golden Gate Neighborhood and Settlement House Association. He won the Jane Addams Award for community service on the 50th anniversary of the Settlement House movement. He has been a member of the North Beach Lions, the Columbus Civic Club, Easter Seals, and the Lincoln Park Neighborhood Association. He also served as chair of the California Boys State Program.

Jack is married to Shirley Clark Ertola and has a son, Chad, and a daughter, Jill. His children are both married and have given him four delightful grandchildren.

Jack Ertola is an upstanding citizen of San Francisco, and his life of civic engagement is an example to us all. I commend him on his distinguished career and congratulate him on this award.

RETIREMENT OF LT. LYNDON WILMOT OF THE COVENTRY POLICE DEPARTMENT

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. GEJDENSON. Mr. Speaker, I rise today to commend Lieutenant Lyndon Wilmot on the

occasion of his retirement from the Coventry Police Department following nearly 31½ years of dedicated service.

Lieutenant Wilmot joined the Coventry Police Department on January 9, 1969. Over the next three decades, he rose through the ranks and served in a number of important leadership positions. He attained the rank of Lieutenant in 1986. He served as the senior supervisor for many years and as the liaison between the Department and a correctional institute in nearby Mansfield. Throughout his tenure, he was a very active member of the Coventry Police Benevolent Association. As a police officer, Lieutenant Wilmot provided an extraordinary level of service and commitment to the community. His involvement in the Benevolent Association demonstrated his commitment to his fellow officers and their families. Lieutenant Wilmot also played an important role on behalf of his colleagues as a leading union member.

During his career, Lieutenant Wilmot participated in a number of important investigations and took countless actions to protect public safety and property. He took a leading role in investigating an extremely rare homicide in Coventry several years ago. His retirement offers the Department and the community the opportunity to reflect on the totality of his service on a daily basis.

Lieutenant Wilmot is known to residents as much more than a police officer. According to his close friend and colleague, Lt. Walter Sotenski, he is an ardent bass fisherman and an active member of the Coventry Historical Society. As a life-long resident of Coventry, his roots run very deep in the region.

Mr. Speaker, I am proud to join residents of Coventry in wishing Lt. Lyndon Wilmot the very best in the years ahead.

IN SPECIAL RECOGNITION OF BRIAN J. DYER ON HIS APPOINTMENT TO ATTEND THE UNITED STATES MILITARY ACADEMY AT WEST POINT

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. GILLMOR. Mr. Speaker, I rise today to pay special tribute to an outstanding young man from Ohio's Fifth Congressional District. I am happy to announce that Brian J. Dyer of Sandusky, Ohio, has been offered an appointment to attend the United States Military Academy at West Point, New York.

Mr. Speaker, Brian's offer of appointment poises him to attend the United States Military Academy this fall with the incoming cadet class of 2004. Attending one our nation's military academies is an invaluable experience that offers a world-class education and demands the very best that these young men and women have to offer. Truly, it is one of the most challenging and rewarding undertakings of their lives.

Without question, Brian brings a special mix of leadership, service, and dedication to the incoming class of West Point cadets. While attending Perkins High School in Sandusky, Brian's academic diligence has helped him to attain a grade point average of 3.66. Additionally, Brian is a member of the National Honor Society.

Outside the classroom, Brian has distinguished himself as an excellent student-athlete. On the fields of competition, Brian is a three-year letterman on the Perkins Swimming team and a two-year letterman on the Cross Country team. His efforts on the field and in the classroom helped Brian to receive the Scholastic Award in each year he has participated in both sports. Brian has also been active in the Pep Band, Jazz Band, and Brass Choir. To further demonstrate his commitment to our nation's military, in the summer of 1999, Brian enlisted in the Ohio Army National Guard and is a private in Troop 2C/107th Cavalry.

Mr. Speaker, I would ask my colleagues to stand and join me in paying special tribute to Brian J. Dyer. Our service academies offer the finest education and military training available anywhere in the world. I am sure that Brian will do very well during his career at West Point and I wish him the very best in all of his future endeavors.

IN HONOR OF KATHLEEN McMAHON

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Ms. SCHAKOWSKY. Mr. Speaker, in a special message to the Congress in 1965, President Lyndon B. Johnson wrote, ''Every child must be encouraged to get as much education as he has the ability to take. We want this not only for his sake—but for the nation's sake.'' Kathleen McMahon took that message to heart and dedicated her life to the noble profession of teaching.

As a Chicago Public Schools teacher for 34 years, she enriched the lives of countless students and ''encouraged'' them in the classroom. She knew from the start that a life of teaching is well worth the rewards. Her time and energy were the building blocks that helped many students thrive and grow.

On behalf of all her students, their parents, and her colleagues, I wish to commend Kathleen McMahon for her years of dedication and her immeasurable contribution to our community and wish her well in retirement. We are thankful for all her hard work teaching our nation's future leaders. I am sure that she will be missed by all at Norwood Park School.

HONORING NEW MEXICO'S ANCHORMAN, DICK KNIPFING

HON. HEATHER WILSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mrs. WILSON. Mr. Speaker, today I would like to bring to your attention Dick Knipfing, a man who has faithfully served New Mexicans for 36 years. He has served our state as a news anchor on all three of our largest local channels and has dedicated his life to informing his viewers on issues important to New Mexico. He is known and respected in New Mexico as a real ''pro'' who knows more about New Mexico history, politics and policy than most of the people he covers every day.

In 1996, he was inducted into the Silver Circle Society, which is one of the more prestigious honors in his field. In the late eighties, he was elected by his peers as one of the ''Best in the Business'' and listed in the ''Washington Journal Review.''

To many New Mexicans, Dick is the one they rely on to give them the straight story, every night. ''Dick always believed that news is a service, not a product,'' said former coworker and reporter Janet Blair. Indeed, Mr. Knipfing's dedication to serving the public will be solely missed.

We wish him the best in all future endeavors. He will always have a place in the hearts of New Mexicans for his integrity, his commitment to children and families, and his love of New Mexico.

Mr. Speaker, television news has changed a lot in the last 36 years. It's a 24-hour a day, multi-channel business where, in some places, form is more important than substance. Dick Knipfing has always been a man of substance giving New Mexicans the truth with integrity. He will be missed.

Please join me in honoring and thanking Mr. Dick Knipfing, New Mexico's anchorman, for all he has done.

HONORING JAMES V. KIMSEY, FOUNDING CEO AND CHAIRMAN EMERITUS OF AMERICA ONLINE INC., ON THE COMPANY'S 15TH ANNIVERSARY

HON. THOMAS M. DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. DAVIS of Virginia. Mr. Speaker, I rise today to honor a man who personifies America's pioneer spirit, exemplifies its entrepreneurial vision, and, most importantly, stands as a sterling example of the uniquely American practice of philanthropy.

A son of the Nation's Capital, James V. Kimsey is the Founding CEO and Chairman Emeritus of America Online, Inc., as well as the Chairman of the AL Foundation and the Kimsey Foundation. He studied at Georgetown University on an honors scholarship and graduated from the United States Military Academy at West Point before serving in the United States Army as an airborne ranger, rising to the rank of Major. He received numerous awards for service and valor during one term in the Dominican Republic and two in Vietnam.

The list of honors bestowed upon this great American literally goes on and on. Mr. Speaker, allow me to mention just a few: 1994 Business Leader of the Year, Washingtonian Magazine. KPMG Peat Marwick High Tech Entrepreneur of the Year. American Academy of Achievement Golden Plate Award. The first annual ''I Have a Dream Award.'' Presidential appointments to the Kennedy Center Board of Trustees and the West Point Board of Visitors. Chairman of the Washington Millennium and Bicentennial Commission. Chairman of the Board of The Washington Opera and member of the National Symphony Orchestra's executive committee.

But the accomplishment for which I rise today, Mr. Speaker, is that for which Jim Kimsey is best known—his visionary leadership in founding the company now called AOL

on May 24, 1985. After leaving the Army, Kimsey took his self-described ''airborne-ranger-infantryman'' mentality into the D.C. business world, opening restaurants, dabbling in real estate, and creating a bank-holding company. Then, in the early 1980s, he got involved in ControlVideo Corporation, a small firm that downloaded video games over the telephone—a venture he now calls a ''first-class fiasco.''

Always a step ahead of the curve, Kimsey, along with his partners, opted to move CVC's assets to another company rather than kill it. CVC became Quantum Computer Services, and from there—with the help of some venture capital—AOL was born. In a magazine interview last year, Mr. Kimsey recalled those anxious days, and it struck me on reading the piece how any stakeholder would love to have him at the helm:

''We were like a little boat speeding through the bayou. We didn't want anyone to see how big we were getting before we broke out into the open. Our challenge was to keep our eyes on where the river was flowing. . . . Because we kept a low profile, we went unnoticed by the big boys until we were a major force in the market.''

Beyond such David-and Goliath strategizing, furthermore, is a born leader who holds steady to the American ideal of self-reliance. Witness another excerpt from the magazine interview:

''When you are in battle, it's your job to accomplish your mission and bring your man back alive. There's no excuse if you don't. If you're a business CEO and you didn't figure out where the universe was moving, or what it takes to make your company successful, there's no excuse. When you have the mindset that there is no excuse, you will be successful.''

Successful indeed, Mr. Speaker, AOL and Jim Kimsey are now American institutions because they represent the very best of America in the Information Age: innovation, energy, risk-taking. I am proud to have had the chance to spend a good deal of time with this man, for I have learned much from him. He is the kind of person who reminds us, when we are in his presence, of Melville's words: ''It is better to fail in originality than to succeed in imitation.''

And now—now that he has accomplished all that an American businessman could dream of accomplishing—now he has turned his attention to serving America, much as he did during his years at West Point and his three tours of duty. ''Having money,'' Kimsey has said, ''doesn't necessarily mean that you're successful. It just means that you were lucky.''

That selfless perspective was apparent back in Vietnam, when he founded an orphanage he continues to support today. And it is apparent now as he takes on new philanthropic endeavors—from the dozens of non-profit boards he sits on to the message of education in the Internet Age that he spreads to teachers, students, parents and communities across America. Jim Kimsey believes as I do, that if we address the plight of disadvantaged children early, many of our society's problems will all but disappear. One of the challenges he's taken on is to figure out how technology can ameliorate the problems of education. During a trip to Vietnam just a couple years ago, he even dedicated a school in Dong Ha to which he continues to donate money.

Blink your eyes and there he is, deep in the mountains of Colombia, talking to leaders of that country's Revolutionary Armed Forces, trying to improve communication between their camp and that of Colombian President Pastrana. Blink your eyes once more and there again is Kimsey, serving as host at a fundraiser for one of the many charities to which he lends his name, energy and know-how.

Mr. Speaker, in closing, I want to extend my sincere congratulations to my friend Jim Kimsey on the 15th anniversary of one of America's great companies. I want to thank him for all that he has given to the greater Washington area, and all of the United States. Due largely to his foresight and determination, America is leading the way in the Information Age. Even more importantly, I want to thank him for serving as a model of corporate philanthropy.

FREE MARKET EDUCATION

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. SCHAFFER. Mr. Speaker, good schools are an essential element of any thriving community. In Colorado, we are doubly blessed with several good schools and many great communities.

As a father of five, I take the issue of education personally. My wife and I have chosen to educate all of our school-aged children in the Poudre School District. It's a topic to which the majority of my work in the United States Congress has been devoted, and I'm most encouraged by the common-sense reforms taking place back home in Colorado.

Governor Bill Owens has elevated the goal of improving public schools to statewide priority status. His is a challenging initiative of high expectations and structured accountability. The exercise is aimed at achieving more effective stewardship of the considerable resources Coloradans pour into public education, but even more so to afford greater opportunity to all students through real academic success.

Many innovative approaches to education in northern Colorado have become blueprints for academic success across the state. Consequently, Mr. Speaker, Colorado is fast becoming a national template for education overhauls in other states, and Gov. Owens' quality initiative is commanding the attention of governors coast to coast. Colorado's higher academic standards, community involvement, and innovative free-market solutions, have also become the basis for my most successful pro-child victories in the Congress.

Colorado is confirming for the rest of America that empowering states and school districts is the key to guaranteeing every student succeeds and that no child is left behind. Americans tend to agree, but the forces in Washington advocating greater consolidation of education authority here and federalizing our schools are nonetheless powerful.

Colorado is confirming for the rest of America that empowering states and school districts is the key to guaranteeing every student succeeds and that no child is left behind. Americans tend to agree, but the forces in Washington advocating greater consolidation of education authority here and federalizing our schools are nonetheless powerful.

''Before we continue spending more tax money trying to find a solution to [America's education] problem, maybe we need to understand the problem better,'' said Joey Lopez of Ft. Collins, Colorado recently when he testified before Congress. A seventeen-year-old Ft. Collins High School senior, Lopez understands what Americans intuitively know: It's going to take much more than cold hard cash to improve our nation's schools. It's takes the innovation, hard work, and committed leadership of parents, teachers, students, and elected officials everywhere.

Mr. Speaker, most Coloradans agree with Lopez. He typifies our independent, western spirit which is among the chief reasons our state ranks well for its ongoing efforts to improve education. Like other top-performing states, including Texas, Michigan, Florida, and North Carolina, Colorado excels not just because of the money it spends, but because of its dedication to innovative and proven education policies producing solid results for children.

Where schools are concerned, Coloradans have never been content to entertain trendy national initiatives. Our history has rather persuaded us America's education challenges will not be answered in Washington, D.C. by federal agents who do not know the names of Colorado's principals and teachers, much less the names of the children. Enduring solutions are more likely to be found in diverse communities throughout each of America's fifty states, just as the U.S. Constitution suggests.

That neither words ''education'' nor ''public schools'' are mentioned anywhere in the Constitution is a fact that surprises many, Mr. Speaker. Responsibility for educating American youngsters was deliberately and wisely reserved to the states and to the people—and it still is.

America's Founders understood well the value of a locally controlled framework of schools, and the perils of a federally co-opted one. They knew it was better to have decisions made independently by the several states, each free to innovate and duplicate successful methods rather than subsist under one mandate for all.

Following decades of increasing federal meddling in our local schools, Americans have learned all to well how perceptive our Founders were. Since 1980, for example, the federal government has funneled over $400 billion through the U.S. Department of Education bureaucracy. Unfortunately, the percentage of money actually making it back to classrooms is far less.

Coupled with the modest amount of federal funds local schools receive each year is a mountain of red tape, regulation, and costly unfunded mandates foisted upon each public school administrator. Washington provides about seven percent of an average school's budget, yet the amount of contingent paperwork and compliance burdens requires an estimated 48.6 million hours of paperwork each year.

A growing number of my colleagues in Congress are of the opinion that empowering states and local communities is the surest way to help states reestablish for themselves the finest schools in the world—schools held accountable to the parents who rightly demand real results for their children.

Last October, Mr. Speaker, the House passed important legislation providing states

and local school districts more control and flexibility. Commonly known as ''Straight A's,'' the Academic Achievement for All Act gives states the freedom to raise student academic achievement through more flexibility in spending federal education funds. This bill is a giant step in the right direction. Rather than relying on Washington-based programs, Straight A's gives states and local school districts the freedom to focus resources on locally proven efforts and solutions.

This is the kind of reform Colorado and every state needs and wants. In a letter to Congress, Gov. Owens stated,

> Colorado has schools that are blazing a trail of change. More schools and states need greater flexibility in their use of federal dollars. As the father of three children who attend three different public schools, I am proud to put my full support behind Straight A's. This legislation will allow the diverse areas, schools and people of Colorado to decide what they need most for their schools.

Placing more authority in the hands of local school boards will also ensure more dollars end up in classrooms. Meanwhile, officials at the U.S. Department of Education have been so busy devising and enforcing their various rules, and restrictions that they have failed to account for the billions in precious tax dollars entrusted to them to help promote education.

As part of an ongoing effort to root out waste, fraud, and abuse in federal government, my colleagues and I on the Education Committee have uncovered evidence of widespread financial mismanagement at the Department of Education. Eight months behind schedule, the department last November released a financial report in which its auditors determined the agency's 1998 books were not auditable. In other words, the department could not account for how it managed its $120 billion budget that year.

At an investigative hearing on Capitol Hill in March, we also found, amount other things, evidence the department violated the Credit Reform Act by hoarding $2.7 billion in education funds improperly in an internal account. In addition, we're currently monitoring an ongoing Justice Department investigation of a computer and electronic equipment theft ring operating within the department.

Mr. Speaker, such widespread and chronic mismanagement is clearly not in the best interest of our children. That is why in March the House unanimously passed legislation I authored directing the General Accounting Office—the federal government's financial investigative arm—to conduct a comprehensive fraud audit of the Department of Education.

Students, parents, teachers, and schools all suffer when scarce resources are lost in the bureaucracy instead of invested properly in education. It is past time for Congress to end such waste and abuse and force the Department of Education to place the interests of America's schoolchildren first.

Mr. Speaker, Colorado is doing just that. One of our state's most innovative and successful efforts has been the creation and promotion of charter schools. Currently benefiting thousands of Colorado students (with thousands more on waiting lists), charter schools are public schools created through a contract, or charter, with local school agencies. They are open to all children. Colorado's 68 charter schools are afforded a high level of autonomy and flexibility over curriculum and operation in exchange for maintaining high standards for student achievement and unique goals laid out in the charter. As founding parent of the Liberty Common School, a charter school in Fort Collins, I have personally experienced the positive results of a good charter school community.

Dr. Katherine Knox, headmaster of Liberty Common School, recently testified before the House Education Committee and underscored the importance of local autonomy. According to Knox,

> Though we all want quality in funding, and accountability for results, we don't want strings attached that allow subtle and increasing federal direction and control of local schools. The momentum for charter schools comes locally, and the attitude and culture is positively different in a good charter school because of the local control.

Ensuring a successful and well-funded education system in each of America's fifty states is important in the nation's effort to leave no child behind. But this laudable goal will never be attained until we first remove the shackles of an intrusive and unaccountable federal bureaucracy indifferent to the needs of our children. Local control is our best hope for education excellence, Mr. Speaker.

As a member of the United States Congress, I relish the chance to do everything within my elected capacity to ensure every child in America has access to the best education possible. My primary guide will continue to be the common-sense opinions of Coloradans, our home-spun western orientation for quality, and our abundant love for our families. These are the important components of a successful free-market education system established and championed by the great state of Colorado.

HONORING THE INGLEWOOD UNIFIED SCHOOL DISTRICT OF INGLEWOOD, CALIFORNIA

HON. MAXINE WATERS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Ms. WATERS. Mr. Speaker, it is with extreme pride that I come to the floor of the House of Representatives today. I want to share the fantastic accomplishments of some of my constituents—the students, parents, teachers, administrators and school board representatives of the Inglewood Unified School District in Inglewood, California.

A recent Los Angeles Times article, ''Inglewood Writes the Book on Success: It's Elementary Schools Draw Experts Studying How Poor, Minority Kids Get Test Scores as High as Beverly Hills': Keys Include Phonics, Constant Testing, Intensive Teacher Training'' by Duke Helfand highlights the phenomenal educational achievements by Inglewood's students. The article extensively chronicles the success of this urban school district.

The article explains that Inglewood's Elementary school students, 98% of whom are African-American and Latino, have scores on the Stanford 9 educational test in the top half of the list of all California school districts. These students are not considered the ''norm,'' the majority qualify for school lunch programs, have learned English as a second language and are being taught by a 45% uncredentialed elementary school teacher force. These students are defying all of the rules governing poverty, parental achievement and educational attainment.

An educational environment exists where the administrator defied the state educational guidelines and stuck to the basics—phonics drills, writing exercises and children's literature. The schools did not follow the move toward bilingual education and continued teaching in English only, according to the article. The administrators involved the parents in their child's education, keeping in mind the parent is a child's first educator.

Inglewood elementary schools have shattered the myths about poverty and education. I an excited to be here today to share that fact with my colleagues. Public schools work. The level they have reached is the level we expect from all our children regardless of where it is they happen to live. In Inglewood, educational excellence is the norm.

In today's news, we usually only hear about problem situations with our young people. We often do not hear enough about the hard work of the majority of our own constituents. We do not hear the success stories of the young people, their parents, teachers and administrators. I am pleased to be able to share this exciting success story with you. I thank Mr. Helfand, Los Angeles Times Staff Writer, for writing this informative article. I have attached a copy of the complete article for inclusion at this time.

Congratulations, Inglewood Unified School District! You have made us all proud. Continue to keep up the excellent academic achievements you have begun. We are a better community for your accomplishments.

[From the Los Angeles Times, April 30, 2000]

INGLEWOOD WRITES THE BOOK ON SUCCESS; ITS ELEMENTARY SCHOOLS DRAW EXPERTS STUDYING HOW POOR, MINORITY KIDS GET TEST SCORES AS HIGH AS BEVERLY HILLS': KEYS INCLUDE PHONICS, CONSTANT TESTING, INTENSIVE TEACHER TRAINING

(By Duke Helfand)

It is an axiom of education that the best public schools are found in affluent suburbs. Parents shopping for a top-tier campus, however, might want to take note of a more urban exception—Inglewood.

The city's elementary schools, many located under the landing path of Los Angeles International Airport, are filled with poor students who qualify for free lunches and who learn English as their second language. Yet they have leaped to the top ranks of California's new Academic Performance Index, defying the rule that equates poverty and minority status with low achievement in the classroom.

Inglewood's elementary students—virtually all Latino or African American—have produced Stanford 9 test scores that equal levels found in more upscale cities. In some cases, the Inglewood schools register math scores surpassing those in largely white enclaves of affluence such as Irvine, Malibu and Beverly Hills.

That success seems attributable to reforms that feature an intensive focus on basic reading skills, constant testing to detect students who fall behind and relentless teacher training. The model was perfected at two campuses that eschewed bilingual education and social promotion when both were popular, and that stuck with basic phonics when the rest of the state turned to a ''whole language'' approach to reading.

''You don't have to be white and rich to learn,'' said Nancy Ichinaga, principal at Bennett-Kew Elementary, one of the district's top-performing schools, along with Kelso Elementary.

Kelso earned a 10 and Bennett-Kew a 9 on the state's new accountability index, which ranks schools from 1 to 10 on the basis of their Stanford 9 test scores. In all, eight of the district's 13 elementary schools ranked among the top half of campuses in the state, shattering the crippling link between poverty and low academic performance.

Decades of research have shown that income and family background are the surest predictors of academic achievement. Students from low-income homes where parents have limited education consistently earn lower grades and test scores. Race and ethnicity are also closely associated with performance, with black and Latino students lagging well behind whites and Asians.

The achievement gap between poor and affluent, as well as white and minority, has long been the glaring failure of public education. Since President Lyndon Johnson launched his Great Society programs in the 1960s, the federal government has pumped billions of dollars into schools that serve the poorest children. Nonetheless, the gulf has persisted.

Inglewood's campuses fit the profile of schools that usually fail. They are among the most disadvantaged in the state when it comes to student poverty, lack of English skills, numbers of uncredentialed teachers and other obstacles associated with low performance, a Times study of state data shows.

Nearly three-fourths of Inglewood elementary students qualify for subsidized lunches, the leading measure of poverty among schoolchildren. More than one-third are not fluent in English. Latinos and African Americans account for 98% of the students. Forty-five percent of the elementary school teachers have not completed their training and hold emergency credentials.

But the elementary schools earned an average rank of 6.2 on the state's accountability scale and an average raw score of 654—exceeding the state median of 630. Districts with similar socioeconomic characteristics earned far lower scores. For example, El Monte's elementary schools scored an average 125 points lower on the accountability index and Montebello schools trailed by 166 points.

''It's impressive that virtually all of Inglewood's elementary schools performed better than expected,'' said Kim Rueben, a research fellow at the Public Policy Institute of California who reviewed the test scores as part of a broader statewide study of academic achievement. ''I think we should try to take lessons from the district.''

Inglewood's middle and high schools do not show the same level of success. The city's two middle schools registered 3s on the accountability index, with an average score of 526, well below the state median. Its two high schools bottomed out with 1s, with an average score of 441. Officials say that the bulk of recent reforms have concentrated on the primary grades and that students who benefited from those measures are just now moving into the middle schools.

Those reforms began to take root in the district three years ago under the late Supt. McKinley M. Nash. Wanting to duplicate the success of Kelso and Bennett-Kew, he pressed the other elementary schools to embrace their techniques and programs.

SCHOOLS ADOPT SAME READING PROGRAM

Officials say a crucial reform had each school adopt the Open Court reading program, which uses heavily scripted lessons that combine phonics drills, writing exercises and children's literature. The lessons dictate virtually every detail of daily instruction.

Some teachers complained that Open Court robbed them of creativity in the classroom. Others protested what they believed was a one-size fits-all approach for children with a range of abilities. They argued that it was particularly unsuitable for students new to English.

But the schools pushed ahead, significantly boosting training for teachers in Open Court. Each campus designated a ''reading coach''—essentially a master teacher to show the others how to use the reading program. The coaches have been funded with nearly $2 million in grants from the Packard Humanities Institute, a Los Altos, Calif., foundation that has spent about $45 million to install reading coaches in 28 California school districts using Open Court.

The coaches have helped solidify the new reading program in Inglewood's elementary classrooms, where nearly one in two instructors holds an emergency credential.

Ingelwood educators also introduced ''pacing schedules'' in the primary grades to ensure that teachers in every class covered the same reading lessons at about the same time. The idea, patterned after the practice at Kelso and Bennett-Kew, was to ensure that students at every school consistently acquired the same skills.

Schools also began testing their students every six to eight weeks in spelling, vocabulary and other skills in the same way that Kelso and Bennett-Kew had done for several years. Teachers began poring over the data together to identify lagging students and to refine their practices.

''There's little wiggle room to fall through the cracks,'' said Betty Jo Steward, principal of Highland Elementary School, which earned a rank of 8 on the state index, even though more than two-thirds of its teachers are uncredentialed. Highland switched to Open Court five years ago, ahead of the other campuses. ''It's made a tremendous differences,'' Steward said.

Inglewood's elementary schools have become urban laboratories for educators and researchers. Several of the state's largest urban school systems—including those in Burbank, Riverside and Oakland—have sent delegations to study Ingelwood's classrooms.

The Los Angeles Unified School District is among the latest to send observers. In July, the district will begin introducing Open Court and reading coaches in most of its elementary schools.

''Anything Inglewood can do, Compton or Los Angeles can do—we are not unique,'' said Marge Thompson, Kelso's principal of 25 years until her retirement in February. She still visits regularly to help train teachers.

Ingelwood's schools are among a group of campuses around the country that are gaining attention in education ranks for producing solid results with low-income and minority students.

''People need to make the study of schools like those in Ingelwood the single highest priority in the country,'' said Samuel Casey Carter, a researcher at the Heritage Foundation in Washington, D.C., who included Bennett-Kew in a new book about 21 impressive campuses that serve low-income children.

Carter found that the successful schools shared common practices and features such as an emphasis on basic skills, strong principals, frequent testing and assessment, and continuous teacher training.

''There is nothing these schools do that is beyond the reach of any school in America,'' he said.

What Carter found at Bennett-Kew were students like Omir Perez.

Omir's first language is Spanish; both of his parents were born in Belize. His family lives on about $18,000 a year. Yet the Bennett-Kew fifth-grader has produced Stanford 9 test scores that would please any parent: the 73rd percentile in math, the 80th in reading, the 97th in spelling.

''Education gets you a good job sooner or later,'' said Omir, who wants to be an airline pilot.

Omir's record already is paying dividends. He won a scholarship next year to the exclusive Chadwick School on the Palos Verdes Peninsula, along with four other Bennett-Kew students who had equally high marks.

The $11,600 tuition is nearly two-thirds of what Omir's father, a machinist, earns in a year.

''We had a lot of people praying for this,'' said Omir's mother, Isabel, who like her husband speaks English and is a naturalized U.S. citizen. ''It's a blessing.''

Omir is bright and studious, and his parents make his education their top priority. But his marks are hardly exceptional. ''We have 20 kids in the fifth grade like Omir,'' Ichinaga said.

CLOSING A STUBBORN ACHIEVEMENT GAP

Ingelwood's schools are succeeding at closing a stubborn achievement gap that emerges as early as age 3—even before children enter school. Children from poor families arrive in the classroom with less exposure to books and smaller vocabularies than their more affluent peers.

That gap widens the most during the elementary years but persists through high school and college—showing up in grades, test scores, graduation rates and other measures of achievement.

Ultimately, it affects students' earning power as adults.

The most recent round of national tests—in 1998—demonstrated the scope of the divide.

Among fourth-graders 39% of whites and 37% of Asians met the ''proficient'' level in reading on the National Assessment of Educational Progress. That meant that the students demonstrated competence over challenging subject matter.

By contrast, just 13% of Latinos and 10% of African Americans met the proficiency standard.

African American and Latino 12th-graders had fallen so far behind by the end of high school that they performed at about the same level in reading as white and Asian eighth-graders, the nationwide test scores revealed.

A growing number of experts argue that more experienced and qualified teachers are the key to reversing the trend.

Studies in Texas, North Carolina and other states have found that competent teachers—those who earn high test scores themselves and have a deep knowledge of the subjects they teach—produce higher-achieving students.

''If we took the simple step of assuring that poor and minority children had teachers of the same quality as other children, about half of the achievement gap would disappear,'' said Kati Haycock, director of the Education Trust, a Washington, D.C.-based organization that monitors student achievement in low-income communities.

''If we went further and assigned our best teachers to the students who most need them, there's persuasive evidence to suggest that we could entirely close the gap,'' Haycock added.

But the reality is that urban schools serving the neediest students tend to have the greatest proportion of novices leading their classrooms.

Ingelwood fits the pattern: 45% of its elementary school teachers hold emergency credentials. Only six of California's 1,000 school districts have higher percentages of teachers without full credentials. But Inglewood has overcome inexperience by literally molding its own talent and taking the guesswork out of teaching.

MAKING NEWCOMERS COMPETENT TEACHERS

The district has found a way to turn green newcomers such as Andrew Gin into competent instructors. Gin arrived at Payne Elementary School two years ago, after fleeing an unhappy career as a stock analyst for investment firms in Los Angeles. He brought enthusiasm, energy and a desire to work with children—but zero job skills. ''I didn't know where to begin,'' he recalled.

At Payne, Gin was handed the Open Court reading program and a thick teacher's manual that told him what skills to teach every day, even when to praise his second-graders. ''It was a godsend,'' he said, ''like a huge outline.''

Meanwhile, Gin became a student in this own school. Payne's teachers became his mentors.

Principal Georgia Leynaert began visiting Gin's classroom regularly to teach him techniques for engaging students. Two senior teachers met with Gin at lunch and after school, showing him how to design lesson plans and giving him tips on games that encourage learning, such as math bingo. A reading coach helped demonstrate Open Court.

''Whenever I need something clarified or explained, I know where to go,'' said Gin, 33, who is working toward his credential at Cal State L.A.

More than half of Payne's teachers have emergency credentials. Still, in a school where 87% of the students qualify for subsidized lunches and 72% speak limited English, Payne earned a rank of 7 on the state's new accountability index, placing it among the top third of elementary schools in California.

''If you hire right, then inexperience doesn't have to be a negative,'' Leynaert said. ''You hire people who are going to be good. Then you give them structure so that no teacher is left out there alone.''

DRIVEN BY HIGH EXPECTATIONS

Payne and the other schools also are driven by high expectations, an intangible quality that shapes the culture of their campuses.

Teachers reject the idea that their students are destined for mediocrity because they are poor or speak limited English. Instead, they demand that students meet the state's academic standards.

''If you set high expectations for children, they generally rise to the occasion,'' said Norma Baker, principal of Hudnall Elementary School, which earned a state rank of 8 with nearly half the students still learning to speak English. ''You get what you expect.''

That message literally surrounds the students in Barbra Williams' fourth-grade classroom at Hudnall.

Mock graduation caps with black tassels hang from the ceiling. Each has the name of an elite university scrawled in white letters on the back: Stanford, Harvard, Yale, Princeton.

The walls carry similar messages. A sign on one wall ways, ''ENGLISH MAJORS EXCEL,'' in big black letters, with student reports stapled to the wall. A sign on another wall ways, ''MATH MASTERS''; the wall features colored pictures of sliced pizzas that the students created to demonstrate fractions. The banner on a third wall ways, ''SOCIAL STUDIES SCHOLARS.''

Williams requires all of her students to write essays at the end of the year about universities they will attend, and to select majors they plan to study. Students are encouraged to collect admissions packets in the course of their research.

''I tell them. 'You have to go to a really good college. You have to get good grades, good test scores. You have to get in the habit of taking it seriously,'' said Williams, 25, a graduate of UC Irvine. ''I want to instill in them that these universities are out there. Some of these students don't hear that or haven't thought about it. When I ask them about colleges, they mention El Camino or Southwest two local community colleges.''

Nine-year-old La Tijera Avery has already picked her university. It's Stanford.

''I want to grow up to be a great doctor who helps people who get stick,'' said La Tijera, who earns mostly as an impressive Standard 9 test scores—the 62nd percentile in reading and the 85 percentile in math.

La Tijera's mothers, La Tasha Holden, is thrilled with her daughter's progress. When the family moved across Inglewood a few years ago, Holden purposely kept La Tijera at Hudnall. The philosophy of the school, she believed, reflected the values she teaches at home.

''My kids are going to college if I have to give every penny I have or sell my house,'' Holden said.

STRONG LEADERSHIP SEEN AS CRUCIAL

When educators speak about school reform, they inevitably seize on the issue of leadership. High-performing campuses, the experts say, are led by able principals who firmly manage, show a keen ability to motivate teachers, set unambiguous goals and establish a serious academic tone.

Two of the lowest-performing elementary schools in Ingelwood have faced regular turnover among top administrators. Lane, a kindergarten through eighth-grade school that earned a 3 on the state's accountability index, has had eight principals in 10 years, said the latest administrator to hold that position.

Since taking over at Lane 2½ years ago, Principal Adrienne Jackson has replaced about half her staff and opened a school library for the first time in years. Lane's reading test scores have improved an average of eight point during her tenure.

None of the administrators has done the job as successfully as Ichinaga and Thompson, the longtime principals of Bennett-Kew and Kelso, respectively

Both have made careers of bucking the educational establishment.

Ichinaga and Thompson began using Open Court in the mid-1980s, and stuck with it even as phonics was being phased out in California. They hewed to scripted math programs that stressed basic computational skills, even as the state moved to more experimental approaches.

Both also required their teachers to give regular student assessments, and they personally analyzed the results, a previously unheard-of practice that is only now gaining currency in schools.

In addition, both long ago said no to social promotion, holding back failing kindergartners in ''junior first'' classes that provide an extra year of phonics practice.

And both rejected bilingual education two decades before California voters officially ended the practice in 1997.

''I didn't believe in bilingual education, and my parents were dead set against it,'' said Thompson, a former first-grade teacher in Inglewood. ''I didn't need a job bad enough to violate my ethics.''

For Inchinaga, the decision grew out of personal experience: She was reared in a Japanese-speaking home on a Hawaiian sugar cane plantation but attended schools that taught in English. ''My kids come to school much like I was, with very little English,'' she said.

These principals' methods, and the stability they brought, are reflected in test scores.

The average Kelso second-grader reached the 71st percentile in reading and the 79th percentile in math on last year's Stanford 9. The scores are comparable to the district average for second-grader in Irvine and Beverly Hills, which have two of the region's most affluent school systems. Bennett-Kew's scores also were high: The average third-grader was in the 58th percentile in reading and the 84th in math.

The scores mean that the students were in the top echelons of test-takers nationwide.

Thompson and Ichinaga are a contrast in styles. While she was principal, Thompson was a quiet force on campus, personally training her teachers and parents while keeping a low public profile. Ichinaga is an outspoken advocate for her methods and a master at delegating authority to her best teachers.

''I'm dismayed that so many people still believe if you're a minority by color or language, you're at a disadvantage,'' Ichinaga said. ''I don't believe that for a minute. We have to get rid of that mentality.''

Ichinaga's campus has drawn more attention in recent years because of the visible role she has taken in education reform. She sat on the task force that helped draft Gov. Gray Davis' education agenda shortly after he was elected two years ago, and she is regularly invited to speak at education conferences. Davis appointed her this year to the State Board of Education.

Although Bennett-Kew has received more acclaim, Kelso, a year-around school, has quietly assumed the top rank in the district. One reason, Thompson and Kelso's teachers say, is that all students are invited to take classes during their vacation breaks for a few hours a day. Up to two-thirds of her students return, meaning they literally attend school all year long.

''We're committed to overturning perception in education—that so-called low socioeconomic children can't learn.'' said Linda Stevenson, a longtime Kelso teacher who was the first to use Open Court at school. ''Of course, they can learn. We're here to prove it.''

MAIN STREET POOCH

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. GEORGE MILLER of California. Mr. Speaker, the people of Martinez, California, lost a great friend and a fixture in the community with the death of Charlie, the beloved golden retriever and member of the Ross family. Mr. Speaker, the relationship between Gene Ross and his dog, Charlie, was wonderful to behold. They went everywhere together. Whether Gene was running in the hills of Alhambra Valley or the trails of the Sierra Mountains above the Tahoe Basin, Charlie was always at his side. And if you walked or ran with them, you could listen to their constant conversation.

During summer vacations at Donner Lake, Charlie would dive into the chilly water where others were timid. He especially loved it when the kids were in the water, so he could look after them and swim with them. As friends and family gather for the upcoming traditional Fourth of July festivities at the Ross cabin, this year will be different. This year just before the fireworks start, we will not kid Gene as he talks to Charlie to calm him down about the

fireworks and then puts him in the bedroom with the radio on so he won't be frightened at the explosions. In all those years together Gene could never convince Charlie not to be afraid of the fireworks.

Mr. Speaker, downtown Martinez and all the friends of Gene and Marge Ross are going to miss both Charlie and the special relationship that they enjoyed. Following is a letter that Gene wrote that was published in our local paper:

[From the Contra Costa Times, May 2000]

MAIN STREET POOCH WON'T BE FORGOTTEN

DEAR GARY: On Monday we suffered the loss of our believed golden retriever, Charlie.

Charlie was a fixture on Main Street in Martinez. He went to work with me every day for 14 years and had so many people that loved him. This is our way of letting them know about him.

Last Friday, Dr. Ruth Adams, our veterinarian, diagnosed Charlie with a fast-growing bone cancer. There was no hope of saving him, only of keeping him happy for the few remaining days.

Charlie loved greeting visitors to our office, visiting with clients (as long as they didn't try to sit in ''his'' chair) and going down Main Street with me to take care of business. He brought a smile to everyone's face.

He ran in Briones Park with our running group, Rob, Peter, Paul and myself, for 14 years. His excitement over our long runs never altered. If we ran 10 miles, he ran at least 15, always checking back to make sure we weren't lost.

He loved hiking in the Sierra, swimming in Donner Lake and cheering on our bocce team. His energy was boundless.

He talked, really ''talked'' to my wife, Margie, every night to let her know how our day at the office went. And always with two or three tennis balls in his mouth.

He let our two little grand-daughters cuddle and climb on him with such patience.

On Monday he went to the office with me for the last time. By noon I could see that he was not doing well. I took him home to my wife who ''talked'' to him. He told her he was in pain and that it was time. She gave him medication to ease his pain.

As he wagged his tail and held his tennis ball in his mouth, we held him close, and Dr. Adams eased him into the world where his puppyhood friends, RJ and Morgan, waited for him at the Rainbow Bridge.

His tennis balls are still scattered around the house. Not to tell us he is coming back, but to tell us he will always be with us.

Thanks to all of Charlie's friends who have been so supportive and kind. And to you, for letting us share our loss.

GENE ROSS, *Martinez.*

RECOGNITION OF THE SALT RIVER PROJECT AS A LOCAL LEGACY

HON. JOHN B. SHADEGG

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. SHADEGG. Mr. Speaker, I rise today to applaud the inclusion of the Salt River Project in the Local Legacies Program of the Library of Congress. I nominated the Salt River Project for this honor because of the pivotal role which it has played in the growth of the City of Phoenix and Central Arizona. This nomination was a natural decision for me: my father Stephen Shadegg wrote several books on the Salt River Project, including its first narrative history in 1942, and subsequent works on the importance of the Project to Arizona's development. These books include: Arizona: An Adventure in Irrigation (1949), The Phoenix Story: An Adventure in Reclamation (1958), and Century One: One Hundred Years of Water Development (1969).

In 1868, Phoenix had a population of 100 people; it is now the sixth largest metropolitan area in the United States. All of this growth was made possible by the development of water storage and irrigation facilities and, since 1903, the Salt River Project has played a central role in this development.

In a desert state like Arizona, access to a reliable supply of water is literally a matter of life and death. The early settlers recognized this fact and constructed the first of many water supply canals in Phoenix in 1868. These early canals relied on diverting water from the rivers but did not include the construction of dams to create water storage reservoirs. This failure to store water proved to be a fatal flaw when drought hit in the 1890's. For three years, there was no rain and the rivers ceased to run. The population of Phoenix plummeted and conflicts, some of them deadly, erupted over the limited water available.

This devastating drought forced the citizens of Phoenix to band together and create an organization capable of financing, constructing, and operating a water storage and delivery system. It required the highest degree of personal commitment: each property owner in the Phoenix area pledged his or her property as collateral to finance the construction of the system. In 1903, this organization took shape as the Salt River Water Users' Association, now a part of the Salt River Project, and became the first water storage system organized under the Federal Reclamation Act.

Today, it is easy to take the necessities of life for granted, including the ability to get water by simply turning on a faucet. However, the laws of nature still apply and, in a desert, a reliable supply of water will always be a matter of life and death. Life in Arizona, Southern California, and other desert regions is only possible because a guaranteed, permanent supply of water is available.

While the laws of nature should be self-evident, there are some individuals and organizations who refuse to accept them and instead advocate the destruction of the water supply reservoirs which make life in the desert possible. We are currently locked in a struggle against the willful ignorance of these groups and individuals and, while we are supported by the facts, we must not underestimate the zealous dedication of the other side. We must not allow such destructive proposals as the draining of Lake Powell to lead to a repeat of the devastation inflicted on Phoenix by the drought of the 1890's.

As long as people live in the desert, there will be a need for organizations like the Salt River Project to supply them with the most basic substance needed for life. I salute the Salt River Project for its historic role in the development of Phoenix and its continued importance, and welcome its inclusion in the Local Legacies Program.

COLORADO STATE SENATE PRESIDENT RAY POWERS

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. McINNIS. Mr. Speaker, I want to take this moment to recognize the career of one of Colorado's leading statesmen, President of the Senate, Ray Powers. 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 Powers' dynamic leadership will be greatly missed and difficult to replace.

Elected to the State Senate in 1980, he sponsored many bills addressing, for example, death penalty, highway funding and more judicial requirements for judges. In 1983, Ray served as the Majority Caucus Chairman and then moved to the position of the Assistant Majority Leader.

Senator Powers also received many honors. He has received the United States Veterans Committee Distinguished Service Award and was named by the Colorado Springs Chamber of Commerce and the Colorado Public Affairs Council as Legislator of the Year.

This year marked the end of Senator Powers' 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 Powers a debt of gratitude and I wish him well.

MUHAMMED ALI BOXING REFORM ACT

SPEECH OF

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 22, 2000

Mr. GOODLING. Mr. Speaker, four years ago, the Congress passed the Professional Boxing Safety Act, an Act within the primary jurisdiction of the Committee on Education and the Workforce. This Act created comprehensive nationwide regulations for the sport of boxing. It was a first step establishing a uniform system of licensing and minimum health and safety standards for boxers.

Because of the Professional Boxing Safety Act, for the first time, states could keep track of and protect professional boxers with appropriate oversight and supervision.

Corruption continues to taint the sport of boxing. A major international sanctioning body has been charged with bribery, racketeering and money laundering. And, the sport continues to endure allegations of fixed fights. The Miami Herald has reported that over 30 prizefights in the last 12 years have been fixed. Tragically, the boxers themselves suffer the most from the exploitation and anti-competitive business practices seemingly endemic to the sport.

The Muhammed Ali Boxing Reform Act would help to put an end to this corruption. It requires the establishment of objective and consistent criteria for the ratings of professional boxers. It requires the disclosure of compensation received in connection with a

boxing match by promoters, managers, sanctioning bodies, judges and referees. It provides tough new penalties for criminals who continue to try to manipulate and undermine the sport through coercion and bribes. ESPN says that ''The Ali Act, modest in scope, can make a difference. It is a small, but significant step, and one that would cost nothing to taxpayers.''

I would like to thank the gentleman from Ohio, Mr. OXLEY, the Chairman of the Subcommittee on Finance and Hazardous Materials, and the gentleman from Virginia, Mr. BLILEY, the Chairman of the Committee on Commerce, for their leadership in moving the Muhammed Ali Boxing Reform Act forward.

BILL TO DESIGNATE THE WASHINGTON OPERA IN WASHINGTON, D.C., AS THE NATIONAL OPERA

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. GOODLING. Mr. Speaker, today I am introducing a bill to designate the Washington Opera in Washington, DC, as the National Opera. The beginnings of the Washington Opera were unusual having been founded by a music critic, Day Thorpe of the now defunct Washington Star, along with a few others who decided that the nation's capital should have an operatic enterprise of its own. In the early years, the Opera Society of Washington—later renamed the Washington Opera—was limited by financial and practical constraints to no more than one or two productions per year, the Opera Society performed in the Lisner Auditorium of George Washington University until the early 1970's, when Artistic Director Ian Strasfogel led the company into the Kennedy Center Opera House with the world premiere of Ginastera's Beatrix Cenci.

The ensemble has since been named the resident opera company of the Kennedy Center, for which it receives honorary, but not monetary, support.

The Washington Opera became the first American opera company to produce a repertory season in two separate theaters. Giving performances in the 2,200 seat Opera House and the more intimate 1,100 seat Eisenhower Theater allows the company to perform in settings that reflect each opera's proper acoustical ambiance.

In addition to performances, the Washington Opera has created several education and community programs that serve a broad and diverse population. These outreach programs are dedicated to enhancing the lives and learning of the children and adults of the greater Washington region, developing future audiences, and making the experience of opera available to those whom otherwise have limited access to the art form.

Through these programs, the Washington Opera has made extensive outreach to the Washington D.C. area public schools and to the community at large. These outreach programs have reached more than 150,000 individuals, and have been driven by the idea that ''learning by doing'' is a highly effective way to spark young children's interest in the arts. The number and scope of programming has grown to 22 programs that provide performance experiences, curriculum enhancement activities, in-school artist and docent visits, professional development opportunities for teachers and young artists, interactive family-oriented presentations, and more.

Under the stewardship of Artistic Director Placido Domingo, the Washington Opera has achieved the stature of a world-class company and plays to standing-room-only audiences at the Kennedy Center Opera House and Eisenhower Theater. The Washington Opera has earned its position of leadership in the musical world without the crucial government support typical in most world capitals, in a city without the strong business base that helps fund many U.S. opera companies.

The company has been a leader through its commitment to sustain new American operas by presenting them in crucial second productions, giving these new works life beyond the short span of their premieres. It leads by championing lesser known works of significant musical worth rarely presented on today's opera stages. It has been hailed for its work with operas on the epic scale, as the British magazine Opera Now recently stated, ''The Washington Opera is carving out a new area of expertise . . . staging grand spectacles to exacting standards with precision and power not often seen even at the world's top houses.'' The company is also renowned for the number and quality of its new productions, its discovery and nurturing of important young talent and the international collaboration system it has pioneered with leading foreign companies.

Since 1980, the company has grown from a total of 16 performances of four operas to 80 performances of eight operas, while the budget has increased from $2 million to more than $25 million.

In 1980, the opera did not own a single opera set; by the spring of 2000 the company had originated and built 61 new productions, becoming one of the most prolific producing companies in the U.S. The company has averaged 98 percent attendance over the last fourteen seasons a remarkable sales record. It now earns approximately 65 percent of its total budget through ticket sales, raising the remaining 35 percent through contributions from individuals, corporations, and foundations. A sign of fiscal strength, this ratio of earned to contributed income is the highest of any opera company in the country.

The Washington Opera has requested that I introduce legislation to designate the Washington Opera as the ''National Opera.'' There are precedents for granting private or quasi-private entities a ''national'' designation. For example, the National Aquarium in Baltimore and the National Aviary in Pittsburgh both received their ''national'' designation through acts of congress. Such a designation does not bring with it federal funding or a federal subsidy.

Rather, it grants the entity national prominence, which may increase ticket sales and improve fundraising prospects.

I urge my colleagues to support this legislation.

TRIBUTE TO CHAIM DOV SACKS

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. SHAW. Mr. Speaker, I rise today to recognize and pay tribute to an outstanding scholar and student leader, Chaim Dov Sacks. Dovi Sacks was recently named a Presidential Scholar, an award presented to two outstanding students from every U.S. state and territory. The award recognizes student leadership, SAT scores, and participation in the community. Dovi excelled in all these categories. He is the student body president, and a National Merit Scholarship Finalist who received a perfect 1600 on his SAT at Pine Crest Academy.

Dovi has brought further recognition to Fort Lauderdale's prestigious Pine Crest Academy. The school has had two Presidential Scholars in the past two years, and Dovi is the third in three years, an unprecedented feat. Just this year Pine Crest had 3 perfect SAT scores and 32 graduating seniors planning to attend Ivy League schools.

I know the House will join me in recognizing and honoring this outstanding scholar and wish him continued success as a future leader of the country. In addition, I would like to acknowledge Pine Crest Academy for their excellence in education and hope for continued achievement in teaching.

IN HONOR OF THE RETIREMENT OF JUDGE PHILIP A. CHAMPLIN

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. THOMPSON of California. Mr. Speaker, I rise today in honor of Napa County Superior Court Judge Philip Champlin on the occasion of his retirement from this distinguished post. Judge Champlin has served as Napa's Superior Court Judge for 21 years and has been an outstanding community leader throughout our Valley.

Few people make an impact on their community the way Philip Champlin has improved and touched ours. Both on and off the bench, his integrity and intelligence have enhanced the quality of life for those around him. Be it through his judicial efforts or his community involvement with the Red Cross, Rotary, Boy Scouts and other civic groups, he has made contributions that will be remembered for a very long time.

Born in Annapolis, Maryland in 1939, he attended Yale University where he earned his B.A. in Psychology in 1961. He traveled to California to attend the Boalt School of Law where he received his J.D. in 1964 and later went on to attend the California Judicial College in Berkeley.

Judge Champlin began his distinguished career by serving as an associate for the law firm of Coombs and Dunlap in Napa, California in 1965. By 1967 Judge Champlin was a partner in the firm, where he remained until 1977. In 1978 Philip Champlin became Judge of the Municipal Court in Napa County. He only served in this post for one year before

becoming California Superior Court Judge for Napa County in 1979. Judge Champlin also served as a Justice Pro Tem for the California Court of Appeals First Appellate District in 1996 and 1998.

The Napa County community has recognized Judge Champlin for his great work numerous times. In 1987 he was named the Napa Citizen of the Year by the Napa Chamber of Commerce and KVON Radio. He was named a Silver Beaver by the Silverado Council of the Boy Scouts of America in 1985 and was likewise granted the Award of Merit by the Napa District of Boy Scouts in 1984.

Judge Champlin has been a dedicated family man throughout his life. He has been married to Lynne McWilliams for 34 years and together they have two children, Christopher and Catherine Champlin.

Clearly, Mr. Speaker, Philip Champlin has been an outstanding lawyer, judge and citizen. Our Napa Valley community has been fortunate to have such a dedicated and distinguished man serve us throughout the last three decades. It has been my honor, first as a State Senator and now as a Congressman to represent Philip Champlin. For these reasons, I move that we officially honor Judge Philip Champlin for his meritorious service to the people of Napa County, California.

CENTRAL NEW JERSEY RECOGNIZES THE JAMESBURG VOLUNTEER FIRE DEPARTMENT'S 100TH ANNIVERSARY

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. HOLT. Mr. Speaker, I rise today in recognition of the Jamesburg Volunteer Fire Department's 100th anniversary. Over the last century, the members of this organization have made a tremendous contribution to their community by protecting their residents and assisting other local departments.

On March 19, 1900, a special meeting was held at the Jamesburg Borough Hall to discuss fire protection in Jamesburg. At this time, the Borough had allocated $666 for fire protection. At this meeting, it was determined that there was a need to create a permanent organization to provide fire protection and prevention in the Borough of Jamesburg; The organization was named ''The Jamesburg Fire Protective Association.''

The next month, arrangements were made for the purchase of a Holloway Double Fifty Gallon Tank Chemical Engine for $1,440. Later that month, an organizational meeting was held, and 55 volunteers attended to offer their services. The name of the organization was changed to ''Jamesburg Fire Co. No. 1.'' The first fundraising event was held on May 15, 1900, and was a huge success, raising over $100. The same night as the organizational meeting, the company responded to its first call—a fire that destroyed a local barn.

To summon the volunteers for a fire call, an alarm system was needed. The first was a flange of the rim from a locomotive wheel that was sounded by being stricken with a sledge hammer. This system proved inadequate and the company purchased a 1,100-pound bell in November of 1901. The alarm system was electrified in 1914 by placing an automatic striker in the bell.

Starting in 1901, local youth were allowed to assist the department by carrying water in pails to the scene of the fire. These youths affectionately referred to as the bucket brigade. The tradition still exists today in the form of a Junior Membership Program that allows individuals between 16 and 18 years of age to join the department and learn the skills of firefighting in preparation for becoming certified firefighters.

In 1982, the Borough of Jamesburg formed a fire district, allowing the department to receive some funding through a fire tax. Today, the Jamesburg Volunteer Fire Department is a completely volunteer staffed department that upholds the pride and tradition of their founders. In addition to providing fire protection in the borough, the department is contracted to respond to calls in Monroe Township and a stretch of the New Jersey Turnpike.

I urge all of my colleagues to join me in recognizing the accomplishments of the Kingston Volunteer Fire Company.

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

SPEECH OF

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mrs. MINK of Hawaii. Mr. Speaker, I rise in opposition to H.R. 4444.

Giving China permanent normal trade relations with the United States gives up a valuable tool for protecting the human rights in China. It assures China that it can take American jobs through low wages and forced labor.

In the auto industry GM has admitted that GM plans to increase its use of China-made parts in its Shanghai facility from 40 to 80 percent. Those parts will replace parts made in America. The manufacturing jobs will move from the U.S. to China.

REI announced this month that it is closing its Seattle clothing plant to open a plant in Mexico. REI credits NAFTA for the move. As a result of NAFTA 325 jobs have now moved to Mexico for a simple reason: The Mexican workers will be paid $50 per week. This is a foretaste of what is to come with PNTR especially with Chinese workers earning 25 cents per hour.

Chinese workers have little in the way of rights. Chinese workers are prohibited from freely organizing labor unions and any signs of discontent are punished.

A demonstration last week in Liaoning by 5,000 workers and retirees over unpaid wages and pensions was met by 1,000 police who forcefully broke up the demonstration, beat 50 people and arrested the organizers. That is the usual Chinese government reaction to workers seeking justice.

The Chinese government operates 1,100 factories, farms and other facilities which use forced labor. U.S. law prohibits the importation of goods made by forced Labor, but the goods are widely believed to enter this country. Harry Wu, who spent 19 years in the forced labor system, has brought 28 complaints about these imports. The State Department's Report on Human Rights for 1999 states that whenever the U.S. Customs has identified illegal goods, China simply ignores or denies the allegation. We cannot expect any U.S. firm to be able to compete against manufacturers using forced labor.

Increased trade has not helped improve human rights in China. According to the State Department's Human Rights Report for 1999 released in February, 2000, ''A crackdown against a fledgling opposition party, which began in the fall of 1998, broadened and intensified''; ''tens of thousands of members of the Falun Gong spiritual movement were detained. . . . several leaders . . . were sentenced to long prison terms . . . and hundreds of others were sentenced to reeducation through labor''; ''child labor persists''; and ''poor enforcement of occupational health and safety regulations continues to put workers' lives at risk.'' A single sentence in the Report sums up China's human rights record: ''Abuses included instances of extrajudicial killings, torture and mistreatment of prisoners, forced confessions, arbitrary arrest and detention, lengthy incommunicado detention, and denial of due process.''

H.R. 4444 is indeed a trade bill. It trades American jobs and Chinese human rights for a chance for profits from China. That is a trade I am not willing to make, and urge Members to vote against the bill.

TRIBUTE TO THE HONORABLE JEFFREY A. KELLOGG, OUTGOING LONG BEACH CITY COUNCILMAN AND CHAIRMAN OF THE ALAMEDA CORRIDOR TRANSPORTATION AUTHORITY

HON. STEPHEN HORN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. HORN. Mr. Speaker, today, I want to pay tribute to the Honorable Jeffrey A. Kellogg, for his 12 years of distinguished public service as a Long Beach City Councilman and Chairman of the Alameda Corridor Transportation Authority.

On July 18th, Councilman Kellogg will leave public office and his position with the Alameda Corridor. He will be truly missed by his colleagues and the Long Beach community for his steady leadership, vision and calming influence.

Councilman Kellogg has represented the City of Long Beach on the Alameda Corridor Transportation Authority Governing Board since it was formed in 1989 to oversee design and construction of the Alameda Corridor rail cargo expressway. He has served as Chairman three times, including during the project's critical early stages. Councilman Kellogg is the only member of the Alameda Corridor Transportation Governing Board to have served since its inception.

In 1995, Congress recognized the Alameda Corridor as ''a project of national significance.'' The Ports of Long Beach and Los Angeles comprise our nation's busiest port complex, and cargo volumes are projected to triple by 2020. The Alameda Corridor will link the ports to the transcontinental rail yards near downtown Los Angeles, creating a more efficient

way to distribute cargo and allowing our ports—and our nation—to maintain their competitive edge.

It is a testament to Councilman Kellogg's exemplary service that the Alameda Corridor is now in full-scale construction, on budget, and on schedule for completion in 2002.

Councilman Kellogg has conducted himself with great honor and integrity during his years as a public servant, and should be commended for his outstanding service.

COMMENDING ISRAEL'S REDEPLOYMENT FROM SOUTHERN LEBANON

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Ms. SCHAKOWSKY. Mr. Speaker, I rise in strong support of H. Con. Res. 331, a bill that commends Israel's redeployment from southern Lebanon. I commend and thank my colleagues, the sponsors of this resolution for giving all members an opportunity to formally support Israel's recent withdrawal from southern Lebanon.

We have all witnessed some tough times in Israel's journey toward the peace it desires. This unilateral and courageous step shows the world and especially those in the Middle East that Israel is committed to moving forward for peace.

This decisive action on Israel's part is one of many risks Israel's leaders have proven willing to take in order to make peace a reality. I commend Prime Minister Barak, the members of the Knesset, and the people of Israel for their courage and resolve. I also want to acknowledge the important work of so many in our country who have devoted time and energy to ensuring a bright future for Israel.

I am committed to supporting Israel and helping to guarantee her security so that the dream of peace in the Middle East may one day be a reality.

Along with my colleagues, I hope to see the United Nations bring about a more secure environment in southern Lebanon, including taking action to disband any terrorist organizations in that area.

I am so proud of Israel for taking this meaningful step toward peace. While Israel has shown great restraint in the face of violence, I want to reassert my belief that Israel has every right to protect itself against terrorists or attacks by other nations. Israel is the United States' closest ally in the Middle East and other nations would not be wise to test the strength of the U.S.-Israel relationship.

Again, I applaud Israel for this bold move, and I urge all parties in the Middle East to reenter serious negotiations for peace in the Middle East. I urge all of my colleagues to vote in support of H. Con. Res. 331, so that this body can be on record in our support for Israel's efforts to bring peace to that nation and the region.

FIRE TRIBUTE TO BROWARD COUNTY'S RESCUE SERVICE

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. SHAW. Mr. Speaker, I pay tribute to Broward County's Fire Rescue service. Recently, they were named the number one emergency and medical service in the state of Florida.

Broward Fire Rescue has had many outstanding accomplishments this year. They received a grant of $100,000 to put automatic external defibrillators in public buildings. This program is intended to quicken the process of helping heart attack victims. They were also the first agency in the county to give the heart attack clot-busting drug, Retavase, to patients while on the way to the hospital. In addition, the fire-rescue workers transport heart attack and stroke victims to the county hospital that is best equipped patients rather than just the nearest one. Furthermore, the agency began airing fire-safety announcements before films at Muvico theaters.

I would particularly like to honor the men and women of Broward Fire Rescue for their tireless efforts of providing care for the injured and sick. Without these individuals, the accomplishments listed above would not be possible. The agency should be recognized for their hard work and dedication to Broward County and its residents.

IN RECOGNITION OF THE ROUND VALLEY INDIAN TRIBES STOP VIOLENCE AGAINST INDIAN WOMEN PROGRAM

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize Margaret Hoaglen and the Round Valley Indian Tribe's STOP Violence Against Indian Women Program.

A recipient of the 2000 National Crime Victim Service Award, Special Award for Innovations in Service to Victims in Indian Country, the Round Valley STOP Program is an example of how dedication and collaboration with local resources can make an impact on victims of domestic violence and their children in Indian Country.

The Crime Victim Service Award, the highest award for victim advocacy, honors those that have provided extraordinary service and great commitment to victims.

In existence since May 1998, the Round Valley STOP Program has forged partnerships with local agencies, entering into agreements with the Mendocino County Sheriff's Office and the County Victim Witness Unit.

In addition, they completed a draft Tribal Domestic Violence Ordinance that has generated discussion of issues surrounding domestic violence. The program works closely with the local domestic violence shelter and has provided funding for a Children's Program offering care and support for children living in the shelter.

Mr. Speaker, it is appropriate at this time that we acknowledge Margaret Hoaglen and the Round Valley STOP Violence Against Indian Women Program for the dedicated service they provide to victims in Indian Country. Congratulations to them for receiving this very important award.

HONORING T. L. HANNA HIGH SCHOOL IN ANDERSON, SOUTH CAROLINA

HON. LINDSEY O. GRAHAM

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. GRAHAM. Mr. Speaker, today I honor T. L. Hanna High School in Anderson, SC. This school has been recently named a 1999–2000 school year ''Blue Ribbon School'' by Secretary of Education, Richard Riley.

Since its inception in 1982, more than 3,800 of the most successful and challenging schools in the country have been honored by inclusion in the Blue Ribbons Schools Program. The schools chosen for this program must fulfill stringent, research-based criteria for overall academics, excellence. To be eligible to be a Blue Ribbon School, schools are judged in all areas of academics, instruction, professional development, and school curriculum. In addition, honored schools exhibit exceptional levels of community and parental involvement, high student achievement levels and rigorous safety and discipline programs within their schools.

T. L. Hanna High School was one of only four schools in South Carolina honored with this prestigious award this year. In fact, they were one of an elite 198 schools nationwide chosen for this honor for the 1999–2000 school year.

T. L. Hanna High School is an outstanding example of effective public school and is well deserving of this national award. Their parents, students, teachers, administrators, and school officials should all be proud for achieving this special honor. This school is a strong example of excellence in academics in the 3rd District of South Carolina and should serve as a model for schools across the country. I am proud to have this blue ribbon school in my district of South Carolina.

Mr. Speaker, I hope my fellow colleagues will join me in congratulating T. L. Hanna High School for their commitment to educational excellence.

CONSUMER AUTOMOBILE LEASE ADVERTISING IMPROVEMENT ACT OF 2000

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. LAFALCE. Mr. Speaker, I am introducing today legislation to amend current federal law to provide consumers with more relevant, complete and timely information about the terms and costs of automobile leases. My legislation, the ''Consumer Automobile Lease Advertising Improvement Act of 2000'', seeks to empower consumers by providing them with the information they need to evaluate lease offers, to comparison shop for the best lease

deals and to make informed consumer choices.

This legislation has been endorsed by the Consumer Federation of America and the American Automobile Association. It also incorporates important changes in current law that have been proposed by the Federal Trade Commission, the Federal Reserve Board and by numerous State Attorneys General.

My legislation responds to the dramatic increase over the past decade in the role of leasing in the market for new and used automobiles. Leasing has clearly changed the way Americans approach their second most important consumer transaction—the family car. Automobile leases now account for over one in every three new car transactions, over half of all transactions for higher cost luxury automobiles, and also for a large and growing percentage of used car transactions.

While leases can be advantageous for many consumers—offering lower monthly payments, manageable down payments and lower maintenance costs and typical financing arrangements—they can also involve considerable risks and hidden costs. Consumer Reports magazine has consistently warned consumers that a lease is ''not the simple transaction it's made out to appear'' and can often result with consumers ''paying thousands of dollars more'' than necessary. The confusing terms and complex calculations in auto leases create numerous opportunities for deception and fraud. According to the National Consumer Law Center, ''no area of fraud over the last decade has been more endemic and widespread than that involving auto leases.'' Last year the National Association of Consumer Agency Administrators listed auto leases among the ''top ten complaints'' expressed by consumers to local consumer protection agencies.

CONSUMERS' RIGHT TO INFORMATION

While government can not, and should not, seek to dictate the way auto leases are structured, calculated or sold to the public, I believe it does have a responsibility to assure that consumers receive relevant and accurate information about lease terms and obligations. The consumers ''right to know'', as embodied in the Truth In Lending Act and other federal statutes, clearly requires that consumers have something approaching a level playing field when attempting to compare lease and purchase options and when trying to negotiate the best lease deal. As the Comptroller of the Currency, John D. Hawke, Jr., commented recently, ''consumers must have information to make wise choices in today's complex financial world.''

Two problems, in particular, need to be addressed. First, under current industry practices and federal disclosure guidelines consumers do not have a right to know some of the most important and necessary information for evaluating a lease offer. They do not have a right to know the applicable lease interest rate, or so-called ''money factor.'' They don't have a right to know what consumer incentives are available from manufacturers, lenders and dealerships. They do not have a right to know the residual value of the vehicle they wish to lease in advance of receiving the actual deal. In short, they have very little basis on which to evaluate or compare lease offers.

This is information that every automobile dealer has at their fingertips, but it's not available to consumers. It is available in industry publications, it is available on computer programs provided by manufacturers, banks and finance companies, and it is often written on large boards in the back offices of dealerships or on a single sheet of paper in the desk drawer of the lease manager. Yet, this information is typically withheld from consumers.

Unfortunately, federal law requires only that relevant information about lease terms and costs be fully disclosed to the consumers at the time of lease signing, after they have agreed to the terms of a lease. By then it is too late to negotiate a better deal and it is clearly too late to comparison shop with other lease offers. As a special task force of State Attorneys General commented to the Federal Reserve Board several years ago, current lease disclosure standards tend to ''sanction the hiding of valuable information from consumers.''

The second problem centers on the fact that lease advertisements provide little of the information consumers need to understand and compare various lease offers and to avoid the unnecessary hassle and manipulation than can occur at many dealerships. The problem of lease advertising is visible every day—in television advertisements that boldly promote attractive monthly lease payments while scrolling other costs and conditions illegibly across TV screens, in print advertisements that hide important lease terms in virtually unreadable print, and in advertising generally that fail to disclose substantial consumer costs and liabilities. These ads are virtually impossible to read or understand and offer no basis whatsoever for making thoughtful shopping comparisons.

Many lease advertisements attempt to confuse consumers by not distinguishing between lease and purchase offers or by merging the terms of both transactions in unreadable print. Others feature attractive lease payments that apply only to a single vehicle, to previously-driven ''loaner'' cars or to other vehicles whose lease terms are not representative of the lease the dealer will generally offer to the public for vehicle of the same model.

Many lease advertisements also feature low, ''come on'' monthly lease payment that are artificially reduced through a number of common devices. The advertisement of extended or irregular lease terms, such as 28 months or 42 months, rather than 24 or 36-month terms typically offered consumers, can misleadingly lower monthly payments amounts. Substantial required down payments, typically hidden in small print, can produce the same result. Mileage allowances that are considerably below the mileage that most drivers require or accept can inflate vehicle residual values and also reduce monthly payments, while hiding substantial lease-end excess mileage charges. Many lease advertisers typically employ all of these devices.

Clearly anything goes in lease advertising under the current system. Left to their own devices, lease advertisers have one purpose in mind and one purpose only—getting customers into the dealership where they can be misinformed and manipulated into accepting almost any available lease deal. There is no desire to adequately inform or educate consumers. The primary purpose of lease advertising is to bait consumers with misleading or incomplete information that minimizes real costs and makes it virtually impossible to compare alternative deals on comparable vehicles.

In their comments to the Federal Reserve the State Attorneys General expressed concern that ''automobile lease advertisements have, for several years, generally failed to adequately disclose material information consumers need to make informed decisions.'' The Federal Trade Commission echoed this sentiment, stating that current ''misleading advertisements'' may significantly hinder comparison lease shopping, in direct contradiction of the purposes of the Consumer Leasing Act.''

PROVISIONS OF THE LEGISLATION

The legislation I am introducing today addresses these problems by requiring that move relevant and uniform information be provided in lease advertisements and that information on key leasing terms be made available to consumers far earlier in the lease process. It would do this in a number of ways. First, lease advertisers that highlight a monthly lease payment would have to include a calculation of the payment using a formula that includes several fixed lease terms. These are relatively standard terms found in consumer leases, but often manipulated for purposes of advertising: (a) a lease term of 24 months, (b) no required down payment or capitalized cost reduction, and (c) a mileage allowance of 12,000 miles per year (b) no required down payment or capitalized cost reduction, and (c) a mileage allowance of 12,000 miles per year (or other allowance that the Federal Reserve determines as more reflective of typical automobile usage.)

While seemingly minor, this change would eliminate much of the artificial differences between advertised lease payment amounts, thus highlighting more basic cost differences between competing leases. Advertisers could also included a different monthly payment amount in an advertisement for the same vehicle, as long as it is not featured more prominently than the required information, and provided also that they identify the varying lease terms—a required down payment, a longer lease term, etc.—that explain the difference between the two payment amounts in print equal in size to the monthly payment. This change would provide a relatively uniform monthly payment amount that makes it easier for consumers to compare advertised lease payments for similar, comparably-priced vehicles. It would also help inform consumers of the potential options available in auto leases, of how changes in key terms will affect monthly payments and of the potential costs and penalties that may be hidden in otherwise attractive lease payments.

Second, my bill would require that automobile dealers post in a conspicuous location in their dealership a listing of all customer incentives available to consumers on vehicle models they offer. This would include special interest and lease rates, cash rebates, special vehicle residual amounts, regional promotions and other special offers available for both lease and purchase transactions by auto manufacturers, banks, leasing companies and local dealers. This public information that can be invaluable in helping consumers make an informed choice among competing vehicle makes and models and in deciding whether to lease or purchase the vehicle they've selected.

Third, my bill would also require that automobile dealers make available, both in a conspicuous location within the dealership and to

individual consumers upon request, a written statement for each vehicle model that is available for lease that describes the key lease terms used in calculating payments under the leases—specifically, the rebates and other incentives available on leases for such models, the lease interest rate or money factor, and the vehicle residual value. ''By knowing the money factor and residual value'', Consumer Reports has emphasized, consumers will ''be better able to compare lease deals.'' Disclosure of the money factor, in particular, was emphasized in comments by the Attorneys General Task Force ''as a mater of the consumer's basic right to know.''

Fourth, the bill amends current advertising standards to require that advertisers clearly identify advertised payments as applying to lease transactions and that highlighted lease terms that apply only to a single vehicle, or only to a limited number of vehicles, be clearly and conspicuously identified in advertisements.

Fifth, the bill would incorporate in current law several important changes in lease advertising advocated by the Federal Reserve Board and the Federal Trade Commission. It includes Federal Reserve proposals to increase the maximum contractual obligation amount of leases that are subject to federal disclosure and advertising requirements to $50,000 to accommodate the higher cost leases routinely offered in today's marketplace. It would clarify the ''clear and conspicuous'' disclosure requirement in current law with more detailed ''reasonably understandable'' standards implemented by the Federal Trade Commission in its 900 Number rule and other industry advertising orders. It strengthens the FTC's authority to enforce lease advertising requirements by seeking civil penalties in federal court. And it would codify the prohibition, enunciated in recent FTC enforcement actions, against advertising that highlights that no down payment is required on a lease when, in fact, substantial undisclosed payments are required at lease signing.

Finally, my bill would clarify that the requirements of the Consumer Leasing Act apply not just to television, radio and newspaper advertising, but to all potential lease advertising in publications, videotapes, toll-free telephone numbers, newsletters and commercial mailing and fliers. It would also bring the Consumer Leasing Act into the electronic age by extending disclosure requirements to advertising in computer programs and internet web sites.

TRUTH IN LEASE ADVERTISING

Mr. Speaker, other than purchasing a home, buying or leasing an automobile is one of the most important consumer transactions for most American households. It shouldn't be a confusing or an intimidating experience. Consumers have a right to know all the relevant costs and details before signing a lease. And they deserve to have adequate information to comparison shop for auto leases in the same way they shop for a mortgage or any major consumer purchase.

By introducing this legislation I am simply trying to extend the principle of ''truth in advertising'' to the auto leasing process. My legislation does not dictate how leases must be structured or transacted, but requires only that dealers make available to consumers the relevant information about costs and terms they use to calculate a lease. For an industry that puts so much emphasis on the operation of free markets, I find it hard to believe that automobile manufacturers and dealers can oppose providing consumers with the information they need to make informed marketplace decisions.

I believe this is important and needed legislation that can transform the entire auto leasing process in ways the will benefit both consumers and automobile dealers. I urge my colleagues to give careful consideration to the changes and initiatives I have proposed in this legislation.

RECOGNIZING CENTRAL NEW JERSEY NOMINEES TO THE U.S. SERVICE ACADEMIES

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. HOLT. Mr. Speaker, I rise today to recognize a group of very special young men and women from Central New Jersey. One of the most important duties of a Member of Congress, as well as one of the most enjoyable, is nominating students to the U.S. service academies. In an age when media portrayals of young people are increasingly negative, getting to know students through the nomination process is an important reminder of the patriotism, dedication, and excellence of America's youth.

From a pool of over 60 students from my district who went through the rigorous and time-consuming process of applying for a congressional nomination, I am very proud to say that 14 young women and men from central New Jersey will be enrolling in America's service academies this year. They are the very best of an exceptional group, and I was proud to nominate them.

Six young people from the area will be attending the U.S. Military Academy at West Point, NY, and will be commissioned as officers in the U.S. Army. I would like to recognize Margaret Nenchek of Califon, Alan Van Saun of Titusville, Frank Aburto of Freehold, Michael Rapiejko of Princeton Junction, Thomas DiRienzo of Oakhurst, and Michael Lynch of Flemington.

Five young people from central New Jersey will be attending the U.S. Naval Academy at Annapolis, MD, and will be commissioned as officers in the U.S. Navy. I would like to recognize Jason Mortimer of Lebanan, Adam Farber of Cranbury, Lily-Ann Thomas of Branchburg, Matthew Latyszonek of Kendall Park, and Frank McBride of Tinton Falls.

Two young men from my district will be attending the U.S. Air Force Academy at Colorado Springs, CO, and will be commissioned as officers in the U.S. Air Force. I would like to recognize Keith Fitzpatrick of Princeton Junction and Kevin O'Reilly of East Brunswick.

One young man from central New Jersey will be attending the U.S. Merchant Marine Academy. I would like to recognize Frank Megna of Titusville.

Mr. Speaker, I hope the House joins me in noting the accomplishments of these young men and women, and in wishing them the best of luck at the service academies and in their careers.

H.R. 4370, IMMIGRATION RELIEF FOR THE SUPPORT STAFF OF FERDINAND MARCOS

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mrs. MINK of Hawaii. Mr. Speaker, in 1986 President Marcos of the Philippines was granted political asylum in the United States to avert civil conflagration because of a popular uprising against his regime. The civil unrest arose following a controversial election in which President Marcos claimed to have defeated Corazon Aquino but was widely accused of election fraud. Growing street demonstrations in support of Mrs. Aquino raised fears of violence against what many viewed as a fraudulent election result. President Marcos left the Philippines on February 25, 1986 at U.S. urging and went into exile in Hawaii.

President Marcos, his wife Imelda and 88 members of his staff and their families were advised that they were being allowed into the United States with ''parole'' status for the convenience of the U.S. Government. This status is a legal fiction in which the individual is physically present in the United States but had never been ''admitted'' to the United States. The Immigration and Naturalization Service (INS) can terminate parole status at any time. The individual can be treated as if he or she had entered the United States illegally and had no right to be here. In this case, it is extremely unfair.

INS has instituted proceedings to expel some of these individuals and their families but not all of them. There does not seem to be any pattern to which individuals have been selected.

These immigrants were invited to the United States to help care for President Marcos who was already ailing and died in 1989. They were told that they could bring their families with them. They have been in the United States for fourteen years and are fully integrated into our society.

These people should not be deported. They came to the U.S. for an important reason. Because that reason is now past should not cause us to turn against them.

To rectify this unfair treatment, I introduced H.R. 4370 on May 3, 2000. The bill grants the individuals and their families the right to remain in the United States. These honest, hardworking people came to the United States at the invitation of our government. Their presence was known and they have done nothing to violate our immigration laws. To uproot them would be an injustice to them and their families that we should not allow.

The exile Marcos government in Hawaii was instigated by the U.S. to save the Philippines from political turmoil and rebellion. Those who came to implement this policy to end civil unrest in the Philippines should have the protection of this government.

COMMENCING ISRAEL'S REDEPLOYMENT FROM SOUTHERN LEBANON

SPEECH OF

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2000

Mr. BECERRA. Mr. Speaker, I rise today in support of H. Con. Res. 331, and wish to commend the Government of Israel for its courageous decision to unilaterally withdraw its troops from Southern Lebanon.

As Israel demonstrates its willingness to take risks for peace in the Middle East, the international community must rise to its obligation to ensure that Southern Lebanon never again becomes a staging ground for attacks against Israel.

We must stand by Israel during these difficult times, recognize Israel's right to self defense found in Chapter 7, Article 51 of the United Nations Charter, and work toward peace for the citizens of Israel and all the Middle East.

PRESIDENT ARPAD GONCZ ACCEPTS ROOSEVELT INTERNATIONAL DISABILITY AWARD FOR HUNGARY

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. LANTOS. Mr. Speaker, on Friday, May 12, at a United Nations ceremony the President of the Republic of Hungary, Arpad Goncz, received the fourth annual Franklin Delano Roosevelt International Disability Award on behalf of his country. This award is sponsored by the Franklin and Eleanor Roosevelt Institute and the World Committee on Disability. United Nations Secretary General, Kofi Annan, and the Vice Chairman of the National Organization on Disability, Christopher Reeve, were among those who presented the award to President Goncz.

Mr. Speaker, the Franklin Delano Roosevelt International Disability Award is presented annually to a nation that makes noteworthy national progress toward the full and equal participation of people with disabilities. This important international recognition was given to Hungary in recognition of the great improvements that Hungary has made on behalf of disabled individuals. Hungary's 1998 Rights of Persons Living with Disability and the Equality of Opportunity law defined the rights of this important segment of the population and raised national awareness of disability issues in the country. Hungary has made outstanding improvements by establishing educational programs for children with disabilities and incentives for employers who hire those with disabilities. In addition to these changes the Hungarian government actively promotes the development of disability support groups.

In particular, Mr. Speaker, I want to commend Mrs. Zsuzsa Goncz, the exceptionally talented wife of President Goncz, for her important role and her critical efforts in bringing about the positive steps that have been made by the government of Hungary to provide equal opportunity for the disabled. President and Mrs. Goncz are figures of great integrity and have given important moral leadership to this effort. I am honored to have them as my friends.

Mr. Speaker, Secretary General Kofi Annan made the following statement commending Hungary for its receiving the Roosevelt Award: ''The full and equal participation of people with disabilities is the main message of the United Nations World Programme of Action Concerning Disabled Persons. I commend the initiative of the Roosevelt Institute and the World Committee on Disability in establishing this award, and I heartily congratulate the Government of Hungary for its work to build a world in which each and every person can participate fully, actively and equally.''

Alan Reich, Chairman of the World Committee on Disability also praised Hungary for its commitment to the U.N. World Programme of Action Concerning Disabled Persons: ''Proactive efforts such as Hungary's should inspire other countries throughout the world. There are Half a billion of us on our planet with disabilities. This crisis that demands action. We urge all nations to respond to the U. N.'s call as Hungary has.''

Mr. Speaker, the Franklin Delano Roosevelt Award, established in 1995 by the Roosevelt Institute and the World committee on Disability, consists of a bronze bust of Franklin Roosevelt and a $50,000 grant for an outstanding disability program in the selected nation. Previous winners of this award are Ireland, the Republic of Korea, and Canada. President Roosevelt, for whom the award is named, contracted polio at the age of 39 and from that time on could not walk without assistance. Despite this serious disability he was elected President of the United States four times, lead the U.S. through the Great Depression and World War II, and was a founding father of the United Nations.

Mr. Speaker, Ambassador William J. vanden Heuvel, the Chairman of the Roosevelt Institute emphasized the role of the former President of the United States in dealing with disabilities: ''President Roosevelt's role in the founding of the United Nations was one of his proudest accomplishments. It is wonderful to be in this institution more than 50 years later, celebrating progress in the rights of people with disabilities-progress that he would fully endorse as a person who lived with a significant disability for much of his life.''

Mr. Speaker, I invite my colleagues to join me in paying tribute to Hungary and to Zsuzsa and Arpad Goncz on the occasion of Hungary's receiving the fourth annual Franklin Delano Roosevelt International Disability Award.

TRIBUTE TO ROY ORR

HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. FROST. Mr. Speaker, today I honor a dear friend and a great public servant Roy Orr of DeSoto, Texas.

Roy has served his hometown of DeSoto in almost every capacity imaginable, and he has been elected to numerous public offices. First he was elected to the DeSoto Independent School District Board of Trustees, then he served as mayor of DeSoto, and most recently he served as County Commissioner. Recently, Roy finished his term as Chairman and Charter Member of the DeSoto Economic Development Commission. To list all of the boards, commissions, civic and church related activities that Roy has been a part of would be impossible.

Recently, DeSoto's Mayor Richard Rozier and the City Council decided it was time to honor Roy Orr for his many years of service. Friday, June 2, 2000 will be declared Roy Orr Day in the City of DeSoto, and the linear trail system along DeSoto's Ten Mile Creek will be named the ''Roy Orr Trail'' in his honor.

I deeply regret that I will not be able to join Roy on this special occasion for him. Therefore, I want to thank him now for all he has done to make DeSoto the wonderful place it is today. Congratulations on these tremendous tributes Roy, they are richly deserved for a lifetime of service.

HONORING PICKENS MIDDLE SCHOOL IN PICKENS, SOUTH CAROLINA

HON. LINDSEY O. GRAHAM

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. GRAHAM. Mr. Speaker, today I honor Pickens Middle School in Pickens, South Carolina. This school has been recently named a 1999–2000 school year ''Blue Ribbon School'' by Secretary of Education, Richard Riley.

Since its inception in 1982, more than 3,800 of the most successful and challenging schools in the country have been honored by inclusion in the Blue Ribbons Schools Program. The schools chosen for this program fulfill stringent, research-based criteria for overall academic excellence. To be eligible to be a Blue Ribbon School, schools are judged in all areas of academics, instruction, professional development, and school curriculum. In addition, honored schools exhibit exceptional levels of community and parental involvement, high student achievement levels and rigorous safety and discipline programs within their schools.

Pickens Middle School was one of only four schools in South Carolina honored with this prestigious award this year. In fact, they were one of an elite 198 schools nationwide chosen for this honor for the 1999–2000 school year.

Pickens Middle School is an outstanding example of effective public school and is well deserving of this national award. Their parents, students, teachers, administrators, and school officials should all be proud for achieving this special honor. This school is a strong example of excellence in academics in the 3rd District of South Carolina and should serve as a model for schools across the country. I am proud to have this blue ribbon school in my district of South Carolina.

Mr. Speaker, I hope my fellow colleagues will join me in congratulating Pickens Middle schools for their commitment to educational excellence.

IN HONOR OF THE NEW JERSEY ARYA SAMAJ MANDIR, INC., AND ITS FIFTH ANNUAL COMMEMORATIVE FLAG-RAISING CEREMONY

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. MENENDEZ. Mr. Speaker, today I recognize the New Jersey Arya Samaj Mandir, Inc., and the fifth annual commemorative flag-raising ceremony in celebration of the 34th Anniversary of the Independence of the Republic of Guyana.

This fine organization was incorporated in 1988 to promote Indian culture, while also assisting with the sometimes trying period of adjustment that immigrant families experience upon entering, settling, and residing in a foreign land. Arya Samaj Mandir, Inc., serves the educational, cultural, religious, and social needs of New Jersey's Arya and Hindu immigrants in a way that improves the quality of their American experience.

Guyana's independence is the primary reason for this flag-raising ceremony, and in honor of Guyana's Independence and its many years of struggle to realize that independence, it is important to provide overview of its history.

'Guyana' is an indigenous Indian word that means land of many waters. In 1622, the Dutch began colonizing Guyana and in 1640, the first group of slaves arrived. Following the 1763 Berbice Slave Rebellion, British captured the colony in 1781, were ousted a year later, and they returned in 1812. Laborers were brought from Portugal in 1935, from India in 1838, and from China in 1853.

Under universal suffrage, the first elections were held in 1953. The People's Progressive Party (PPP) won the election, but it was removed 133 days later by the British. The PPP was reelected in 1957 and again in 1961. In 1966, Guyana became an independent nation. However, corrupt elections led to 28 years of unpopular rule. It was not until 1992 that the Republic of Guyana held free and open elections. Today, the PPP-Civic government is in power under the Presidency of Dr. Cheddi Jagan.

I ask my colleagues to join me in recognizing the New Jersey Arya Samaj Mandir, Inc., and the fifth annual flag-raising ceremony in honor of Guyana's independence.

THE U.S.-ISRAEL RELATIONSHIP

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Ms. SCHAKOWSKY. Mr. Speaker, I would like to share with my colleagues excerpts of a speech recently delivered by the Vice President on the subject of the U.S.-Israel relationship and the situation in the Middle East region. I found the Vice President's remarks to be quite thoughtful and believe they would be of great use to members.

The Vice President made a number of especially important points. He stated that the United States can and should continue to guarantee Israel's qualitative military edge. We all want to see peace in the Middle East. But without security, Israel cannot be expected to negotiate with hostile adversaries toward a resolution of age old differences.

I am pleased that the Vice President spoke of Israel's participation in international politics, and underscored his commitment to helping Israel achieve full and fair status at the United Nations.

The Vice President made it clear that he understands the importance of the U.S.-Israel friendship. He also pointed out that while we are close allies, and are supportive of the peace process, we must never pressure Israel to do anything it feels may compromise its security.

I am so pleased that Egypt and Jordan have entered into peace treaties with Israel. I join the Vice President in expressing hope for success with the Palestinian authorities. I agree with him that a final agreement between Israel and the Palestinians is possible. However, we must see as much resolve from Yassir Arafat and the Palestinian leadership toward that goal in order for it to be reality. Like many Israeli's, Syrians, and others around the world, I am disappointed that Syria has not taken advantage of the opportunities presented so far to negotiate in good faith toward a fair and lasting resolution to the issues the two nations face. I hope that President Assad will engage Israel again and commit to working through the challenges that remain in the way of peace between Israel and Syria.

The Vice President's words regarding Russian and Iran were encouraging, in that, he realizes that Russia must actively work to help reduce the threat Iran poses to the international community, to Israel, and to the U.S.

Finally, I join the Vice President and numerous other leaders in this nation and around the world in remaining committed to Israel's security now and in the future. Until the day comes that we witness peace between Israel and all of her neighbors, I will remain steadfast in my support for our great ally in the Middle East. I will always work to maintain a strong friendship and strategic alliance between our two nations.

REMARKS BY VICE PRESIDENT AL GORE

AIPAC ANNUAL POLICY CONFERENCE

''. . . Now, almost two decades later, the crowd is a little bigger, and the challenges before Israel and the U.S.-Israel relationship have changed. But some things have not: our enduring support for a strong partnership between the United States and Israel; and our commitment to one of the cornerstones of America's national security—a strong, secure, peaceful, and prosperous State of Israel.

. . . Even when the world is upside down, the United States and Israel see eye-to-eye. Ben-Gurion may have had unorthodox ways of conducting diplomacy, but he was a modern-day prophet. He was part of a generation that believed it was their responsibility to make the centuries-long dream of a Jewish homeland a reality. He was one of the dreamers who believed that they could make the desert bloom. He was one of the warriors who never lost hope for peace. As Ben-Gurion wrote to a friend near the end of his life, ''there is hope . . . that peace is approaching, not quickly, but slowly, slowly . . . and it appears to me that by the end of this century, the prophecy of Isaiah will be fulfilled.''

I want to talk with you today about what we can do to achieve peace and security for Israel, for our own country, and ultimately, throughout the world. In a speech three weeks ago in Boston, I laid out a vision for America's strength and role abroad. I believe we need to recognize that the classic security agenda—the question of war and peace between sovereign nations—is still with us during this new Global Age, in which the destinies of billions of people around the globe are increasingly intertwined.

We need to recognize that this Global Age presents us with a new set of threats—such as rogue nations or terrorist groups acquiring biological, chemical, or nuclear weapons—or merely the ability to dissrupt our computer networks. Or the continued degradation of our environment which threatens the long-term security of all humanity. At the same time, this new age also presents us with new opportunities—for peace, and for economic growth. . . .

. . . When we took office seven years ago, President Clinton and I decided that the United States needed to chart a new course with regard to the Middle East peace process. Unlike our immediate predecessors, we chose to get intimately involved. But we also established a firm, new rule—that we must not, and would not, in any way try to pressure Israel, to agree to measures that they themselves did not see were in their own best interests.

This commitment to Israel was not new for me. I stood against the efforts of the two previous administrations to pressure Israel to take stands against its own view of what was in Israel's best interests. In 1988, 1 took a strong stand against a previous administration's efforts to force Israel into concessions that would have threatened its security. And in 1991, I remember vividly standing up against a group of administration foreign policy advisors who promoted the insulting concept of ''linkage,'' which tried to use loan guarantees as a stick to bully Israel. I stood with AIPAC, and together, we defeated them.

And incidentally, I have never and will never interfere in an Israeli election. But I certainly hope that all of you will be active in this upcoming American election because a lot is at stake.

Facilitating peace, not forcing it; standing by our friends, not against them—these have been the hallmarks of my approach for my entire career, and it will be my approach if I'm entrusted with the Presidency.

I will never, ever let people forget that the relationship between the United States and Israel rests on granite—on the rock of our common values, our common heritage, and our common dedication to freedom.

If, from time to time, we disagree, I will always work to make sure that we emerge even stronger—with a better understanding of each other's interests—so that we are always working to reinforce one another. I will never forget that Israel's security rests on its superiority in arms. That is why, two years ago, the United States and Israel established a new strategic partnership, ushering in an unprecedented level of military cooperation. I am absolutely committed to make sure that Israel's qualitative edge remains, and remains strong.

Our renewed partnership has brought historic progress over the past seven years. Last year, when we met, I told you I would work to end Israel's half-century of ostracism from the United Nations groupings of countries from which membership in the UN Security Council is drawn.

When I was last at the UN in January, I raised this issue with Secretary General Annan in a private meeting. I have continued to work on it, and I can report to you that we are closer than ever to seeing Israel finally, and proudly, take its rightful, equal

place in the international order. The shameful wall that has blocked Israel's full integration into the community of nations must come down.

In these seven years, Jordan has joined Egypt as an Arab state which has signed a peace agreement with Israel. The negotiations between the Palestinians and the Israelis have reached a point where final status talks and a full resolution are still possible, although the difficult struggle to get there is clearly growing more intense. As we have seen again this past week, there are those who prefer violence to negotiation. I condemn this violence. Just as I supported Prime Minister Netanyahu's efforts, I now applaud Prime Minister Barak's resolve, and his clear message that peace will be achieved at the bargaining table, not in streets torn by riots and violence. We should all be proud of his courage. He has shown as much bravery in negotiations as he has demonstrated in a lifetime of heroic service on the battlefield.

The negotiations can not be a one-way street. The Palestinians, too, must recognize that they will not get all that they want. It is the responsibility of Yasir Arafat and the Palestinian leadership—a responsibility they acknowledge—to prevent those who would resort to violence from disrupting the peace process at this extraordinarily difficult and delicate time.

It is a particular disappointment that Syria, at least for now, has turned down offers made in good faith in Geneva. As Israel proceeds to withdraw from Lebanon in compliance with Resolution 425, President Assad can decide to let this happen without incident as a down payment for peace in the future. Or, by continuing to allow Hezbollah to harass Israel as her troops withdraw and even after they withdraw, he can signal that he is not interested in progress.

Syria may not choose to pursue peace for now. But make no mistake: Syria has no right to pursue a course of conflict that denies peace to others. The people of the Galilee should be able to live their lives without the disruption of an air-raid siren. If peace does not come to this area, President Assad will bear a heavy responsibility before the entire world.

It is a sign of how serious matters have become that Prime Minister Barak has decided to remain at home, canceling his trip to the United States. Ehud Barak is far away from here tonight, but the message we all send to him should be loud and clear: we stand by you in these critical days. The classic challenges of war and peace extend beyond Israel's immediate neighborhood, to Iraq and Iran.

In Iran, there is an increasing tension between the people, who clearly want to lead normal lives, and the most extreme clerics, who are bent on preserving their radical regime, by whatever means necessary.

We see this tension playing itself out in the trial of thirteen Iranian Jews in Shiraz. Like the closure of newspapers and the assassination of dissident leaders, this trial is part of the effort to block reform in Iran. Those conducting the trial claim that due process is being served, but the proceedings are closed to international observers and to the press. They say they have received confessions from some of the accused—but it is clear that these confessions are meaningless and that the trials are a mockery of justice. We utterly and absolutely condemn these show trials as an immoral and illegal abuse of basic human rights.

And let me be clear: the United States will judge Iran by its actions, not by its assurances.

Iran is not only a conventional threat to our national interests, the security of Israel, and the stability of the region. It also stands at the crossroads, where the classic and new security agendas meet—for it is a major sponsor of terrorism and seeker of weapons of mass destruction, a deadly and unacceptable combination.

We have been working to cut off all possible suppliers of missile and nuclear technology. We have gained full cooperation from our European allies. But Russia represents a special concern—because there is a gap between the stated policy of its government to stop proliferation, and what occurs in practice. We have used our leverage with Russia.

We have made progress at some points, but not at others. We now call on President Putin to show leadership in this area—not just because it is in our interests, but also because it is in Russia's interests.

The challenges of the classic security agenda—facilitating peace between Israel and its neighbors, and containing and transforming Iran and Iraq—are ones that I believe we can meet, with unwavering vigilance and commitment. But we also recognize that when the time comes for that last peace treaty to be signed—if it comes—there will then be agreements between govermnents, but not necessarily peace between peoples. True peace—if it is to take hold—will come about only if we apply the same courage and determination to making the Middle East a more stable, secure, and prosperous region.

I ask us, for a moment, to lift our eyes and look beyond the ebb and flow of daily events. Despite all the grave problems of the moment, all the real challenges to the prospect for peace, let us envision the Middle East as it can be ten or twenty years from now—a Middle East at peace with itself, taking full advantage of all its potential and the talents of all its people. And let us focus on the steps we can take to make that vision a reality. . . .''

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

SPEECH OF

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. LAFALCE. Mr. Speaker, the vote this week on whether to establish Permanent Normal Trade Relations (PNTR) with China will undoubtedly be the most important one we will take in this first year of the new millennium. I rise today to express my intent to vote ''yes'' on granting stable trade status to China and to explain, in some detail, the reasons behind my decision.

This issue involves the economies of the United States and China, and indeed the economies of nations around the world. But the judgments to be made involve far more than economic concerns alone. What we do this week will affect national and international security. It will set the agenda for how the U.S. interacts with China on such important matters as human and worker rights, the environment, and religious freedom. And it will help to determine how both the U.S. and China address the rest of the world for decades to come.

EVOLUTION IN CHINA

Over the last two decades, I have been fortunate to witness the social and economic evolution in China ''up close and personal.'' In January 1979, I traveled to Beijing as part of a Congressional delegation representing the United States as we reestablished diplomatic relations with China, This past week I reminisced with President Carter about that historic day, the intervening twenty years, and today's historic vote. We share virtually identical views.

Twenty years ago China was a backward, drab country just starting to recover from the disaster that Mao called ''the Cultural Revolution.'' The streets were crowded—with pedestrians and bicycles. A few newspapers posted on a few walls were the only visible demonstration of ''openness'' allowed by the government at that time.

I went back to China a few years ago. The change and the progress in the human condition were profound. What had been gray now had a rainbow of color. Economic development—and the entrepreneurial spirit—was evident around every corner. The streets were still crowded, but this time jammed with cars. And the newspapers plastered on walls had been supplanted by cell phones and laptop computers with Internet access. There was an openness that I believed was virtually irreversible, although much progress still needs to be made.

Two personal stories: (a) when first in China, a colleague used a Polaroid camera and the Chinese people thought a miracle had been wrought. They had never before seen themselves in print. Today, Eastman Kodak sells more film in China than in any other country in the world outside the United States; (b) when last in China, a human rights activist said to me, ''Let's keep in touch. What's your e-mail address?'' That's progress.

I have no doubt that commercial relations between China and the United States—and the rest of the world—contributed substantially to these changes in Chinese society. Mao's approach was wrong, and the actions, if not the words, of subsequent leaders in Beijing have demonstrated that they know he was wrong. They have opted for a movement toward a market economy, with all that means for progress and development and, ultimately and inevitably, various forms of freedom.

This view is also held by both President Jimmy Carter and President Bill Clinton, by both Vice President AL GORE and Senator Bill Bradley, by both Governor George W. Bush and Sen. JOHN MCCAIN, by both Senators from New York and by both Senate candidates in New York.

I believe that bringing China further into the international economic system will only accelerate these trends. And I am persuaded that these trends enhance freedoms for the Chinese people which, in turn, should make Asia and the world more secure.

BILATERAL U.S.-CHINA TRADE

Looking at this purely in commercial terms, it seems fairly clear that the consequences of rejection of PNTR on U.S. businesses generally would be quite severe. There is virtual unanimity in the business community that welcoming China into the WTO—which will happen regardless of how the upcoming vote in Congress goes—and stabilizing our trading relations with that massive and growing market is in our economic interest. And if that were the only criterion on which to base our vote, the decision would be easy indeed.

We should also keep in mind that the vote is solely on the status of our trading relationship with China. It is not a vote on whether to permit China to join the WTO. That will happen regardless of how Congress votes. The agreement before us contains provisions which substantially open up China's market to U.S. goods and services, but it does not open our market wider to China's exports. If we approve the agreement, our business community will be able to compete on a level field with European, Japanese and other exporters seeking to expand their business in China. But if we disapprove it, firms from elsewhere in the world will have a major leg up on American exporters, threatening our ability to participate in the growth of the Chinese market and reducing the number of American jobs that would otherwise be created as our trade with China builds.

Even if we wanted to, we cannot build an economic wall around China and one-fifth of the world's people. Outsiders will trade with China; the only question is whether and to what extent they will be Americans. I fear that opposing this agreement would be tantamount to building a wall around ourselves, trying to deal with the world by ignoring it. Throughout the 20th Century we have seen all too often how ineffective such an approach can be.

These points were among those made just last week by Federal Reserve Board Chairman Alan Greenspan when he went to the White House to endorse approval of normalizing trade relations with China.

Looked at from the perspective of New York State, and from my role as the ranking Democrat on the Banking Committee, the case is equally strong. New York's financial services industry is a key source of economic growth and job creation—in the state and nationally—and this agreement will be of enormous economic benefit to that industry.

This is not to say that the business community has been entirely right in its approach to this issue. Quite the contrary. American business leaders have almost refused to acknowledge that the concerns about workers' rights, human rights, religious freedom and the environment are legitimate ones. They have resisted calls for even minimal standards in these areas. What they fail to recognize is that trade requires both capital and labor, and that therefore it's not inappropriate for a trade deal to address concerns of both capital and labor. What they ignore in this situation, as they have so often here at home, is that environmental degradation is a real cost of doing business, just one that doesn't happen to show up on their balance sheet. I wish that there had been greater recognition of these legitimate concerns by the business community as this debate progressed.

JOBS AND WORKERS' RIGHTS

My friends in the labor movement express concerns that approving the China agreement might mean loss of jobs in the U.S. And they also express concerns that a vote for the agreement might be seen as approval of some of the very serious ways in which the regime in China undermines workers' rights there.

These are real concerns. I do not make light of them. The labor leaders who express them are not alarmists; they are in the great tradition of leaders who have helped make the United States the most productive economy in the world; leaders who played such a large role in bringing down communism in the former Soviet Union and eastern Europe.

But I also have deep respect for other labor leaders who take a different view. One is both the former President of the U.A.W. and the former Ambassador to China, Leonard Woodcock. No one would ever describe him as naive, and he was one of the most forceful and effective leaders the United Auto Workers ever had. His view of the proposed trade agreement is that it is an imperative to advance our national interests.

HUMAN RIGHTS AND RELIGIOUS FREEDOM

The leadership in Beijing, while improving the human condition of the Chinese people in many ways over the past twenty years, still has demonstrated inadequate concern. I abhor, for example, population policies which condone and sometimes even demand forced abortions. Freedom of speech and association, among our most cherished treasures, are still being developed in China. And too often, individuals are discriminated against because of their religious beliefs.

In the 19th Century, our nation was abhorred, and rightly so, because of slavery. And subsequently, well into the 20th Century, our society condoned or tolerated lynchings, burnings, and massive racial discrimination including denial of the most fundamental right, the right to vote. Those policies are and were wrong, our nation was wrong. We were equally wrong in denying women the vote for so long. But, fortunately, we were not ostracized from the world community. Rather, other countries dealt with us, despite our shortcomings, and we with them, despite their failures. Our nation evolved and improved, without others seeking to impose their approaches on us. They engaged us, and we learned.

I believe that influencing human rights in another country can be done far more effectively through engagement than through isolation. I believe that if we immerse China with American people and products, it will generate broader freedoms in that nation. I believe that if the Chinese see and interact with Americans, tourists and business men and women, they will see what freedom brings and will demand, and get, more freedoms for themselves.

We should not ignore the situation in Tibet or the recent efforts to suppress the Falun Gong, And some human and religious rights advocates, from China and elsewhere, think that disapproval of PNTR will enhance the cause of freedom inside China. But there are many other human and religious rights advocates who disagree strongly. For example, the views of Martin Lee and other human rights advocates in Hong Kong are particularly striking, to say nothing of the new democratic leaders in Taiwan, and the Dalai Lama. They believe that engagement with China and approval of PNTR will advance the cause of human rights in mainland China.

Moreover, individuals in the United States who have dedicated their lives to advancing human rights and religious freedom for the people of China support granting PNTR with China. President Jimmy Carter argues persuasively that a negative vote would deal a serious setback to further democratization, freedom and human rights in China. Prominent Catholics, among them former-Member of Congress, Father Robert F. Drinan; University of Notre Dame President-Emeritus Father Theodore Hesburgh; and Father Peter Ruggere with the Maryknoll Fathers all support PNTR for China and believe it is how the U.S. can best advance human rights and religious freedom for the people of China. And the Quakers have expressed their belief that normalization of trade with China will advance all of the basic human security concerns—human rights, labor rights, arms control, and environmental protection—to which they are dedicated.

As we rightly criticize China for policies that we abhor, let us also remember that she has done some things that are very praiseworthy as well. China is a poor nation, relatively speaking, but, if nothing else, they have found ways to ensure that their vast population has enough to eat. The poverty level in China is only nine percent, versus a poverty level of over 40% in India. Further, during the recent economic crisis in Asia, China stood the course, resisting the lure of steps which might have helped their economy in the short term (such as devaluation of their currency) but which would have meant much more serious problems for the entire region in the longer term. Finally, China has allowed and is supporting the spread of phones—from virtually none to about 130 million in a generation—and access to the Internet for millions—the greatest democratizing tool the world has ever known, for it brings ideas from every corner of the world. Clearly, the ability to communicate is a fundamental right that has grown dramatically because of our twenty years of engagement.

INTERNATIONAL SECURITY AND GEOPOLITICS

China is arguably the second strongest conventional military power in the world, and of course it is also a member of the nuclear club, with a small but growing capability to deliver nuclear arms. China's relations with her neighbors—Russia and India in particular—become difficult at times. And the situation concerning Taiwan is potentially the hottest ''hot spot'' in Asia if not the world.

We should not approve PNTR simply because it might help ease tensions in Asia. But it is most appropriate to include this consideration in assessing PNTR. And in that light, it is illuminating to look within China and see how various segments of their society view the move toward broader trade relations with the U.S. and others.

The fact is that the hard-liners in the Chinese government and military oppose or are lukewarm, at best, about China joining the WTO and entering into the proposed agreement with the United States. They believe that taking these steps will enhance freedom inside China, and in so doing dilute their power and influence. I think they are right, and that this is one more reason to engage, rather than isolate. After all, the best way to defeat an enemy is not to best him on the field of battle, but to make him your friend. Disapproving PNTR will result in the hard-liners saying, ''See, we told you so, America is hostile to us so we must guard against her.'' We should do what we can to bolster those in China who want to establish friendly relations with the rest of the world, rather than those who believe that might is the only thing that matters.

The Taiwan situation warrants our most careful attention. The war of words between Beijing and Taipei would lead one to think that there was little if any meaningful contact between Taiwan and the mainland. But that is not the case. Already the amount of trade between the robust economy on Taiwan and the mainland is huge, it is growing, and the economic links grow tighter and tighter. Taiwan's

new leaders, proponents of freedom and capitalism, realize that their relations with the leaders in Beijing can enhance or threaten these economic ties. And they favor PNTR.

AVOIDING PAST MISTAKES

As I have studied the situation with China, I have found myself reflecting more and more about mistakes made by the U.S. this century. Almost a century ago, we made a gigantic mistake in not joining the League of Nations, and it helped lead to war with Germany.

A half century ago, we made a gigantic mistake with regard to Cuba. I have concluded that our policies in that situation were seriously mistaken. I believe that if we had resisted imposing the embargo on Cuba, Castro would be history and democracy would be flourishing there as it is in almost every other nation of the western hemisphere. Our effort to isolate Cuba has contributed mightily to keeping its economy from growing. But obviously they did not succeed in bringing about political change. Quite the contrary.

By letting a tiny but vocal minority dictate our Cuba policy, we missed an opportunity to send our message of freedom to the oppressed people there. We have strengthened Castro, unwittingly, and put ourselves in a situation where we have very little real influence on a nation only 90 miles from our shores.

We must not make the same mistakes with a country of 1.3 billion people that we made with a country of 10 million people. China has over 20 percent of the world's population; she is important, even vital, to world peace and prosperity in the decades ahead.

CONCLUSION

This agreement includes the strongest anti-surge controls ever legislated. We created the Congressional-Executive Commission on China to oversee every aspect of human rights, including worker rights. We negotiated a provision blocking imports from slave or prison labor. We fought for the creation of a specific inventory of the rights Congress will examine annually on behalf of the Chinese people. This new way of keeping the spotlight on Beijing is crucial, in my view, as we seek to build on the progress of the past.

China must become part of the world community, one way or another, or we will live in a more dangerous world for decades or longer. I think everyone involved in this debate agrees on that central point. The real question is how we can best influence continued change in China. Whatever choice this Congress makes, China will become a member of the WTO and an ever more important player in the global economy. That will inevitably impact on U.S. labor and U.S. business in ways we cannot avoid—only try to shape.

Labels help to shape the debate, of course. We talk about this being a vote on Permanent Normal Trade Relations with China. But is ''permanent'' the right word in a world where little is permanent, where laws can change from year to year? I don't think so. To my mind, the better words to use as a label for this issue would be Continuance of the Normal Trade Relations that have existed for 20 years. After all, this year's vote would simply end what has before been an annual automatic sunset on normal trade relations. But it would hardly prohibit Congress from re-visiting the matter next year or at any time in the future and sunsetting it with an affirmative vote, rather than by automatic operation of law. So those who say this is fraught with danger because of its ''permanency'' are, in my judgment, incorrect.

As I have reviewed this situation, I have frequently thought about the young people of China. A generation ago, Chinese students traveled to Moscow and learned the Russian language and Marxist-Leninist doctrine. Now, the children of these students attend universities in New York City, Chicago, Los Angeles and Buffalo and Rochester.

The collaboration between the school of business at the University of Buffalo and its counterparts in two Chinese universities is a dramatic example. Graduates of those programs are now a successful and influential group of alumni inside China. I have no doubt that China benefits from this educational partnership. But I am also convinced that the United States benefits, too. American faculty and students learn about China while they learn about us. And the messages of capitalism and freedom are spread.

This is but a microcosm of what engagement can mean. Look at what happened in Poland. Americans found ways to interact with people in Poland. Our labor unions supplied Solidarity with computers and vast amounts of assistance and encouragement. No one can know exactly how significant these contacts were in bringing the communist regime down and setting the stage for dismemberment of the old Soviet empire. But what we do know is that they did play a part, and the world is a better place for it.

My vote, Mr. Speaker, is for engagement and against isolation. Our leadership in the world requires it.

TRIBUTE TO JAKE SCHRUM

HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. FROST. Mr. Speaker, I rise today to honor Jake Schrum, a tremendous educator who will soon be leaving his position as president of Texas Wesleyan University after a distinguished tenure.

Under Jake's stewardship, Texas Wesleyan has become a truly first-class university—enrollment has doubled, the Annual Fund and operating budget have doubled, and the University has acquired a law school that is accredited by the American Bar Association.

Jake has preformed important work in defining the role of the university in America's urban, multi-cultural settings. His Democracy's last Stand: The Role of the New Urban University, focuses on the mission of Texas Wesleyan and similar schools in maintaining an inclusive learning environment and serving the needs of a student body representing a broad cross section of America's college students.

In addition to his service at Texas Wesleyan, Jake has served on numerous business and community boards and educational organizations in our Fort Worth community and around the world—working on educational issues in Europe, Mexico, and Canada. Jake has said that his primary interest in higher education is fostering the moral development of students.

Jake will become president of Southwest University in Georgetown, Texas. Our loss will certainly be Southwest University and the Georgetown Community's gain. Thank you, Jake, for all you have done for Texas Wesleyan and our Fort Worth community.

COMMEMORATING ASIAN PACIFIC AMERICAN HERITAGE MONTH

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. BECERRA. Mr. Speaker, it is an honor to join my colleagues in the Congressional Asian Pacific Caucus to commemorate May as Asian Pacific American Heritage Month.

The Asian Pacific American experience displays a journey characterized by triumphs and struggles. Like many groups of people who came to America from other shores, Asian Pacific Americans embraced the values of this nation and worked to build a better life in this country while contributing to a stronger America. Indeed, these citizens have enriched our society in virtually every field and facet.

Today, I am pleased to recognize such notable Asian Pacific Americans as nuclear physicist Samuel Chao Chung Ting whose work earned him the Nobel Prize. Architects like I.M. Pei and Minoru Yamasaki have made enormous contributions to their profession. I extend my appreciation to athletes like Sammy Lee, Kristi Yamaguchi, Michelle Kwan, and Michael Chang who have represented the United States with inspiration and excellence. Our nation has been enriched by Asian Pacific Americans like these who have done so much to earn the applause of their fellow Americans.

As we celebrate the achievements of Asian Pacific Americans, we must also remember the obstacles they endured. Asian immigration into the United States began in the mid 1800's. These immigrants came to work in hopes of a better life. Unfortunately, America did not always extend the torch of liberty to these immigrants. In 1882, Congress passed the Chinese Exclusion Act prohibiting immigration from China. Further, in 1917, Congress acted to prohibit immigrants from an area called the Asiatic Barred Zone which included most of Asia and a majority of the islands in the Pacific Ocean. These actions displayed the resistance that America showed towards Asian Americans at that time.

One of the most staggering reminders of the discrimination that these Americans faced is the unconscionable internment of more than 100,000 Japanese Americans during World War 11. Branded as disloyal to the very flag they saluted, these Americans of Japanese descent endured tremendous hardship during one of our nation's most trying times. History would eventually vindicate these loyal Americans as not even a single documented case of sabotage or espionage was committed by an American of Japanese ancestry during that time. Indeed, the Japanese American soldiers of the 44nd combat regiment, the most decorated group of soldiers in American history, proved their devotion for this country as they fought for our nation even as their own family members stood locked behind barbed wires.

Truly, Asian Pacific Americans of every stripe have proven their love for their country. I am privileged to represent Los Angeles, home to the largest Asian Pacific American population in the United States. This is a thriving community of people who exemplify American values and a love for our nation. That is

why it is so appropriate that we celebrate the profound contributions of Asian Pacific Americans to this country. Accordingly, I stand with my colleagues in observing May as Asian Pacific American Heritage month and salute this rich and diverse community.

RECOGNIZING TERRY STYLES

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. SHAW. Mr. Speaker, I would like to recognize and congratulate Terry Styles for receiving the Developer of the Year Award for 2000.

The National Association of Industrial and Office Properties presented Stiles Corporation with this award. This is a first for a developer in South Florida. This prestigious honor, which is only given to one company each year, illustrates the vibrant industry that entrepreneurs such as Terry Stiles are creating in South Florida.

Stiles Corp. met the six requirements necessary to win the award from NAIOP. The criteria include quality products and services, civic involvement in their communities, and financial consistency and stability. South Florida can use more outstanding companies such as Stiles Corp. I ask the House to Join me in paying tribute to a great businessman.

IN HONOR OF THE ELIZABETH WATERFRONT FESTIVAL

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. MENENDEZ. Mr. Speaker, I rise today to honor the Elizabeth Waterfront Festival, an annual event celebrating the diversity of this great country by bringing together Hispanic families from Cuba, Colombia, Honduras, Peru, the Dominican Republic, El Salvador, Ecuador, and Mexico.

The festival will take place in Elizabeth, New Jersey on May 27, 28, and 29. The expected 450,000 visitors to the festival will enjoy three days of games, rides, crafts, and traditional Latin music and food.

The Waterfront Festival celebrates the history, culture, and arts of the area's Hispanic community, while also providing access to some of Elizabeth's fine resources. The waterfront is an exceptional feature of the city and a perfect place to hold a festival honoring Hispanic heritage.

In addition to celebrating the heritage of other nations, this festival celebrates America's heritage by acknowledging the contributions that made our country great—we are a nation of nations, and this festival is a fine example of why America's collective soul lives on in prosperous fashion—with this celebration, we honor our past and embrace our future.

This celebration would not have been possible without the sponsorship and support of the City of Elizabeth, Melly Mell Productions, Inc., and the Elizabeth Cubanos Lions Club. For their kind support, I extend my sincerest gratitude.

I ask that my colleagues join me in honoring this wonderful festival, and ask that we honor America's rich diversity.

CENTRAL NEW JERSEY RECOGNIZES HELEN AND ALBERT LEVINSON

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. HOLT. Mr. Speaker, I rise today in recognition of Helen and Albert Levinson of Monroe Township, who will be celebrating their 60th wedding anniversary this Friday. Together they have served on a wide variety of committees, held countless leadership positions in the community, and tirelessly advocated the importance of public service and ''giving back'' to the community.

Both Helen and Albert Levinson were born in the United States. Both of their fathers emigrated from Eastern Europe, while their mothers were born in the United States. They met in Newark, NJ, and were married in 1940. Albert served his country during World War II by working in the Newark Shipyards. After the war, he opened Levinson's Furniture in Newark, and in 1968 entered a real estate business specializing in commercial real estate. Albert concluded his real estate career by joining forces with his two sons, Robert and Marc, in the form of Levinson Associates. Helen received a degree in teaching from Newark State Teachers College, and began teaching primary school while raising her two young boys. She eventually embarked on a new career in social services, specializing in pediatric casework.

Albert and Helen moved to the Clearbrook Adult Community in Monroe Township in 1973, and Albert served as president of that community for 3 consecutive years. He was then asked to join the Township Council and was elected for a 4-year term. Today, both Albert and Helen remain active in their communities. At 83 years of age, Albert still comes to work daily, and is a commissioner of the Monroe Township Municipal Utility Authority.

Albert and Helen have willingly given themselves to the community. As they plan to celebrate their 60th wedding anniversary tomorrow, I urge my fellow representatives to join me in recognizing this exceptional couple.

CONTRIBUTION OF SULTAN QABOOS OF OMAN TO THE DEVELOPMENT OF HIS COUNTRY AND TO U.S.-OMANI RELATIONS

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. LANTOS. Mr. Speaker, without doubt, the most distinctive feature of my office in the Rayburn House Office Building is a model ship. This is not just any model of a ship, it dominates my office—the ship fills one entire wall of the office standing nine feet tall and stretching about 12 feet long. This ship model, Mr. Speaker, is an accurate scale model of the ship *Sultanah,* a vessel built in Oman in the last century. The model was constructed from the original blueprints for the ship which are still in the hands of the Omani government. The *Sultanah* has great importance for United States relations with Oman because this ship brought the first Arab ambassador to the United States in 1840. In fact, Mr. Speaker, April 13 of this year was the 160th anniversary of the arrival of the *Sultanah* in New York harbor.

This ship is not only an important symbol of U.S.-Omani relations, but it is important for U.S. relations with the entire Arab world. This model ship was given to the United States Congress by the government of Oman in 1995 when I hosted an exhibit of Omani culture and history in the Rotunda of the Cannon House Office Building to mark the 25th anniversary of the ascension to the throne of Oman of His Majesty Sultan Qaboos Bin Sid Al-Said. The model of the *Sultanah* is temporarily in my office, Mr. Speaker.

I mention this model of the *Sultanah*, Mr. Speaker, as an introduction to remarks I wish to make today in paying tribute to His Majesty Sultan Qaboos of Oman. First, I want to call to the attention of my colleagues the singular honor recently bestowed on His Majesty. Georgetown University presented the 25th Anniversary Founders Award of the Center for Contemporary Arab Studies to Sultan Qaboos in recognition of his important contribution to the establishment of the Center. In 1975, when the Center was established, the Sultan made one of the first grants to permit its establishment. Five years later, he endowed the Sultanate of Oman Chair in Arabic and Islamic Literature, and in 1993 he made a further endowment by establishing a scholarship fund for the Department of Arabic at the university.

This is only the latest recognition of the Sultan's role in improving relations between Oman and the United States and between the Arab world and the United States. His commitment to better ties between our two countries has been an important element in the friendship that marks our relationship with Oman.

Mr. Speaker, the second reason I call the attention of my colleagues to the activities and role of Sultan Qaboos is that this year marks the 30th anniversary of his assumption of power on July 24, 1970. When he became the new leader of Oman, he was confronted with insurgency in a country plagued by endemic disease, illiteracy, and poverty. One of the new sultan's first measures was to abolish many of his father's harsh restrictions, which had caused thousands of Omanis to leave the country. He offered amnesty to opponents of the previous regime, and many of them returned to Oman and have played critical roles in the economic, political, and cultural development of the country.

Sultan Qaboos established a modern government structure, launched a major development program to upgrade educational and health facilities, built a modern infrastructure or roads, airports, and public utilities, and began the development of the country's resources. The results of this effort have been dramatic. The number of schools rose from three in 1970 to more than 840 by 1993, while hospital and clinic beds increased during this period from 12 to 4,355. There have been further substantial increases in quantity and quality of public services since that time.

Under the leadership of Sultan Qaboos, Oman has pursued a foreign policy that has

contributed to stability and moderation in that important part of the world. The relationship between the United States and Oman has been cordial and cooperative. In an important indicator of the warmth and importance of our relationship with Oman, President Clinton stopped in Oman on his return from India earlier this year and held important discussions with Sultan Qaboos. Agreements on security and economic cooperation between the United States and Oman have established a firm and secure basis for our relationship.

Oman has also played a positive role in encouraging peace and reconciliation in the Middle East. It supported the Camp David accords and was one of only three Arab League states that did not break relations with Egypt after the signing of the Egyptian-Israeli Peace Treaty in 1979. Not long after the signature of the Oslo Accords, Israeli Prime Minister Yitzhak Rabin and Foreign Minister Shimon Peres were invited to visit Oman, and the country has taken a positive role as chair and host of a Middle East working group on water issues. During the Gulf War, Oman assisted the UN coalition effort.

Mr. Speaker, I want to call the attention of my colleagues to important legal and political changes that have been taking place in Oman under the leadership of His Majesty. In 1996 with the personal involvement of the Sultan, a Basic Charter was promulgated which provides for many basic human rights, such as an independent judiciary, and freedoms of association, speech, and the press. Some of the enabling legislation issued under the Basic Charter has been issued by the government, but others still remain to be issued.

Sultan Qaboos has also taken a number of important steps to increase the involvement and participation of the citizens of Oman in their government. In November 1991, he established the Majlis ash-Shura (Council of Deliberation/Consultation), in an effort to systematize and broaden public participation in government. In 1997 he established a second consultative body, the Majlis al-Dawla, to further increase the accountability of the government to public representatives. In forthcoming elections, sufferage has been expanded and the participation of women in the political process significantly increased. These political institutions and the broadening of political participation are important steps toward greater democracy, and I commend Sultan Qaboos for taking these important steps.

Mr. Speaker, I invite my colleague to join me in commending Sultan Qaboos and the people of Oman as we mark the thirtieth anniversary of the ascension of the Sultan to the throne of Oman, and as we note Georgetown University's appropriate honor to him for his contribution to better understanding between the people of Oman and the United States.

HONORING THE LATE JAMES HOUSTON DOSS, JR.

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Ms. GRANGER. Mr. Speaker, today I recognize and remember an outstanding civic leader of the 12th District of Texas. Mr. James Houston Doss, Jr., a great business leader and philanthropist, passed away Monday, May 22, at the age of 85. While Mr. Doss's passing is a loss to the community, his life was a blessing to the entire area.

Mr. Doss was raised in Weatherford and graduated from Weatherford College in 1934. He spent time at the University of Texas in 1936 and Harvard Graduate School of Business in 1937.

Many knew Mr. Doss through his role as a successful banker. Not many realized that he worked his way up from the bottom to enjoy his success. Mr. Doss joined Weatherford's Merchants and Farmers State Bank (now Texas Bank) in 1929 as a janitor earning only $15 each month. After years of dedicated service, he was chosen to serve the bank as president from 1945–55.

Mr. Doss then left banking to pursue other interests in homebuilding, shopping center development, and real estate investment but quickly returned to the bank. He served as Chairman of the Board for years and became Chairman Emeritus in 1998. Most recently, Mr. Doss was named ''Banker of the Year'' by the National Institute of Community Banking.

In addition to his successful career in the banking business, Mr. Doss taught accounting at his alma mater, Weatherford College. His contributions of time, talent, and resources were responsible for the Doss Student Center, the Doss Scholarship Fund, and many other initiatives. His commitment to education was demonstrated in his service as a trustee of Weatherford College and the Weatherford Independent School District. For 33 years, he was on the Board of Trustees at Trinity University in San Antonio. In 1976, he was named Outstanding Citizen of the Year by the Weatherford Chamber of Commerce because of his business success and commitment to education.

In addition to his service in the education community, Mr. Doss was also very involved in the Presbyterian Church. He was the third generation of his family to serve as a Presbyterian elder in Parker County; and he held many positions within the church including moderator for the Synod of Texas of the Presbyterian Church in the USA in 1964, first president of The United Presbyterian Foundation Synod of the Sun, and trustee of the National United Presbyterian Foundation in New York City.

Mr. Speaker, I speak for the entire community when I express our great remorse at the passing of James Houston Doss, Jr. Mr. Doss set a standard for community activism and professional excellence, and he will be greatly missed.

HONORING THE LATE JOSEPHINE BARNETT LACKEY

HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 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 Registry 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. These passages were: Psalms 71:17–18 ''O God, thou hast 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.

INTRODUCTION OF ESTATE TAX RELIEF LEGISLATION

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. ETHERIDGE. Mr. Speaker, I am proud today to introduce legislation to provide significant and much needed relief to those who inherit family farms and family-owned small businesses. The current estate tax dramatically reduces any legacy a parent wishes to leave to his or her children. Often, inheritors are forced to sell crucial assets of a business or farm in order to pay this federal tax. This greatly discourages the next generation from continuing the family business or life on the farm.

I hear all the time from parents who fear that they will not be able to pass their operations onto their sons and daughters because of the steep tax due upon their death. Due to inherent value of business or farm equipment, property and other assets, an estate of a family-run business—as many farms are—can quickly and greatly surpass the current exemption of $1.3 million. To me, it is absolutely unfair that people who work all their lives to build a business can have it snatched away from their families by Uncle Sam after they die. According to the Congressional Research Service, more than 70 percent of family businesses do not survive the second generation, and 87 percent are not passed onto a third generation.

Our economy is currently experiencing the largest peacetime expansion in our nation's history. We are constantly reminded that small business has been the engine of this growth. Why can't the fruits of this prosperity be passed to the next generation? Because of a tax code which has not kept up with the rate of economic growth in America.

My bill would increase the current estate tax exemption for family-owned businesses from $1.3 million to $4 million over the next five years and then index the exemption to inflation. I know that this is not as far as some of my colleagues would like to go. However, I believe reducing estate taxes in this way stands a better chance of becoming law than repealing the tax altogether. Frankly, I'd rather get some estate tax relief enacted as opposed to getting nothing accomplished.

Our families deserve to see the fruits of their labor passed on to the next generation, and reducing the burden of estate taxes is something that we absolutely must accomplish. I hope my colleagues will join me in supporting this approach to estate tax relief. Let's get something done on this issue rather than grandstand and obtain nothing.

HONORING THE WOMEN'S DAY 2000 COMMITTEE OF ST. ANTHONY BAPTIST CHURCH ''STRIVING TO BE A VIRTUOUS WOMAN'' PROVERBS 31:10

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. TOWNS. Mr. Speaker, I rise today to honor the Women's Day 2000 Committee of St. Anthony Baptist Church in Brooklyn, New York. On Sunday, May 28, 2000, the Women's Department of St. Anthony will celebrate their annual Women's Day.

To celebrate the first Women's Day of the new Millennium, the theme of the event will be ''Striving to be a Virtuous Woman,'' which is taken from scripture, Proverbs 31:10. The task of being virtuous is not easy to accomplish, but it is attainable. The woman of Proverbs 31 had it all. She had excellence, greatness, the favor of God, love and honor, the law of kindness in tongue, morality and character. All of these amazing attributes are the result of a God-centered life.

Mr. Speaker, the reference to the Virtuous Woman in the scriptures is fine and appropriate for this inaugural Women's Day celebration of this new Millennium. I know the ladies of St. Anthony well, and I can say without hesitation, in the tradition of the late First Lady, Sister Grace McCollum, that every one of them exemplifies excellence in leadership, spiritual integrity, high moral and ethical standards. They truly are made in the image of the Virtuous Woman.

While space will not allow me to name each of these remarkable women individually, I do want to pay special tribute here to Rev. Dr. Carrie Johnson, Rev. Renee Washington and Rev. Barbara Williams Norman, the eloquent and passionate guest speakers at the celebration.

Mr. Speaker, I'd also like to recognize the Chairperson, Sister Elizabeth King-Atwood and Co-Chairperson, Sister Alisa Parris, as well as Captains of the Women's Day 2000 Committee: Sister Tiffany Hiers; Sister Wilhelmena Lewis; Sister Deidre Lewis; Deaconess Enid Hinds-Robinson; Sister Earnestine Frazier; Sister Penny Lilley; Sister Alma Reedy-Dorsey; Sister Carolyn Vails; Sister Clara Martin, and Sister Clara Hayes.

Finally, Mr. Speaker, I'd like to recognize Rev. Theresa Moon, Chaplain; Evangelist Mary Harden; Evangelist Eva Wise; Mother Lucille Norman; Mother Lillian Carter-Wilson; Mother Selma Alexander, and Mother Beatrice Brockington. These women, and the many I could not name here, deserve our recognition and praise.

HONORING THE TEXAS TRANSPORTATION INSTITUTE

HON. NICK LAMPSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. LAMPSON. Mr. Speaker, it has recently come to my attention that this year, the Texas Transportation Institute will mark a historic occasion. For more than 50 years, the Texas Transportation Institute has conducted applied research in all modes of transportation and transferred the results to the public and private sectors, enhancing transportation safety, efficiency and sustainability and I would like to take this opportunity to congratulate Director Herbert H. Richardson and the Texas Transportation Institute (TTI).

Looking back on the history of the Institute gives us an interesting perspective on how far we've come in terms of transportation and technological advances. I was interested to note that some of the earliest safety research performed by TTI was to develop safer roadside structures, including breakaway supports and impact attenuation systems. One of the first real-world tests of a breakaway sign occurred in my congressional district in September 1965 when a driver lost control of his vehicle and skidded into an ''EXIT'' sign on IH–10 near Beaumont. Less than 24 hours before the accident, the local THD maintenance force had placed the TTI-designed slip base and hinge sign support in place of the old fixed one. In this accident, the driver and passenger escaped uninjured, and the vehicle sustained only minor damage. Less than a year earlier, a driver hit the same sign, then mounted on a standard base, and was killed. Today, highway safety is still an issue of major concern and I am pleased that TTI has continued to develop technological advances, such as the ADIEM crash cushion, to make our nation's roads and highways safer. I am certain that there are many Americans who owe their lives to the development of this technology, which is now in use in nearly 40 states. Dr. Richardson and the Institute can certainly be proud of the work.

In the 1950's, Dean of the College of Engineering, Fred Benson was quoted in the Daily Eagle as saying ''The Institute intends to assemble a group of men at this college with a thorough knowledge of all types of transportation. These men . . . will provide a forum for analyzing and discussing problems [and] will outline and guide our research program and provide high level education to mature students with an interest in transportation.'' Given the fact that TTI employs about 570 people—275 professionals, 105 support staff and 190 students, divided about evenly between graduate and undergraduate students, is home to four National Research Clearinghouses and eight National Research Centers, and has urban laboratories in every major metropolitan area in the state, I am certain that Dr. Benson would indeed be very proud of the men and women of TTI and their many accomplishments. Congratulations and best wishes for the next 50 years.

HONORING ELIAS KARMON

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. ENGEL. Mr. Speaker, I rise to speak about Elias Karmon, who is being honored tonight at a testimonial dinner celebrating his 90th year. To read what he has done is to wonder if anybody else did anything.

He has generously given of his considerable talents to virtually every worthy cause and individual. In 1943 he successfully fought the

extradition of a young African American to North Carolina. He has been named an honorary Puerto Rican, by the Board of Directors of the Puerto Rican Day Parade, is a charter member and founder of the Bronx Urban League, and a life member of the Zionist Organization of America.

He has been honored by, among too many others to mention, the Bronx Council of churches, the National Conference of Christians and Jews, the Bronx Boys and Girls Club, the American Red Cross, the Bronx YMCA, and the Albert Einstein College of Medicine (which he helped to found).

He has organized fund raisers for many worthy organizations. He helped to found the South Bronx Board of Trade, aiding minority businesses in particular, and was four-time president of the Bronx Chamber of Commerce. If that wasn't enough, he is probably the only man to have a housing development, a gym and a swimming pool named after him.

Elias Karmon's accomplishments would scare lesser people. Even in his 90th year, he is not slowing down, for which we all give thanks. I want to thank him for the many outstanding and wonderful things he has done for the Bronx and its people and wish him many more years.

REAUTHORIZING AND REFORMING THE COMMODITY EXCHANGE ACT

HON. CHARLES W. STENHOLM

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. STENHOLM. Mr. Speaker, today our colleague from Illinois, Mr. EWING, who chairs the Subcommittee on Risk Management, Research, and Specialty Crops of the Committee on Agriculture, is introducing a bill to begin the process of reauthorizing and reforming the Commodity Exchange Act (CEA).

Mr. Speaker, the CEA is the primary statute providing for the regulation of futures and futures options trading in the United States. While its provisions are founded in legislation adopted by Congress in the 1920s, the Act has been modified repeatedly over the years in response to changing market conditions. We have changed the Act to cover metals and energy products, to cover trading in foreign currencies, to cover bonds and stock indexes, and to permit trading in options on futures. Each innovation that the market has brought forward presented challenges to Congress and to regulators. Along with the increase in contracts traded, total volume of trading in derivatives has grown vigorously and consistently over recent decades.

In particular, over the last 15 years is the market in over-the-counter derivatives such as swaps and forward rate agreements has increased tremendously. Because these products have economic characteristics so similar to exchange-traded futures contracts, a legal debate has taken place over whether or not they are in fact covered under the CEA. The Commodity Futures Trading Commission (CFTC) has generally found that these products are not appropriately regulated as futures contracts and has used powers at its disposal to settle that question to the extent possible.

In 1989, the Commission issued the ''Swaps Policy Statement'' laying out in essence a safe harbor for trading in over-the-counter derivatives. So that the agency would have more flexibility in addressing the swap situation and other situations, the Congress in 1992 granted the CFTC the authority to issue exemptions from the CEA to contracts that meet specified conditions. The CFTC has used that authority to exempt swaps (and other OTC derivatives), hybrid securities, and certain energy contracts from CEA regulation. In spite of these actions, an element of legal uncertainty remains regarding these products.

Mr. Speaker, this Congress has recognized that the financial services industry is changing rapidly. We face this reality very clearly in the derivatives world. During a recent speech before the International Organization of Securities Commissions, CFTC Chairman William J. Rainer pointed out that only two new exchanges sought CFTC approval between 1986 and 1997, while in the last six months the CFTC has become aware of numerous electronic exchanges that may soon seek the agency's approval. Technological advances are greatly complicating our task of keeping our regulatory systems up to date.

Mr. Speaker, financial capital flows across international boundaries today with an ease that was unimaginable only ten years ago. As our commercial world continues to shrink in this manner, we see ever more clearly how vulnerable our industries can be to outside competition if we hamper them with unreasonable or inappropriate regulation.

Mr. Speaker, these changes and trends challenge the Agriculture Committee—working together with the Banking and Commerce Committees—to again update the CEA. Chairman EWING has vigorously engaged all segments of this industry in an effort to discover what improvements need to be made. Thanks to his effort, the task has been clarified and we are poised to proceed ahead on legislation that meets these objectives:

Provides full legal certainty to the OTC derivatives industry so that the rules of commerce will be clear.

Modernizes our scheme for the regulation of trading that occurs on exchanges.

Eliminates statutory barriers to trading products that can be useful to the management of financial risk.

Mr. Speaker, I support Chairman EWING's effort and am committed to participating alongside with him. I share his goals and know that we can find common ground on how they can be achieved. Important components of the legislation he introduces today are the result of very productive industry discussions and I believe they will lay an excellent foundation for modernization of the CEA. Along with industry representatives, the several regulators involved are engaged in cooperative discussions—a condition that has often been lacking in past modernization efforts—and stand to be extremely helpful in resolving these tasks.

Mr. Speaker, while domestic modernization of financial contract regulation is an important goal I will also work to develop provisions that promote the goal of international harmonization of regulatory standards. The Bank for International Settlements (BIS) has demonstrated in recent years that a great deal of coordination can be achieved. In particular, the BIS has devised uniform capital standards that have been widely adopted by bank regulators of the major industrialized nations.

Securities and futures regulators have also made great strides in recent years in creating formal lines of communication with their foreign counterparts to prepare for coordinated responses to cross-border crises. Already they serve as members of the International Organization of Securities Commissions, which has facilitated much of this progress and served as a tool for its member nations to become familiar with the regulatory systems that exist.

Our recent history has shown us that manufacturing capacity moves easily offshore. The manufacturing capacity of financial contracts—capital—moves across borders with much greater ease in search of the lowest cost investment environment. By encouraging continued international discussions regarding regulatory standards, we can encourage the elimination of artificial distortions that threaten the competitiveness of our futures exchanges and other financial institutions. As we develop CEA improvements, we should do all we can to facilitate international coordination and harmonization.

Mr. Speaker, in the weeks ahead I trust that all interested members of the public will take the opportunity to closely examine the bill Mr. EWING introduces today. I am particularly hopeful that the markets' end-users—including agricultural producers and merchants, energy producers, and investors—will pay close attention and provide detailed comments regarding their view of the challenge of achieving appropriate regulation of derivatives markets. I look forward to assimilating those views and to working closely with Chairman EWING, with the Subcommittee Ranking Member, Mr. CONDIT, and others on the Agriculture Committee and other committees in this effort.

HONORING KAY McMANUS

HON. JAY INSLEE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. INSLEE. Mr. Speaker, today I recognize the outstanding achievement of Kay McManus, one of the many constituents who distinguishes my Congressional District.

Kay works tirelessly to ensure that the children in our schools receive the nutrition they need to pay attention in class, participate in after school activities and do all of the things that young adults need to do to grow into thoughtful adults. We know that when a child receives a good breakfast he or she performs at a higher level. Hungry children have more respiratory illnesses and are absent from school more often than children who are well fed. Many children receive two out of their three meals at school—and it is critical that nutritional choices are available to them. Kay's work is making that possible.

The American School Food Service Association recently recognized Kay's hard work by naming her the ''Outstanding Director of the Year.'' This is the first time that this award has ever been given. It will be bestowed annually on a Food Service director whose work serves as a model for Food Service programs across the country. Future recipients of this award have a tough act to follow. I am proud to represent a district that has so many dedicated, committed individuals. Kay, thank you for making America a better place.

WE THE PEOPLE . . . THE CITIZENS AND THE CONSTITUTION

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. DEGETTE. Mr. Speaker, I rise to recognize the We the People. . . . The Citizen and the Constitution program, and applaud the outstanding East High School students that came to Washington, DC, after winning the state competition and went on to win an Honorable Mention as one of the top ten finalists in the national finals. These young scholars have worked diligently to make it to the finals and their hard work has gained them a deep knowledge and understanding of the fundamental principles and values of our constitutional democracy.

The names of the students are: Adrienne Cassart, Emma Douglas, Kelly Durcan, Jill Friedman, Aaron Goldhammer, Jessica Harvey, Elizabeth Hultin, Matt Johnson, Casey Madison, Merrin McCabe, Emily Olson, Joe Pallett, Elisha Roberts, Evan Samples, Erica Simms and Grant Wylie. Additionally, I would like to commend their teacher Edna Sutton who deserves much of the credit for the success of this great team and recognize the District Coordinator, Loyal Darr, and the State Coordinator, Barbara Miller.

The We the People. . . . The Citizen and the Constitution program is the most extensive educational program in the country developed specifically to educate young people about the Constitution and the Bill of Rights. The three-day national competition is modeled after hearings in the United States Congress. These hearings consist of oral presentations by the students acting as constitutional experts before a ''congressional committee'' made up of a panel of judges acting as Members. The student testimony is followed by a period of questioning during which the judges probe students for their depth of understanding and ability to apply their constitutional knowledge.

I know first hand how well this program works because I was a volunteer coach for years at a high school back in my district in Denver, whose students have done extraordinarily well in the We the People. . . . competitions over the last decade. East High School has been among the top ten finalists most years since they have competed, and they won the competition in 1992.

Once again, I commend the East team for winning the state competition and winning Honorable Mention as one of the top 10 finalists in the national finals.

CELEBRATING SMALL BUSINESS WEEK

HON. RUBEN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. HINOJOSA. Mr. Speaker, I rise as a member of the House Committee on Small Business and a former small business owner in celebration of the 37th annual Small Business Week.

What better time to recognize America's small businesses and their vital contribution to our nation's well-being. With the advent of a new economy, it is especially appropriate to talk about how high-risk, fast-growing entrepreneurial firms are creating jobs and unprecedented economic growth across the country.

Our challenge is to spread the word across the country that we must do more to support and strengthen risk taking entrepreneurs in both big cities and small towns. In so doing, we will ensure that ever-accelerating global change remains our country's ally. Then we will continue to bring the benefits of our entrepreneurial economy home to every community in America.

IN HONOR OF THE RETIREMENT OF REV. ROBERT T. STROMMEN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. KUCINICH. Mr. Speaker, today I honor the Rev. Robert T. Strommen on the occasion of his retirement after 41 years of ministry.

Mr. Strommen graduated from Princeton University in 1956, then went on to earn a master's of divinity from Union Theological Seminary in New York City. He was ordained in 1959, and served as pastor of St. John's United Church of Christ in Larimer, Pennsylvania for the next 7 years. in 1967, Reverend Strommen was called to Philadelphia, where he served as Minister of Metropolitan Mission for the United Church of Christ.

Throughout his many years of faithful service, Reverend Strommen has been active in community affairs. He received an award from the Greenburg-Jeanette Chapter of the NAACP for his services. In Philadelphia he worked with leaders of inner city congregations and developed Conference urban strategy. He also worked with the Philadelphia Welfare Rights Organization, the Action Alliance of Senior Citizens, and other community action groups.

Reverend Strommen began working with the United Church Board for Homeland Ministries in 1976, serving as secretary for Social and Urban Concerns. He was very involved in issues related to health and welfare and also coordinated the Board for Homeland Ministries' Minister of Metropolitan Mission program. In 1987, Mr. Strommen developed a program for training for mission outreach with local churches.

Since September, 1988, Reverend Strommen has served as association minister of the Western Reserve Association of the Ohio Conference. He continues to be involved in urban issues, and has served on the steering committee of the Jobs with Justice coalition in Cleveland.

Reverend Strommen has been a dedicated advocate for the working person's right to be treated with dignity and justice. He has set an example for us all with his tireless and energetic work in defense of workers' rights.

My fellow colleagues, please join with me on the occasion of his retirement in honoring the Rev. Robert T. Strommen for his dedication, faith, and commitment.

INTRODUCTION OF THE COMMUNITY PROTECTION FROM FIREARMS GIVEAWAYS ACT

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. CROWLEY. Mr. Speaker, last year, the House of Representatives failed to consider reasonable gun control and safety measures as part of legislation to combat crime. Despite the support of a majority of the House for reasonable measures, the Republican leadership has consistently refused to debate the numerous gun proposals introduced in the House.

Common sense gun control measures such as a three business day waiting period for background checks, closing the gun show loophole, requiring gun locks to be sold with firearms, and a ban on the importation of large capacity ammunition clips are all reasonable approaches to gun control and safety. However, more can and must be done.

That is why I am being joined by Representatives TOM CAMPBELL, GREG MEEKS, BARBARA LEE, NEIL ABERCROMBIE, ELIOT ENGEL, SHEILA JACKSON-LEE, GRACE NAPOLITANO, JAN SCHAKOWSKY and LOUIS GUTIERREZ in introducing bipartisan legislation, the ''Community Protection from Firearms Giveaways Act,'' to close yet another dangerous loophole in Federal gun control laws.

As unbelievable as it may sound, our current gun control laws allow criminals to win guns at raffles without having to go through a criminal background check. This must be stopped.

Our legislation will amend U.S. law to require winners in a lottery where a firearm is the prize to pass a background check at a licensed gun dealership. The gun dealership may charge a reasonable fee as prescribed under current law for this service. Additionally, the Community Protection from Firearms Giveaways Act has a carve out exempting the background check if the lottery winner has a current gun owners permit, or if the check takes more than 5 business days.

Mr. Speaker, I believe we can all agree that giving away guns as prizes poses a serious danger to our communities. Requiring a background check on a lottery winner if a firearm is the prize is sensible and should be required under Federal law.

Our communities deserve to be protected from criminals with easy access to guns. While gun safety measures will not stop violent crime, it must be a key component of any anti-crime strategy addressed by Congress.

I would urge my colleagues to cosponsor this important legislation.

H.R.—

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 ''Community Protection from Firearms' Giveaways Act''.

SEC. 2. EXTENSION OF BRADY LAW TO FIREARMS WON IN LOTTERIES.

(a) IN GENERAL.—Section 922 of title 18, United States Code, is amended by inserting after subsection (y) the following:

''(z)(1) It shall be unlawful for an individual who is not a licensed importer, licensed manufacturer, or licensed dealer to transfer a firearm won in a lottery (as defined in section 1307(d)) to the winner, unless—

''(A) a licensed dealer contacts the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act;

''(B)(i) the system provides the licensee with a unique identification number; or

''(ii) 5 business days (meaning a day on which State offices are open) have elapsed since the licensee contacted the system, and the system has not notified the licensee that the receipt of a firearm by the winner would violate subsection (g) or (n) of this section; and

''(C) the individual and the licensee have verified the identity of the winner by examining a valid identification document (as defined in section 1028(d)(2) of this title) of the winner containing a photograph of the winner.

''(2) The rules of paragraphs (2), (3)(A), (4), (5), and (6) of section 922(t) shall apply to a firearm transfer assisted by a licensee under this subsection in the same manner in which the rules apply to a firearm transfer made by the licensee.''.

(b) PENALTIES.—Section 924(a)(5) of such title is amended by striking ''or (t)'' and inserting '', (t), or (z)''.

TRAGEDY AT THE LOWE'S MOTOR SPEEDWAY IN CONCORD, NC

HON. ROBIN HAYES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. HAYES. Mr. Speaker, I know I speak for millions of Americans who were relieved to learn that no fatalities were suffered in the tragic accident that occurred in my hometown of Concord, NC this past weekend. As many of you know, a pedestrian bridge at the Lowe's Motor Speedway collapsed injuring 107 people last Saturday night after the NASCAR Winston stock car race. In time, I hope that investigators will determine the cause of the accident. Today, however, I want to recognize the men and women who provided emergency response to the accident and prevented what could have been a substantial loss of life.

Unfortunately, two individuals remain in critical condition, and I know you will join me in praying for their swift recovery. But amazingly, the other 105 individuals treated for injury are in stable condition or have already been released from the hospital. Mr. Speaker, this kind of emergency medical response speaks volumes about the quality of our professionals who represent the EMS and law enforcement. Doctors, nurses and medics from the greater Charlotte area have not treated this many people from one serious accident in recent memory. And yet their rapid, on-site medical attention to the victims of this catastrophe demonstrated a superior degree of preparation and training.

Most of our local medical facilities were represented in this miraculous effort. We in North Carolina owe a debt of gratitude to the fine staffs of Rowan Regional Medical Center, Carolinas Medical Center, the University Hospital and Presbyterian Hospital. In particular, Mr. Speaker, I want to recognize NorthEast Medical Center in Concord. It is my understanding that under the leadership of my friend Larry Hinsdale NorthEast's handling of this major emergency was flawless.

THE PUTIN PATH: ARE HUMAN RIGHTS IN RETREAT?

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. SMITH of New Jersey. Mr. Speaker, two days ago, the Commission on Security and Cooperation in Europe, which I am honored to chairman, held a hearing entitled ''The Putin Path: Are Human Rights in Retreat?'' I was pleased to be joined on the dais by my colleagues on the Commission, Co-Chairman Senator BEN NIGHTHORSE CAMPBELL, Senator TIM HUTCHINSON, Ranking House Member Representative STENY HOYER, and Representative MATT SALMON.

As part of the hearing, the Commission had also planned to feature a video-conference with Moscow-based Radio Liberty journalist Andrei Babitsky. As Members are aware, Mr. Babitsky was arrested by Russian authorities for allegedly ''participating in an armed formation,'' as a result of his reporting from besieged Grozny last year. Subsequently, as a civilian, Babitsky was ''exchanged'' to Chechen forces in return for certain captured Russian military personnel, and is not permitted to leave Moscow. Unfortunately, technical problems precluded the possibility of the videoconference, but Mr. Babitsky provided a written statement for the hearing record. Mr. Babitsky was recently awarded the OSCE Parliamentary Assembly's prize for journalism, and as head of the U.S. Delegation to the OSCE PA, I hope that he will be able to attend the award ceremony at the Assembly's annual meeting in Bucharest this July.

Tuesday's hearing was one of a series of hearings the Commission has held to examine human rights issues in the States of the Organization for Security and Cooperation in Europe. The mandate of the Commission is to monitor and encourage compliance with the provisions of the Helsinki Accords and successive documents of the OSCE.

As I have noted on previous occasions, Russia is no longer the dictatorial, closed society that it was during the Soviet period, and certainly there are countries around the world where human rights are in much more perilous straits. I have yet to hear of a working church in Russia being destroyed by bulldozers and wrecking cranes, as was the case last November in Turkmenistan. And we know that in China religious believers of many faiths are thrown in jail for simply desiring to worship without government interference.

Indeed, under the administration of President Yeltsin, human rights activists were able to achieve significant gains in making respect for human rights, if not a standard, at least a consideration in public policy. There is growing concern, however, that Russia's development in the area of human rights is taking a turn for the worse under recently-elected President Vladimir Putin.

The testimony of Igor Malashenko, First Deputy Chairman of the Board of Directors of Media-Most and President of NTV, summarized how their offices were the target of the infamous raid by government agents on May 11 last. Mr. Malashenko described how the agents carted away documents, tapes, computer discs and equipment, and subsequently issued ''contradictory and unsatisfactory justifications'' for this raid. Moreover, he provided extensive information on several other less-publicized examples of violence and intimidation toward media outlets and journalists throughout Russia.

General William Odom, former director of the National Security Agency, and a man of exceptional expertise in things Soviet and Russian, noted that Russia is a ''weak state'' and suffers from a lack of institutions capable of providing the level of civil society and economic development that we had hoped would follow after the collapse of the Soviet Union. General Odom also suggested that the United States should not treat Russia as a major power, or think that much of Russia's internal problems can be solved by ''ventriloquism'' from the West.

Professor Georgi Derluguian of Northwestern University asserted that President Putin is the product of the KGB network that survived the collapse of the Soviet Union. In order to seek a distraction from the Chechen quagmire, suggested Professor Derluguian, Putin will most likely launch a massive anti-crime campaign. I would note that when Yuri Andropov and his KGB began to assume power in the twilight of the Brezhnev regime, part of the crackdown on political dissent at that time was under the guise of cracking down on corruption.

Ms. Rachel Denber, Deputy Director for Europe and Central Asia at Human Rights Watch, testified that in Grozny, ''the graffiti on the walls reads 'Welcome to Hell Part Two.' The bombing campaign has turned many parts of Chechnya into a wasteland even the most experienced war reporters we, have spoken to told us they have never seen anything in their careers like the destruction of the capital Grozny.'' Ms. Denber also described summary executions of civilians, including the death of three generations of one family shot to death in the yard of their own home.

One of the brighter aspects of civil society under President Yeltsin was the expansion of NGO activity. However, Professor Sarah Mendelson of the Fletcher School of Diplomacy and Law at Tufts University noted that there is in Russia today ''an atmosphere that is hostile to civil rights activists, and in fact, anyone with opinions that differ from the Kremlin's. While ''the treatment of Andrei Babitsky in January and February was shocking and disturbing, and the FSB raid on MediaMost in May was brazen,'' she testified, this is ''part of a larger pattern of harassment that has grown steadily worse over the last year and a half.''

In this connection, I would like to point out another proposal made by Professor Mendelson in her testimony. She suggested that President Clinton, while in Moscow next month at the Summit with President Putin, should meet with activists who are promoting human rights and democracy in Russia today. This gesture, she notes, ''would send a signal not only to those in Russia who care about democracy but to those in Russia who do not.'' I believe this idea is right on target. In fact, Mr. HOYER and I have written to the President noting that this year is the twenty-fifth anniversary of the signing of the Helsinki Accords. We have encouraged the President to meet with the surviving veterans of the Soviet-era human rights struggle, and with their contemporary colleagues, in both Moscow and in Kyiv, where the President plans to meet

with President Kuchma following his Moscow visit.

I hope that President Clinton will take this advice, as I believe such a gesture would give new impetus to the struggle for human rights and democracy in two pivotal nations of the international community.

In closing, I would call attention to a resolution to be introduced by our colleague Mr. LANTOS and House International Affairs Committee Chairman BEN GILMAN, regarding the issue of free media in Russia. I am pleased to join as an original cosponsor of this resolution, which among other provisions, calls upon the President, the Secretary of State, and other officials and agencies of the United States Government to emphasize to Russian government officials our concern and preoccupation that official pressures against the independent media are incompatible with democratic norms. I am pleased to co-sponsor this resolution, I hope my colleagues will join us, and I hope that President Clinton will heed this call when he meets with President Putin in Moscow next month.

COMMENDING ISRAEL'S REDEPLOYMENT FROM SOUTHERN LEBANON

SPEECH OF

HON. RICHARD A. GEPHARDT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. GEPHARDT. Mr. Speaker, I am proud to be an original cosponsor of this resolution, and I rise today in strong support of its adoption.

Earlier this week, the Israeli government completed a courageous and historic act. It removed the last of its military forces from southern Lebanon, in compliance with United Nations Security Council Resolution 425. This act was inspired and led by Prime Minister Ehud Barak, whose strategic vision has once again opened up new opportunities for a comprehensive peace in the region.

With this act, Israel has taken a brave step forward in the interest of peace for its people and its neighbors. It is now incumbent upon other parties in the region to follow Israel's lead, and to take the commensurate steps called for in U.N. Resolution 425 to further enhance security in the region. In addition to calling for an Israeli withdrawal from Lebanon, the U.N. resolution demands ''strict respect for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries.'' It also establishes and directs a United Nations force—known as UNIFIL—to work with the Lebanese government to restore its effective authority in southern Lebanon.

H. Con. Res. 331 addresses each element of U.N. Security Council Resolution 425, and calls for swift action by Israel's neighbors to demonstrate their own commitment to the terms of the U.N. resolution and to peace in the region. With adoption of this resolution, the House of Representatives will make clear what we expect to occur, now that Israel has withdrawn from Lebanon:

First, we expect the United Nations to swiftly verify and endorse Israel's withdrawal, in full compliance with U.N. Resolution 425.

Second, we expect the United Nations to move swiftly in conjunction with the Lebanese government to assert control over southern Lebanon.

Third, we expect Hezbollah and other groups in southern Lebanon to be disarmed in order to prevent terrorist activities originating from that area against the State of Israel and its people.

Fourth, we expect the Syrian government to follow Israel's lead and remove its own forces from Lebanese territory.

And finally, we expect all parties to use this historic opportunity to resume negotiations aimed toward a comprehensive peace for all of the people of the Middle East.

Israel has shown today that it can—and will—take risks for peace. America stands by Israel in its courageous action, and shares its commitment to peace in the region. I call on Israel's neighbors to demonstrate similar commitments in the days and weeks ahead.

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

SPEECH OF

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. COSTELLO. Mr. Speaker, I rise in strong opposition to passage of the PNTR bill before the House of Representatives today.

Passage of this legislation would recognize China as a permanent trading partner as opposed to reviewing our trade relationship with China on an annual basis.

The key word in this debate is permanent. Why would the United States want to move from an annual review process to recognizing China as a permanent trading partner? China continues to make the world a more dangerous place by its cooperation with rogue states and China's ongoing proliferation of weapons of mass destruction.

Normally, individuals and countries are rewarded because of their improvements or achievements. In this case, we would be recognizing a country that has violated every single trade agreement that they have signed with the United States. While proponents of this legislation may be correct in asserting that corporate America and our economy might benefit from this agreement, what message are we sending to the Chinese government, Chinese workers and the rest of the world.

Permanent recognition of China would tell the Chinese government and the rest of the world that when it comes to corporate profits and the almighty dollar the United States will throw in the towel on the very issues that the American people and our country have stood for from the beginning. This is of course not to mention the tens of thousands of jobs that will be lost in the United States as a result of this agreement.

The Chinese government continues to sit by idly while workers are paid 25 cents an hour, forced to work 12 to 14 hour days and are forced to work 7 days a week.

If a person is as bold as Zhang Jingfheng and attempts to organize employees into a union, they in fact can be jailed and sent to prison. Mr. Jingfheng in fact was sentenced to a 13-year prison term—and he is not alone.

In addition to a deplorable record on human rights, the Chinese people have limited freedom to assemble, limited freedom to express and practice their religious beliefs and there is limited freedom of the press.

I do not believe that United States firms are creating new markets in China—or new opportunities for Chinese workers. Instead, I believe they are creating new maquiladoras where products will be made for slave wages in horrible working conditions that will be sold to our consumers here in the United States for huge profits.

This is not the time to throw in the towel and grant permanent trading status to China. We should hold firm and review our trading relationship with China on an annual basis.

Mr. Speaker, for the above reasons, I strongly oppose PNTR and ask my colleagues to join me in voting ''no.''

INTRODUCTION OF TUBEROUS SCLEROSIS AWARENESS RESOLUTION

HON. SUE W. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mrs. KELLY. Mr. Speaker, I rise today to introduce the Tuberous Sclerosis Awareness Resolution. Tuberous Sclerosis is a common genetic disorder that remains poorly understood. Even though 1,000,000 people worldwide are affected with the disease, few are even aware of it.

Tuberous Sclerosis is a genetic disorder that causes benign tumors to form in any of the vital organs—including the brain, eyes, heart, kidneys, and skin. It is often first recognized because of epileptic seizures and/or varying degrees of developmental delay. But, too often Tuberous Sclerosis goes undetected or is misdiagnosed because its symptoms are similar to those of more well-known diseases, such as epilepsy or autism. However, more recognition and early diagnosis is desperately needed. Infants and children too often spend their lives being misdiagnosed, possibly leading to irreparable brain damage, kidney failure, and even premature death. With a variety of treatments currently available to ease symptoms and improve the quality of life for people with Tuberous Sclerosis, diagnosis is critical.

Mr. Speaker, as May is Tuberous Sclerosis Month, I urge my colleagues to join me in bringing awareness to a devastating disease that affects at least one child born each day. By helping America to learn about and understand Tuberous Sclerosis, we will help to improve the quality of life for many children.

HONORING HEAR O'ISRAEL

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. BENTSEN. Mr. Speaker, I rise to recognize a valued organization within the Houston community, Hear O'Israel, which is sponsoring

Listen to the Cries of the Children National Campaign 2000. Hear O'Israel International, Inc. developed the campaign to strengthen the unity of families and enhance public awareness of the negative effects that alcohol and drug abuse, family violence, child abuse, and gang activity have on children and their families across Houston.

Mr. Speaker, the following resolution approved May 11th by the Mayor and Houston City Council demonstrates the high regard for Hear O'Israel in our community.

[From the Hear O'Israel International, May 22, 2000]

LISTEN TO THE CRIES OF THE CHILDREN NATIONAL CAMPAIGN 2000

A non-profit, non-denominational organization, Hear O'Israel International, Inc. developed its Listen to the Cries of the Children National Campaign to strengthen the unity of families and enhance public awareness of the negative effects that alcohol and drug abuse, family violence, child abuse, and gang activity have on children and their families. The campaign has heard the cries of the children and parents, young and old, who are crying out due to neglect; physical challenges; broken homes; or lack of adequate food, shelter, clothing, and health care. The Listen to the Cries of the Children National Campaign 2000 will promote ''. . . wisdom, knowledge, understanding, and forgiveness that will break them out of their prisons, visible or invisible.''

As part of its ongoing effort to help the suffering, Hear O'Israel International, Inc. has conducted community-oriented programs, campaigning with former gang members who were shot and, after becoming quadriplegic, are presenting themselves as physical evidence to reinforce the negative consequences of gang involvement and experimentation with drugs and alcohol. As a part of this year's campaign, Hear O'Israel International, Inc. will call for ten seconds of silence at noon C.S.T. every day throughout the year 2000, in an effort to bridge cultural boundaries and unify a response to hear and Listen to the Cries of the Children and to ''stop violence and have mercy, love and compassion for our fellow man; to turn the hearts of the fathers to the children and the hearts of the children to their fathers, linking and strengthening the connection that should be present between every parent, child, American, and all around the world.''

The Mayor and the City Council of the City of Houston do hereby salute Hear O'Israel International, Inc. for its efforts to improve and enhance the quality of life for our children, and extend best wishes for continued success.

Approved by the Mayor and City Council of the City of Houston this 11th day of May, 2000, A.D.

THE CERRO GRANDE COMPENSATION ACT

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. UDALL of New Mexico. Mr. Speaker, twenty-one days ago the National Park Service in the Bandelier National Monument initiated a prescribed burn located near Los Alamos, New Mexico. Despite adverse and unpredictable weather conditions, the Park Service elected to ignite this fire.

As all of you are aware, control of that fire was quickly lost resulting in the destruction of over 200 homes and over 44,000 acres of land. Although now under control, the fire continues to burn today.

The legislation titled ''The Cerro Grande Compensation Act'' would expeditiously compensate those individuals who have suffered losses as a direct result of this fire. Specifically, this bill would compensate individuals, businesses, homes, public buildings, and Native American tribes for personal injuries and property losses sustained as a result of this tragedy.

This legislation is only a first step in an attempt to make these victims whole again. Particularly those who lost everything in the fire and have a long road ahead after recovering from their losses.

I will continue to work with the New Mexico delegation and the Clinton Administration to see that a plan is quickly put in place to compensate the victims of the Cerro Grande fire.

Through this painful experience I am confident that we as Members of Congress and the Federal Government will continue to show compassion and understanding to those who have been affected by this disaster, and do everything we can to make them whole.

TIME TO REORGANIZE THE U.S. FOREST SERVICE

HON. JOE SKEEN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. SKEEN. Mr. Speaker, I rise today to introduce legislation that is long overdue and desperately needed. My legislation, the 2000 U.S. Forest Service Organization Reform bill is simple legislation. Under this proposal the current Regional Offices of the U.S. Forest Service (USFS) would be eliminated. In the terms of organization structure they would be replaced by state USFS offices. Each state would have a state director, just as several other agencies within the U.S. Department of Agriculture operate. The Bureau of Land Management (BLM), in the Department of the Interior also is organized in this manner.

Authority would be granted for the establishment of up to six technical support centers as well as allowing the USFS to have multi-state directors where the Federal forest presence is minor. The Forest Service office for a state would be responsible for the administration of National Forest System lands within the state.

I have come to the conclusion that I can no longer wait for the USFS to do the right thing. I can no longer wait for them to solve their management problems. I can no longer wait to see our forests suffer from neglect, mismanagement and misuse. This administration's record on addressing the major issues facing our forests on these issues is dismal. Reinventing government in the USFS today means that nobody is in charge. It means forest plans that nobody can understand. It means lawsuits and court decisions that destroy people's livelihoods and damage their families irreparably. And now it means catastrophic fires that cost millions of dollars and endangered the life and property of our citizens that live in and near our forests.

USFS state offices will be the first step in bringing accountability into this agency of government. This office will be closer to the people in the state. The Director will interface directly and often with state officials, local government and concerned citizens. The Director will be accountable for what happens in the forest of the respective states. No longer would the USFS be able to hide in their regional offices. No longer would they be able to ignore problems in the respective states. The BLM manages more land than the USFS. The BLM planning program has been a model of unbridled success when compared to the disastrous Forest Service process. Part of the reason for this success is having a more responsive State office.

I would add at this point I have met numerous excellent USFS employees and I have been continually puzzled as to why these good people cannot make this agency work? Why, year after year, do we have study after study that talks about the mismanagement? I have finally decided that it is the structure of the USFS that is smothering the abilities of the individual employees and stopping them from solving the problems on our Forest Service lands. Today, we have ''teams'' and ''team leaders'' in government but not supervisors. Let me repeat, we have teams and team leaders, but not supervisors. Our forests deserve attention not unsupervised teams. We need people who will be responsive to the needs of our natural heritage—not to the faceless bureaucracy that currently exists in the Forest Service.

There is no doubt that the USFS will say the cost of implementing this legislation is too expensive. It will not be too expensive or more expensive. Not if they do it right. They need to stop trying to protect their sacred regional office turf. If USDA agencies can do it and BLM can do it, then so can the USFS.

We need an agency that listens to the people. We need an agency that responds to the communities most impacted by forest policy. We also need funding that is used on the ground projects that improve the health of our forests. We do not need funding that disappears in the Washington, D.C. office and in the Regional offices of the USFS. I ask the Congress when will we say about the total mismanagement ''enough is enough''?

NORTHEAST DISTRICT OF THE NATIONAL ASSOCIATION OF NEGRO BUSINESS AND PROFESSIONAL WOMEN'S CLUBS 42ND ANNUAL CONFERENCE

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. PALLONE. Mr. Speaker, the Northeast District of the National Association of Negro Business and Professional Women's Clubs, Inc., will hold its 42nd Annual District Conference at the Doubletree Somerset Hotel in Somerset New Jersey from June 2nd through June 4th.

The theme of the conference is ''Leadership By Example: Yesterday, Today and Tomorrow.'' What an appropriate theme: for the challenge of leading by example has been the driving force behind this great organization, on the national level, throughout the Northeast District, and especially the Central Jersey Club. The organization, through its leadership,

helps to plant the seeds from which many projects grow, both from within and from outside the organization.

The Central Jersey Club was one of the first organizations to give an AIDS/HIV workshop in the Central New Jersey area, and they also care for AIDS babies at St. Clare's Home in Neptune, NJ. The Club also provides career awareness programs, offers scholarships to needy students, works with the homeless by tutoring the clients and teaching them to knit, and donates clothing and Easter egg hunts for children. Some clubs donated food baskets to the needy during Thanksgiving, Christmas and Easter, and they celebrated Women's History Month by sponsoring essay contests at various schools. The North Jersey Unit promoted and implemented at the local level the Leontyne Price Vocal Arts Competition for talented African American opera singers. The winner will be competing at the semi-finals at the upcoming conference. The Union County Club plays an important part in their community with their scholarship program.

The Northeast Division was organized in 1959, being one of seven districts in the organization. The Northeast is the largest in the organization, consisting of Connecticut, Maine, Massachusetts, New Hampshire, Northern New Jersey, New York, Rhode Island, Vermont and the Commonwealth of Bermuda.

As a non-profit organization, the organization's national program thrust is Health, Education, Employment and Economic Development (HEED). Other projects that clubs participate in are Breast Cancer Awareness Programs, Adopt-A-School, Welfare to Work, and Black Entrepreneurship programs, among others.

The Northeast District's involvement in National projects includes sponsorship of water wells in Cameroon, and the opening of a health care facility in the Village of Atrapa in Ghana. Mary Singletary, past national president and a member of the North Jersey Unit, was very instrumental in these projects. In addition, the District continues to be involved with UNICEF and the United Nations as a non-governmental organization.

I want to salute the great work of Yvonne Harris Jones, the Governor of the Northeast District of the National Association of Negro Business and Professional Women's Clubs, Inc., and all of those whose efforts contribute to making this organization such a force for positive change in our community.

TRIBUTE TO MR. ED CRAPO

HON. KAREN L. THURMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mrs. THURMAN. Mr. Speaker, I rise today to pay tribute to a remarkable man from my district, Mr. Ed Crapo, Property Appraiser of Alachua County. Mr. Crapo has recently been elected to the position of President of the International Association of Assessing Officers.

The IAAO is an educational and research association of individuals in the assessment community and other professionals with an interest in property taxation. Membership is open to anyone, and includes individuals working in government, private industry, academia and members of the general public.

Through the position of president, Mr. Crapo will help the IAAO to promote innovation and excellence in property appraisal and property tax policy and administration through professional development, education, research and technical assistance.

In 1992, Mr. Crapo was first appointed as a State Representative for the IAAO. Through this position, he was able to make the IAAO's professional standards more widely known throughout the state of Florida. Since then, he has served the IAAO through eight other appointed and elected positions.

As chair of the Research and Technology Committee, he guided the development of professional standards and has helped other appraisers with technical assistance. While serving as chair of the Professional Development Committee, he oversaw an education program which trains more than 6000 assessment employees each year. Through his current position as president-elect, as well as being a former vice-president and board member, Mr. Crapo has been able to change the organization as necessary to meet the ever-changing needs of the assessment community.

By being a member of this organization, Mr. Crapo, is able to learn valuable information from other appraisers around the world. Because of this outstanding resource, he is able to bring his knowledge back to Alachua County to better serve the local residents.

Mr. Speaker, please join me in paying tribute to Mr. Ed Crapo for his service to Alachua County and for his election to the office of President of the International Association of Assessing Officers.

TRIBUTE TO THE MEMORY OF GARY YATES

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. LANTOS. Mr. Speaker, I ask my colleagues to join me in paying tribute to the life of San Mateo City Councilman Gary Yates, one of the city's most talented and effective public servants, who passed away suddenly last weekend at the age of only 54 years.

During his quarter-century as a San Mateo City resident, Gary served his community in many capacities, from mayor to president of the local homeowners association. Gary was, however, far more than just an officeholder; he was a dedicated advocate for the needs and interests of all the citizens of the City of San Mateo. He championed initiatives to improve paramedic response times; worked to make city government more efficient by expanding the use of performance bonuses; fought to maintain the beauty of the City of San Mateo by authoring a successful ballot measure to limit the height and density of buildings; and spent countless hours solving public problems both large and small. Mr. Speaker, Gary Yates deserves credit for helping to make the City of San Mateo one of the most pleasant cities places in America to live.

Gary Yates was a dear friend, and it was an honor and a pleasure for me to work with him on a number of issues of importance to the people of the City of San Mateo over the past two decades. His daughter, Dana, served ably as an intern in my office. I would like to offer my heartfelt condolences to Gary's wife, Linda, and his entire family. Mr. Speaker, yesterday morning the San Mateo County Times eloquently recounted the outstanding legacy that Gary Yates has left to his community, his friends, and his family. I ask that this editorial be placed in the RECORD.

YATES WILL BE MISSED

San Mateo County Times, May 24, 2000

With the untimely death of City Councilman Gary Yates on Sunday, San Mateo has lost a politician, a civic-minded citizen, a friend. Yates was a man who, in the words of City Manager Arne Croce, ''lived and breathed this community.''

Yates, 54, served on the council since 1993.

But his community involvement stretched back 25 years before that when the San Francisco-born man chose San Mateo as his home town.

Yates became involved with local issues as a member of the Fiesta Gardens Homes Association, and was later president of the umbrella organization, San Mateo United Homeowners Association.

He served as mayor in 1996 and would have held the office again next year.

Yates was remembered by his colleagues on the council as a mediator who could disagree without rancor and always had the community's best interests in mind.

He respected the council's decisions, even when votes didn't go his way.

He was also a strong advocate for public safety, pushing for Advanced Life Support paramedic services countywide and convincing city residents to pass a bond measure funding seismic retrofits at the police and fire stations.

Today, when lots of cities can't even get enough candidates together to hold a contested council election, and many residents are too busy with work and family to get involved in local issues, someone with Yates' dedication to civic life is rare indeed.

Gary Yates will be missed most by his wife, Linda, and his children, Jeff, Dana and Alicia. But the loss echoes throughout San Mateo, which has one less leader and advocate.

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

SPEECH OF

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

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 NTR.

Like many of my colleagues, I look at all trade agreements on an individual basis and weigh their positives and negatives accordingly.

For example, I support United States participation in the World Trade Organization and I supported annual NTR because I believe it is important to engage China. However, I opposed the Africa/CBI trade deal because it was bad for American workers and did not contain enough protections from potential trade related job losses to mitigate the impact it would have on American employees and my constituents in New York.

For me, this debate is not about engagement or isolation. I am opposed to PNTR because it is the wrong time to make permanent China's trade benefits with the United States.

China, has simply not matured enough politically or economically to have permanent normal trade relations with the United States.

China has a record of gross human rights violations, including the use of prison labor and a lack of religious freedom and it still poses a danger to our national security. China also has a terrible record on the environment and has some of the most polluted cities in the world.

Last year, 1999, was the worst year for religious freedom in China since the Cultural Revolution of the late 60's, according to the U.S. Commission on Human Rights. In China, numerous religious and human rights groups have suffered severe repression, including Catholics and the Falun Gong. No wonder religious leaders and human rights groups are opposed to PNTR, including the U.S. Catholic Conference.

Even the State Department Report on Human Rights contains tough criticism of Beijing's increased repression of democracy activists and religious groups such as Tibetan Buddhists and Chinese Christians. The report states that religious services were broken up while church leaders were harassed, detained, beaten and tortured.

Prison labor continues to be a problem in China as well. The Laogai Research Foundation has documented nearly 1,100 forced labor camps in China. In these prison camps, laborers receive no compensation for their work, conditions are appalling, and beatings are common.

China also continues to pose a threat to our national security and the security of our allies in the region, especially Taiwan.

We know that China sells weapons and weapons technology to countries like Libya, Sudan and Iran. It should come as no surprise that veterans groups such as the American Legion and the Order of the Purple Heart are against this agreement because of the national security implications.

Economic arguments are another good reason to oppose this agreement.

Despite what PNTR proponents are saying, the economic benefits of this deal are overstated. We already have Normal Trade Relations with China, which have resulted in a large and growing trade deficit.

United States imports from China more than tripled in real terms between 1992 and 1999, and the United States trade deficit with China increased 256 percent to $68 billion in 1999 (in 1999 dollars). While China runs a huge trade surplus with the United States, it has a sizeable trade deficit with the rest of the world.

The existing trade deficit with China is the product of current United States trade policies. The United States already accepts 40 percent of China's exports. By giving China PNTR status, Congress will be giving up America's most effective tool for changing those policies. Without the ability to negotiate directly with China, the deficit with China will surely grow and United States job losses as a result of the deficit will mount.

The Chinese also have a bad track record when it comes to adhering to existing agreements.

China has violated every trade agreement it has made with the United States over the last 10 years. The Chinese government has broken agreements on opening its markets, stopping the piracy of intellectual property and ending the export of slave labor-produced goods.

The U.S. response, create a monitoring group. But, by creating a monitoring group the the Administration is undermining its own argument that, by joining the WTO, China will begin to comply with the rules.

We already know that China has not and will not comply with their agreements. How will a powerless monitoring group help?

Unless there is a mechanism that will punish China for its continued violations of human rights, its poor labor record, its environmental excesses and its religious persecution, it will not do enough to help the situation. A monitoring group, or the Commission created under this legislation is a nice idea.

I commend my colleagues, Congressmen SANDER LEVIN and DOUG BEREUTER, for their hard work on this Commission. They have made some promising steps and I encourage the Senate to retain this worthwhile addition. But it's only one step in a multi-step process.

There is also no guarantee that the Chinese will cooperate with the commission. A commission will also not raise the issue in the public mind as much as the annual review process.

Even the surge protections are a welcomed addition to the legislation, but its benefit is exaggerated.

We have protections now, but under the agreement, if we use them, China can retaliate against us. Also, what guarantee do we have that the Chinese will accept our definition of a surge in imports and respect our decision? The real answer is maintaining the annual review process.

The annual review process focuses attention on China's practices in a way that is unmatched with any other country. It brings awareness to China's practices on human rights and other issues to the highest levels. Because of China's record on human rights, the environment and compliance with international treaties, the American people should be making this decision every year.

The administration's plan to set up a new rapid response team to monitor China's compliance with its market commitments under WTO reinforces the argument I've been making all along—China won't comply with the new agreement.

Like some of my colleagues, I believe China must meet a set of benchmarks before we make these benefits permanent.

First, they must recognize basic human and worker rights. Second, they must stop the proliferation of missile and nuclear technology and equipment. Third, they must promote environmental conservation. And fourth, they must comply with past and present international commitments.

When China has proven itself politically and economically mature enough for PNTR, only then should we extend these benefits. Until then, we should oppose this agreement, vote down this legislation and maintain the annual review process.

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.

COMMENDING LIFE UNIVERSITY AND ITS 17TH ANNUAL RUN FOR LIFE

HON. BOB BARR

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. BARR of Georgia. Mr. Speaker, today I am pleased to congratulate the founder and president of Life University, Dr. Sid E. Williams, and his staff for the continuing success of their Annual Run for Life fund raiser, held each year in Marietta, Cobb County, GA. The 17th Annual Run for Life is set for August 5, 2000. The 2000 Run for Life 5k and 10k will begin at Life University, proceed to the ''Big Chicken,'' then to Historic Marietta Square and back to Life. This is an exciting and fast course that promises to produce many positive results.

Dr. Sid E. Williams conceived the Run for Life as a way to raise funds for community needs while encouraging health and fitness. Their contributions will provide another chance for abused children and youths. In addition, this year's Life University Run for Life is contributing to the World Children's Fund and the ''Stop Teenage Smoking'' program. Other charities that Life supports are battered women, underprivileged children, American Red Cross, Boys and Girls Clubs of America, and Cobb County Children's Center.

Responding to Dr. Williams' constant quest for excellence, Life has also gained national acclaim for its phenomenal achievements in sports. Life University's athletic programs have claimed national championships in basketball, rugby, soccer, cross-country, ice hockey, indoor track and field, and outdoor track and field. In all, the University has won more than a dozen national titles and has more than justified the title of ''School of Champions.''

People of all ages in Georgia and surrounding states look forward to their annual trek to the Life University campus where the spectacular, free Christmas lights display never fails to thrill and delight the millions of visitors who have made the Lights of Life a part of their holiday tradition.

Mr. Speaker, Life University, under the leadership of Dr. Sid Williams, is a tremendous asset to Cobb County, the State of Georgia, and, indeed, the nation. This great institution brings honor to my district and to my State, and I offer my sincerest congratulations to Life University for its long list of achievements and wish Dr. Williams and his associates many more decades of success.

TRIBUTE TO THE 2000 CENTRAL CABARRUS HIGH SCHOOL WOMEN'S SOFTBALL TEAM ON WINNING THE NORTH CAROLINA HIGH SCHOOL ATHLETIC ASSOCIATION CHAMPIONSHIP

HON. ROBIN HAYES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. HAYES. Mr. Speaker, it is my distinct honor and pleasure to rise today to pay special tribute to an outstanding group of student-athletes from North Carolina's Eighth District.

Last weekend, the Central Cabarrus High School Softball Team completed a truly amazing season by winning the North Carolina AAA Softball State Championship.

''Central Cabarrus set a record for dominance in a softball championship game'' wrote a local newspaper. The Viking won by a score of 14–0 over C.B. Aycock High School. This was the largest margin of victory in the history of NCHSAA Softball Championships. This capped off a perfect 28–0 season for the Vikings. The Tournament's most valuable player was sophomore pitcher Crystal Cox who threw a one-hitter and struck out 12 batters. The game was essentially decided in the first inning, finishing the inning with a score of 7–0. The game concluded after only 5 innings, by the 10-run mercy rule.

Mr. Speaker, I would like to congratulate the 2000 North Carolina State 3–A Softball Champions, the Central Cabarrus High School Vikings. I would urge all of my colleagues to join me in paying special tribute to this outstanding team.

HONORING PALOS VERDES PENINSULA HIGH SCHOOL

HON. STEVEN T. KUYKENDALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. KUYKENDALL. Mr. Speaker, I rise today to recognize Palos Verdes Peninsula High School, an outstanding educational institution within my district. The U.S. Department of Education recently recognized Peninsula High as one of the top high schools in the nation.

Peninsula High was one of ten high schools in the nation to receive both the Blue Ribbon Schools Award and New American High Schools Award. This is a tremendous accomplishment. It is a testament to the quality of education in the South Bay.

Peninsula High received the Blue Ribbon School Award for its commitment to strong leadership, high quality of teaching, rigorous curriculum, and parental involvement. 198 middle and secondary schools throughout the nation were recognized as Blue Ribbon Schools. Among the 198 Blue Ribbon winners, ten also received the New American High Schools Award. The New American High Schools initiative recognizes American high schools committed to achieving high academic standards for all students, preparing all students for college, and providing them with opportunities to learn about careers.

I commend Principal Kelly Johnson and the teachers of Palos Verdes Peninsula High School for offering a curriculum that encourages its students to develop exceptional learning habits. This preparation is invaluable for students who pursue a higher education. Congratulations on this much deserved recognition. You have earned it. I wish the students and teachers of Peninsula High continued success. You are an example for the nation.

TRIBUTE TO KATRINA MARIE DOMIJANCIC, ELIZABETH ANN JACKSON, AND CARRIE COLLEEN TAYLOR

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. VISCLOSKY. Mr. Speaker, I rise today to congratulate Katrina Marie Domijancic, Elizabeth Ann Jackson and Carrie Colleen Taylor for attaining the Girl Scout Gold Award. They are members of the Senior Girl Scout Troop #326 located in Hobart, Indiana, and will receive this honor at a Girl Scout Gold Award Ceremony on Sunday, May 28, 2000 at the Hobart Scout Cabin.

A special significance is attached to the title of Girl Scout Gold Award, a significance that accompanies a young woman throughout her life. As she pursues endeavors in higher education, business, industry and community service, she will carry with her the lofty goal of success through leadership. To qualify for the Gold Award, each Girl Scout must fulfill rigorous requirements in the areas of leadership, career interest and service. Upon completing the above requirements, a prospective Gold Award candidate must find and complete a project that meets a need in the community. Katrina, Carrie, and Elizabeth's Gold Award Project involved enhancing the underused areas of the Hobart Scout Cabin to provide more useable space.

Katrina Domijancic is the daughter of John and Rebecca Domijancic of Hobart, Indiana. She has been a Girl Scout for nine years, and has been president of Senior Girl Scout Troop #326 since 1998. As a Senior Girl Scout, she has earned the Senior Leadership Pin, the Senior Career Exploration Pin, and the Senior Challenge Pin. Katrina attained the Gold Award in conjunction with her academic achievements at Hobart High School. She has served as Vice President of the Hobart High School Spanish Club, Captain of the Cheerleading Squad, and a member of the National Honor Society. Katrina will graduate this June from Hobart High School with honors. After graduation, Katrina plans to attend college, and hopes to become a pharmacist.

Elizabeth Jackson is the daughter of Charles and Annette Jackson of Valparaiso, Indiana. Elizabeth is a junior at Boone Grove High School, and has been a Girl Scout for eleven years. As a Senior Girl Scout, she has earned the Senior Leadership Pin, the Senior Career Exploration Pin, and the Senior Challenge Pin. In addition to being a member of Senior Girl Scout Troop #326, she has participated in the Valparaiso University Community Band and the Boone Grove High School Band. She also was a member of the Boone Grove High School Math Team, which placed fifth in the state.

Finally, Carrie Taylor is the daughter of David Taylor and Georgia Cox of Hobart, Indiana. She has been a Girl Scout for all thirteen possible years. As a Cadette Girl Scout, she earned the Girl Scout Silver Award for attempting to bring the Martin Luther King, Jr. Holiday to the Hobart Public School System. As a Senior Girl Scout, she has earned the Senior Leadership Pin, the Senior Career Exploration Pin, and the Senior Challenge Pin. Carrie will graduate from Hobart High School in June of this year. She has enlisted in the United States Navy and will begin active duty in August. She will serve in the Atlantic Fleet and be based out of Jacksonville, Florida.

Mr. Speaker, I ask you and my other distinguished colleagues to join me in congratulating Katrina, Elizabeth and Carrie for their commendable achievement. Their parents and their communities can be proud of these young women. It takes a great deal of tenacity and devotion to achieve such an illustrious award. These young ladies have a promising future ahead of them, which will undoubtedly include improving the quality of life in Indiana's First Congressional District.

HONORING JOE WILLIAMS

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. ENGEL. Mr. Speaker, a concerned, giving and caring man is retiring from public office after many years of serving the people of his communities. Joe Williams is stepping down as President of the City Council of Warren, Ohio. He has already received many awards for his outstanding public service; including the Governor's Award and the Mayor's Award for outstanding civic contributions, the City Council Citation, Honorary Auditor by the State Auditor and Honorary Deputy. He was inducted into the Trumbull (County) African-American Achievers Hall of Fame and has also been honored by the Black Knights Police Association and Who's Who Among Black Americans.

He holds the record for being elected to the City Council for 22 years and has been elected to the Trumbull County Central Committee of the Democratic Party for five terms. He was the first African American to represent the Seventh Ward and the first to become President of the Warren City Council.

Joe was born and raised in Tuskegee, Alabama where he attended the Tukegee Institute, completing an Associate Degree in Electrical Design. In 1977 the City of Tuskegee proclaimed him Honorary Mayor.

Joe has been an electrician for 34 years at General Motors. He is married to Marilyn Hainesworth Williams and they have two children. Joe Williams is an outstanding example of someone who dedicates his life to his family and his community. He is a public servant who could serve as a role model for all of us. I congratulate him on his many accomplishments and wish him the very best in the future.

A TRIBUTE TO THE TEXAS BAY AREA AMERICAN CANCER SOCIETY

HON. NICK LAMPSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. LAMPSON. Mr. Speaker, I rise to commend the Texas Bay Area American Cancer Society.

Anyone who has a friend or family member stricken by cancer knows the importance of the American Cancer Society. We have all

heard of the great accomplishments in fighting cancer during the past decade, and ACS has played a key role. Raising millions of dollars to research cancer treatments and cures are perhaps the most well known of its efforts. There is also the Society's important work to prevent cancer through education and other efforts.

Its assistance to those struggling with the disease is perhaps most closely felt. Cancer victims and their families turn to the American Cancer Society for support when the fight against cancer become all too personal. There are countless survivors who know what a difference the Society can make.

An effective, national organization, the American Cancer Society derives its greatest strength from its volunteers and activists across the nation. I wish to just highlight one of its many local groups, the Bay Area American Cancer Society in the southeast of Texas. Stretching from Friendswood, to Pearland, through Webster and Nassau Bay, the Baytown Chapter encompasses more than a dozen small towns. These diverse communities across the Clear Lake area of Texas join together in their fight against cancer.

The educational work of the Bay Area American Cancer Society doesn't stop in Clear Lake, or even in Texas. We hear their message even here in the nation's Capitol. Whether it is the call for critical federal research funds or to support coverage of routine patient care costs for Medicare beneficiaries with cancer, it is the local activists who alert me to the key issues in the fight against cancer.

I applaud their efforts, I applaud their accomplishment, and I join in their dream to end the disease of cancer that touches too many lives and families.

HONORING HELEN McDOWELL

HON. EDOLPHUS TOWNS

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. TOWNS. Mr. Speaker, I rise today to honor Helen McDowell, a nurse, a parent, and a pillar of her community. Her motto is: ''Lots of talk and activity don't impress me; results are what really counts.'' I honor her today because she has an impressive history of achieving results and serving the needs of others.

Helen McDowell was born in Montclair, New Jersey, the daughter of the late George McDowell of Birmingham, Alabama and his wife, Mary, of Halifax, North Carolina. After living several years in New Jersey and Queens, New York, Helen McDowell moved with her mother and two brothers to Stuyvesant Avenue in Brooklyn, New York.

In her new home in Brooklyn, Helen attended the Holy Rosary School and Catherine McAuley High School. These distinguished institutions prepared her well for college, and she began her college career at St. John's University. After spending some time at St. John's, Ms. McDowell pursued a course of study at the Bellevue School of Nursing at New York University. Public Nursing was her forte, and her interest in it led her to continue her studies at Teachers College at Columbia University.

''Ms. Mac,'' as her friends know her, began an illustrious teaching career in San Francisco, California. Through her teaching position in San Francisco, she got the opportunity to travel to Africa, Haiti and the Eastern Caribbean with the United Nations' World Health Organization. As you can imagine, during her seventeen years away from her community in Brooklyn, Ms. Mac had the good fortune to combine her work, travel and, sometimes, play on several continents.

Ultimately, Ms. Mac returned to us in Brooklyn, reestablishing her roots in Bedford Stuyvesant. However, she continued to fulfill her commitment to lifelong learning, a cornerstone of her philosophy of life. So, at the age of 50, she enrolled in a graduate program in Business Administration, which she completed with distinction.

An early retirement enabled Ms. Mac to become deeply involved with non-profit organizations in her local community. She eventually established Marimac Services, Inc., a corporation that enabled her to invest in and assist others with tenant and building management services. Many local professional organizations benefited from her dedication, expertise and professionalism.

While she is too shy to admit her many talents, like her fluency in French, her family and friends know how remarkable she is. Whether she is spending her time overseeing building renovations, home repair or decorating, her energy and resources seem endless. Ms. Mac is more than worthy of receiving this honor, Mr. Speaker, and I hope that all of my colleagues will join me today in honoring this truly remarkable woman.

TRIBUTE TO COCHISE CASH

HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. FROST. Mr. Speaker, I rise today to pay tribute to Cochise Cash. For many years now, Mr. Cash has been a leader in our Fort Worth community. He is a groundbreaking journalist, being one of the first African Americans to work as a television reporter in the Dallas/Fort Worth market. He has also given an enormous amount of his time to various charitable and community activities.

In recognition of his dedication to his fellow citizens, this past September Cochise Cash was elected as President of the prestigious Southside Optimist Club of Fort Worth. Mr. Cash is the first African American president in the club's history.

This is a high compliment to Cochise Cash and a fitting recognition of his many years of good work. Your family and friends must be proud of you. Mr. Cash, I'd like to thank you on behalf of all of my constituents, good luck in the future.

IN RECOGNITION OF KALEIDOSCOPE 2000—THE 20TH ANNUAL NAPA VALLEY WINE AUCTION

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize the Napa Valley Vintners Association's 20th Annual Napa Valley Wine Auction to be held on June 3, 2000 at Meadowood Resort in St. Helena, CA.

Since its inception in 1981, the Napa Valley Wine Auction has become the world's largest charity wine auction contributing more than $20 million to local nonprofit organizations.

Last year, the auction raised over S4 million, which was allocated to area health care providers, and youth and housing programs. Organizations that have benefited from these funds include Napa Women's Emergency Services, Hospice of Napa Valley, Planned Parenthood, the Boys and Girls Clubs of American Canyon, Napa Valley, and St. Helena, and Healthy Moms and Babies.

The auction weekend kicks off on Thursday, June 1st with the opening of the display auction lots at newly remodeled Silverado Vineyards with a trio of joint venture lots and concludes on Saturday, June 3rd with a family-style dinner on the Meadowood fairway.

The three-day event includes a tasting of foods prepared by dozens of Napa Valley restaurateurs and caterers as well as a Vintners black-tie dinner Gala.

This year's event features soul diva Patti LaBelle, who agreed to perform a 40-minute show after learning that last year's monies went to farm worker housing, youth at risk, and health care.

Mr. Speaker, it is appropriate that we acknowledge the 20th Napa Valley Wine Auction and the Napa Valley Vintners Association's efforts to improve the quality of life in our community.

IN CELEBRATION OF KANSAS CITY'S SESQUICENTENNIAL

HON. KAREN McCARTHY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Ms. McCARTHY of Missouri. Mr. Speaker, today I ask my colleagues to join me in celebrating Kansas City, Missouri's 150th Birthday. The sesquicentennial marks an era of growth and prosperity in the Midwest. John Calvin McCoy, the father of Kansas City, created a small trading town on the banks of the Missouri River. It was a link from the stunning East to the sprawling West. Truly in the Heart of America, this City was destined to become a great metropolitan area as it is today.

The innovation of bridges allowed travelers and goods to move through Kansas City to complement the Missouri River's movement of commerce. Soon railroads aided this cause and Kansas City flourished. It became a metropolis known for its stockyards and wheat. The 1900's brought growth.

The citizens of this distinguished and lovable city have seen the building of the Liberty Memorial, the only World War I monument dedicated by the five allied leaders; the development of the Country Club Plaza by J.C. Nichols, the first outdoor shopping venue now visited by travelers from all over the world for its elegance; the Pendergast era in which Kansas City's own political machine ruled for years; a Convention Center rebuilt from fire ruins in less than 90 days for the 1900 Democratic National Convention; and the birth of Kansas City Jazz which can still be heard throughout our country. We became a Major

League sports city supported by the Kansas City Royals Baseball team, the Kansas City Chiefs Football team, and the home to the Negro Leagues Baseball Museum. Unfortunately it is impossible to cover the entire expansive and rich history my City has displayed.

Kansas City is now the second largest rail hub. We are second only to Rome in fountains and have more miles of boulevards than Paris. Kansas City is first in greeting card publishing as the home to Hallmark Cards. We have more freeway miles per capita than any major metro area and are 25th in U.S. population. Kansas City is adored for its 24 public lakes and 200 public parks. We stand 1.6 million people strong in the metropolitan area.

We highlight our rich history through events and activities that enliven the culture of our community and celebrates its diversity and sense of unity. This year Kansas City was blessed with events such as ''Arrivals and Departures—Union Station'' a Kansas City symphony performance to highlight the importance and the memories shared at our newly renovated Union Station; Benjamin Ranch Celebration Picnic allowing our youth to experience the wild outdoors with horse rides, stagecoach and hayrides; the 18th and Vine Vintage Vine afternoon at the Negro Leagues Baseball Museum recreated the excitement of a Monarchs game; and finally the Kansas City Zoological Park brings our community 150 new animals. The grand finale will be held at Arrowhead Stadium where Walter Cronkite, Kenny Rogers, Little Richard, Oleta Adams, and the biggest fountain and pyrotechnic special effects show ever seen in the Midwest will swing us into the next incredible 150 years.

Throughout the 150 years of Kansas City we have been known for our hospitality, strong work ethic, fairness, and ability to develop a consensus. These attributes of our community are constantly enhanced by our citizens' commitment to continue to grow and expand upon these inherent traditions.

Mr. Speaker, please join me in celebrating the City of Kansas City's 150th Birthday.

IRANIAN JEWS

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. VISCLOSKY. Mr. Speaker, I rise today to join several of my colleagues in condemning the actions of the Iranian government against 13 members of that nation's Jewish community. These Jews, arrested over a year ago, have been accused of spying for Israel. In Iran, a country where Jews enjoy virtually no freedoms and are under constant government scrutiny, one of the world's most effective intelligence organizations, Israel's Mossad, has allegedly chosen to use Jews to collect state secrets. Not only is this assertion preposterous, it is offensive. A shoe salesman, a candy store owner, and a 16-year-old boy, are being portrayed as agents of espionage.

Ten of the 13 have been imprisoned since their arrest last year. All have been brought before a court with no jury, in which the judge also serves as the prosecutor, to face accusations they have not heard, without the assistance of a lawyer or any contact with their families or friends. To add insult to injury, a Justice Ministry spokesman recently announced that ''only one or two'' of the 13 Jews were actually accused of espionage, the others were accused of the lesser crime of acting against national security. This after the Minister of Intelligence and Security said, in January, ''if they are condemned to hang, they will be hanged.'' As if ''one or two'' deaths were any less despicable than 13.

This would not be the first time a show trial in Iran resulted in the deaths of members of the Jewish community there. Since the Islamic revolution in 1979, 17 Jews have been executed in Iran. I say it is time for this to stop. I ask those in Iran who represent fundamental Islamic faith to recall the centuries old Islamic tradition that protects strangers in Muslim lands. I call on those in Iran who represent reason and reform to intervene and prevent a brutal outcome to this trial. And I ask all Iranians to look at the changing world and recognize that by rejecting reconciliation with Jews, they are no longer on the fore of a unified Arab front, they are lonely outsiders who will never reap the benefits of the lasting partnerships being formed in the Middle East.

EVENT AT WEST END MEMORIAL SCHOOL

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. ANDREWS. Mr. Speaker, Who: 200 4th and 5th grade students from Woodbury Public Schools.

What: Will host Vice-president Lawrence Engel of the Battleship New Jersey Foundation.

When: May 24, 2000 at 1:30 PM.

Where: West End Memorial School, Woodbury, NJ.

Why: The fifth grade students from the three elementary schools engaged in a two month project of designing, making, and selling needlepoint bookmarks and stock certificates which resulted in raising $1000.00 for the Battleship New Jersey Museum which is to be located in Camden, NJ. An assembly featuring Liberty, Uncle Sam, The Minuteman, Betsy Ross, and Franklin Delano Roosevelt will engage the students in the singing of patriotic songs, the presentation of the check to Col. Engel, and refreshments to celebrate their success.

Col. Engel will present the district with a print of the Battleship and certificates of participation to each of the three elementary schools. He will address the classes about the ship and its contributions to democracy, present a slide show, and bring a six-foot model of the ship with him. He will also comment on the significance of Memorial Day.

May 24 has been designated Red, White, and Blue Day at West End School in celebration of Memorial Day and the student's success.

CELEBRATING 100 YEARS OF THE ILLINOIS PTA

HON. LANE EVANS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. EVANS. Mr. Speaker, today I honor the members of the Illinois PTA, and celebrate the 100th, anniversary of this extraordinary organization. Tuesday, May 30, 2000, will mark 100 years of partnership between the dedicated parents and teachers from across the great state of Illinois.

The Illinois PTA is invested in improving the quality of education and opening the doors of opportunity for all students. From our largest cities to our smallest towns, the PTA is working to ensure that each student has the resources needed to succeed and is provided with a safe, healthy environment in which to flourish.

We must make a commitment to helping the members of the Illinois PTA and parents, teachers, and students from across the country, by providing them with the tools they need to do their jobs. We know that the greatest investment we can make in our youth is to provide them with a quality education. In this time of economic prosperity, we can afford to make a long overdue investment in public education. I hope you will join me in the effort to bring quality teachers, smaller class sizes, greater accountability, and modern schools to American communities. The time is now.

I commend the tireless efforts of the members of the Illinois PTA and express my deepest gratitude for their noble work. I wish them continued success in the years to come.

HONORING JUDGE VEL PHILLIPS

HON. THOMAS M. BARRETT

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. BARRETT of Wisconsin. Mr. Speaker, I am pleased to honor Judge Vel Phillips, who was recognized on May 14, 2000, with an honorary Doctor of Laws from the University of Wisconsin-Milwaukee.

Vel Phillips has been my friend for many years and a friend to the people of Wisconsin for many years more. I first developed my admiration for Vel Phillips as a young paperboy, reading about her work in public office. I assumed two things about her: first, that she must be very important, and second, that she must be very old. I was obviously wrong about her age, because thirty years later, she is as active and vibrant a person as any I know. In fact, she's forever young.

The record of barriers she broke and accomplishments she attained is too long to list in full, but I am pleased to offer a few examples. Vel was the first African American woman to earn a law degree at the University of Wisconsin Law School. She was the first woman and the first African American elected to serve on Milwaukee's Common Council, and her incisive mind, great personal charm and deep sense of devotion to the needs of her constituents made her an effective and respected representative. After 16 years on the Council, Vel was appointed to Milwaukee

County's Children's Court, and became the first woman and the first African-American to serve as a Wisconsin judge. In 1978, she ran a successful campaign for Wisconsin Secretary of State and became the first African American to be elected to a statewide, constitutional office.

The University of Wisconsin honored Judge Phillips' unparalleled contributions to our community and to Wisconsin history on May 14, 2000, by bestowing on her an honorary Doctorate of Laws. On May 28th, her friends and admirers will gather at the Community Brainstorming Conference in Milwaukee to congratulate Vel. I join them in commending Judge Vel Phillips on this latest distinction, and I celebrate her years of dedicated service to the people of Wisconsin.

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

SPEECH OF

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. OWENS. Mr Speaker, greed has rolled like a bulldozer over all of the numerous logical reasons supporting the denial of a permanent trade agreement with China. The megaprofits to be realized by the corporate elite are so overwhelming that this juggernaut cannot be halted. This act will have tornado-like devastation on the employment 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 twenty five cents per hour or less will fill the bank accounts of multi-national 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 hi-tech positions requiring a college education will be left here on our shores.

Trade agreements standing alone on the floor of the House should never be accepted in the future. We should be voting on a comprehensive bill which anticipates the consequences of this arrangement with a nation of 1.2 billion people. The legislation should cover provisions to compensate for the massive economic dislocations that will inevitably escalate over the next few years. A massive worker retraining is needed for adults who face the immediate loss of their livelihoods. We also need a thorough revamping of the nation's public school system, an institution which serves working families, to guarantee that the emerging work force will have the qualifications to fill the thousands of information technology and telecommunications vacancies.

Mr. Speaker, if this risky agreement is passed today, we must immediately develop legislation to establish Worker Technology Retraining Centers to be operated by unions and other worker organizations in all parts of the nation where a loss of jobs will take place.

We must also take advantage of the enormous 200 billion dollar surplus available this year and the anticipated two trillion dollar surplus over the next ten years to revamp our public school system. To cope with the massive transformations of the future work places in America we must mandate that no less than ten percent of the surplus must be allocated to education for the next ten years.

We must vote no on this bill before us. At the same time, we must resolve not to desert our working families. Pledge now to adequately finance the world's greatest public education system.

TRIBUTE TO RAY PERRY, C.O.P.E. UNITY AWARD RECIPIENT

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Ms. ESHOO. Mr. Speaker, today I honor a distinguished American, a proud Californian and a great labor leader, Ray Perry, who has been chosen to receive the C.O.P.E. Unity Award at the 21st, Annual Committee on Political Education banquet.

Ray Perry has devoted more than two decades of his life in steadfast support of the San Mateo County California Central Labor Council. Since the beginning of his career as an apprentice mechanic at Alameda Naval Air Station in 1966, Ray Perry has brought his skills and energy to community activism and has become a leader of the labor community. First appointed as a Delegate to the San Mateo Central Labor Council in 1979, Ray Perry is now President of the International Association of Machinists, Local Lodge 1781, representing over 10,000 employees of United Airlines at San Francisco International Airport.

As a Delegate, he's worked tirelessly to guide and develop the COPE structure into one of the most well organized, innovative and effective political programs in San Mateo County. Because of his leadership in the campaign to gather signatures, the drive to restore CAL-OSHA was successful in preserving the toughest worker safety program in our nation.

Today, Ray Perry continues his extraordinary work. As Chairman of the U.A.L. Grievance Committee, he is currently working to strengthen the United Airlines Labor Coalition of Machinists, the Association of Flight Attendants, and the Airline Pilots Association. He is widely admired for his boundless energy and his effective work as well as his passionate crusade to improve the lives of those around him.

Ray Perry's life of leadership and community involvement is instructive to us all. His dedication to the ideals of democracy and public service stand tall. I ask my colleagues, Mr. Speaker, to join me in honoring this good man whom I'm privileged to know and call my friend. We are indeed a better community and a better country because of him.

FLOYD D. SPENCE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

SPEECH OF

HON. PATRICK J. KENNEDY

OF RHODE ISLAND

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. KENNEDY of Rhode Island. Mr. Chairman, the Navy resumed training on the Atlantic Fleet bombing range in Vieques after Federal Agents cleared the bombing range of protesters. Unfortunately, a very tense situation remains. Yet we in the legislature, instead of leaving in place the agreement reached by the President, the governor of Puerto Rico and the Secretaries of Defense and Navy, we tried to add fuel to the fire with a provision in H.R. 4205 that unilaterally undermined a deal where concessions were made on all sides.

I am pleased with the passage of Mr. SKELTON's amendment and celebrate our victory in striking out the deal breaking language in H.R. 4205 and reinstating our agreement with Pedro Rossello, Governor of Puerto Rico. Let us recall that the agreement reached last January is a deal where concessions were made by both sides—negotiators had worked in good faith to reconcile the vital need for training with the legitimate concerns of the people of Vieques. Mr. SKELTON's amendment leaves in place the compromise agreement for the orderly transfer of land on the Western side of Vieques, land not utilized by the Navy, to Puerto Rico. I urge the continuation of the President's deal as H.R. 4205 moves toward conference.

One thing is evident, our actions influenced the Navy's ability to continue crucial training on Vieques. We simply would have done a disservice to our sailors and their readiness if our legislative actions somehow led to more unrest in Puerto Rico. Let us not forget that the Navy has not been the best of neighbors to the American citizens of Vieques. Since the early days of World War II, the people of Vieques have been exposed to bombing raids 180 days of each year. Unfortunately, a little over a year ago, a bomb fell 2 miles off target, killing Mr. David Sanes Rodriquez, a civilian employee by the Navy and severely wounding four others. This tragic accident redefined and emboldened virtually all of Puerto Rico to demand for the safety, the security, and the well-being of the 9,311 Puerto Rico Americans who reside in Vieques.

Let me be clear on the point that the Skelton amendment is strongly supported by the Government of Puerto Rico. I have spoken with Governor Rossello. He told me that over 70 percent of the American citizens on Vieques live below the poverty level and that civilian residents reportedly suffer from a cancer rate 26 percent higher than that of Puerto Rico as a whole. Doctors also note high levels of birth defects, skin diseases, asthma and other respiratory diseases. Yet without this amendment the resources that these people need would have been jeopardized.

If you are concerned about the ability of the Navy and our sailors to be militarily ready, then you will support the continuation of the President's's deal in conference because it represents the quickest way for us to resume a full spread of training activities which can include live fire exercises.

The bottom line is that we have already negotiated a deal that is supported by all sides in this debate. But without the Skelton Amendment we would have had no deal. And so whether you are coming at this debate from a military or Puerto Rican perspective you can be sure that supporting the President's deal is the right thing to do.

REMEMBERING LANCE CORPORAL KEOKI P. SANTOS AND LANCE CORPORAL SETH JONES

HON. DARLENE HOOLEY

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Ms. HOOLEY of Oregon. Mr. Speaker, on April 8, 2000 nineteen U.S. Marines were killed in the Arizona desert when their MV–22 Osprey crashed during a training exercise.

Two of those Marines, Lance Corporal Keoki Santos and Lance Corporal Seth Jones, were citizens of Oregon.

Lance Corporal Santos—who was only 24 years old—was a native of Grande Ronde, a Native American confederation which I have the good fortune of representing here in Congress.

He was an outstanding Marine. Keoki was also deeply loved by his mother, Mrs. Christina Mercier.

Lance Corporal Jones, who was only 19 years old, was an equally outstanding Marine.

He too left behind grieving relatives—his mother, Ms. Michele Tytlar, lives in Portland, Oregon and his father, Mr. Daniel Jones, lives in Bend, Oregon.

Mr. Speaker, this Monday is Memorial Day. Most, if not every Member of Congress, will return home to participate in official remembrance ceremonies.

Yesterday, three flags were flown over the Capitol of the United States commemorating the bravery of Lance Corporal Santos and Lance Corporal Jones.

This Memorial Day, I will present these flags to the families of these two Marines at Willamette National Cemetery.

I will also read aloud and present each family a letter from the Commandant of the Marine Corps, General James L. Jones.

This letter shares the Commandant's thoughts on the service and loss of not just these men, but all nineteen of the Marines killed in this tragic accident.

We owe an enormous debt to every American soldier, sailor, flyer, and Marine.

As we all return home this weekend to observe Memorial Day, we must remember those who served our Nation in uniform and now lie in eternal rest.

EXPRESSING SUPPORT FOR INCREASED APPROPRIATIONS FOR THE INS OMAHA DISTRICT OFFICE

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. BEREUTER. Mr. Speaker, this Member would commend to his colleagues the following editorial from the May 12, 2000, edition of the Omaha World-Herald.

As the editorial correctly notes, the Omaha District Office of the Immigration and Naturalization Service (INS), which serves Nebraska and Iowa, has experienced a dramatic increase in demand for the services it provides. Despite the on-going efforts of the Nebraska and Iowa Congressional Delegations, on behalf of their constituents, to bring attention to this untenable situation and also to the lack of resources committed to the enforcement of immigration laws in this country's interior states, INS officials at the Federal and regional levels remain unresponsive. This Member and several of his colleagues from Nebraska and Iowa feel that the problems must now be addressed through the appropriations process.

This Member hopes that his colleagues in the House of Representatives will favorably review the requests outlined in the editorial and that they will increase assistance to INS operations not only in Nebraska and Iowa but in this country's interior region as a whole.

[From the Omaha World-Herald, May 12, 2000]

SHOW THEM THE MONEY

The figures are as solid as they are daunting: The Omaha office of the Immigration and Naturalization Service has a backlog of more than 5,000 cases. Over the last five years, it has seen a 400 percent increase in the number of documents processed. Workloads like that can't be handled with smoke and mirrors. Warm bodies must be in place, and that place needs to be safe and efficient. Some members of Congress clearly understand the problem, and they are commendably committed to solving it.

Last week the entire Nebraska congressional delegation, joined by Rep. Jim Leach of Iowa, wrote to colleagues whose committees oversee spending for the INS. The request was for them to earmark enough money (about $119,000 yearly) to add two immigration information officers and two clerical positions to the local office.

This request for a direct appropriation wouldn't have been necessary if Mark Reed, director of the INS Central Region, had responded to these officials' 1999 request to flesh out the office's ability to respond to public needs. It's hard to fathom why he didn't.

Now, Nebraska's three House members have approached the chair of the appropriate subcommittee about getting a one-time injection of $2 million to relocate the Omaha INS branch to new quarters, possibly near Eppley Airfield.

If the lawmakers are successful in these efforts, that will address the local agency's two biggest problems: a personnel shortage and an inadequate physical plant. It's about time something was done. The modern-day trend toward more and more newcomers argues that from an operational standpoint, things are likely to get worse before they get better.

For years, the local INS has operated piecemeal out of four buildings, the main one being at 3736 South 132nd St. Until last fall, clients had to wait outside in all kinds of weather. That was addressed when the local INS officials leased a 2,400-square-foot waiting area, but even that was a stopgap measure. Getting the 65,000-square-foot building envisioned by the local officials and community activists, along with an adequate number of people to staff it, would be the right thing to do.

What the lawmakers are attempting amounts to a fiscal end-run, asking for improvements the INS should already have requested on its own. There's no telling it will work, but let's hope so. Certainly, the intentions are honorable. The INS overload here has gone beyond embarrassing and is edging toward intolerable.

IT'S TIME THAT CONGRESS LOOK INTO THE FEDERALIZATION OF CRIMES

HON. DONALD A. MANZULLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. MANZULLO. Mr. Speaker, its high time that Congress takes a serious look at the federalization of crimes in the United States. The State and Federal Courts together comprise an intertwined system for the administration of justice in the United States. The two courts systems have played different but equally significant roles in the Federal system. However, the State courts have served as the primary tribunals for trials of criminal law cases.

The Federal Courts have a more limited jurisdiction than the State Courts with respect to criminal matters because of the fundamental constitutional principle that the Federal government is a government of delegated power in which the residual power remains with the States. In criminal matters, the jurisdiction of the Federal Courts should compliment, not supplant, that of the State Courts.

The 1999 Year-End Report on the Federal Judiciary shows how its caselaod has grown:

One hundred years ago, there were 108 authorized federal judgeships in the federal judiciary, consisting of 71 district judgeships, 28 appellate judgeships, and 9 Supreme Court Justices. Today, there are 852—including 655 district judgeships, 179 appellate judgeships and 9 Supreme Court Justices. In 1900, 13,605 cases were filed in federal district courts, and 1,093 in courts of appeals. This past year, over 320,194 cases were filed in federal district courts, over 546,000 in courts of appeals, and over 1,300,000 filings were made in bankruptcy courts alone.

It is apparent that some growth of the federal court system should occur over time due to increases in population. But what also has grown substantially is the scope of federal jurisdiction. Federalization of the states' criminal codes is something that politicians, especially here at the federal level, cannot seem to help but engage in from time to time. It has been over time, in response to criminal concerns nationwide, that Congress has again and again federalized crimes in the name of fighting crime and protecting the nation's populace. But, is the federalization of crime really an antidote for our nation's crime problems? Is it really proper to federalize crime so politicians can ''prove'' their effectiveness? These are important questions that must be asked. We all

must look in the mirror and ask ourselves whether there is a sound justification for having two parallel justice systems.

Americans should not be subject to different, competing law enforcement systems, different penalties depending on which system brings them to trial, and an ever-lengthening possibility that they might be tried for the same offense more than once.

Mr. Speaker, much of what I just stated is contained in the findings of the bill I introduced today—the Federalization of Crimes Uniform Standards (FOCUS) Act of 2000.

The bill is simple. It lays out what the appropriate Federal activity—response—is an offense against the Federal Government. Under the bill, section 6, an offense, or federal crime, is an activity with respect to which a clear need for uniform Federal law enforcement exists. This includes an activity that involves conduct of an interstate or international nature, or of such magnitude or complexity that a State acting alone cannot carry out effective law enforcement with respect to that conduct; or that involves conduct of overriding national interest, such as interference with the exercise of constitutional rights. The criminal conduct must be an offense directly against the Federal Government, including an offense directly against an officer, employee, agency, or instrumentality of the Federal Government. Seems pretty basic.

The idea behind this section is to set a standard definition to what constitutes a federal crime. The current method seems to be that a federal crime is whatever Congress deems it to be, without any true consideration of the constitutional issues involved. Therefore, under the current methods, political will is the only thing that keeps us from federalizing crime. Political weakness in the face of media sound bite criticisms force Congress to act again and again to federalize crime—even when there is nothing but rhetoric to suggest that ''something must be done!'' to fight crime.

Sometimes less is better. In 1999, the Senate Governmental Affairs Committee held hearings on the issue of ''controlling the federalization of crimes that are better left to state laws and courts to handle.'' The hearings were held in part as a response to questions raised by Supreme Court Chief Justice William Rehnquist regarding the federalization of criminal law. The hearings also focused on the American Bar Association's Task Force on the same issue. The Task Force, which was chaired by former Attorney General Edwin Meese, concluded that in order to maintain balance in our Constitutional system of justice, there must be a ''principled recognition by Congress for the long-range damage to real crime control and to the nation's structure caused by inappropriate federalization.''

Inappropriate federalization. Now, some will say that this is a Republican's attempt to weaken the laws of the land. My reply is simply that federalization of crime does not make anyone safer. Simply adding more laws to the federal code will not necessarily help the citizenry. On the contrary, it could end up hurting those we want to help.

Consider that increased federalization has caused a significant case backlog in our federal courts. Those people with cases pending in the federal system for things other than criminal purposes are impacted. Their rights to due process for fair hearings on their issues are delayed. The rights of those who are criminal victims are often delayed, too, due to the length of time it takes at the federal level to hear a criminal case. The backlogs are real. The delays are frustrating. Justice is not being served.

Some say, let's add more money so we can get these cases to trial. Again, my response to that is, why should we have two entirely parallels systems of justice in our country? Money is not the answer. Better utilization of our constitutional system of federalism and separation of powers is a good place to begin.

Let the states work their will. The Federal Government doesn't always have the best answers. We effectively have 50 different constitutional republics that can and do serve as policy laboratories. The electorate in these states are the very same people that elect us all to Congress. They can take control of what is happening in their states and compare outcomes with 49 other state jurisdictions (not to mention the District of Columbia and the territories). With a federal system, will we ultimately move to a single federal criminal code? It would appear that way. It may not happen this year, this decade or even this century. However, over the course of time, the trend indeed is moving that way.

This bill is a common sense approach to checking the Congress' penchant for federalizing crimes. It sets guidelines for Congress, which will certainly debate crime again in the legislative branch. The standards state that no federal criminal legislation shall be enacted unless and until certain criteria are met: the legislation must center on the core functions discussed earlier; the States must be inadequately addressing the perceived need; the Federal Judiciary is able to meet the needs without restructuring and without affecting efficiency; and, the bill includes a federal law enforcement impact statement. We pass bills all the time to address certain needs. Let's put the rhetoric to a test.

Finally, the bill sets up a Commission to Review the Federal Criminal Code. This commission will review, ascertain, report, and recommend action to the Congress on the following matters: the Federal criminal code (Title 18) and any other federal crimes as to compliance with the standards in this Act; recommend changes, either through amendment or repeal, to the President and Congress where appropriate to the offenses set forth in said criminal code (Title 18) or otherwise; and such other related matters as the Commission deems appropriate.

Finally, for each piece of legislation passed out of congressional committees of jurisdiction that modify or add to federal criminal code, the commission must submit a report to Congress. This report will be called a Federal Crimes Impact Statement that shall be included in the reports filed prior to consideration by the House and Senate.

The membership of the commission is important to consider. The bill calls for 5 appointed members—1 each from both sides of the aisle in the House and Senate, and one appointed by the Chief Justice of the United States, who shall chair the Commission. This will being a new, and much needed, dimension to the debate. Under the bill, the commission would be charged with obtaining official data directly from any department or agency of the United States necessary for it to carry out this section—unless doing so would threaten the national security, the health or safety of any individual, or the integrity of an ongoing investigation.

Finally, the bill would subject certain legislation to a point of order—if it has not met the conditions set out in the legislation. This would provide additional time for Congress to debate the merits of legislation being considered.

In effect, this bill is about considered and appropriate debate for federalizing crime. It will help educate Congress to make more informed decisions that impact the daily lives of all of our constituents. It will help take some of the politics out of the important issues that we face with regard to protecting people from crime.

Mr. Speaker, we need to act. The Judiciary has made subtle and not so subtle pleas for Congress to refrain from and restrain its penchant to federalize the criminal code. Most recently, in a decision concerning the Violence Against Women Act, the Chief Justice writes,

> [t]he Constitution requires a distinction between what is truly national and what is truly local, and there is no better example of the police power, which the Founders undeniably left reposed in the States and denied the central government, than the suppression of violent crime and vindication of its victims. Congress therefore may not regulate non-economic, violent criminal conduct based solely on the conducts' aggregate effect on interstate commerce. [*U.S.* v. *Morrison et al. decided May 15, 2000 (Syllabus*)]

Clearly, there is a message in those words about the federalization of crime. It is time that Congress heeds it.

MEMORIAL DAY 2000

HON. ALLEN BOYD

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. BOYD. Mr. Speaker, every year on Memorial Day, small replicas of our Star-Spangled Banner appear in cemeteries across our Nation. They mark the final resting places of those who gave their lives to defend the helpless, to let democracy flower around the world, and to defend the freedoms and liberties we enjoy as Americans.

These honored dead have not died in vain, as Abraham Lincoln solemnly pledged during the most divisive, soul-rending war this nation had yet faced. We have a long, proud history of service and sacrifice given by those men and women who quit the safety of everyday life and friends ''to hazard all in freedom's fight.'' Today, we have such men and women deployed around the world, and we hold them and their families in our hearts and prayers.

That oath to defend the Constitution has been sworn by every soldier, sailor, flyer, and Marine, living and dead. On Memorial Day, we recall with bittersweet fondness, those who gave everything to preserve the security and liberty of those they loved and those they never knew. What wonderful people we have lost! What gifts might they have given the world, had war not shortened their lives! And yet they gave the dearest gifts they had, and now they lie beneath small flags of red, white and blue in grassy fields all around us.

We have honored their graves and their lives on Memorial Day since the end of our own Civil War. In 1866, spontaneous rites of remembrance were held in Carbondale, IL, in

Columbus, MS, and Waterloo, NY. The families of the men killed in that war came together to place flowers by their gravestones. The veterans joined this practice, honoring their fallen comrades with their own recollections of courage and devotion on stricken fields. Ever since then, veterans and their families have led the observance of Memorial Day.

There have been times, during and right after wars, when most Americans have known some of these honored dead. Those who defend this country, after all, are men and women from every town and every walk of life. They are as ordinary as the earth they lie beneath, and more precious than diamonds.

But in prolonged times of peace, children are born and grow up never knowing anybody who fell in war. While peace is an immeasurable blessing, not to have known any of these honored dead is a loss. Some feel it in never knowing a father or other relative lost in combat. Others have no connection beyond gratitude.

Memorial Day brings that connection to our consciousness. On this day we are all aware of the service so many have given this Nation, and of what risk those who defend this nation share. This is a day, I would hope only one of many, on which the living remember and salute those who served our Nation in uniform and now lie at eternal rest.

On this Memorial Day, I would like to remember two fallen heroes from the Second Congressional District of Florida, which I have the distinct honor of representing in the House of Representatives. Air Force Master Sgt. Sherry Lynn Olds, of Panama City and Marine Sgt. Jesse N. Aliganga, of Tallahassee, made the ultimate sacrifice in the service of their country. These soldiers were two of 12 Americans that gave their lives in the August 7th, 1998, terrorist bombing of the United States Embassy in Nairobi, Kenya. On this day, we honor them and the many others that have gone before them, and the contributions all of them have made for us.

Service of this country in uniform has been, since the beginning, one of the greatest sources of unity and equality, in our national life. More than half a century ago, President Franklin Roosevelt reminded the American people that, ''Those who have long enjoyed such privileges as we enjoy forget in time that men have died to win them.'' I hope on this Memorial Day 2000, we as a nation, and each of us as individuals, will take to heart President Roosevelt's reminder that it is the sacred duty and great privilege of the living to honor and remember those who have died to protect the American ideals of freedom, democracy, and liberty. The men and women who have died in service to America and to all of us deserve no less.

MARTHA MATILDA HARPER'S BUSINESS ACCOMPLISHMENTS

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Ms. SLAUGHTER. Mr. Speaker, today I speak in honor of Small Business Week. As we salute the entrepreneurial engine of our country, it is my distinct privilege to inform you that I represent the district where modern franchising was first conceived in Rochester, NY.

In 1888, Martha Matilda Harper, an impoverished Canadian immigrant who came to the United States to change her destiny, developed a new business model to share the economic opportunity of business ownership with former servant women, her working-class sisters. She demonstrated how to use business for social change. Ultimately, Harper had over 500 healthy hair and skin care salons throughout the world, delighting world leaders, including our presidents, first ladies, suffragists, and socialites. President Woodrow Wilson went for nightly scalp massages in the Harper Paris salon to relax his tired nerves, while he was negotiating the Treaty of Versailles.

As we go forth in the new millennium, I hope we remember to credit the early innovators in our country, especially when they were poor women such as Martha Matilda Harper who changed the face of our business models. It is particularly fitting that May 26th in Rochester, NY, is being declared Martha Matilda Harper Day as a new museum exhibit and book reveal the extraordinary feats and principles of this remarkable woman. May her wisdom and leadership guide us as we compete in our global economy.

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

SPEECH OF

HON. CYNTHIA A. McKINNEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Ms. McKINNEY. Mr. Speaker, I am strongly opposed to recognizing, as normal, China's persistent violations of fundamental human rights, labor rights, reproductive rights, religious freedom, political rights, social and economic rights, as well as their export of sophisticated and destabilizing weapons, and their overt threats to Taiwan, by granting them Permanent Normal Trade Relations.

To be sure, some people will benefit from granting PNTR to China. If you can shut down your production lines in the United States, turn out your employees, and move your production to China where you can pay workers 25 cents an hour in sweatshop conditions—and have no moral qualms about that—then this deal can be a sweet one, indeed. But I thought the United States was supposed to stand for more than just making a quick buck.

I thought the United States was supposed to stand for what is good in the world.

It used to be that we did stand for good in the world. And because of that, we gained the respect and the moral integrity to make our word prevail throughout the world. Indeed, our power and authority went well beyond our ability to rattle sabers and exercise gunboat diplomacy. But it is obvious now to me, that by negotiating agreements like this that are devoid of moral content, my country has completely abdicated its professed concern for human rights.

My vote against PNTR is not a vote against trade. However, my vote against PNTR is a vote against the terms of trade that are being employed today by U.S. firms in China and elsewhere. By granting Permanent Normal Trade Relations, we now eschew one of our most important tools for examining the human rights practices of China. Unfortunately, the human rights record of China will likely get worse before it gets better. And the presence of U.S. corporations has not had and will not have a positive impact on the human rights record of China or on workers' rights.

Each year, the State Department submits to the Subcommittee on International Operations and Human Rights, where I serve as Ranking Democrat, its Country Reports on Human Rights. This is our government's formal assessment of basic human rights practices around the world. The record is clear. China's human rights record has markedly deteriorated as we have expanded trade. In fact, this year, my friend and Chairman of the Subcommittee, Congressman CHRIS SMITH and I had to hold two hearings on the State Departments annual human rights report—one for China, and one for every other nation in the world because China's record is so deplorable and is getting worse.

But after a historic look at rhetoric versus reality, that should not surprise us. After all, we had robust trade with the Nazis before World War II, extensive trade with Iraq just prior to Operation Desert Shield and we maintained an extensive trading relationship with South Africa during the dark years of apartheid.

In fact it was the people of this country—not the corporations—that put South Africa's human rights record on the national agenda. By focusing on South Africa, the people demanded the opposite of normal trade relations—an embargo! U.S. corporations had nothing to do with changing South Africa's internal policy toward its black majority nor U.S. policy of supporting the racist apartheid regime in South Africa. The U.S. corporate community, in fact, protested the embargo and some never abided by it. If we had waited for U.S. corporations to export democracy, Nelson Mandela would still be on Robben Island. On this issue, the people were heard over the high-priced lobbyists in Washington, DC.

And that is what now scares the high-priced lobbyists in Washington.

The way to keep China's human rights record on the national agenda is through our annual NTR review. That is one way that human rights activists in China and in the United States can inform the public of China's human rights record. The fancy lobbyists have squelched that now, so that there is no possibility of the American people becoming informed of what is happening in China, thereby thwarting the kind of action against China that was done against the racists in South Africa.

America's right to know has been severely damaged as a result of this vote.

Freedom, equality, human dignity, and human rights are not for sale. And that's one reason why I chose to vote against this tremendous human rights give-away.

Many proponents of PNTR, including Governor George Bush, say that ''Trade is the way to export freedom.'' A recent study entitled, ''Dollars and Democracy'' shows the post-Cold War decline of US trade and investment in developing democracies. In other words, US corporations are running away from the countries that are struggling to institute democracy—the countries we say we do like—

and are flocking to the authoritarian regimes around the world—the kinds of regimes we say are not good. More to the point, if given a choice between an emerging democracy and an authoritarian regime then US corporations take US taxpayer subsidies and choose the regimes that don't respect human rights, worker rights, or the environment.

For example, Charles Kernaghan in ''Made in China'' states that at one of the factories where Kathi Lee handbags are being made for Wal-Mart, the workers are forced ''to work 12 to 14 hours a day, seven days a week, with only one day off a month, while earning an average wage of 3 cents an hour. However, even after months of work, 46 percent of the workers surveyed earned nothing at all—in fact, they owed money to the company.''

Companies are allowed to get away with this kind of worker treatment in authoritarian regimes, not democracies. Furthermore, democracies tend to be more transparent and less corrupt. Yet US private investment currently favors the authoritarian over the democratic.

Supporters of PNTR dribble on about the need of engagement to facilitate a ''movement'' toward democracy. Yet the facts are that US corporations are leaving democracies at an unprecedented rate. US taxpayers subsidize this new ''corporate flight.'' And unfortunately, one need only look at Chevron Corporation and Occidental Petroleum Company to see examples of just the kind of ''movement'' that we ought not want to export. In fact, Chevron is in federal court today for aiding and abetting in the murder of Nigerian citizens demonstrating to protect their environment against Chevron's wanton pollution of their indigenous lands. Occidental Petroleum seems to be on the same path as Chevron, willing to run over Colombia's fledgling democracy in order to despoil the sacred lands of the Uwa people. The U'wa have vowed to die before Occidental is allowed on their land. None of this bodes well for anyone involved—except the stockholders, perhaps, of both Chevron and Occidental. And in China, workers who protest their conditions are fired or could face prison for life!

Americans who buy Huffy bicycles, Alpine car stereos, RCA TV's, or Timberland, Keds, Fubu and Nike shoes or Spiegel clothing should have a right to know the conditions under which those items are made. American workers who used to make those items and who are now struggling to find their place in the new economy, certainly should have a right to know why their jobs ''fled'' to China.

Despite the rhetoric, the vote on China PNTR will not protect the US worker, nor will it protect the Chinese worker. There is a need for something more. That is why I will soon be introducing the Corporate Code of Conduct Act. This bill will establish minimum human rights, labor rights, and environmental protection guidelines based on US and internationally recognized standards. This legislation will allow us all to put our money where our professed values are: fair trade, democracy, respect for workers, sensible environmental standards, and no child labor.

I believe that our corporations can export freedom, prosperity, equality, and justice; and our bill, the Corporate Code of Conduct Act, will ensure that they do.

THE WATER POLLUTION PROGRAM IMPROVEMENT ACT OF 2000 (H.R. 4502)

HON. LARRY COMBEST

OF TEXAS

HON. CHARLES W. STENHOLM

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. COMBEST. Mr. Speaker, as Chairman and Ranking member of the House Committee on Agriculture, we are pleased to introduce the Water Pollution Program Improvement Act of 2000 on behalf of farmers, ranchers, woodland owners, local governments and states throughout America.

In August of 1999, the Environmental Protection Agency (EPA) proposed two changes to the regulations governing the implementation of the Clean Water Act which, if finalized, would fundamentally alter the agency's role in the management of nonpoint sources of pollution. While we agree with the EPA's stated intent of improving the quality of our nation's waters, we strongly oppose both the substance of these rules and the accelerated process employed by the EPA to bring them to finality. Our bill is designed to address these two concerns directly.

Our criticisms of EPA's proposed rules generally fall into two categories: (1) lack of authority and (2) lack of information.

LACK OF AUTHORITY

Congress has clearly identified the responsibilities of the federal government and the states for maintaining the quality of our nation's waters. When Congress enacted the Clean Water Act in 1972, the primary emphasis of that legislation was to address point source pollution discharges. Congress at that time established a clear role for the Federal Government in the regulation of point source pollution through the National Pollutant Discharge Elimination (NPDES) program.

Congress was also careful to define the point sources of pollution that would be subject to the NPDES program. This definition specifically excluded agricultural storm water discharge from the point source designation, thereby placing discharges from farming, ranching and silviculture operations outside of the reach of the federal permitting program.

In 1987 Congress amended the Clean Water Act to establish a framework within which states could carry out their responsibility to manage nonpoint sources of pollution. It was the intent of Congress at that time to preserve the distinctions between point and nonpoint sources of pollution established in the 1972 Act so that there would be no ambiguity with regard to the role of the state in relation to the federal government.

At no time has Congress granted the federal government an affirmative regulatory role in the management of nonpoint sources of pollution. Neither has Congress granted the EPA the authority to unilaterally change the clear distinctions between point and nonpoint sources of pollution currently established in law.

Upon review of the draft rules proposed by the EPA, it is our view that the agency's proposal exceeds the authority provided by the 1972 Act and the 1987 amendments both in terms of the new regulatory role assumed by the EPA and the designation of silvicultural activities as point sources of pollution. We further believe that while the joint statement issued by the EPA and USDA on May 1, 2000 partially addresses concerns raised by Congress and affected stakeholders regarding the EPA's authority, it does little to overcome this fundamental problem.

LACK OF INFORMATION

Over the last 28 years, the Federal government and the states have placed great emphasis on reducing pollution levels from point sources. Both have made significant investments in technologies and scientific methods to measure and control pollution discharges. These investments have paid off as we have seen dramatic decreases in point source pollution over the last two decades.

Recently, both the Federal government and the states have begun to place increasing emphasis on the improvement of programs to reduce pollution from nonpoint sources. Understandably, because of the priority emphasis placed on point sources over the years, the technology and data needed to achieve measurable large-scale reductions on nonpoint source pollution are not yet fully developed.

States, local governments, businesses and landowners are currently poised to voluntarily spend billions of dollars over the next 20 years in an earnest attempt to acquire this technology and data. In order to realize the optimum return on these investments, however, states, local governments and other affected stakeholders must be allowed to operate within the flexible framework established by the 1987 Clean Water Act amendments. This will preserve the ability of the states to develop innovated methods to gather the information upon which sound management objectives can be based and thereafter design programs carefully tailored to meet those objectives.

Unfortunately, EPA's proposed rules move in exactly the opposite direction. By establishing arbitrary deadlines for completing TMDLs, threatening to unilaterally establish TMDLs and load allocations, and imposing mandatory guidelines for best management practices, EPA will force states to act before they have the data needed to act intelligently. In fact, the General Accounting Office has found that few states have the majority of the data needed to comply with the onerous requirements outlined in the EPA's proposed rules. Forcing states to comply with the new regulatory framework required by the EPA at this stage of the process will waste time and money and result in confusion rather than better water quality.

PURPOSE OF LEGISLATION

The purpose of the bill we are introducing today is to address the two concerns raised previously, namely, that the EPA lacks both the authority and the information to proceed with the agency's proposed rules.

Our legislation commissions an independent study of the scientific methodologies, programs, and costs associated with the development and implementation of TMDLs. We intend this independent review to provide the EPA, the Secretary of Agriculture and the states a valuable tool with which to develop sound policies for the management of nonpoint sources of pollution. This approach will help remedy the current problems associated with identifying impaired water bodies and establishing TMDL allocations based on anecdotal and otherwise unverifiable data. It

will also require EPA to take a more deliberate and thoughtful look at how the agency might better cooperate with states and landowners to improve water quality rather than impose arbitrary standards and guidelines that will achieve uncertain outcomes.

We are also concerned about the workload impact on the conservation agencies that serve private landowners, such as the Natural Resources Conservation Service (NRCS) and local conservation and resource conservation and development districts. Nor do we believe that EPA has adequately reviewed the technical and financial assistance that will be needed to assist landowners under the proposed rules.

Our bill will also underscore both the language and the intent of the Clean Water Act relative to the role of the EPA in managing nonpoint sources of pollution. We believe the law is clear that the EPA has no regulatory role in the management of nonpoint source pollutions. We also maintain the EPA has no authority to unilaterally change the definition of point source pollution to encompass nonpoint sources. The language of our legislation reemphasizes these points and restricts the EPA from pursuing these unauthorized objectives in a regulatory proceeding.

To summarize, we support the objective of improving the quality of our nation's waters. However, we insist on achieving these objectives within the parameters of the law and using the best available information. The Water Pollution Program Improvement Act of 2000 is designed to help ensure that outcome. We urge our colleagues to support this important legislation.

COMMENDING ISRAEL'S REDEPLOYMENT FROM SOUTHERN LEBANON

SPEECH OF

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Ms. LEE. Mr. Speaker, I rise today to express my support for Israel's redeployment from Southern Lebanon.

Prime Minister Ehud Barak ensured Israel's compliance with the 1978 United Nations Security Council Resolution 425, which calls on Israel to withdraw its forces from all Lebanese territories. His commitment to redeploy Israeli forces by June 7, 2000 must also be commended.

Prime Minister Barak has shown remarkable leadership in Israel and in his commitment to advance peaceful negotiations with all of her neighbors; I am confident these steps will bring genuine peace to the Middle East. Prime Minister Barak's appeal to the Lebanese President, Emile Lahoud, to use the Israeli withdrawal from south Lebanon as a springboard for peace is a step in the right direction. As these countries move forward in their efforts, it is also extremely important that the American government work to encourage peace in the entire region.

For many years, I have been committed to moving forward to resolve the Arab-Israeli conflict in the spirit of peace. I have stood with great conviction, alongside my constituents, many of whom have close ties, to urge a peaceful resolution to conflicts in the Middle East.

Prime Minister Selim al-Hoss has assured the safety of residents in Southern Lebanon. Lebanon has been a victim of far too much blood shed in recent decades. It now stands in the midst of a crucial transition. Therefore, the physical security guaranteed by all parties must also ensure protection for religious freedom, political independence and liberty. Only under these conditions, will Southern Lebanon be able to fully redevelop its communities and provide its people with the ability to lead fruitful lives.

Again, I offer my support and encourage Prime Minister Barak and President Lahoud to continue on the path of peace and progress.

COMMENDING ISRAEL'S REDEPLOYMENT FROM SOUTHERN LEBANON

SPEECH OF

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mr. BONIOR. Mr. Speaker, I am pleased that the government of Israel has followed through on its commitment to withdraw its troops from Southern Lebanon.

This is a step that could end one of the most tragic episodes in the difficult recent history of the Middle East.

I commend the government of Prime Minister Ebud Barak for fulfilling its commitment to withdraw Israeli troops from Lebanon, and I urge my colleagues to join me in supporting this resolution.

I have always believed that all foreign forces should leave Lebanon.

We have seen what the cycle of violence has done to people of all faiths and backgrounds in Lebanon and throughout the Middle East. And while it is important to reflect on the past, we must also move forward.

Today, I join with the many voices which are renewing the call for peace. Those who want to perpetuate the violence will try to stand in our way but we can't let that happen.

We must stand together and demand that all the parties work for peace, seek justice, and forsake violence. That is our only option. Let that be our task in the days ahead.

Step by step, over time, the withdrawal of troops and other measures will build tolerance and mutual respect, so that differences are settled not with guns, but with compassion and understanding.

Mr. Speaker, we must all learn to not let our differences stand in the way of joining together for a common purpose. I believe that if all parties work together in good faith peace can be achieved.

PRAISING EFFORTS OF MANUEL STAMATAKIS

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise today to join with the Cradle of Liberty Council Boy Scouts of America in saluting Mr. Manuel N. Stamatakis as the recipient of this year's Scout Mariner Award.

Mr. Stamatakis—in addition to being a close, personal friend—is president and chief executive officer of Capital Management Enterprises, a financial service and communications conglomerate headquartered in Valley Forge, Pennsylvania. Mr. Stamatakis has made community service and partnerships a hallmark of his life's work. He has been and continues to be a shining example of a person of action and integrity. Manuel N. Stamatakis certainly fits the criteria of a ''Scout Mariner.''

The ''Scout Mariner Award'' is presented to one who exemplifies in his daily life the ideals of the Boy Scouts of America as expressed in the scout oath and law. The recipients are chosen by their peers for outstanding community service as evidenced by the interest and leadership given to many worthwhile organizations, as well as the respect and esteem in which they are held by their colleagues.

Mr. Stamatakis is also the Chairman of the Delaware River Port Authority. It is interesting to note that the ''Scout Mariner Award'' is symbolized by a Norman Rockwell painting of a seaman talking to scouts, entitled ''Tales of Many Lands.'' Since 1998 Mr. Stamatakis chairs the Team Pennsylvania Ambassador Program—a network of business, cultural and academic leaders working to expand domestic and international business in Pennsylvania. As chairman, Mr. Stamatakis was particularly well suited to this role as he has traveled throughout the world to promote trade within the Commonwealth. In the past two years alone, he has visited Brazil, Germany, China, Finland, Russia and Japan.

Mr. Speaker, I commend Manuel N. Stamatakis and those like him who take the time to give back to their communities more than they take for themselves. Scouting is a positive force in our area and thousands of youth benefit from the program and the involvement of distinguished business leaders such as Mr. Stamatakis who have gone above and beyond the Boy Scout protocol. I ask all of my colleagues in Congress to please join me in honoring Mr. Manuel N. Stamatakis for his commitment to community service and our youth.

IN HONOR OF BONEAL, INC.—RECIPIENT OF THE 2000 UNITED STATES POSTAL SERVICE QUALITY SUPPLIER AWARD

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. ROGERS. Mr. Speaker, too often, when we think of American manufacturing, images of industrial giants come to mind. We think of huge machinery housed in cavernous factories, men stoking enormous furnaces in an environment of hard hats, rivets and lunchtime whistles.

This image is, in large part, a vision of the past. We still make steel, iron, and heavy machinery. But today's manufacturing is also about men and women in casual attire and rather quiet workstations as they inspect computer boards and assemble complex yet compact circuitry. And, contrary to popular perception, most of the things that are made in

America are made in small and mid-sized companies.

Historically, small businesses have been the wellspring of creativity in our society. From the Wright brothers to Bill Gates, some of our most successful manufacturers have started out in a garage with little more than a dream. Inventions that have changed our lives, from that first voyage in flight to the high-speed microprocessors of today, have been developed in small firms. These companies provide the backbone of the manufacturing sector.

Today, I rise to honor one such small business company and its success in providing contract-manufacturing services that include design, completed high-tech assemblies, subassemblies, testing, and more. The U.S. Postal Service has recognized Boneal, Inc., of Means, KY, with the 2000 Quality Supplier Award for its distinguished performance as a specialized small business manufacturer.

Boneal Incorporated, first established in Corbin, KY, in 1980, is a womanowned small business that prides itself in offering ''solutions to your most challenging manufacturing needs.'' Boneal Inc., in its efforts to provide fast and seamless manufacturing, accepts projects from any point in the manufacturing process, ranging from small projects that require hand assembly of consigned components to large projects that require capital investment, equipment design, and product distribution.

And so today, I join the U.S. Postal Service, the community of Means, KY, and small companies throughout the United States in congratulating Boneal, Inc., for its selection to receive this distinguished award. I also recognize its outstanding contribution to American manufacturing.

CONCERNING THE 13 IRANIAN JEWS CURRENTLY ON TRIAL IN THAT COUNTRY

HON. DEBBIE STABENOW

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Ms. STABENOW. Mr. Speaker, I rise to voice my grave concern over the ongoing trial in Iran of 13 Iranian Jews on questionable charges of spying. The world should know that we are watching this case closely. If Iran truly wants to join the community of nations it should ensure an open and fair trial. The Jews facing trial in Iran have been held without due process for over one year. The Clinton administration has rightly put Iran on notice that we are watching these proceedings closely and we will hold the Iranian regime responsible for their actions.

Mr Speaker, we are seeing reports in the press that describe the social isolation of many in Iran's 25,000-strong Jewish community in the wake of this trial. Several shops owned by Iranian Jews have reportedly been attacked in Tehran. Other reports out of Iran claim that school children are treating Jewish classmates with contempt, and some adults have stopped going to work out of fear or shame. There was some hope that the overwhelming election of President Khatemi would mean a more moderate Iranian government, but so far this has not been the case. The regime's record of closing 19 newspapers over the last month is another reminder of the failure of Iran's ruling class in this regard. There is no better way to regain this promise than to ensure freedom and justice for the 13 Iranian Jews on trial in Shiraz. We here in the U.S. and around the world must be vigilant in pressing for this outcome.

A TRIBUTE TO JANE SMITH

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. BARCIA. Mr. Speaker, the most important and valuable resource we have in this country is our children. Providing a safe environment to grow and learn has always been this country's number one priority. Today, I rise to recognize Jane Smith of Bay City, Michigan, a wonderful woman who has dedicated her life to protecting and nurturing children. She is retiring from the Bay County Family Independence Agency after 24 years of service.

A graduate of Michigan State University, Jane began her renowned career as a child care worker in Saginaw, Michigan. Assisting families with their child care needs and making home calls to help families with their physical and emotional needs was natural for her and laid the foundation for what would become a distinguished professional career dedicated to protecting children who were being physically abused.

After working in both Genesee and Wayne County as a foster care worker, Jane transferred to the Bay County Department, as a Children's Protective Services worker. It was here, in Bay County, where her contributions and efforts on behalf of Michigan's children and families are legendary. Her tireless efforts investigating cases of child sexual abuse undoubtedly saved thousands of children from being further victims of violence and abuse. She established the procedures for what has become the Bay County Child Sexual Abuse Procedural Manual. She has worked closely with Lutheran Child and Family Services to develop child sexual abuse counseling and the Parents United Program. She enjoys an excellent relationship with school administrators, the Courts in Bay County, area police departments and the Prosecutor's office. Among her peers, Jane is often solicited for her expert opinion and suggestions for handling sensitive cases.

Mr. Speaker, I have seen first-hand Jane's selfless efforts on behalf of Michigan's children. As a member of the State Senate, I worked closely with Jane to author an amendment to the Child Abuse law, that makes it mandatory for Children's Protective Services workers to notify the police of all cases relating to child sexual abuse. Her expansive knowledge, testimony in front of the committee and constant advocation were key to the amendment being passed by the House and Senate and signed into law by the Governor James Blanchard on December 27, 1984.

Mr. Speaker, I invite you and my colleagues to join with me in congratulating Jane Smith on the occasion of her retirement from the Bay County Family Independent Agency and thanking her for her years of exemplary service to the community, especially the children of Bay County. She has truly been an advocate for those who could not speak up for themselves. Our community is certainly a better place because of Jane's hard work. I wish her well and hope that the days ahead are filled with the good fruits of a well deserved retirement.

A TRIBUTE TO CALVIN BROCK, MEMBER OF THE SUMMER 2000 UNITED STATES OLYMPIC BOXING TEAM SUPER HEAVYWEIGHT CATEGORY

HON. EVA M. CLAYTON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mrs. CLAYTON. Mr. Speaker, I rise today to pay tribute to one of America's finest, twenty-five year old Calvin Brock, member of the Summer 2000 United States Olympic Boxing Team. Over the years, Mr. Speaker, Calvin has shown remarkable progress in his determination to get to the point for which he will be honored by local officials, family and friends on Sunday, May 28, 2000 at Clem's Grand Ballroom in Weldon, North Carolina.

Mr. Speaker, Calvin began his boxing career at age 12. He was defeated his first six matches and as a result, was told by many that he should choose another sport because it was unlikely that he would excel in boxing. Mr. Speaker, this kind of story, which in no way is a fairy tale, but is true to life, tells us a lot about Calvin's dedication, determination and commitment.

There has been a lot of talk in my office about Calvin Brock, Mr. Speaker, but what impresses me most is what is said about his relationship with God. The combination of Calvin's faith in God and his persistence will go the length in ensuring his return from Sidney Australia with an Olympic Gold Medal.

Mr. Speaker, Calvin has certainly invested a tremendous amount of time and has made many sacrifices over the years preparing himself for the Olympics. Among the major tournaments, Calvin has won are the: 1993 National Junior Championships while ages 16 through 18; National Police Athletic League Championships in 1993,1996, and 1998; Eastern Trials that qualified him to compete in the 1996 Olympic Trails for the 1996 Olympic Games in Atlanta, Georgia, however, at that time, Calvin was defeated in the Semi-finals of the 1996 Trials; 1998 National Golden Gloves Champion at heavyweight division 201 pounds; Silver Medalist in 1997 at Heavyweight Division; ranked number two in 1998 at the National U.S. Championship; 1999 National U.S. Champion at super heavyweight division, 201 plus category where he ranked number one in the country; 1999 U.S. Challenge Champion at super heavyweight which qualified Calvin for the 2000 Olympic Trials, a tournament in which only eight boxers in each of the 12 weight classes qualify to compete; 2000 U.S. Olympic Trials Champion at super heavyweight where Calvin won 3 consecutive matches to become champion; the Olympic Trials win qualified Calvin for the Olympic Box-offs; 2000 U.S. Olympic Box-off Champion; this box-off win qualified Calvin to participate on the 2000 U.S. Olympic Boxing Team. This championship was televised on NBC. Calvin is

the 2000 American Qualifier Champion. His success at this tournament qualified him to compete in the Summer Olympic Games in Sidney, Australia. Although Calvin made the Olympic Team, he still had to win the American Qualifier Tournament to go to the Olympics. The American Qualifier Tournament consisted of all the countries in North, South, and Central America. Calvin defeated opponents from Brazil, Puerto Rico and Canada Olympians to win the American Qualifier. Calvin is undefeated in international competition with an international record of 10 wins and 0 losses. These 10 were against: England, Algeria, Mexico, Russia, New Zealand, Argentina, Puerto Rico, Brazil, and Canada. Calvin has competed in 183 amateur boxing matches. His record is 147 wins and 36 losses.

Mr. Speaker, Calvin is a 1993 graduate of West Charlotte High School and 1999 graduate of the University of North Carolina at Charlotte where he has been awarded a Degree in Finance. Calvin is presently employed with the Bank of America in Charlotte, North Carolina as a Call Analyst in the Operations Department.

Mr. Speaker, I have had the occasion to meet Calvin and his delightful parents. It is understandable that they are quite proud. Although Calvin grew up and attended Undergraduate School in Charlotte, North Carolina, he has substantial roots in my Congressional District through his mother, Alean Brock who was born in a very small town in my Congressional District called Weldon, and his grandparents, Rebecca and Clinton Anderton who have lived there all of their lives. Calvin's mother and his father, Calvance Brock met during the time that they attended Elizabeth City State University.

Mr. Speaker, I am sure that my Colleague, Congressman MELVIN WATT is just as proud as I am about Calvin's participation in the 2000 U.S. Summer Olympics. One reason is because Congressman WATT's better half, Eulada provided encouragement and guidance to Calvin during the time that he attended Devonshire Elementary School where she was the principal.

Mr. Speaker, I am absolutely delighted for the opportunity to share with my Colleagues the incredible and tremendous achievements of North Carolina's own Olympian Calvin Brock. I wish Calvin the very best at the 2000 Summer Olympics in Sidney Australia and have every confidence that he will return to the United States with an Olympic Gold Medal.

HONORING STANLEY M. CRUSE

HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. GARY MILLER of California. Mr. Speaker, it is with great pleasure that I rise to celebrate the contributions that Mr. Stanley M. Cruse, of Covina, California, has made to his community.

Mr. Cruse was born in Toronto, Ontario, Canada. In 1964, he moved with his family to California, where they settled in Glendora. He attended High School at Charter Oak in Covina and Mt. San Antonio Community College in Walnut. Presently he lives in Covina with his wife of 23 years, Paula. The Cruses are the proud parents of three children and have two grandchildren.

A strong business leader in our community, Mr. Cruse has worked in the banking industry for over 27 years. During this past year, Mr. Cruse joined the Business Bank of California, where he serves as the Regional Vice President/Manager.

For the past four years, Mr. Cruse has served on the Ontario Chamber of Commerce Board of Directors. He has held the prestigious positions of Vice President of Fund Development, President-Elect, and President.

The Chamber's accomplishments under Mr. Cruse's tenure as President have been numerous and impressive: an Airport Awareness committee was developed to focus on the marketing of Ontario International Airport, the Latino Business Council, which continues to grow in attendance each month, was established, and he encouraged the Chamber to model its Education Committee in a more effective manner. As a result of Mr. Cruse's forward-thinking and leadership, Chamber membership is growing and stronger relations with the City Council have been cultivated.

In addition to his duties as President of the Chamber, Mr. Cruse is a member of the Ontario Host Lions Club, a past President of his club and Region Chairman for the District 4L–4 of Lions International. He serves as the Board Chair for the Ontario-Montclair YMCA and is a member of West End Metro YMCA. He is also chairman of the Inland Empire Loan Committee for the Southern California Small Business Development Corporation.

Mr. Cruse has exemplified the Ontario Chamber's mission statement, ''To Help Develop, Enhance, and Promote Commerce in the City of Ontario and its Trade Area,'' and he is deserving of the accolades of this Congress.

CERVICAL CANCER RESEARCH

HON. ROBIN HAYES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. HAYES. Mr. Speaker, I rise today to discuss the problem of cervical cancer for women in America and around the world. Cervical cancer is the most common cause of cancer-related deaths among women worldwide. Over a half million women in the world are affected annually by cervical cancer and, after breast cancer, it is the second most common malignancy found in women. Right here in the United States, more than 15,000 women are diagnosed each year with cervical cancer and more than a third of them die of this horrible disease. Cancers that affect women continue to spread while researchers struggle to find cures that many of these women may never see.

Research has confirmed that the primary cause of cervical cancer is the human papillomavirus, or HPV. In order to develop a vaccine, large quantities of HPV protein fragments are required. Until now, researchers have struggled with ways to mass produce this protein so a vaccine can then be mass-produced and distributed in order to prevent cervical cancer. Recently, it has become possible to biologically engineer tobacco plants to produce this protein. Through a joint project between North Carolina State University and Georgetown University, researchers will further study how to best produce this protein in order to develop this vitally important vaccine. In light of this, I am pleased that I could secure $3 million in order to fund this important project. It is my sincere hope that this research will result in millions of saved lives for generations to come.

FAIRNESS AND EQUITY FOR FEDERAL RETIREES WITH PART-TIME SERVICE

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. MORAN of Virginia. Mr. Speaker, today, I am introducing legislation to correct a long-standing inequity that affects a great number of federal retirees in my district and throughout the nation who have served for a portion of their careers in a part-time capacity. I am pleased that Mr. DAVIS of Virginia, Mr. WYNN, Ms. NORTON, Ms. MORELLA, and Mr. WOLF have joined me as original cosponsors of this important legislation.

The current retirement formula for federal workers with part time service was enacted by Congress in 1986 as a provision of the Consolidated Omnibus Budget Reconciliation Act (COBRA) (P.L. 99–272). For the most part, the reforms contained in COBRA were fair. They ensured an equitable calcualtion for all employees hired after 1986 and prevented part-time employees from gaming the system in order to receive a disproporionately higher benefit. The 1986 reforms were based on a procedure developed and recommended to the Congress by the Government Accounting Office (GAO). In a nutshell, the new methodology determines the proportion of a full time career that a part-time employee works and scales annuities accordingly. Under the formula, a part-time worker's salary is calculated on a full time equivalent basis (FTE) for retirement purposes. Thus, a worker's ''high-three salary'' could occur during a period of part-time service. This often happens when a senior-level worker cuts back on his or her hours to care for an ill spouse or deal with other personal matters. Many of the people in this situation are women.

The problem is that the 1986 law had unintended and often unfair consequences for workers hired before 1986 who have some part-time service after 1986. Specifically, according to the way the law has been implemented by OPM, some part time workers are not able to apply their full-time equivalent (FTE) salary to pre-1986 employment. This effectively limits their ability to receive the advantage of their ''high-three average'' salary for their entire careers. The reason for this inequity can be traced to subsection (c) of Section 15204 of Cobra. It provides that the new formula shall be effective with respect to service performed ''on or after the date of the enactment of this Act.''

Whether this was a drafting error, or whether OPM has taken an unnecessarily restrictive reading of the statute is hard to determine. What is clear is that the current practice is plainly contrary to the intent of the Congress,

which was to grandfather existing employees into the new system and to ensure that no federal workers would be harmed by changes in the retirement formula.

In a letter dated February 19, 1987 to then OPM Director Constance Horner, the Chairman of the Committee on Post Office and Civil Service, the Honorable William D. Ford, objected to this anomalous and unfair result. He wrote:

> As in many other instances involving benefits, Congress chose to protect or to ''grandfather'' past service—to apply the new benefit formula only to future service rather than previously performed service under the older, more generous formula. This policy is often adopted to avoid penalizing individuals through the retroactive application of changes not anticipated by them. (As a measure of fairness, the policy of prospectivity is often applied to benefit improvements as well).

Notwithstanding Chairman Ford's efforts to clarify congressional intent, this inequity has continued for 14 years. OPM has publicly acknowledged that there is a problem with COBRA. Director Lachance stated publicly in a letter to Chairman Fred Thompson of the Senate Committee on Government Affairs: ''I agree that an end-of-career change to a part time work schedule can have an unanticipated adverse effect on the amount of the retirement benefit.'' She also acknowledges in that same letter that a comparable bill in the other body, S. 772 introduced by Senator ROBB, ''would eliminate the potential for anomalous computations by providing that the full time salary would be applicable to all service regardless of when it was performed while the proration of service credit would apply only to service after April 6, 1986 [the date of enactment.''

This is precisely what the bill we are offering today does. It allows the retirees affected by this inequity to have their fill-time equivalent salary for their high three years to apply to their entire careers, not just the portion after 1986. My bill differs from S. 772 in that it places the burden on affected retirees to request a recalculation of benefits. This is coupled with a requirement that OPM conduct a good faith effort to notify annuitants of their right top obtain a recalculation. To all future retirees, benefits will be calculated in accordance with the new formula.

Mr. Speaker, this is a matter of great consequence to many Americans who devoted their most productive years to public service. Some of my constituents have annuities that are thousands of dollars less than they would be under my bill. As I indicated, a disproportionate share of these retirees appears to be women, who left the federal service to care for others.

It is particularly appropriate that we address this issue now, as changing work-force needs and lifestyles make part-time service more popular, both from the standpoint of the worker and the employee. Many of the anticipated work-force shortages that are anticipated in the federal civil service can and should be met with part-time workers. I am concerned that they will not be so long as the anomalous and unfair provisions of P.L. 99–272 are allowed to stand. I urge my colleague to join me in cosponsoring this important legislation.

IN HONOR OF JOSEPH F. SMITH

HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. BORSKI. Mr. Speaker, I rise to introduce a bill that would rename a United States Post Office in Philadelphia, PA, to honor the late U.S. Congressman, Joseph F. Smith.

Joe Smith started his career of service to this Nation as a sergeant in the United States Army, receiving a Purple Heart for his actions during World War II. From 1970–1981, he served in the Pennsylvania State Senate. As you are aware, Joe was elected to the Ninety-seventh Congress in 1981 and served until 1983. He worked at the forefront of the Democratic Party as the Democratic city chairman in Philadelphia from 1983–1986. Joe also served as the 31st ward leader for more than 3 decades. He remained devoted to the people of his community until May 1999, when he passed away.

Throughout his career, the people of Philadelphia looked to him for leadership, and he immersed himself in understanding their needs. Joe understood that public service is most effective when one understands and closely reflects the convictions and beliefs of one's constituents. No matter what body he was serving in, his heart was always with the people who resided in the communities of Kensington, Port Richmond, and Fishtown. After his retirement, Joe could still be found sharing wisdom and insight from his stoop to those who sought advice and kinship.

Joe Smith was an outstanding legislator, a great human being, and a distinguished American. We ask that you join us in honoring his legacy in the community that he so diligently served throughout his life. To learn more about Joe Smith, or to cosponsor this legislation, please contact Karen Bloom with Congressman BORSKI, at 5–8251.

HONORING LONG BEACH'S BLUE RIBBON SCHOOLS

HON. STEPHEN HORN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. HORN. Mr. Speaker, I rise today to honor two outstanding middle schools in my district, Charles Evans Hughes Middle School and Will Rogers Middle School of Long Beach. Both have been recognized by the California Department of Education as California Blue Ribbon Schools, for their demonstrated excellence in student achievement, teacher quality, and community and family involvement. These schools are now eligible to be named as National Blue Ribbon Schools by the U.S. Department of Education.

Both Hughes and Rogers Middle Schools have overcome a number of challenges. Both are urban schools with a significant number of low-income and limited English proficient students. Even with these challenges, both schools have demonstrated remarkable progress. Ten years ago, Rogers had some of the lowest test scores in the Long Beach Unified School District. Today, it is consistently among the top five middle schools in the district. At Hughes, 10 percent of the student body earns straight A's, and 75 percent have GPA's of 2.0 or above.

At both schools, teachers undergo regular professional training and both host a number of events designed to bring the community and the students together.

These two schools demonstrate all that is right with public education. They show the remarkable successes that happen when teachers, parents and students are committed to a superior standard of education. I congratulate the faculty, teachers, parents and students of Hughes and Rogers Middle Schools on this remarkable achievement, and wish them well in their continued pursuit of educational excellence.

TRIBUTE TO ADMIRAL CHAPLIN

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. FARR of California. Mr. Speaker, I rise today to pay tribute to an outstanding member of our military community. After two years of exemplary service as the Superintendent of the Naval Postgraduate School, Admiral Robert C. Chaplin's new assignment is in Yokosuka, Japan, where he will become the commander of U.S. Naval Forces Japan (CNFJ).

As a former graduate of the NPS, Admiral Chaplin has offered a unique and insightful perspective as the Superintendent of his alma mater by ensuring that we have well-prepared and well-educated Navy officers to meet the challenges of the 21st century. Admiral Chaplin has tirelessly promoted NPS graduates as an existing and available resource for the Navy. He has pushed to create these stronger ties by establishing meetings between the school deans and Navy commanders, as well as between his students and the fleets. This ''technical to tactical'' bridge, as Admiral Chaplin has titled it, has proven highly successful, and will benefit the Navy long after his departure.

The imprint that this extraordinary leader has left on academics at the NPS is equally commendable. Not only has Admiral Chaplin established two new programs—the Information System Operations and System Engineering Programs—but also he has governed the creation of three additional new curricula scheduled for implementation in September. Pushing the school to be on the cutting edge of distance learning, NPS recently graduated over a dozen students who have never been on the NPS campus. Admiral Chaplin has ably used technology and the Internet to ensure that Navy officers around the world are not denied a postgraduate degree simply by geography. Many of his accomplishments at NPS have been driven from his desire to foster stronger partnerships with many of the region's universities and the nation's top technology schools, as well as bringing together the high tech companies in the Silicon Valley with students at the school.

As a valued member of the greater Monterey Peninsula Community, Admiral Chaplin will be missed by many. Our regret is tempered by recognition of the opportunity that lies before him. Admiral Chaplin is well suited

by education and experience to be the Commander of U.S. Naval Forces Japan. So, it is with great pleasure that I ask my colleagues to join me in recognizing the tremendous contribution Admiral Chaplin has made to our national security at Naval Postgraduate School and throughout his long and distinguished Navy career and to wish him many years of continued success.

OHIO COUNTY HIGH SCHOOL

HON. ED WHITFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. WHITFIELD. Mr. Speaker, I rise today to honor a student class from the First District of Kentucky representing the Ohio County High School located in Hartford, Kentucky. Following their victory in the Kentucky State competition, this class was selected to represent the State in the national We the People . . . The Citizen and the Constitution competition which was held in Washington, DC, on May 6–8, 2000.

The We the People . . . The Citizen and the Constitution program is the most extensive educational program in the country developed specifically to educate students about the Constitution, the Bill of Rights, and principles of democratic government. The program provides curricular materials for upper elementary, middle, and high school students nationwide. Students who are involved in the We the People program have a greater understanding of democratic processes and institutions, participate or plan to participate more in politics, have a greater confidence in government officials, and are more interested in current events and politics in general.

The Ohio County class demonstrated their extensive knowledge of the Constitution while participating in the national event through their skillful application of democratic principles to contemporary issues. The format of the competition was a simulated congressional hearing. Thus the students where required to offer testimony as a witness and answer questions posed by a panel of judges as committee members would.

I am extremely proud of the achievements of the Ohio County High School class. The knowledge and experience gained through their participation in the We the People program will be invaluable throughout life.

AMADOR VALLEY HIGH SCHOOL

HON. ELLEN O. TAUSCHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mrs. TAUSCHER. Mr. Speaker, I rise in recognition of wonderful students from a high school in my district, Amador Valley High School. Twenty-one students from this school, along with their teacher, Matt Campbell, recently traveled to Washington, D.C. to compete in a national civics competition called ''We the People. . .''

This competition is designed to promote civic competence and responsibility. This program is not about textbooks and tests, but rather a process through which students learn to develop critical thinking and problem solving skills.

I am proud that in my district, we have students who care not only about the social sciences, but also about being involved. The established tradition of excellence in this competition is a testament to the administrators and faculty at Amador Valley High School. It reflects the dedication of inspiring and enthusiastic teachers.

In a time when we decry the state of our public schools, Amador Valley High School shines as a light of hope for the future of our nation. The vision of a first-year teacher, coupled with the determination of these bright students, brought them beyond the district and state finals to our nation's capital. I am proud of this Mr. Campbell and his students for their remarkable journey and their example of excellence.

I would like to thank these students and their teacher for taking an interest in American government; I would like to thank the supportive communities in my district who made this trip possible; and, most of all, I would like to thank the parents of these wonderful students, who have set a standard of excellence for their communities. Congratulations to the students from Amador Valley High School, you are an attribute to our nation!

SUPPORTING DAY OF HONOR FOR MINORITY WORLD WAR II VETERANS

SPEECH OF

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 2000

Ms. BROWN of Florida. Mr. Speaker, I was unable to join my colleagues on the House floor today, but wanted to join them in showing my support for the resolution recognizing the Day of Honor 2000 Project, which gives long overdue recognition to the millions of invisible minority World War II veterans.

During the Second World War these valiant soldiers were waging a war on two fronts. They fought gallantly beside their comrades in the most trying conditions, while battling the bigotry and racism that was still prevalent in the United States military. These same minority war veterans continued their fight against racism at home by forming the grassroots of the civil rights movement.

In my State of Florida, we have the oldest veterans population in the nation. Unfortunately for these veterans and veterans all across the country, the VA budget continues to be underfunded, causing them to be denied the health care and services they need and deserve. As our aging veterans population declines, we will need programs like the Day of Honor 2000 to remind us of the sacrifices minorities made to protect the freedom that we all now enjoy.

I look forward to the passage of this resolution and want to wish Dr. Smith and the other leaders of the Day of Honor 2000 Project the greatest success in portraying the honor and dignity displayed by our Minority World War II veterans. Their efforts and accomplishments have been ignored for far too long and I look forward to sharing their achievements with people today and for generations to come.

WE THE PEOPLE . . . THE CITIZEN AND THE CONSTITUTION

HON. ROBERT E. WISE, JR.

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. WISE. Mr. Speaker, I would like to introduce for the RECORD the names of outstanding students and teachers of Clay Country High School in Clay, West Virginia. These constituents participated in ''We the People . . . The Citizen and the Constitution'', a national contest concerning fundamental values and ideals of the American government. These students competed against 50 other classes from around the nation and were able to reach the national finals by demonstrating a remarkable understanding and knowledge of our constitutional government. Following is a list of those students and teachers involved.

Students: Brandi Brown, Rachel Douglas, Jeremy Duffield, Josh Ferrebee, Angela Fitzwater, Robin Fitzwater, Casie Frame, Deanna Holcomb, Leslie Lanham, Matt Legg, Rebecca Legg, Eli Litton, Charles McCumbers, Justin Salisbury, Jacob Samples, Angela Shamblin, Autumn Tanner, Jacqueline Taylor, Jada Taylor, Jason Tucker, Evan Updegrave, Bryan Walker, John Ward, Rebecca Workman, and Teacher: Phillip Dobbins.

TRIBUTE TO CAROL E. SCHATZ

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. BERMAN. Mr. Speaker, I rise today to pay tribute to my close friend, Carol E. Schatz, who will be recognized tonight at this year's Deborah Awards Women of Achievement Dinner. The Anti-Defamation League has chosen this night to honor Carol for her exceptional professional achievements and her outstanding dedication to community and civic activities.

I have known Carol for many years, from her days in state government in Sacramento. She has always impressed me with her dynamism, intelligence and integrity. When she was named by the Los Angeles magazine as one of the ten most powerful business leaders in Los Angeles, I was not surprised. Her passion for her work is second only to her devotion to her husband Fred and her son Jacob.

Carol crashed through the ''glass ceiling'' when she served as the first woman President and CEO of the Central City Association of Los Angeles. She led that organization to new heights and made it a powerhouse among business advocacy organizations in Los Angeles. Under her leadership, CCA helped transform Downtown Los Angeles by resurrecting the Civic Center Authority, planning for a revitalization of the Figueroa Corridor and advocating for the Staples Center. In addition to her extensive responsibilities at CCA, Carol has tackled many civic roles and public responsibilities. She served as Mayor Riordan's appointee to the Convention and Exhibition Center Authority and as his appointee to the Metropolitan Transportation Authority.

Carol, who holds a B.A. from the University of California Berkeley and a J.D. from Loyola

University School of Law, is exceptionally bright and extraordinarily accomplished. However, she stands out not just because of her intelligence, but because she has chosen to focus her energy and vision on improving all of our lives in the greater Los Angeles community.

It is my distinct pleasure to ask my colleagues to join with me in saluting Carol Schatz for her outstanding achievements, and to congratulate her for receiving this prestigious recognition from the Anti-Defamation league.

RECOGNIZING THE RIVERSIDE VETERANS CENTER

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. CALVERT. Mr. Speaker, I rise today to honor and commend a group of individuals who have dedicated their lives to the Inland Empire's veterans in need. There is no more appropriate time than Memorial Day to recognize the men and women who serve at the Riverside Veterans Center in Riverside, California.

The Riverside Vets Center was established in 1981 and has served over 6500 veterans and their families. At the Riverside Vets Center, veterans receive needed counseling, are involved in outreach programs with local schools and community-oriented volunteer programs, work with homeless veterans and participate in social activities. Recently, a writing group established at the Center by Leonard Reims and several other veterans, created and published a moving and inspiring collection of poems entitled ''Windows to our Souls.''

I would like to express my heartfelt gratitude to the fine staff whose dedication, passion and commitment ensure that the necessary services are available to these veterans. The current and former members of the staff who have made a major impact on these veterans include: head counselor Thomas ''Buddy'' Hawkins, Max Greenwald, Eleanor Parham, Marion Wilson and Rosendo Reyes.

Lastly, Mr. Speaker, I would also like to give special recognition to Bill Densmore with the Riverside County Vets Service Office, VFW Post 9223 and the Vietnam Vets of America Chapter 47 for their active involvement and support of the Riverside Vets Center.

On behalf of the veterans in California's 43rd District, thank you!

SALUTE TO COMMANDER AL BERNARD

HON. SONNY CALLAHAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. CALLAHAN. Mr. Speaker, I would like to ask my colleagues in the House of Representatives to join me in honoring a man of outstanding accomplishment, Commander Al Bernard.

Commander Bernard is retiring from the United States Coast Guard this week, and I would like to call attention to his extraordinary and meritorious service to his country.

Mr. Speaker, as you know, the Coast Guard is an invaluable branch of the United States military. The men and women of our Coast Guard keep our waters free of narcotics and illegal aliens, perform almost all of the search and rescue missions for the United States and provide security and safety in our waterways.

This is just a small sampling of the duties performed by the Coast Guard. We all owe them a huge debt of gratitude for the services they provide.

For 24 years, Commander Bernard has faithfully performed these and other duties in service to our great country. Prior to donning the Coast Guard uniform, Commander Bernard was also a proud U.S. Marine, where he served as an infantryman in Southeast Asia. He has spent more than half of his life in service to this nation and today, we are a grateful nation for his sacrifice.

From his humble beginnings operating small boats as a coxswain to his assignment as liaison officer to the House of Representatives in Washington, Commander Bernard has performed each and every job as a true patriot.

He quickly rose through the ranks of the Coast Guard and in 1979, he was accepted to Officer Candidate School. After receiving his commission, Al's first assignment was as a security officer at Training Center New York, Governors Island. Just a year later, he was promoted to First Lieutenant and deck watch officer on the USCGC *Courageous*, in Cape Canaveral, Florida. He was then chosen to be executive officer of USCGC *Shearwater* in Key West, Florida. In addition, was made the senior controller at the Pacific Area/Twelfth USCG District Rescue Coordination Center.

From there, Al Bernard's military career skyrocketed. He received command of his first ship, the USCGC *Nantucket*, in Roosevelt roads, Puerto Rico. It should be noted that Al is the first American of Puerto Rican descent to command his own ship.

Due to his exceptional abilities, Commander Bernard was relocated to Washington to serve his country at USCG Headquarters. He later received command of another cutter, the USCGC *Citrus*, which was homeported in Coos Bay, OR. After finishing another productive tour, he was made chief, Cutter Management Branch, Coast Guard Pacific Area in Alameda, California.

While on duty in California, he was selected to attend the U.S. Naval War College, where he graduated with distinction, earning a Master of Arts Degree in National Security and Strategic Studies.

Upon graduation, Commander Bernard was given his third command, the USCGC *Decisive* in St. Petersburg, Florida; he later crossdecked to USCGC *Resolute.*

Most recently, he was selected in 1998 to become the liaison officer to the House of Representatives in Washington, where I can personally attest he has served every man and women who wears the Goast Guard uniform with great distinction.

Over the course of his 24 years of service to the United States, Commander Bernard has demonstrated his versatility by serving brilliantly in both the military and legislative arenas. Al Bernard has been recognized for his achievements with numerous awards, such as the Bronze Star with ''V'' device for valor, the Purple Heart, and Meritorious Service Medal with an ''O'' device. He has also received seven Coast Guard Commendation Medals with ''O'' device, the Coast Guard Achievement Medal, the Combat Action Ribbon and various other awards.

He was also selected as the 1989 recipient of the U.S. Navy League's Captain David Jarvis award for professional competence and inspirational leadership.

Mr. Speaker, I know my colleagues join me in congratulating Command Al Bernard on an illustrious military career. Likewise, we salute his wonderful wife, Ann, and their two children, Jason and Bernadelle, who made the many sacrifices military families make in supporting their husband and father all these years. We wish Al the best of luck in all of his future endeavors, for he is truly a fine example for all Americans.

HONORING MAKIA EPIE

HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. FROST. Mr. Speaker, I rise today to pay tribute to a special young man, Makia Epie, of Cedar Hill, Texas, who is proving to be an outstanding addition to the Air Force Academy. Makia, who entered the Academy in the fall of 1997, has been named Flight Commander for the upcoming academic session. I know the entire 24th Congressional District joins me in celebrating this accomplishment.

As Flight Commander, Makia will assist the Cadet Squadron Commander in developing and training the basic cadets. Makia will work to ensure that cadets develop the right military attitude and attention to duty. He will do this by setting an appropriate example in leading his flight drills.

Makia's performance in the Air Force Academy deserves the highest praise, and I extend my sincerest appreciation for his service to his country. I wish him and his family the best in their future endeavors.

HONORING THE CITY OF TORRANCE

HON. STEVEN T. KUYKENDALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. KUYKENDALL. Mr. Speaker, I rise today to recognize the City of Torrance. For the last 41 years, the City of Torrance has honored and acknowledged the men and women of our military during its annual Armed Forces Day Parade.

The Torrance Armed Forces Day Parade is an important event for the residents of the South Bay. Torrance boasts one of the oldest and most noteworthy Armed Forces Day parades in the country. Thousands of people, many waving American flags, lined the streets last Saturday to honor our Armed Forces. Secretary of Defense Bill Cohen was also on hand to participate in the celebration.

The parade has persevered during the last 41 years. It has been protested, glorified, and even scaled back at times. But despite the circumstances of the day, the City of Torrance has held the parade to pay tribute to the men and women of the Armed Forces. This is a

valued tradition in the South Bay, one that will continue for years to come.

I congratulate Torrance Mayor Dee Hardison on the success this year's parade. I also commend the citizens of Torrance for they are the ones who have helped keep this tradition alive. We live in a great country. It is our Armed Forces who are responsible for protecting and defending our freedom throughout the world.

COMMENDING ISRAEL'S REDEPLOYMENT FROM SOUTHERN LEBANON

SPEECH OF

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Mrs. CAPPS. Mr. Speaker, I want to join my colleagues in commending Israel for its courageous withdrawal from Lebanon. The Israeli action sends a strong signal that Israel is very serious about pursuing a comprehensive peace with all its neighbors. At the same time, it is critical for this Congress to demand a cessation of all terrorist activities in southern Lebanon and to strongly encourage the government of Syria to remove its troops from Lebanon as well.

GRANTING PERMANENT NORMAL TRADE RELATIONS TO CHINA

HON. JOSEPH R. PITTS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. PITTS. Mr. Speaker, I was pleased with the passage of yesterday's legislation to grant Permanent Normal Trade Relations (PNTR) to China. Passage of PNTR is the first step in reforming China and advancing religious freedom and human rights for the Chinese people. Of course, change will not occur overnight in China. However, it will occur gradually through policies of normal trade, exchange and engagement, through peoples of faith, scholars, the workforce, and businesses.

Mr. Speaker, I would like to submit for the RECORD a powerful statement signed by a broad spectrum of religious leaders in support of PNTR. These individuals and their organizations have worked, and will continue to work, for the advancement of religious liberty and human rights.

STATEMENT BY RELIGIOUS LEADERS IN SUPPORT OF PERMANENT NORMAL TRADE RELATIONS WITH CHINA (EXPANDED LIST OF SIGNATORIES)

MAY *23, 2000.*

DEAR MEMBER OF CONGRESS: Soon you will be asked to vote on an issue that will set the course for U.S.-China relations for years to come: enacting Permanent Normal Trade Relations (PNTR) with China. Your vote will also have an impact on how human rights and religious freedom will advance for the people of China in the years ahead. We are writing to urge you to vote *for* PNTR for China because we believe that this is the best way to advance these concerns over the long term.

We share your concern for advancing human rights and religious freedom for the people of China. The findings of the recent report from the U.S. International Religious Freedom Committee are disturbing to us. Clearly, the Chinese government still has a long way to go.

The question for us all is: What can the U.S. 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?

Let us look first at what has already occurred within China over the past twenty years. The gradual opening of trade, investment, travel, and exchange between China and the rest of the world has led to significant, positive changes for human rights and religious freedom in China. We 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 governmental 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.

These positive developments have come about gradually in large part as a result of economic reforms by the Chinese government and the accompanying normalization of trade, investment, and exchange with the outside world. The developing relationships between Chinese government officials, business managers, workers, professors, students, and people of faith and their foreign counterparts are reflected in the development of new laws, government policies, business and labor practices, personal freedom, and spiritual seeking. Further, the Chinese government is 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 community of nations.

The U.S. government and governments around the world have a continuing, important role to play in challenging one another through international forums to fully observe standards for human rights and religious freedom. However, we do not believe that the annual debate in the U.S. Congress, linking justifiable concern for human rights and religious freedom in China to the threat of unilateral U.S. trade sanctions, has been productive toward that end.

Change will not occur overnight in China. Nor can it be imposed from outside. Rather, change will occur gradually, and it will be inspired and shaped by the aspirations, culture, and history of the Chinese people. We on the outside can help advance religious freedom and human rights best through policies of normal trade, exchange and engagement for the mutual benefit of peoples of faith, scholars, workers, and businesses. Enacting permanent normal trade relations with China is the next, most important legislative step that Congress can take to help in this process.

Sincerely,

Dr. Donald Argue, (Former President, National Association of Evangelicals, representing 27 million Christians in the United States of America); John A. Buehrens, (Unitarian Universalist Association); Bruce Birchard, (Friends General Conference); Myrrl Byler, (China Education Exchange, Mennonite Church); Reverend Richard W. Cain, ((Emeritus) President, Claremont School of Theology); Ralph Covell, (Senior Professor of World Christianity, Denver Seminary); Charles A. Davis, PhD, (The Evangelical Alliance Missions); Father Robert F. Drinan, (Professor, Georgetown University Law Center; Member of Congress, 1971–1981); Samuel E. Ericsson, (President, Advocates International, a faith-based global network of lawyers, judges, clergy, and national leaders reaching over 100 nations for justice, reconciliation, and ethics with offices on five continents); Nancy Finneran, (Sisters of Loretto Community); Brent Fulton, (President, ChinaSource, a non-profit, Christian Evangelical organization connecting knowledge and leaders in service to China); Dr. Richard L. Hamm, (Christian Church (Disciples of Christ)); Kevin M. Hardin, (University Language Services); J. Daniel Harrison, (President, Leadership Development International); Bob Heimburger, (Professor (Ret.) Indiana University); Rev. Earnest W. Hummer, (President, China Outreach Ministries); John Jamison, (Intercultural Exchange Network); Rodolf Mak, Ph.D., (Director of Chinese Church Mobilization, OMF International); Jim Nickel, (ChinaSource, a non-profit, Christian Evangelical organization connecting knowledge and leaders in serve to China); Don Reeves, (General Secretary (Interim) American Friends Service Committee); Rabbi Arthur Schneier, D.D., (President, Appeal of Conscience Foundation); Phil Schwab, (ChinaTeam International Services, Ltd.); Dr. Stephen Steele, (Dawn Ministries); Rev. Daniel B. Su, (Special Assistant to the President, China Outreach Ministries); Bishop Melvin G. Talbert, (The United Methodist Church); Dr. James H. Taylor III, (President, MSI Professional Services International); Finn Torjesen, (Executive Director, Evergreen Family Friendship Service, a Christian, non-profit benefit organization working in China); Joe Volk, (Executive Secretary, Friends Committee on National Legislation); Rev. Dr. Daniel E. Weiss, (American Baptist Churches, USA); Dr. Hans M. Wilhelm, (China Partner, an organization serving Church of China by training emerging young leaders); Rev. Dr. Andrew Young, (President, National Council of Churches, former ambassador to the United Nations and member of Congress); Danny Yu, (Christian Leadership Exchange).

TRIBUTE TO MAJOR GENERAL BARRY BATES

HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. FROST. Mr. Speaker, I rise today to pay tribute to an outstanding Army leader in my District, Major General Barry Bates, as he relinquishes command of the Army & Air Force Exchanges Service, headquartered in Dallas, Texas.

Under his strong visionary leadership, AAFES has served the military community better than at any time in its history. General Bates exercised astute management which led to annual sales of $7.3 billion and earnings of over $351 million. This produced the highest per capita dividend ($284 per service member) for Morale, Welfare & Recreation programs of

our Armed Services. He improved the overseas school feeding program, the military family program, and encouraged youth by establishing a coupon program and Savings Bond drawing to recognize those achieving good grades.

General Bates has expanded business partnerships, improved cooperation among DOD resale activities, and partnered with other services to develop exchange-wide credit card services. He has also advanced AAFES significantly in the application of technology. Internet sales have grown by leaps and bounds to $24.2 million in 1999. AAFES' Information Systems Directorate has won 13 major national awards and opened a state of the art Enterprise Technology Center.

General Bates has made customer service a priority, positioning AAFES as a ''customer driven company.'' At the same time, he has focused on developing, training and caring for AAFES employees. The results tell the story: customer service has improved 25%, and associate satisfaction has increased by 14%.

I've been impressed with the work of General Bates on two vastly different fronts. On a recent trip to Bosnia I shopped at a great PX at Eagle Base in Tuzla. This kind of operation is what AAFES has become known for—they go wherever our soldiers go. General Bates has inspired his team to provide great service on all the U.S. contingency missions. His commitment to be there for the troops was most evident when AAFES established a presence in Albania just five days after our forces arrived there.

At the request of AAFES retirees, I worked personally with General Bates to guarantee the security of the AAFES retirement plan. He was courageous and unyielding in his fight to ensure that the retirement plan was protected for all AAFES retirees and associates.

General Bates has positioned AAFES solidly for the future. His extraordinary leadership and business acumen have set a standard in Texas for quality operations that will ensure quality morale, welfare, and recreation programs for our Army and Air Force for years to come.

A soldier's soldier, General Bates is now returning to Korea to command Army troops in that volatile part of the world. On the occasion of his departure, I want to thank him for helping Congress take care of the troops and their families, for caring for many of my constituents—the wonderful employees of AAFES, and for serving his Army so effectively as the Commander of AAFES. I ask all Members to join me in wishing General Bates success in his new position.

TRIBUTE TO CHIEF MICHAEL R. OBLEMAN

HON. JOHN M. McHUGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. McHUGH. Mr. Speaker, on 9 February, 2000 Chief Master Sergeant Michael R. Obleman retired as the Chief of the Munitions Element for the 174th Fighter Wing, Hancock Field, New York Air National Guard in Syracuse NY. He assumed leadership of the Munitions Element as a Master Sergeant in January of 1982. Previously he worked as a Supervisor for the Weapons Loading Section.

Chief Obleman was born on 1 April, 1948 in Pulaski, New York where he still resides. He graduated from North Syracuse Central High School in June of 1967. In August 1967 he joined the United States Marine Corp where he was an Aviation Ordnance Man. He served in Vietnam from 18 June, 1969 through 9 June, 1970. He was discharged from the Marines in August of 1971. In the Marine Corp he attained the rank of E–5. In the Marines he received the following awards and decorations: National Defense Service Medal, Republic of Vietnam Gallantry Cross w/palm, the Vietnamese Service Medal with 1 device, the Purple heart, the Good Conduct Medal and the Republic of Vietnam Campaign Medal with device.

After his discharge from the Marines he worked a civilian job at Rumsey Distributing from October 1971 to December of 1974. In April 1973 he joined the 174th Fighter Wing as a traditional guardsman. On 22 December, 1974 he became a full time technician in the Weapons Loading Section. He worked in Weapons Loading until June of 1982 when he assumed leadership of the Munitions element as a Master Sergeant. He achieved the rank of Senior Master Sergeant on 15 November, 1987. On 31 August, 1990 he was awarded the rank of Chief Master Sergeant.

As Chief of the Munitions element he recognized that the current procedure for uploading 30-millimeter ammo onto the A–10 aircraft could be accomplished in a safer and more efficient manner. He initiated a design change to the GFU–7 loading system for use with the 30-millimeter GPU–5 gun pods. This design change allowed the GPU–5 gun pod to be loaded in the Munitions Storage Area instead of the flight line resulting in less people and aircraft being exposed to a potentially dangerous explosive operation. High levels of Command visited the 174th Fighter Wing to observe the new method he developed. The GPU–5 30-millimeter gun pod was combat tested during Operation Desert Storm.

Under his leadership the Munitions Element received excellent ratings on all major inspections. Chief Obleman was instrumental in the planning of the initial setup and the successful ongoing operation of the Forward Operating Location at Wheeler-Sack Air Field for the A–10 and F–16 aircraft, part of the only live fire range in the Northeast.

Chief Master Sergeant Michael R. Obleman has 32 years, 6 months and 1 day of dedicated military service. Four years of this service was with the Marines and the remainder of service was with the 174th Fighter Wing, Hancock Field. His Air Force Awards and Decorations include the Air Reserve Forces Meritorious Medal with 6 devices, the Air Force Longevity Service Award with 6 devices, the National Defense Service Medal with 1 device, the South West Asia Service Medal with 2 devices, the Armed Forces Reserve Medal with 1 Device, the Kuwait Liberation Medal Saudi Arabia, the Kuwait Liberation Medal Kuwait, the Air Force Outstanding Unit Award with 4 devices and the Meritorious Service Medal.

Chief Obleman married Nancy Condon on 10 May, 1969. He has three children Michael, Lorianne, and John. Lorianne is married to Trevor Quig, and are the parents of his granddaughter, Adrianna.

RECOGNIZING THE ACCOMPLISHMENTS OF MINE PRESERVATIONIST BURTON BOYUM

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. STUPAK. Mr. Speaker, I rise today to honor an outstanding volunteer for his work in preserving the grand history of mining in the Upper Peninsula of Michigan.

Burton Boyum is a shining example of how giving to one's community brightens the lot for many. Mr. Boyum has selflessly given his time and served in various capacities designed to better the lives of residents and improve their understanding of the area's economic and cultural history.

For decades, the Upper Peninsula was dotted with mines that drew iron ore and copper from the tree-covered hills. The resources, however, were exhausted and now the area is witness to little mining. All that remains of this former economic mainstay, which provided thousands of jobs to hardworking citizens, are the stories of former miners and some dilapidated structures. Gratefully, communities in the Upper Peninsula have been graced by the energy and dedication of Burton Boyum. He has been determined to preserve the historic structures of Michigan's mining past and retain the anecdotes that illustrated miners' lives.

Following his graduation from the University of Minnesota in 1941, Mr. Boyum moved to the Upper Peninsula, where he worked as a Mining Engineer for Cleveland Cliffs International until his retirement in 1984. During that period and beyond, Mr. Boyum worked diligently to capture the history of mining. In 1961, he founded the Quincy Mine Hoist Association, a non-profit organization, and served as President of the Board of Directors from 1973 to 1998. Most notably, in 1998, the Quincy Mine Hoist Association honored this distinguished community member by creating the Burton H. Boyum Award.

Mr. Boyum has contributed to the community in many other laudable ways. He served as a member of the Marquette County Historical Society, where he wrote and published two books: Saga of Iron Mining in Michigan's Upper Peninsula and The Mather Mine. He worked tirelessly to create the United States National Ski Hall of Fame in Ishpeming, Michigan, which is housed in an award-winning structure that beautifully enhances the interpretation of skiing in our country. Finally, Mr. Boyum played a large role in creating the Great Lakes Olympic Education Training Center, which trains athletes for various events in the world's athletic showcase. I have worked on matters concerning the National Ski Hall of Fame and the Great Lakes Olympic Education Training Center and can appreciate the initiative and devotion displayed by Mr. Boyum toward both creating and strengthening these facilities.

Although Mr. Boyum recently suffered a stroke, I am sure that his passion for civic involvement and his appreciation for mining history in the Upper Peninsula will remain steadfast. I ask you Mr. Speaker to join me in this salute to Burton Boyum.

AUTHORIZING EXTENSION OF NON-DISCRIMINATORY TREATMENT (NORMAL TRADE RELATIONS TREATMENT) TO PEOPLE'S REPUBLIC OF CHINA

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 24, 2000

Ms. JACKSON-LEE of Texas. 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 everyone'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 unparalleled 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 businesses 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, tariffs 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 percent of Chinese telecommunications ventures upon China's entry into the WTO, and up to 50 percent 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 films. 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 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 the 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 human 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 the 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 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 will not leave any American worker 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. We must seize the opportunity to export American values of peace, security, democracy, and a better way of life.

MEMORIAL DAY AND THE KOREAN WAR

HON. BOB STUMP

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. STUMP. Mr. Speaker, America could have rejected the role of world leadership thrust upon her after the destruction and loss of human lives in World War II.

But she accepted that role, and in so doing gave Americans an even stronger motive to celebrate Memorial Day this year.

The special significance of this Memorial Day is its proximity to the 50th anniversary of the outbreak of the Korean War on June 25th. More than a million Americans have died defending their country. Memorial Day is the day we honor them. This particular year, on this particular Memorial Day, with memories of those million dead heroes in formation before us, we might justly order ''front and center'' to the 55,000 Americans who died in the Korean War.

I've never understood why such a long and brutal war should be known as the ''Forgotten War.'' Perhaps it's the timing. It fell between World War II, a war that mobilized a nation, and the Vietnam War, a war that divided a nation and ended tragically. Perhaps it was the mood of a nation anxious to return to the peacetime pursuits of families and careers after World War II. But whatever the reason, Korea never loomed as large in our historical consciousness as World War II and Vietnam. What better time than the 50th anniversary to give that war and its veterans the recognition due them?

In so doing, we take away nothing from America's other heroes or from the families who still grieve for them. This Memorial Day will still remind us of every sacrifice ever made on every battlefield, and not just to secure our own freedom.

Mr. Speaker, fifty years ago international communism seemed to be the irresistible force of the future. It was a system geared for war and conquest. While the West greeted the end of World War II with relief and dreams of peace, the Soviet and Chinese masters saw it as the signal for the next wave of expansion. Who in the peace-loving West could stop them? In theory, only the United Nations. In reality, that meant the United States.

When North Korean divisions poured across the 38th parallel into South Korea, America was not prepared. We responded anyhow. The first American units thrown into battle hung or until reinforcements arrived and the enemy eventually was forced to negotiate. South Korea is now free because 50 years ago America kept faith with an ally. Let us now keep faith with the guardians of Korea's freedom and our own.

At first glance, America had no stake whatsoever in the freedom of Korea, so different from us culturally and halfway around the world. But a second, longer glance reminds us of our commitment to freedom around the world. That commitment is no mere theory, but a reality backed up by the blood of our citizen soldiers, sailors, airmen and marines.

Mr. Speaker, many of us knew someone who shed that blood and never came home. It will be a somber day for us, because we can remember that person on our hometown streets or playgrounds, sitting next to us in class, delivering our newspaper or groceries, or pushing a lawn mower on his front lawn. We might remember his laughter, his voice over a telephone, and perhaps even our own shock at reading the news of his death in battle. We may even have tried to comfort a grieving family.

But he isn't really dead. It can be said that no one is truly dead until the last person who remembers him is dead. We can honor our dead heroes by remembering them, every day but especially on Memorial Day.

Again this year the President or someone representing him will place a wreath on the Tomb of the Unknowns in Arlington National Cemetery. But the most heart-felt Memorial Day celebrations will take place at cities, towns and villages all over America. There will be parades, speeches, and decorated gravestones. For some Americans, Memorial Day will inspire them to write such heart-felt poetry as the following:

''WAR'S GLOW''

(By Steven R. Schutt, Prescott, Arizona)

The old ones; they know
the pain of war's glow.
While the youthful dead strive,
to keep illusions alive.
Those who survived learned,
how truth has been burned,
with a history of heroes
and reality spurned.
All who came back, mellowed and aged.
Time made from forget just how they had raged.
But the old ones; they know,
the pain of war's glow.

Mr. Speaker, as long as such sentiments are alive in the hearts of private citizens, America will remain a great country and Memorial Day will remain an annual monument to our greatest heroes. This particular Memorial Day, I ask you and all Members to join me in a special salute to the casualties of the Korean War. Let us make the Korean War, the first challenge to communist expansion, a forgotten war no longer.

HONORING JOSEPH THOMAS BRADY, JR.

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 2000

Mr. KILDEE. Mr. Speaker, I am happy to rise before you today on behalf of Petty Officer Joseph Thomas Brady, Jr., who on May 31, will receive an Honorable Discharge from the United States Navy after 20 years of service to our country.

Joseph Brady attended St. Matthews Catholic School and Flint Powers Catholic High School, graduating in 1976. While in school, he was an altar boy, a member of Junior Achievement, and several community service committees. He was also a standout athlete, excelling in basketball and football. After graduation, Joseph attended the University of Michigan-Flint, and Jackson State University. After two years at Jackson State, Joseph decided on a different adventure, and joined the United States Navy. He attended the Great Lakes Academy, and graduated in 1980. He was assigned to various vessels, including the U.S.S. *Schofield,* U.S.S. *Jack Williams,* and U.S.S. *Arleigh Burke,* among others. Since May 1997, Petty Officer Brady has served as Transportation Petty Officer and Collateral Duty Supply, as well as Petty Officer for Customer Service.

Petty Officer Brady has been recognized many times for his hard work and dedication. He has been awarded the Navy and Marine Corps Achievement Medal with three Gold Stars, the ''E'' Good Conduct Medal with six Bronze Stars, an Armed Forces Expeditionary Medal, Southwest Asia Service Medal, and many ribbons and commendations.

I would also like to acknowledge perhaps Petty Officer Brady's wonderful family, including his wife, Lyvonne, and their children, Joey and Jovanna. I am sure they are very proud.

Mr. Speaker, as the father of two sons who have served in our Armed Forces, I have much respect and admiration for the commitment of these fine men and women. We are all very grateful for their decision to work to protect our nation's borders, and to protect and defend human dignity. I congratulate Petty Officer Joseph Thomas Brady, Jr. on completing his tour of duty, and I ask my colleagues in the 106th Congress to join me in wishing him the best in his future endeavors.

Daily Digest

HIGHLIGHTS

Senate agreed to the Conference Report on Agricultural Risk Protection Act.

The House agreed to the Conference Report on H.R. 2559, Agricultural Risk Protection Act.

The House passed H.R. 3916, Repeal of Spanish-American War Telephone Excise Tax.

The House agreed to H. Con. Res. 331, Commending Israel for Its Withdrawal From Southern Lebanon.

House Committees ordered reported 7 sundry measures, including the Defense and Interior appropriations for fiscal year 2001, and the Death Tax Elimination Act.

Senate

Chamber Action

Routine Proceedings, pages S4399–S4506

Measures Introduced: Thirty-nine bills and four resolutions were introduced, as follows: S. 2630–2668, S. Res. 314–316, and S. Con. Res. 118. **Pages S4459–60**

Measures Reported: Reports were made as follows:

S. 2277, to terminate the application of title IV of the Trade Act of 1974 with respect to the People's Republic of China. (S. Rept. No. 106–305)

S. 1854, to reform the Hart-Scott-Rodino Antitrust Improvements Act of 1976, with an amendment in the nature of a substitute. **Page S4459**

Measures Passed:

Adjournment Resolution: Senate agreed to H. Con. Res. 336, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. **Page S4496**

2000 District of Columbia Special Olympics Law Enforcement Torch Run: Committee on Rules and Administration was discharged from further consideration of H. Con. Res. 280, authorizing the 2000 District of Columbia Special Olympics Law Enforcement Torch Run to be run through the Capitol Grounds, and the resolution was then agreed to. **Page S4499**

National Moment of Remembrance: Committee on the Judiciary was discharged from further consideration of H. Con. Res. 302, calling on the people of the United States to observe a National Moment of Remembrance to honor the men and women of the United States who died in the pursuit of freedom and peace, and the resolution was then agreed to. **Pages S4499–S4500**

Sierra Leone Civil War Crimes: Senate agreed to S. Res. 315, expressing the sense of the Senate regarding the crimes and abuses committed against the people of Sierra Leone by the Revolutionary United Front. **Pages S4500–01**

Honoring Vietnam Veterans: Committee on Energy and Natural Resources was discharged from further consideration H.R. 3293, to amend the law that authorized the Vietnam Veterans Memorial to authorize the placement within the site of the memorial of a plaque to honor those Vietnam veterans who died after their service in the Vietnam war, but as a direct result of that service, and the bill was then passed, clearing the measure for the President. **Page S4501**

Immigration and Naturalization Service Data Management Improvement Act: Senate passed H.R. 4489, to amend section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, clearing the measure for the President. **Pages S4501–04**

Honoring Judge Daniel H. Thomas: Senate agreed to S. Res. 316, honoring Senior Judge Daniel H. Thomas of the United States District Court for the Southern District of Alabama. **Pages S4504–05**

Legislative Branch Appropriations: Senate completed consideration of S. 2603, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2001, after agreeing to the following amendment proposed thereto:

Pages S4405–07

By a unanimous vote of 100 yeas (Vote No. 113), Mikulski Amendment No. 3166, to express the sense of the Senate commending the United States Capitol Police. **Pages S4405–06**

During consideration of this measure today, the Senate also took the following action:

By 98 yeas to 2 nays (Vote No. 114), Senate agreed to the motion to advance the bill to third reading. **Pages S4406–07**

Subsequently, S. 2603 was returned to the Senate calendar. **Page S4407**

Agricultural Risk Protection Act—Conference Report: By 91 yeas to 4 nays (Vote No. 115), Senate agreed to the 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, and to improve the efficiency and integrity of the Federal crop insurance program, clearing the measure for the President.

Pages S4416–43

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting, pursuant to law, a notice concerning the Continuation of Emergency with Respect to the Federal Republic of Yugoslavia (Serbia and Montenegro), the Bosnian Serbs, and Kosovo; to the Committee on Banking, Housing, and Urban Affairs. (PM–110) **Page S4458**

Transmitting pursuant to law a 6-month periodic report to Congress on the National Emergencies with Respect to the Federal Republic of Yugoslavia (Serbia & Montenegro); referred to the Committee on Banking, Housing, and Urban Affairs. (PM–111)

Pages S4458–59

Nominations Confirmed: Senate confirmed the following nominations:

1 Army nomination in the rank of general.

1 Navy nomination in the rank of admiral.

Pages S4505–06

Nominations Received: Senate received the following nominations:

Robert S. LaRussa, of Maryland, to be Under Secretary of Commerce for International Trade.

Robin Chandler Duke, of New York, to be Ambassador to Norway.

Marc E. Leland, of Virginia, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 2003.

Harriet M. Zimmerman, of Florida, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 2003. (Reappointment)

Donald J. Sutherland, of New York, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring August 11, 2002. (Reappointment)

Stephen M. Orlofsky, of New Jersey, to be United States Circuit Judge for the Third Circuit.

Norman C. Bay, of New Mexico, to be United States Attorney for the District of New Mexico for the term of four years.

33 Navy nominations in the rank of admiral.

Pages S4505–06

Messages From the President: **Pages S4458–59**

Messages From the House: **Page S4459**

Measures Referred: **Page S4459**

Measures Placed on Calendar: **Page S4459**

Measures Read First Time: **Page S4459**

Communications: **Page S4459**

Statements on Introduced Bills: **Pages S4461–87**

Additional Cosponsors: **Pages S4487–89**

Amendments Submitted: **Pages S4491–92**

Notices of Hearings: **Page S4492**

Authority for Committees: **Pages S4492–93**

Additional Statements: **Pages S4455–58**

Privileges of the Floor: **Page S4493**

Record Votes: Three record votes were taken today. (Total—115) **Pages S4406–07, S4441**

Adjournment: Senate convened at 9:31 a.m., and pursuant to the provisions of H. Con. Res. 336, adjourned at 5:20 p.m., until 10 a.m., on Tuesday, June 6, 2000. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S4505.)

Committee Meetings

(C ttee t te t eet)

COMPETITION AND INNOVATION IN CREDIT CARD INDUSTRY

C ttee Subcommittee on Financial Institutions concluded hearings on competition and innovation in the credit card industry at the consumer and network level, after receiving testimony from Philip J. Purcell, Morgan Stanley Dean Witter and Co., Harvey Golub, American Express, and Noah J. Hanft, MasterCard International Incorporated, all of New York, New York; Paul Allen, Visa U.S.A. Inc., Foster City, California; Frank Torres, III, Consumers Union, Washington, D.C.; and David S. Evans, National Economic Research Associates, Inc., Cambridge, Massachusetts.

INTERNET PRIVACY POLICIES

C ttee C e ce Sc e ce t t Committee held hearings to examine a Federal Trade Commission report of Internet privacy policies issues, including collection and use of consumers' personal information by commercial sites on the World Wide Web, and begin the process of developing consensus about the best way to enable consumers to protect their privacy online, receiving testimony from Robert Pitofsky, Chairman, and Sheila F. Anthony, Mozelle W. Thompson, Orson Swindle, and Thomas B. Leary, all Commissioners, all of the Federal Trade Commission; Jill A. Lesser, America Online, Inc., Christine Varney, Hogan and Hartson, on behalf of the Online Privacy Alliance, and Jerry Berman, Center for Democracy and Technology, all of Washington, D.C.; Jason Catlett, Junkbusters Corporation, Green Brook, New Jersey; and Daniel J. Weitzner, World Wide Web Consortium, Cambridge, Massachusetts.

Hearings recessed subject to call.

U.S. NATURAL GAS CONSUMPTION

C ttee e y t e ce Committee held oversight hearings to examine the benefits of natural gas, including its natural abundance, clean-burning attributes, cost and efficiency advantages, and safe and reliable delivery, and the potential for a sharp increase of United States consumption over the next decade, receiving testimony from Jay E. Hakes, Administrator, Energy Information Administration, Department of Energy; William F. Martin, Washington Policy and Analysis, Washington, D.C.; Robert W. Best, Atmos Energy Corporation, Dallas, Texas, on behalf of the American Gas Association; Laurence M. Downes, New Jersey Resources Corporation, Wall, New Jersey, on behalf of the Distributed Power Coalition of America; and Paul C. Kerkhoven, Natural Gas Vehicle Coalition, Arlington, Virginia.

Hearings recessed subject to call.

SNOWMOBILE PARK PROHIBITION

C ttee e y t e ce Subcommittee on National Parks, Historic Preservation, and Recreation concluded oversight hearings to examine the status of planning efforts regarding the use of snowmobiles in Yellowstone and Grand Teton National Parks and on the recent decision by the Department of the Interior to prohibit snowmobile activities in other units of the National Park System, after receiving testimony from Donald J. Barry, Assistant Secretary of the Interior for Fish, Wildlife, and Parks; Kim Raap, Wyoming State Parks Department, Cheyenne; Mark Simonich, Montana Department of Environmental Quality, Helena; Chris Twoney, Arctic Cat, Inc., Thief River Falls, Minnesota, on behalf of the International Snowmobile Manufacturers Association; Sean Smith, Bluewater Network, San Francisco, California; Tim Wade, Park County Commission, Cody, Wyoming, on behalf of the Cooperating Counties in the Winter Use; Michael D. Scott, Greater Yellowstone Coalition, Bozeman, Montana, on behalf of the Wilderness Society and the Natural Resources Defense Council; Kevin Collins, National Parks Conservation Association, Washington, D.C.; Teri Manning, Wyoming State Snowmobile Association, Jackson Hole, Wyoming; and William Manson, Grand Rapids, Michigan, on behalf of the American Council of Snowmobile Associations, Inc.

BREAST CANCER SEMIPOSTAL STAMPS

C ttee e e t Subcommittee on International Security, Proliferation and Federal Services concluded hearings to examine the U.S. Postal Service campaign on the issuance of the Breast Cancer Research semipostal stamps, and the future of fund-raising stamps, after receiving testimony from Senators DeWine and Feinstein; Deborah K. Willhite, Senior Vice President, Government Relations and Public Policy, United States Postal Service; and Bernard L. Ungar, Director, Government Business Operations Issues, General Government Division, General Accounting Office.

INTERNET SECURITY AND PRIVACY

C ttee the c y Committee concluded hearings to examine proposed legislation to enhance the protections of the Internet and the critical infrastructure of the United States, related to Internet security and privacy issues, and the development and implementation of public policies that advance these

issues, after receiving testimony from Michael A. Vatis, Director, National Infrastructure Protection Center, Federal Bureau of Investigation, and James K. Robinson, Assistant Attorney General, Criminal Division, both of the Department of Justice; Bruce J. Heiman, Americans for Computer Privacy, Jeff B. Richards, Internet Alliance, and James X. Dempsey, Center for Democracy and Technology, all of Washington, D.C.; and Richard Pethia, Carnegie Mellon University Software Engineering Institute, Pittsburgh, Pennsylvania.

NOMINATIONS

C ttee the c y Committee concluded hearings on the nominations of Daniel Marcus, of Maryland, to be Associate Attorney General, Department of Justice, Bonnie J. Campbell, of Iowa, to be United States Circuit Judge for the Eighth Circuit, Jay A. Garcia-Gregory, to be United States District Judge for the District of Puerto Rico, Beverly B. Martin, to be United States District Judge for the Northern District of Georgia, and Laura Taylor Swain, to be United States District Judge for the Southern District of New York, after the nominees testified and answered questions in their own behalf. Mr. Marcus was introduced by Senator Sarbanes and Representative Morella, Ms. Campbell was introduced by Senators Grassley and Harkin, Mr. Garcia-Gregory was introduced by Resident Commissioner Carlos Romero-Barcelo, Ms. Martin was introduced by Senators Coverdell and Cleland and Representative Chambliss, and Ms. Swain was introduced by Senator Schumer.

GENE THERAPY SAFETY

C ttee e th c t e Subcommittee on Public Health held hearings to examine safety of patients who participate in experimental gene therapy research and clinical trials, recent revelations regarding lapses in patient safety and compliance with federal regulations, and the need to strengthen our current federal oversight system, receiving testimony from William F. Raub, Deputy Assistant Secretary of Health and Human Services for Science Policy; Savio L. C. Woo, Mount Sinai School of Medicine Institute of Gene Therapy and Molecular Medicine, New York, New York, on behalf of the American Society of Gene Therapy; Pamela L. Zeitlin, Johns Hopkins Hospital Pediatric General Clinical Research Center, Baltimore, Maryland, on behalf of the Cystic Fibrosis Foundation; Lisa Raines, Genzyme Corporation, Cambridge, Massachusetts; and Thomas H. Murray, Hastings Center, Garrison, New York.

Hearings recessed subject to call.

House of Representatives

Chamber Action

Bills Introduced: 36 public bills, H.R. 4540–4575; and 8 resolutions, H. Con. Res. 336–343, were introduced. **Pages H3867–68**

Reports Filed: Reports were filed today as follows:

H.R. 4402, to amend the American Competitiveness and Workforce Improvement Act of 1998 to improve the use of amounts deposited into the H–1B Nonimmigrant Petitioner Account for demonstration programs and projects to provide technical skills training for occupations for which there is a high demand for skilled workers, amended (H. Rept. 106–642); and

H.R. 1882, to amend provisions of law enacted by the Small Business Regulatory Enforcement Fairness Act of 1996 to ensure full analysis of potential impacts on small entities of rules proposed by certain agencies (H. Rept. 106–643, Pt. 1). **Pages H3866–67**

Guest Chaplain: The prayer was offered by the guest Chaplain, Rev. Alphas Townsend of Bronx, New York. **Page H3815**

Agricultural Risk Protection Act Conference Report: The House agreed to the 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. **Pages H3817–28**

Agreed to H. Res. 512, the rule that waived points of order against the conference report. **Pages H3816–17**

Recess: The House recessed at 11:46 a.m. and reconvened at 11:57 p.m. **Page H3830**

Ban on Partial Birth Abortions: Pursuant to H. Res. 457, the House passed S. 1692, after striking all after the enacting clause and inserting the provisions of H.R. 3660, to amend title 18, United States

Code, to ban partial-birth abortions, as passed the House. The House then insisted on its amendment and requested a conference with the Senate. Appointed as conferees: Chairman Hyde and Representatives Canady, Goodlatte, Conyers, and Watt of North Carolina. **Pages H3829–30**

Earlier agreed to the Conyers motion to instruct conferees to meet promptly with the Senate on all issues committed to conference. **Page H3829**

Commending Israel for Its Withdrawal From Southern Lebanon: The House agreed to H. Con. Res. 331, commending Israel's redeployment from southern Lebanon by a yea and nay vote of 403 yeas to 3 nays with 2 voting "present", Roll No. 231. **Pages H3840–41**

Late Reports Committee on Appropriations: The Committee on Appropriations received permission to have until midnight on June 1 to file privileged reports on measures making FY 2001 appropriations for the Department of Defense; Departments of Labor, Health and Human Services, Education, and related agencies; and Department of Interior and related agencies. **Page H3841**

Repeal of Spanish-American War Telephone Excise Tax: The House passed H.R. 3916, to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communication services by a recorded vote of 420 ayes to 2 noes, Roll No. 233. **Pages H3842–54**

Rejected the Doggett motion to recommit the bill to the Committee on Ways and Means with instructions to report it back with an amendment that imposes additional reporting requirements on section 527 organizations in order to obtain the telephone excise tax relief by a yea and nay vote of 208 yeas to 214 nays, Roll No. 232. **Pages H3851–53**

House agreed to H. Res. 511, the rule that provided for consideration of the bill by a recorded vote of 404 ayes to 15 noes, Roll No. 230. Earlier, agreed to order the previous question by a yea and nay vote of 221 yeas to 201 nays, Roll No. 229. **Pages H3830–40**

Presidential Messages: Read the following messages from the President:

National Emergency Re Yugoslavia and Kosovo: Read a message from the President wherein he transmitted his 6 month periodic report on the national emergency with respect to Yugoslavia (Serbia and Montenegro) and Kosovo—referred to the Committee on International Relations and ordered printed (H. Doc. 106–248); and **Page H3855**

Federal Register Notice Re Yugoslavia, Bosnia, and Kosovo National Emergency: Read a message from the President wherein he transmitted his Federal Register Notice on the national emergency declared with respect to the Federal Republic of Yugoslavia (Serbia and Montenegro), Bosnian Serb Forces, and Kosovo—referred to the Committee on International Relations and ordered printed (H. Doc. 106–249). **Pages H3855–56**

Memorial Day District Work Period: The House agreed to H. Con. Res. 336, providing for an adjournment of both Houses of Congress. Pursuant to the concurrent resolution the House will stand adjourned for the Memorial Day District Work Period until 10:30 a.m. on Tuesday, June 6, 2000 for morning-hour debate. **Page H3828**

Speaker Pro Tempore: Read a letter from the Speaker wherein Representative Wolf was designated to sign enrolled bills and joint resolutions through June 6. **Page H3854**

Resignations—Appointments: Agreed that notwithstanding any adjournment of the House until Tuesday, June 6, 2000, the Speaker, Majority Leader and Minority Leader be authorized to accept resignations and to make appointments authorized by law or by the House. **Page H3854**

Calendar Wednesday: Agreed to dispense with the business in order under the Calendar Wednesday rule on Wednesday, June 7, 2000. **Page H3854**

Senate Messages: Message received from the Senate appears on page H3865.

Referrals: S. 484 was referred to the Committees on the Judiciary and International Relations. S. Con. Res. 110 was referred to the Committee on International Relations. **Page H3865**

Amendments: Amendments ordered printed pursuant to the rule appear on pages H3869–70.

Quorum Calls—Votes: Three yea and nay votes and two recorded votes developed during the proceedings of the House today and appear on pages H3839–40, H3840, H3840–41, H3853, and H3853–54. There were no quorum calls.

Adjournment: The House met at 10:00 a.m. and adjourned at 5:14 p.m., pursuant to the provisions of H. Con. Res. 336, until Tuesday, June 6.

Committee Meetings

DEFENSE AND INTERIOR APPROPRIATIONS

C ttee t Ordered reported the following appropriations for fiscal year 2001: Defense and Interior.

NIGERIA IN TRANSITION

C ttee c Se ce Subcommittee on Domestic and International Monetary Policy held a hearing on Nigeria in Transition. Testimony was heard from the following officials of the Department of the Treasury: William Schuerch, Deputy Assistant Secretary, International Development, Debt, and Environmental Policy; and Steve Radelet, Deputy Assistant Secretary, Africa, Middle East and South Asia; and public witnesses.

HUD ASSISTED HOUSING—INCOME VERIFICATION

C ttee the et Housing and Infrastructure Task Force held a hearing on ''Lack of Income Verification in HUD Assisted Housing'', the Need to Eliminate Overpayments. Testimony was heard from the following officials of the Department of Housing and Urban Development: Raymond A. Carolan, Special Agent in Charge, New England District; Emil J. Schuster, Special Agent in Charge, Southeast/Caribbean District, both with the Office of Inspector General; and Saul Ramirez, Deputy Secretary; and a public witness.

INTERNET PHARMACEUTICAL SALES—ENFORCING THE LAWS

C ttee C e ce Subcommittee on Oversight and Investigations held a hearing entitled: ''Enforcing the Laws on Internet Pharmaceutical Sales: Where are the Feds?'' Testimony was heard from William K. Hubbard, Senior Associate Commissioner, Policy, Planning and Legislation, FDA, Department of Health and Human Services; Ethan Posner, Deputy Associate Attorney General, Department of Justice; Betsy Durant, Director, Office of Trade Programs, U.S. Customs Service, Department of the Treasury; and Carla Stovall, Attorney General, State of Kansas.

OVERSIGHT—BROADBAND TECHNOLOGIES DEPLOYMENT

C ttee C e ce Subcommittee on Telecommunications, Trade, and Consumer Protection held an oversight hearing on the deployment of broadband technologies. Testimony was heard from Representatives Goodlatte and Cannon; and public witnesses.

MISCELLANEOUS MEASURES

C ttee c t the ce Ordered reported, as amended, 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.

COPYRIGHT OFFICE AND SOUND RECORDINGS

C ttee the c y Subcommittee on Courts and Intellectual Property held an oversight hearing on ''The United States Copyright Office and Sound Recordings as Work for Hire.'' Testimony was heard from Marybeth Peters, Register of Copyright, Copyright Office of the United States, Library of Congress; and public witnesses.

OVERSIGHT—FEDERAL AGENCIES AND AIRPORTS SECURITY BREACHES

C ttee the c y Subcommittee on Crime held an oversight hearing on ''Breaches of Security at Federal Agencies and Airports.'' Testimony was heard from Robert Hast, Assistant Controller General, Special Investigations, Office of Special Investigations, GAO.

AMERICAN COMPETITIVENESS AND WORKFORCE IMPROVEMENT ACT IMPLEMENTATION

C ttee the c y Subcommittee on Immigration and Claims held an oversight hearing on ''The Status of Regulations Implementing the American Competitiveness and Workforce Improvement Act of 1998.,'' Testimony was heard from John Fraser, Deputy Administrator, Wage and Hour Division, Employment Standards Administration, Department of Labor; John Spotila, Administrator, Office of Information Policy and Regulatory Affairs, OMB; and public witnesses.

OVERSIGHT—OCEAN RESEARCH ADVISORY PANEL REPORT

C ttee e ce Subcommittee on Fisheries Conservation, Wildlife and Oceans and the Subcommittee on Military Research and Development of the Committee on Armed Services held a 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. Testimony was heard from D. James Baker, Under Secretary, Oceans and Atmosphere, NOAA, Department of Commerce; Rear Adm. Paul Gaffney, USN, Chief of Naval Research, Department of the Navy, Department of Defense; and public witnesses.

OVERSIGHT—SNOWMOBILE RECREATION IN NATIONAL PARKS

C ttee e ce Subcommittee on National Parks and Public Lands held an oversight hearing on Snowmobile Recreation in National Parks, particularly Yellowstone National Park. Testimony was heard from Senator Grams; Representatives Peterson of Minnesota, Oberstar, Chenoweth-Hage and Walden of Oregon; Donald J. Berry, Assistant Secretary,

Fish and Wildlife and Parks, Department of the Interior; Jerry Johnson, Mayor, West Yellowstone, State of Montana; Kim Raap, Manager, State Trails Program, Division of State Parks and Historic Site, Department of Commerce, State of Wyoming; and public witnesses.

MISCELLANEOUS MEASURES

C ttee S e Ordered reported the following bills: H.R. 4530, New Markets Venture Capital Program Act of 2000; and H.R. 4464, amended, 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.

SMALL COMMUNITY ESSENTIAL AIR SERVICE PROGRAM

C ttee t t t ct e Subcommittee on Aviation held a hearing on the Future of the Small Community Essential Air Service Program. Testimony was heard from John H. Anderson, Jr., Director, Transportation Issues, Resources, Community, and Economic Development Division, GAO; A. Bradley Mims, Deputy Assistant Secretary, Aviation and International Affairs, Department of Transportation; and public witnesses.

PREPAREDNESS AGAINST TERRORISM ACT

C ttee t t t ct e Subcommittee on Oversight, Investigations, and Emergency Management approved for full Committee action, as amended, H.R. 4210, Preparedness Against Terrorism Act of 2000.

VETERANS AFFAIRS AND DOD'S JOINT PHARMACY PROCUREMENT

C ttee ete Subcommittee on Oversight and Investigations held a hearing on the Department of Veterans Affairs and the Department of Defense joint pharmacy procurement. Testimony was heard from Steven P. Backhus, Director, Veterans' Affairs and Military Health Care Issues, Health, Education, and Human Services Division, GAO; the following officials of the Department of Defense: Robert J. Lieberman, Assistant Inspector General, Auditing; Brig. Gen. Daniel Mongeon, USA, Commander, Defense Supply Center, Philadelphia; and Capt. Charles Hostettler, MSC, USN, Director, DoD, Pharmacy Programs, TRICARE Management Activity; the following officials of the Department of Veterans Affairs: Gary J. Krump, Deputy Assistant Secretary, Acquisitions and Material Management; and John Ogden, Chief Consultant, Pharmacy Benefits Management Group, Veterans Health Administration; and a public witness.

DEATH TAX ELIMINATION ACT

C ttee y e Ordered reported, as amended, H.R. 8, Death Tax Elimination Act.

GLOBAL DEVELOPMENTS

e e t Se ect C ttee te e ce Met in executive session to hold a briefing on Global Developments. Testimony was heard from departmental witnesses.

COMMITTEE MEETINGS FOR FRIDAY, MAY 26, 2000

(C ttee eet e e e the e c te)

Senate

C ttee e e t to hold hearings to examine export control implementation issues with respect to high performance computers, 10 a.m., SD–342.

House

C ttee e e t e Subcommittee on Criminal Justice, Drug Policy, and Human Resources, hearing on ''Drugs in the Mail: How Can It Be Stopped?'' 9:30 a.m., 2154 Rayburn.

Next Meeting of the SENATE

10 a.m., Tuesday, June 6

Senate Chamber

Program for Tuesday: After the recognition of two Senators for speeches and the transaction of any morning business (not to extend beyond 12:30 p.m.), Senate will recess until 2:15 p.m. for their respective party conferences.

At 2:15 p.m., an official Senate photo will be taken; following which, Senate expects to consider any conference reports and appropriation bills, when available.

Next Meeting of the HOUSE OF REPRESENTATIVES

10:30 a.m., Tuesday, June 6

House Chamber

Program for Tuesday: To be announced.

Extensions of Remarks, as inserted in this issue

HOUSE

Ackerman, Gary L., N.Y., E835
Andrews, Robert E., N.J., E835, E867
Baca, Joe, Calif., E836
Barcia, James A., Mich., E874
Barr, Bob, Ga., E864
Barrett, Thomas M., Wisc., E867
Becerra, Xavier, Calif., E850, E854
Bentsen, Ken, Tex., E861
Bereuter, Doug, Nebr., E869
Berman, Howard L., Calif., E877
Bonior, David E., Mich., E873
Borski, Robert A., Pa., E876
Boyd, Allen, Fla., E870
Brown, Corrine, Fla., E877
Callahan, Sonny, Ala., E878
Calvert, Ken, Calif., E878
Capps, Lois, Calif., E879
Capuano, Michael E., Mass., E835
Chambliss, Saxby, Ga., E836
Clayton, Eva M., N.C., E874
Combest, Larry, Tex., E872
Conyers, John, Jr., Mich., E837
Costello, Jerry F., Ill., E861
Crowley, Joseph, N.Y., E859, E863
Davis, Thomas M., Va., E839
DeGette, Diana, Colo., E859
Doolittle, John T., Calif., E832
Engel, Eliot L., N.Y., E831, E832, E833, E835, E836, E857, E865
Eshoo, Anna G., Calif., E834, E868
Etheridge, Bob, N.C., E857
Evans, Lane, Ill., E867
Everett, Terry, Ala., E834
Farr, Sam, Calif., E876
Fowler, Tillie K., Fla., E831
Frost, Martin, Tex., E850, E854, E866, E878, E879
Gallegly, Elton, Calif., E833
Gejdenson, Sam, Conn., E838
Gephardt, Richard A., Mo., E861
Gillmor, Paul E., Ohio, E831, E832, E834, E835, E837, E839
Gilman, Benjamin A., N.Y., E837
Goodling, William F., Pa., E844, E845
Graham, Lindsey O., S.C., E847, E850
Granger, Kay, Tex., E856
Hayes, Robin, N.C., E834, E860, E864, E875
Hayworth, J.D., Ariz., E832
Hinojosa, Ruben, Tex., E859
Holt, Rush D., N.J., E846, E849, E855
Hooley, Darlene, Ore., E869
Horn, Stephen, Calif., E846, E876
Hoyer, Steny H., Md., E831
Inslee, Jay, Wash., E858
Jackson-Lee, Sheila, Tex., E881
Kelly, Sue W., N.Y., E861
Kennedy, Patrick J., R.I., E868
Kildee, Dale E., Mich., E833, E835, E882
Kucinich, Dennis J., Ohio, E859
Kuykendall, Steven T., Calif., E865, E878
LaFalce, John J., N.Y., E847, E852
Lampson, Nick, Tex., E857, E865
Lantos, Tom, Calif., E833, E850, E855, E863
Lee, Barbara, Calif., E873
McCarthy, Karen, Mo., E866
McHugh, John M., N.Y., E880
McInnis, Scott, Colo., E844
McKinney, Cynthia A., Ga., E871
Manzullo, Donald A., Ill., E869
Menendez, Robert, N.J., E851, E855
Miller, Gary G., Calif., E875
Miller, George, Calif., E843
Mink, Patsy T., Hawaii, E838, E846, E849
Moran, James P., Va., E875
Owens, Major R., N.Y., E868
Pallone, Frank, Jr., N.J., E862
Pelosi, Nancy, Calif., E838
Pickering, Charles W. ''Chip'', Miss., E856
Pitts, Joseph R., Pa., E879
Rogers, Harold, Ky., E873
Schaffer, Bob, Colo., E840
Schakowsky, Janice D., Ill., E839, E847, E851
Shadegg, John B., Ariz., E844
Shaw, E. Clay, Jr., Fla., E845, E847, E855
Skeen, Joe, N.M., E862
Slaughter, Louise McIntosh, N.Y., E871
Smith, Christopher H., N.J., E860
Stabenow, Debbie, Mich., E874
Stearns, Cliff, Fla., E836
Stenholm, Charles W., Tex., E858, E872
Stump, Bob, Ariz., E882
Stupak, Bart, Mich., E880
Tauscher, Ellen O., Calif., E877
Thompson, Mike, Calif., E845, E847, E866
Thurman, Karen L., Fla., E863
Towns, Edolphus, N.Y., E838, E857, E866
Udall, Tom, N.M., E862
Visclosky, Peter J., Ind., E865, E867
Waters, Maxine, Calif., E841
Weldon, Curt, Pa., E873
Whitfield, Ed, Ky., E877
Wilson, Heather, N.M., E839
Wise, Robert E., Jr., West Va., E877

Congressional Record The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed at one time. ¶Public access to the Congressional Record is available online through *GPO Access,* a service of the Government Printing Office, free of charge to the user. The online database is updated each day the Congressional Record is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available on the Wide Area Information Server (WAIS) through the Internet and via asynchronous dial-in. Internet users can access the database by using the World Wide Web; the Superintendent of Documents home page address is http://www.access.gpo.gov/su docs, by using local WAIS client software or by telnet to swais.access.gpo.gov, then login as guest (no password required). Dial-in users should use communications software and modem to call (202) 512–1661; type swais, then login as guest (no password required). For general information about *GPO Access,* contact the *GPO Access* User Support Team by sending Internet e-mail to gpoaccess@gpo.gov, or a fax to (202) 512–1262; or by calling Toll Free 1–888–293–6498 or (202) 512–1530 between 7 a.m. and 5:30 p.m. Eastern time, Monday through Friday, except for Federal holidays. ¶The Congressional Record paper and 24x microfiche will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, $179.00 for six months, $357.00 per year, or purchased for $3.00 per issue, payable in advance; microfiche edition, $141.00 per year, or purchased for $1.50 per issue payable in advance. The semimonthly Congressional Record Index may be purchased for the same per issue prices. Mail orders to: Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250–7954, or phone orders to (202) 512–1800, or fax to (202) 512–2250. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, or GPO Deposit Account. ¶Following each session of Congress, the daily Congressional Record is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the Congressional Record.