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No. 77

House of Representatives

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

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DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 19, 2000.

I hereby appoint the Honorable JUDY BIGGERT to act as Speaker pro tempore on this day.

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

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MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 19, 1999, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. COBLE) for 5 minutes.

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LOS ALAMOS SECURITY PROBLEM

Mr. COBLE. Madam Speaker, the Los Alamos security problem is not a trivial matter. An official familiar with the investigation was quoted last weekend as having said hopefully the drives never left the secured area; if we believe this version, we will then be convinced that Santa Claus is a viable being and, finally, to complete the hat trick, the Tooth Fairy will trot across the stage.

If, after this, we remain skeptical, we would be well advised, Madam Speaker,

to apply the admonishing lyrics of an old Lester Flatt and Earl Scruggs bluegrass tune entitled, "I am going to sleep with one eye open from now on."

Obviously, those charged with guarding the hen house at Los Alamos kept no eyes open, and the fox was free to roam at will. Corrective action must be forthcoming to resolve this inexcusable breach of security.

The potential detriment imposed upon our country may be irreparable. I sit as a Member of no House committee with direct jurisdiction over the Department of Energy; however, I have been more than a casual observer of the shoddy security measures at our Nation's nuclear lab.

I have previously crossed swords with the Department of Energy. Some recent years ago that Department was directed by a Secretary who enjoyed taking frequent trips, international and domestic, subsidized, of course, by taxpayers.

She insisted as well that she be surrounded by attendants who made up her road show entourage who traveled as well at taxpayers expense. I took her to task for this excessive travel, and several DOE employees and officials expressed thanks for my concern because their Department was being embarrassed.

Embarrassment is being felt yet again, but I distinguish the abusive travel practices with the present Los Alamos problem. The former involved a Secretary whose attitude was one of indifferent disregard to prudent management practices. The Los Alamos exposure involves national security.

Madam Speaker, even though there is no Cold War, many Americans, some who sat in this very Chamber, believe that since there is no Cold War, there is therefore no threat. There are, indeed, threats, Madam Speaker; and the Los Alamos problem could very well be nurturing a significant one. Let us clean up this mess before it is too late.

RECESS

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

Accordingly (at 12 o'clock and 35 minutes p.m.), the House stood in recess until 2 p.m.

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□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. BIGGERT) at 2 p.m.

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PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

In recent days, we have honored fatherhood in this Nation, O God. In celebrating Fathers' Day, we have asked You to bless all fathers.

With their spouses, may they earn the love and respect of their children and be true guides of moral living and witness noble patriotism to another generation.

With faith in You as the source of life and all true authority in Heaven and on Earth, we dare to call You: "Abba," "Father." Shower upon us all Your loving care and understanding forgiveness.

In a special way we pray for all the Members of this House who are fathers. Bind their families in love. Protect them wherever they may be. Grant that peace and prosperity in this Nation may provide security to all who seek to be fathers in the future. Born of fathers, we give You thanks and praise for the life we have received by these men. All of us are Your children now and forever. Amen.

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THE JOURNAL

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

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

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



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

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PLEDGE OF ALLEGIANCE

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

Mr. BROWN of Ohio 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.

□

WASTE, FRAUD AND ABUSE AT DEPARTMENT OF EDUCATION

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

Mr. PITTS. Madam Speaker, in poll after poll, the American people have made it clear that the number one issue on their minds is education.

Americans want to make sure their children are well prepared for tomorrow. Americans want to know that their education tax dollars are being spent on their children, not on bureaucracies or needless studies.

Why is it, then, that this administration's Education Department got a D-minus from Ernst and Young, a private auditing firm? If a private company had gotten that rating, the Securities and Exchange Commission would suspend their stock from trading.

Why is it that the Department of Education's own employees are bilking the Department and sticking the taxpayers with the tab?

Madam Speaker, we need to reform the Federal education bureaucracy. We need to make sure our tax dollars are being spent in classrooms, not in Washington. We need to prepare our children to be tomorrow's leaders.

We need to pass the Republican Dollars to the Classroom Act.

□

READ FINE PRINT ON GOP MEDICARE PRESCRIPTION DRUG PLAN

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

Mr. BROWN of Ohio. Madam Speaker, in a "Dear Colleague" he circulated today, the gentleman from California (Mr. THOMAS) shared some exciting news about the GOP Medicare prescription drug plan. If only it were true.

He asserts that the Republican plan, which relies on private insurers to offer individual prescription drug coverage, would cut prices twice as much as the Democrat's Medicare-based plan. That is a strong selling point. It is also complete rubbish.

The Congressional Budget Office says the GOP drug plan may cut costs by 25 percent, not through lower prices, but by restricting access to medically necessary drugs.

It is an important distinction. I will say it again. The Republican plan saves

money, not by miraculously convincing the drug makers to lower their prices, but by limiting access to medically necessary prescription drugs.

It cuts costs by decreasing the value of the drug benefit. The insurers win, the government wins, senior citizens lose.

The Republican plan gives insurance companies carte blanche to do what they are doing today; that is, put price tags on treatment decisions and then deny coverage for medically necessary treatments. Sound familiar?

The President's plan is explicit in requiring coverage for any medically necessary drug prescribed by a doctor, which makes sense since it is the doctor, not the insurer, who is actually treating the patient.

I ask my colleagues to read the fine print of the Thomas proposal.

□

SECURITY FAILURE AT LOS ALAMOS

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

Mr. GIBBONS. Madam Speaker, once again, our national security has been endangered by the incompetence of the Department of Energy. It seems that the DOE cannot keep track of our Nation's most sensitive and top-secret information.

After nuclear weapons information was stolen last year from the Los Alamos lab, the American people were promised, they were promised that the lab security would be enhanced and such a security breach would never again occur.

Well that was 1999, Madam Speaker. So much for the Clinton-Gore administration promises.

It seems that the enhanced security did not take into consideration the human element. The human element is not one's pet dog.

Perhaps the DOE thought that the potential threat aliens from Mars posed to our national security needed to be addressed before ensuring that our top-secret information was secure from real-life human beings.

It is time that this administration wake up and make our national security a top priority.

I yield back the administration's so-called security policies which fail to protect our Nation's secrets.

□

TIME TO PASS SIMPLE 15 PERCENT FLAT TAX; ABOLISH IRS

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

Mr. TRAFICANT. Madam Speaker, the Lord's prayer is 66 words; the 10 Commandments, 179 words; the Gettysburg Address, 286 words; the Declaration of Independence, 1,322 words; the United States Tax Code, 2 million 8 hundred thousand plus words. It is out of control.

In America, if a dog urinates in a parking lot, the EPA deems it a wetland. What is even worse, the IRS slaps on a hazardous waste tax. Beam me up here.

It is time to pass the simple flat 15 percent national sales tax and abolish the IRS.

I yield back all elements of the "Internal Rectal Service".

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FLOYD D. SPENCE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

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

Mr. SKELTON. Madam Speaker, each year, the legislative process consistently yields a particularly important authorization bill, and each and every year that authorization bill is signed into law by the President. I am speaking of the annual Defense authorization bill.

A month ago on May 18, the Floyd D. Spence National Defense Authorization Act for fiscal year 2001, aptly named for our distinguished chairman in his last year at the helm of the committee, passed the House by a strong bipartisan margin of 353 to 63.

The \$310 billion that this bill would authorize in the coming fiscal year represents the blueprint for defense policy and spending priorities as it does every year. Not only does it set the troop strength levels and extend expiring authorities, it goes to the heart of what our troops need to do the job. This bill will directly improve their quality of life, their readiness to fight, and the pace of the modernization of their equipment.

I am especially pleased that this bill contains several important new initiatives, including a comprehensive package of military health care reforms that would significantly improve access to quality health care for all military beneficiaries, particularly for over-65 military retirees.

But, Mr. Speaker, I am sorry to note that progress on the Defense Authorization bill, after passage in the House, has come to a sudden standstill in the other body. As I look about the legislative landscape, I see no other issue that I believe should take precedence over the authorization of the funds that our troops need. I hope that this situation can be dealt with quickly, and that we can get about the business of going to conference on a Senate bill and a House bill in the very near future.

The Congress needs this bill. The troops need this bill. The country needs this bill.

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APOLOGY FOR SLAVERY

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

Mr. HALL of Ohio. Madam Speaker, today, on a date African Americans celebrate as their second Independence Day, I am introducing a resolution.

This bill would put Congress on record as apologizing for all of our country and this institution and what they did to promote and sustain slavery and its terrible legacy.

This building we work in and revere as one of the world's monuments to freedom and democracy, it is a place where much good has been done, but it is also one of the sites of one of the history's great wrongs, and that is slavery.

Mr. Speaker, this building we revere was partly built by slaves, people who suffered terrible wrongs, people I believe our Nation owes an apology.

I was surprised to learn that, despite the Civil War and despite the landmark civil rights legislation, despite all that has happened in the 135 years since the last slaves learned they were free, our Nation has never apologized for the savage institution of slavery.

I urge all of our colleagues to look in their hearts and support this bill.

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COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, June 16, 2000.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Wash-
ington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 16, 2000 at 9:12 a.m.

That the Senate passed without amendment H.J. Res. 101.

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
Clerk of the House.

□

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, June 16, 2000.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Wash-
ington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 16, 2000 at 1:45 p.m.

That the Senate agreed to Conference Report S. 761.

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
Clerk of the House.

APOLOGY FOR UNWARRANTED TERM USED IN COMMITTEE HEARING LAST THURSDAY CON- CERNING MERGER OF UNITED AND US AIRWAYS

(Mr. OBERSTAR asked and was given permission to address the House for 5 minutes and to revise and extend his remarks.)

Mr. OBERSTAR. Madam Speaker, last Thursday, the Committee on Transportation and Infrastructure held a hearing on the proposed merger of United Airlines and US Airways. In the course of that hearing, I used an inappropriate and unwarranted term to describe the status of the spin-off carrier DC Air that would be created if the merger were to be approved.

Mr. Robert Johnson, CEO of Black Entertainment Television and proposed owner of DC Air, took justifiable exception of that characterization of the proposed new carrier. In a letter to me late Friday, Mr. Johnson said he is personally hurt and offended and called upon me to change my attitude.

I take the well today to apologize to Mr. Johnson and to the Committee on Transportation and Infrastructure for my careless, inappropriate, and offensive remark.

Madam Speaker, in my years of Congress, I have staunchly maintained an attitude of support for civil rights in the United States and human rights abroad. I will not detail that history today except to say that, in the most recent civil rights issue before my committee, TEA 21, I championed the inclusion of language to give a fair share of Federal transportation accounts to disadvantaged businesses. Before coming to Washington, I spent 3½ years working in Haiti. During my time of Congress, I worked to bring economic and political stability to that first black republic in the world.

I cannot let that record of 40 years be tarnished by one ill-chosen, inappropriate, offensive word.

In the spirit of Psalm 51, verse 19, "My sacrifice, O God, is a contrite heart. A heart contrite and humbled, O God, you will not spurn."

Madam Speaker, it is further my responsibility and that of my colleagues in Congress to stay focused on the main issue here, the effects of this proposed merger of United Airlines and US Airways on air service in Washington and throughout the country.

I have reviewed DC Air's business plan and am concerned it would be tied too closely to the newly merged United and not be an effective competitor. The concern is not based on Mr. Johnson's ownership of the airline, for I have great respect and appreciation for Mr. Johnson's abilities as a businessman and his success as an entrepreneur, but on the new carrier's dependence on its much larger partner. If the Justice Department sees fit to approve this deal, I would hope that it would require the merging airlines to divest additional assets to DC Air to make the start-up carrier a stronger, more viable competitor.

I am opposed to the United-US Airways merger on its merits. I believe it will diminish competition, spur additional consolidation in the airline industry, and result in fewer choices and poorer service to the flying public. It is a bad deal for aviation and for the consumer.

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ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

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ABRAHAM LINCOLN INTERPRETATIVE CENTER

Mr. SOUDER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3084) to authorize the Secretary of the Interior to contribute funds for the establishment of an interpretative center on the life and contributions of President Abraham Lincoln, as amended.

The Clerk read as follows:

H.R. 3084

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

SECTION 1. CONTRIBUTIONS TOWARD ESTABLISHMENT OF ABRAHAM LINCOLN INTERPRETIVE CENTER.

(a) GRANTS AUTHORIZED.—Subject to subsections (b) and (c), the Secretary of the Interior shall make grants to contribute funds for the establishment in Springfield, Illinois, of an interpretive center to preserve and make available to the public materials related to the life of President Abraham Lincoln and to provide interpretive and educational services which communicate the meaning of the life of Abraham Lincoln.

(b) PLAN AND DESIGN.—

(1) SUBMISSION.—Not later than 18 months after the date of enactment of this Act, the entity selected by the Secretary of the Interior to receive grants under subsection (a) shall submit to the Secretary a plan and design for the interpretive center, including a description of the following:

(A) The design of the facility and site.

(B) The method of acquisition.

(C) The estimated cost of acquisition, construction, operation, and maintenance.

(D) The manner and extent to which non-Federal entities will participate in the acquisition, construction, operation, and maintenance of the center.

(2) CONSULTATION AND COOPERATION.—The plan and design for the interpretive center shall be prepared in consultation with the Secretary of the Interior and the Governor of Illinois and in cooperation with such other public, municipal, and private entities as the Secretary considers appropriate.

(c) CONDITIONS ON GRANT.—

(1) MATCHING REQUIREMENT.—A grant under subsection (a) may not be made until such time as the entity selected to receive the grant certifies to the Secretary of the Interior that funds

have been contributed by the State of Illinois or raised from non-Federal sources for use to establish the interpretive center in an amount equal to at least double the amount of that grant.

(2) RELATION TO OTHER LINCOLN-RELATED SITES AND MUSEUMS.—The Secretary of the Interior shall further condition the grant under subsection (a) on the agreement of the grant recipient to operate the resulting interpretive center in cooperation with other Federal and non-Federal historic sites, parks, and museums that represent significant locations or events in the life of Abraham Lincoln. Cooperative efforts to promote and interpret the life of Abraham Lincoln may include the use of cooperative agreements, cross references, cross promotion, and shared exhibits.

(d) PROHIBITION ON CONTRIBUTION OF OPERATING FUNDS.—Grant amounts may not be used for the maintenance or operation of the interpretive center.

(e) NON-FEDERAL OPERATION.—The Secretary of Interior shall have no involvement in the actual operation of the interpretive center, except at the request of the non-Federal entity responsible for the operation of the center.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of the Interior a total of \$50,000,000 to make grants under subsection (a). Amounts so appropriated shall remain available for expenditure through fiscal year 2006.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. SOUDER) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana (Mr. SOUDER).

GENERAL LEAVE

Mr. SOUDER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3084.

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

There was no objection.

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

Madam Speaker, I rise in support of H.R. 3084, as amended, introduced by the gentleman from Illinois (Mr. SHIMKUS). This bill authorizes the Secretary of Interior to contribute up to \$50 million in matching funds for the construction of an Abraham Lincoln Interpretative Center. H.R. 3084 assures that every dollar of Federal contribution must be matched by at least \$2 from the non-Federal side.

The center would consist of a museum and an archive library which would house the world's largest collection of Lincoln material. H.R. 3084 allows 18 months from the time of enactment for the entity selected by the Secretary of Interior to submit the design, method of acquisition, and estimated cost of the center.

□ 1415

The selected entity is also responsible for describing the manner and role that non-Federal entities will participate for this center.

Madam Speaker, I urge all my colleagues to support H.R. 3084, as amended.

Madam Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Madam Speaker, I yield myself such time as I may consume.

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

Mrs. CHRISTENSEN. Madam Speaker, H.R. 3084 authorizes the Secretary of the Interior to make available \$50 million in grants as a contribution of funds for the establishment of an interpretive center on the life and contributions of President Abraham Lincoln.

The center is to be operated by a non-Federal entity, which would have to submit to the Secretary a plan and design for the interpretive center within 18 months of enactment. The legislation specifies that Federal funds would have to be matched on the basis of at least double the amount of any grant made by the Secretary. The bill also specifies that no grant funds may be used for maintenance or operation of the interpretive center, and that the Secretary would have no involvement in the operation of the center except at the request of the non-Federal entity.

We are all aware of the important role President Lincoln has had in American history. That role has been honored in five national park system units alone. H.R. 3084 would expand on that recognition by making funds available for a new interpretive center to be built by State and local entities in Springfield, Illinois.

There appears to be significant interest in such an interpretive center, and we have no objection to the legislation.

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

Mr. SOUDER. Madam Speaker, I yield 6 minutes to the gentleman from Illinois (Mr. SHIMKUS), who has been a tireless leader in this effort; along with the gentleman from Illinois (Mr. LAHOOD); our speaker in the chair today, the gentlewoman from Illinois (Mrs. BIGGERT); and the Speaker of the House, the gentleman from Illinois (Mr. HASTERT). And many of us from Kentucky are also happy to support the efforts of those from Illinois, but I thank this gentleman for his leadership.

Mr. SHIMKUS. Madam Speaker, I thank my colleague, the gentleman from Indiana (Mr. SOUDER), for yielding me this time, and I too am excited about this opportunity.

Madam Speaker, I rise today in support of H.R. 3084, legislation that would authorize the establishment of an interpretive center on the life and contributions of President Abraham Lincoln. This is a project I have been working on, with my colleagues from Illinois, for the last 2 years. And I want to particularly also thank all my colleagues on the committee, along with my colleague who shares the City of Springfield, the gentleman from Illinois (Mr. LAHOOD); and the Speaker of the House, the gentleman from Illinois (Mr. HASTERT), who have been very helpful in pushing this forward.

As my colleagues know, the entire Illinois delegation is also as supportive of H.R. 3084. In the House, my legislation has all 19 Members of the Illinois delegation as cosponsors. The companion legislation in the Senate has the solid support of both our Senators, Senator DICK DURBIN and Senator PETER FITZGERALD. Back home in Springfield, this legislation has the full support of both the City of Springfield, in which this project will be located, and that of the governor of the State of Illinois, George Ryan.

In fact, the State of Illinois has already appropriated \$10 million and in the very near future will appropriate an additional \$40 million for the project. In addition, the City of Springfield has committed \$10 million for this project through local tax incentives.

With an eye towards fiscal integrity, we have placed a matching requirement in this legislation, which ensures that the Federal Government is only responsible for funding one-third of the entire project's cost. The remaining two-thirds is required to come from State, local, and private organizations.

We have also clearly stated in the legislation that Federal funds may not be used to operate this facility. We view this project as a one-time expenditure to the Federal Government, not a long-term funding initiative that needs continual funding year after year. Mr. Speaker, the bill authorizes \$50 million for the project and makes these funds available for expenditure through 2006.

Abraham Lincoln's name is familiar to people all over the world. More than 100 nations have honored him through the issuance of stamps, bringing his name to millions of people and keeping his memory and message alive.

It is very common for many of us, especially in the State of Illinois and the surrounding States, to attend annual Lincoln Day dinners, whether they are dinners or lunches. In fact, I counted 15 that I had celebrating the birth of Abraham Lincoln from January through April. And many times, when we get a chance to reminisce on President Abraham Lincoln, we almost raise him up to a deity status, and we do that in an attempt not to forget history. It is very important to remember history.

I did that in my last year's worth of speeches, talking about Abraham Lincoln and how he secured America's future by preserving the union and by freeing the slaves. But I want to focus on a column written by Clarence Page from the Chicago Tribune, and I will be submitting this for the RECORD.

In his column Mr. Page mentions that there are still naysayers. Lerone Bennett, Jr., is one, in his book "Forced Into Glory: Abraham Lincoln's White Dream." At the end of the column, however, Clarence Page writes, "Like Thomas Jefferson and other heroic figures in American history, Lincoln set a higher standard for human brotherhood and sisterhood than even he was able to meet. Still, we can admire Lincoln, as I still do, inasmuch as

he set that high standard during his better moments and acted on it. Lincoln is important, not only to Americans, but around the world, as a symbol of how an ordinary man from very humble beginnings can rise to high office and lead his country through its worst crisis and all-out war against itself. If he was 'forced into glory' against his will or not, he has worn the glory remarkably well."

Mr. Page's column really emphasizes why we need the Lincoln Library. We need it to remember the past. And we need to remember that Abraham Lincoln was not a God, but he was an average person called upon at a very historical time in our history. We need to focus on the fact that with all his foibles, he rose to the challenge.

And not only in remembering Abraham Lincoln, but we need the Library to bring our documents together so that future scholars and, more importantly, the children, who are trying to get a grasp of this history, the Abraham Lincolns of the future, the Thomas Jeffersons of the future, the Douglas MacArthurs of the future, that they can see how America becomes great. America becomes great because the average men and women of this Nation, the average Joes on the battlefield who win the wars, those who wax philosophically and win the debates on the floor, who pass monumental legislation, that all these people come from the homes of the average citizens of this country. We need to continue to inspire our children so that they too can rise up and be the great leaders of this Nation.

Madam Speaker, I applaud the chairman of the committee, the gentleman from Alaska (Mr. YOUNG), for allowing this legislation to move forward. I think it is in the best interest of our Nation and our children.

Madam Speaker, I submit the article referred to above hereafter:

[From the Chicago Tribune, May 31, 2000]

WAS HE OR WASN'T HE?—DEFLATING LINCOLN TO A HUMAN SCALE

WASHINGTON.—Abraham Lincoln was the humbly born, self-educated "Honest Abe," the Great Emancipator who freed the slaves in America.

Abraham Lincoln was a white supremacist, who said whatever the crowd wanted to hear, freed hardly any slaves, used the "N-word" frequently and, if he had his druthers, would have sent all blacks back to Africa.

Pick the history you prefer. Lerone Bennett Jr., prefers the second interpretation of Lincoln and elaborates on it in a 652-page assault, "Forced Into Glory: Abraham Lincoln's White Dream."

With the Confederate battle flag re-emerging these days as a lightning rod of controversy across the South (Is it a symbol of racism or a benign tribute to southern heritage?), Bennett, author, editor and acclaimed historian at Ebony magazine, could hardly have picked a better time to question another enduring symbol of the Civil War, Lincoln.

Bennett is not quite successful in his effort to convince us that Lincoln was an unrepentant white supremacist or that the Emancipation Proclamation was a "ploy" designed to perpetuate slavery rather than extinguish it.

But Bennett effectively instructs a broader audience in what Lincoln scholars have known all along, that Lincoln did not really free the slaves as commonly believed. He also was a more complicated man than the catchy slogans like Honest Abe and the Great Emancipator adequately describe.

The Emancipation Proclamation, Bennett pints out, did not free any slaves because it applied only to areas outside Union control. As an Illinois legislator and congressman before the Civil War, legislator and congressman before the Civil War, Lincoln actually opposed abolitionists. He supported the Fugitive Slave Act and supported Illinois' laws barring blacks from voting, serving on juries, holding office and intermarrying with whites.

Lincoln refused to free and arm slaves. He delivered anti-slavery speeches in northern Illinois and pro-slavery speeches in southern Illinois. Those who knew him well said he enjoyed minstrel shows, used the N-word in private conversations and sometimes in speeches.

Bennett's been here before. His 1968 Ebony article "Was Abe Lincoln a white supremacist?" sent ripples across the academic and cultural world of that politically volatile era. Much of this has been written about by other scholars. Bennett is not an academic historian. Yet his article, like his classic work "Before the Mayflower," brought scholarly research to a broad audience and changed the national conversation about the early history of African-Americans, even among scholars.

As a descendant of African-American slaves, I appreciate Bennett's critique, for the insights it offers—not just on Lincoln but on those of us who admire and respect the impact he had on my family and millions of others of all races.

Since I don't know what was in Lincoln's heart, I have to judge him by his actions. Whether he intended to free the slaves or not, his actions served to have that effect over time.

He may not have been the Great Emancipator but he helped to emancipate.

Yes, as Bennett describes, Lincoln did allow the four slave states that remained in the Union to dictate his policy toward slavery. But, can anyone familiar with geography blame Lincoln for wanting to avoid secession by Maryland and Delaware? It would have left the District of Columbia surrounded by hostile states, which would not have been a happy situation.

The Emancipation Proclamation did not free many slaves, but it gave the Civil War a moral purpose that fended off potential foreign allies to the South and set a new course for American history.

Lincoln may have supported "colonization" of black slaves to Africa, but he was hardly alone, either among white or black leaders of the time. Yet, the proclamation repudiated colonization, in so many words and enabled the first large-scale enlistment of black soldiers in the Union army.

Once he issued the proclamation, Lincoln no longer could waffle on the slavery issue. His role as "emancipator" was assured and he did nothing to discourage it.

Lincoln held off radical Republicans who wanted him to further, but he also fended off reactionaries who wanted him to move backward, to modify his proclamation or abandon it altogether.

If Bennett overdoes his assault on Lincoln, it hardly matches the overzealous ways in which ol' Abe has been almost canonized over the years.

Like Thomas Jefferson and other heroic figures of American history, Lincoln set a higher standard for human brotherhood and sisterhood than even he was able to meet.

Still, we can admire Lincoln, as I still do, inasmuch as he set that high standard during his better moments and acted on it.

Lincoln is important, not only to Americans but around the world, as a symbol of how an ordinary man from very humble beginnings can rise to high office and lead his country through its worst crisis, an all-out war against itself.

If he was "forced into glory" against his will or not, he has worn the glory remarkably well.

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

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

I said earlier that I was very excited to see this bill move forward, but there were a number of questions that I had as we first brought this up in the Subcommittee on National Parks and Public Lands and the Committee on Resources, which I believe have been very adequately addressed.

Any American who follows Abraham Lincoln realizes that he is a legend not only to Illinois but to many other States, and he has historic sites around the country. I do not think there is a young boy in America or a young girl in America who has not heard the story of Abraham Lincoln reading by the firelight and being told by our parents that we should be very appreciative of our life-styles, and how hard he worked, and worked all day, and then read by the light of his fire. Presumably he had very thick glasses, if they had been there at the time, because he was so committed to that. It inspired many young people, including myself. I have been a Lincoln fan most of my life, have 15 to 20 books of Lincoln that I have read; and I think many Americans have taken that inspiration.

When we walk through our capitol building or around the Nation's capitol, we see many Lincoln sites. The Gettysburg address is arguably, along with the Declaration of Independence, is the most known and most moving document. This book by Gary Wills is a tremendous book, talking about, for example, the fact that it is amazing that an address this important, referring to the Gettysburg address, and one that most of us know and is so concise, at the same time the Gettysburg address does not mention Gettysburg, it does not mention slavery, it does not mention the union, and it does not mention the South. Yet he managed to communicate his points in a moving way that still moves Americans today.

He was a tremendous writer, in addition to being a person who could unify and keep our country together. This capitol building would be rent apart if we had not had a mild mannered man from the Midwest who listened to the people, and spent much of his life listening, to try to somehow keep a very divided North together, let alone manage his way through the Civil War.

I say all that because this site could have been in Kentucky, a national

presidential library. That is where he was born. It could have been in Indiana. We have a national Lincoln boyhood site in southern Indiana. We in Indiana like to say that Indiana made Lincoln and Lincoln made Illinois. It also could be at Gettysburg, where he delivered this address and where we have just taken sites into Federal possession, in the Wills House, the cemetery where he gave the address. We have Ford Theater as a national site.

But the fact is the first question is why Springfield. There are many more Lincoln sites in Springfield than anywhere else in the country, and I want to make sure the RECORD notes these. They have the Lincoln Home National Historic Site, where he and Mary Todd Lincoln lived. The Lincoln-Herndon Law Offices. They have the Lincoln tomb. The Lincoln Depot, where he left Springfield for Washington, D.C., which is still preserved. They have the Lincoln log cabin, where his father and stepmother lived. They have the Lincoln ledger, his financial records. The old State capitol where he served as a State legislator and delivered his famous house divided speech. They also have outside of Springfield and New Salem a recreation of a village of his time period.

There is no question that Springfield has more historic sites related to Lincoln than anywhere else in the country. They also, through the Henry Horner Collection that was given to the Illinois State Historical Society, have 1,500 documents that were either handwritten by Lincoln or were signed by Lincoln, in addition to all sorts of broadsides, prints and photographs, including the earliest known photo of Lincoln, taken in 1846, and the only known photo lying in state.

So, clearly, they have more documents, more photos, more actual buildings related to Lincoln than anywhere else in the country. They have Edward Everett's copy of his manuscript, handwritten out for him. They have the handwritten speech of the second inaugural address with the famous "with malice toward none, with charity for all."

I think there is a compelling case that, a, we need a national Lincoln museum and library, and that Springfield should be the center. One amendment that we had in committee, and I think is important as we work with the National Park Service on things like the Lewis and Clark trip to the West where we have many historic sites and where we have other underground railroad sites; as we work together it is important that a national museum, while it will focus on his Illinois years, because that is where most of the documents are, that it will also interrelate with the other Lincoln sites around the country. So as we see this boom in heritage tourism, as many young Americans and adult Americans try to learn more about their history, that they can go to one site and at that site be referred to other sites around the country that also bring out that heritage.

□ 1430

I am excited about the efforts of the gentleman from Illinois (Mr. SHIMKUS). I hope this also will continue to be funded through the appropriations process, and I am glad that we can move this bill forth.

Mr. LAHOOD. Mr. Speaker, and the members of the House of Representatives, I want to thank you for giving me the opportunity to submit my testimony on an issue that is very important to me, and to the 18th District of Illinois—authorization of the Abraham Lincoln Presidential Library.

A panel of world-famous historians recently voted Abraham Lincoln as the greatest American President. This comes as no surprise to those of us from the Land of Lincoln. For decades, people from all over the world have come to Illinois to learn about our 16th President, and to be inspired by his life and words. Lincoln's story is the quintessential American success story. In Lincoln, we have a man born into the most humble of circumstances overcoming hardship and repeated failures, through his own hard work and dedication, to emerge as one of the three most written about individuals in human history.

But even though Lincoln is considered by the world to be one of the nation's greatest leaders, there is no single location where the Lincoln story can be told. There are sites that interpret his pioneer days, has legal and political careers, his home life, and even his death. But there is not a facility dedicated to interpreting Abraham Lincoln's legacy and relevance to contemporary generations.

Arthur Schlesinger, Jr., one of the nation's most respected historians, recently termed it a "tragedy" that Abraham Lincoln does not have a Presidential Library.

The State of Illinois has the world's largest Lincoln collection—some 46,000 items so rare and valuable that the collection exceeds the combined Lincoln holdings of the National Park Service, the National Archives, and the Smithsonian Institution. Some of our nation's most significant artifacts are a part of that collection: five copies of The Gettysburg Address, which sets the stage for our nation's history after Civil War; the only signed copy of The Emancipation Proclamation, which echoed Lincoln's strong feelings against human bondage; and the only copy of Lincoln's Second Inaugural Address, which, while advocating malice toward none and charity for all, predicted benevolent policies for post war recovery. The Illinois collection also includes such diverse artifacts as Tad Lincoln's toy cannon, Mary Lincoln's wedding skirt, and the nameplate from the front door of Lincoln's Springfield house—treasures that belong to all Americans.

But, few of you have ever seen these items, and there is a reason for that. The State of Illinois has no adequate facilities to appropriately display and interpret these items. They are kept locked in a vault beneath the old State Capitol in downtown Springfield, to be brought out only for important research or the occasional exhibit at another location.

Abraham Lincoln's example of sacrifice for his ideals should not be kept locked behind a vault door. Lincoln's message of freedom and democracy should not be kept in obscurity in the basement of a building. The life of America's greatest President should not be hidden away from all but a select few.

The proposed Abraham Lincoln Presidential Library will be a beacon of freedom for the en-

tire world. Anyone enjoying the benefits of democracy, and those who yearn to enjoy those benefits, will want to come to this new facility. The world looks to Abraham Lincoln as the highest example of freedom in a nation founded on that concept, and the Abraham Lincoln Presidential Library will give the world a place to learn about, and be inspired by, that example.

Abraham Lincoln's message is especially relevant today, as the world's changing political situation has people searching for a champion of freedom and equality. We have that champion. He is an American who kept the United States united and demonstrated to the world that democratic ideals were not a mere abstraction, but a living reality. He is a human being who brought dignity to all human beings.

He is a martyr who died for his beliefs. He makes us proud to be Americans. Now, it's time to return the favor.

Abraham Lincoln's legacy belongs to all generations. His appeal transcends age, race, gender, class and partisan boundaries. He is one of our greatest Presidents and deserves this long overdue facility in his honor. It will be located in Springfield, Illinois, but it will be open to the world. Let's keep Lincoln's torch of freedom burning for all people. Let's help fund the Abraham Lincoln Presidential Library.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Indiana (Mr. SOUDER) that the House suspend the rules and pass the bill, H.R. 3084, as amended.

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

A motion to reconsider was laid on the table.

□

TAUNTON RIVER WILD AND SCENIC RIVER STUDY ACT OF 2000

Mr. SOUDER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2778) to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2778

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 "Taunton River Wild and Scenic River Study Act of 2000".

SEC. 2. FINDINGS.

Congress finds that—

(1) *the Taunton River in the State of Massachusetts possesses important resource values (including wildlife, ecological, and scenic values), historic sites, and a cultural past important to the heritage of the United States;*

(2) *there is strong support among State and local officials, area residents, and river users for a cooperative wild and scenic river study of the area; and*

(3) *there is a longstanding interest among State and local officials, area residents, and river users in undertaking a concerted cooperative effort to manage the river in a productive and meaningful way.*

SEC. 3. DESIGNATION FOR STUDY.

Section 5(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(a)) is amended—

(1) by designating the undesignated paragraph following (135) as paragraph (136); and

(2) by adding at the end the following:
“(137) TAUNTON RIVER, MASSACHUSETTS.—The segment downstream from the headwaters, from the confluence of the Town River and the Matfield River in Bridgewater to the confluence with the Forge River in Raynham, Massachusetts.”.

SEC. 4. STUDY AND REPORT.

Section 5(b) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(b)) is amended—

(1) by redesignating the second paragraph (8) as paragraph (10);

(2) by redesignating the second paragraph (11) as paragraph (12);

(3) by redesignating the third paragraph (11) as paragraph (13);

(4) by redesignating the fourth paragraph (11) as paragraph (14);

(5) by redesignating the first undesignated paragraph as paragraph (15);

(6) by redesignating the second undesignated paragraph as paragraph (16);

(7) in paragraph (16), as so redesignated by paragraph (6) of this subsection, by striking “paragraph ()” and inserting “paragraph (136)”; and

(8) by adding at the end the following:
“(17) TAUNTON RIVER, MASSACHUSETTS.—Not later than 3 years after the date of enactment of this paragraph, the Secretary of the Interior—

“(A) shall complete the study of the Taunton River, Massachusetts; and

“(B) shall submit to Congress a report describing the results of the study.”.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

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

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. SOUDER) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana (Mr. SOUDER).

GENERAL LEAVE

Mr. SOUDER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 2778.

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

There was no objection.

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

Madam Speaker, I rise in support of H.R. 2778, as amended, and introduced by the gentleman from Massachusetts (Mr. MOAKLEY). This bill authorizes a study of the Taunton River for inclusion into the National Wild and Scenic Rivers System.

The Taunton River contains a variety of natural and cultural resources important to America's heritage. H.R. 2778 will assess these resources and determine whether the river meets the requirements for inclusion into the Wild and Scenic Rivers Act. The study authorized by H.R. 2778 has strong public support from State and local officials, residents, and river users.

I urge my colleagues to support H.R. 2778, as amended.

Madam Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Madam Speaker, I yield myself such time as I may consume.

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

Mrs. CHRISTENSEN. Madam Speaker, H.R. 2778, introduced by our colleague, the gentleman from Massachusetts (Mr. MOAKLEY), amends the Wild and Scenic Rivers Act to provide for a study of the Taunton River in the Commonwealth of Massachusetts for potential addition to the National Wild and Scenic Rivers System.

The Taunton River is located in southeastern Massachusetts, about 30 miles from Boston. The Taunton and its tributaries form the second largest watershed in the Commonwealth. Much of the river corridor is forested or in agricultural use.

H.R. 2778 is a noncontroversial bill. The administration has testified in support of the study. Further, it is our understanding that there is strong local support for this initiative.

During consideration of the bill by the Committee on Resources, an amendment was adopted that made a number of technical corrections to the bill and the underlying Wild and Scenic Rivers Act. These changes improve the legislation, and we support the bill as amended.

Madam Speaker, I also have a statement from the gentleman from Massachusetts (Mr. MOAKLEY), the sponsor of H.R. 2778, who is unavoidably unable to be here during the consideration of this bill; and I include his statement for the CONGRESSIONAL RECORD during consideration of this bill.

Mr. MOAKLEY. Madam Speaker, I would like to thank my colleagues, Representative GEORGE MILLER, Representative DON YOUNG, Representative CARLOS ROMERO-BARCELO, and Representative JAMES HANSEN for bringing this important bill to the floor.

H.R. 2778 would direct the National Park Service to study the Taunton River in Massachusetts to determine if it should be added to the Wild and Scenic Rivers System. The 70-mile river is threatened by an alarming rate of residential and commercial development. If the river meets the necessary federal requirements and is added to the system, then its flow could not be hindered or diverted and local regional planners would be able to receive federal assistance to help manage the river.

The Taunton River is of tremendous historical and ecological value to the Commonwealth of Massachusetts and also the nation. In the early 1600's, the Taunton River was the first river the Pilgrims encountered as they moved inland, and they used the river as a meeting spot with the Native Americans. Chief Massasoit of the Wompanoag tribe befriended the Pilgrims, who were ill-prepared for New England's harsh winters. Without the help of the Native Americans, the early settlers would have perished. As a result of the goodwill of the local Native Americans, the Pilgrims dedicated a day in celebration of the harvest and their good fortune. This day is celebrated

throughout the country today and is better known as our national holiday of Thanksgiving.

From an ecological standpoint, the Taunton River is a tremendous resource because of its improved water quality and the various species of marine life that thrive there. There have been numerous sightings of the American Bald Eagle. The improved water quality of the river has resulted in the river becoming a tremendous recreational resource for thousands of Southeastern Massachusetts residents. The river is part of a river water trail called the Wampanoag Commemorative canoe passage. The course, which was the main travel route for the Wampanoag Native Americans, is now used by scouting groups, conservation leaders, and recreational enthusiasts.

The river is of tremendous historical and scenic value to the Commonwealth of Massachusetts. I strongly support H.R. 2778 and thank my colleagues for bringing the measure to the House floor.

Mrs. CHRISTENSEN. Madam Speaker, I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. SOUDER) that the House suspend the rules and pass the bill, H.R. 2778, as amended.

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

A motion to reconsider was laid on the table.

□

CAT ISLAND NATIONAL WILDLIFE REFUGE ESTABLISHMENT ACT

Mr. SAXTON. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3292) to provide for the establishment of the Cat Island National Wildlife Refuge in West Feliciana Parish, Louisiana, as amended.

The Clerk read as follows:

H.R. 3292

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 “Cat Island National Wildlife Refuge Establishment Act”.

SEC. 2. FINDINGS.

The Congress finds that—

(1) as the southernmost unleveed portion of the Mississippi River, Cat Island, Louisiana, is one of the last remaining tracts in the lower Mississippi Valley that is still influenced by the natural dynamics of the river;

(2) Cat Island supports one of the highest densities of virgin bald cypress trees in the entire Mississippi River Valley, including the Nation's champion cypress tree which is 17 feet wide and has a circumference of 53 feet;

(3) Cat Island is important habitat for several declining species of forest songbirds and supports thousands of wintering waterfowl;

(4) Cat Island supports high populations of deer, turkey, and furbearers, such as mink and bobcats;

(5) conservation and enhancement of this area through inclusion in the National Wildlife Refuge System would help meet the

habitat conservation goals of the North American Waterfowl Management Plan;

(6) these forested wetlands represent one of the most valuable and productive wildlife habitat types in the United States, and have extremely high recreational value for hunters, anglers, birdwatchers, nature photographers, and others; and

(7) the Cat Island area is deserving of inclusion in the National Wildlife Refuge System.

SEC. 3. DEFINITIONS:

For purposes of this Act—

(1) the term "Refuge" means the Cat Island National Wildlife Refuge; and

(2) the term "Secretary" means the Secretary of the Interior.

SEC. 4. PURPOSES.

The purposes for which the Refuge is established and shall be managed are—

(1) to conserve, restore, and manage habitats as necessary to contribute to the migratory bird population goals and habitat objective as established through the Lower Mississippi Valley Joint Venture;

(2) to conserve, restore, and manage the significant aquatic resource values associated with the area's forested wetlands and to achieve the habitat objectives of the "Mississippi River Aquatic Resources Management Plan";

(3) to conserve, enhance, and restore the historic native bottomland community characteristics of the lower Mississippi alluvial valley and its associated fish, wildlife, and plant species;

(4) to conserve, enhance, and restore habitat to maintain and assist in the recovery of endangered, and threatened plants and animals;

(5) to provide opportunities for priority public wildlife dependent uses for compatible hunting, fishing, trapping, wildlife observation and photography, and environmental education and interpretation; and

(6) to encourage the use of volunteers and facilitate partnerships among the United States Fish and Wildlife Service, local communities, conservation organizations, and other non-Federal entities to promote public awareness of the resources of the Refuge and the National Wildlife Refuge System and public participation in the conservation of those resources.

SEC. 5. ESTABLISHMENT OF REFUGE.

(a) ACQUISITION BOUNDARY.—The Secretary is authorized to establish the Cat Island National Wildlife Refuge, consisting of approximately 36,500 acres of land and water, as depicted upon a map entitled "Cat Island National Wildlife Refuge-Proposed", dated February 8, 2000, and available for inspection in appropriate offices of the United States Fish and Wildlife Service.

(b) BOUNDARY REVISIONS.—The Secretary may make such minor revisions of the boundary designated under this section as may be appropriate to carry out the purposes of the Refuge or to facilitate the acquisition of property within the Refuge.

(c) ACQUISITION.—The Secretary is authorized to acquire the lands and waters, or interests therein, within the acquisition boundary described in subsection (a) of this section.

(d) ESTABLISHMENT.—The Secretary shall establish the Refuge by publication of a notice to that effect in the Federal Register and publications of local circulation whenever sufficient property has been acquired to constitute an area that can be efficiently managed as a National Wildlife Refuge.

SEC. 6. ADMINISTRATION.

The Secretary shall administer all lands, waters, and interests therein acquired under this Act in accordance with the National Wildlife Refuge System Administration Act

(16 U.S.C. 668dd et seq.). The Secretary may use such additional statutory authority as may be available for the conservation of fish and wildlife, and the provision of fish- and wildlife-oriented recreational opportunities as the Secretary considers appropriate to carry out the purposes of this Act.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Department of the Interior—

(1) such funds as may be necessary for the acquisition of lands and waters designated in section 5(c); and

(2) such funds as may be necessary for the development, operation, and maintenance of the Refuge.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SAXTON) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SAXTON).

GENERAL LEAVE

Mr. SAXTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 3292, as amended.

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

There was no objection.

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

Madam Speaker, H.R. 3292 was introduced by our distinguished colleague the gentleman from Louisiana (Mr. BAKER). This measure would establish the Cat Island National Wildlife Refuge in Louisiana.

Cat Island is a unique habitat of bottomland hardwoods that has never been leveed, and it is one of the few natural resources along the Mississippi River that still experiences seasonal overflows. It is an area that is teeming with wildlife, and it contains prime habitat for many species of shorebirds, 1,000-year-old bald cypress trees, and millions of migratory ducks.

According to testimony received, the forested wetlands typical of Cat Island represent one of the most valuable and productive wildlife habitat types in the United States.

Under the terms of H.R. 3292, the Secretary of the Interior would be directed to acquire by purchase or donated property that would form the basis of the proposed Cat Island National Wildlife Refuge.

At the subcommittee markup, I offered an amendment in the nature of a substitute that expanded the size of Cat Island Refuge from 9,477 acres to 36,500 acres and clarified the purposes for establishing the refuge. This amendment was supported by both the sponsor and by the U.S. Fish and Wildlife Service. Once established, this would become the 21st National Wildlife Refuge in the State of Louisiana.

I want to compliment the gentleman from Louisiana (Mr. BAKER) for his outstanding leadership in this matter.

I know that he has spent an extraordinary amount of time working with both local and State officials, industry representatives, and conservation groups to develop this refuge. This is how the process should work, and I remain convinced that local support for a proposed refuge is absolutely essential.

Madam Speaker, I urge an aye vote on H.R. 3292.

Madam Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Madam Speaker, I yield myself such time as I may consume.

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

Mrs. CHRISTENSEN. Madam Speaker, I rise in support of H.R. 3292, a bill which would establish the Cat Island National Wildlife Refuge in the State of Louisiana.

The biological diversity and ecological significance of Cat Island is most impressive. It would appear by all measures that this habitat in the bayou of southern Louisiana would be a handsome addition to the National Wildlife Refuge System.

I believe that the bill was greatly improved by the Committee on Resources when the total authorization for land acquisition was, by unanimous vote, increased from 9,400 acres to 36,500 acres. It makes sense since the land is presently available and because the entire tract is ecologically significant to ensure the protection of the core 9,400 acres. I want to thank the sponsor of the bill, the gentleman from Louisiana (Mr. BAKER), for agreeing to add these additional lands.

It is also my understanding that the administration fully supports H.R. 3292. The Fish and Wildlife Service has asked for \$4.1 million in their fiscal year 2001 budget request to begin the acquisition process for this new refuge. Hopefully, with the passage of this legislation, the Fish and Wildlife Service can get started on this process very soon.

The House should pass H.R. 3292 today. I urge all Members to support this legislation.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SAXTON) that the House suspend the rules and pass the bill, H.R. 3292, as amended.

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

A motion to reconsider was laid on the table.

□

TAKING CERTAIN LAND INTO TRUST FOR MISSISSIPPI BAND OF CHOCTAW INDIANS

Mr. SAXTON. Mr. Speaker, I move to suspend the rules and pass the Senate

bill (S. 1967) to make technical corrections to the status of certain land held in trust for the Mississippi Band of Choctaw Indians, to take certain land into trust for that Band, and for other purposes.

The Clerk read as follows:

S. 1967

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

SECTION 1. STATUS OF CERTAIN INDIAN LANDS.

(a) IN GENERAL.—Notwithstanding any other provision of law—

(1) all land taken in trust by the United States for the benefit of the Mississippi Band of Choctaw Indians on or after December 23, 1944, shall be part of the Mississippi Choctaw Indian Reservation;

(2) all land held in fee by the Mississippi Band of Choctaw Indians located within the boundaries of the State of Mississippi, as shown in the report entitled "Report of Fee Lands owned by the Mississippi Band of Choctaw Indians", dated September 28, 1999, on file in the Office of the Superintendent, Choctaw Agency, Bureau of Indian Affairs, Department of the Interior, is hereby declared to be held by the United States in trust for the benefit of the Mississippi Band of Choctaw Indians; and

(3) land made part of the Mississippi Choctaw Indian Reservation after December 23, 1944, shall not be considered to be part of the "initial reservation" of the tribe for the purposes of section 20(b)(1)(B)(ii) of the Indian Gaming Regulatory Act (25 U.S.C. 2719(b)(1)(B)(ii)).

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to alter the application or the requirements of the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) with respect to any lands held by or for the benefit of the Mississippi Band of Choctaw Indians regardless of when such lands were acquired.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SAXTON) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SAXTON).

GENERAL LEAVE

Mr. SAXTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on S. 1967.

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

There was no objection.

Mr. SAXTON. Madam Speaker, I ask unanimous consent to yield the balance of my time to the gentleman from Mississippi (Mr. WICKER) for the purposes of controlling the time.

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

There was no objection.

Mr. WICKER. Madam Speaker, I yield myself such time as I may consume, and I thank my friend from New Jersey for allowing me to control the balance of the time.

Madam Speaker, this is a simple bill which was approved in the Senate last

week by unanimous consent. The bill does three things. First, it moves all trust land taken for the benefit of the Mississippi Band of Choctaw Indians since December 23, 1944, and makes it part of the Mississippi Choctaw Indian Reservation.

Second, the bill takes all land owned in fee by the Mississippi Band of Choctaw Indians and incorporates it into trust land. And third, the bill makes these two provisions without affecting the statutes of the Indian Gaming Regulatory Act.

All lands affected by this legislation are owned by the Mississippi Band of Choctaw Indians, with some parcels dating back many decades. During the past 20 years, Madam Speaker, the tribe has attempted time and time again to transfer the land through the regular process established by the United States Department of Interior and the Bureau of Indian Affairs. Unfortunately, the Department has failed to act on these applications in an efficient and prompt manner.

The applications filed by the Mississippi Band of Choctaw Indians are supported by the State of Mississippi and the county and municipal governments in the vicinity of the property.

What is at stake here are critically needed services for the tribe. A new school, housing, and a medical clinic are among the projects which have been delayed because of inaction by the Department of the Interior and the Bureau of Indian Affairs. The existing school has had dozens of safety violations issued by the BIA, and the medical clinic will not pass its next inspection. Just as important, thousands of Mississippi Choctaws are living in unacceptable conditions due to the lack of available housing.

Madam Speaker, the tribe has followed the regular process and lived up to its obligations. But, for whatever reasons, perhaps a lack of resources, the Department of the Interior and the Bureau of Indian Affairs have failed to meet the Government's duty. That is why we need to provide this legislative remedy and allow the tribe to move forward with building a new school, a medical clinic, and housing for its members.

Led by their capable Chief, Phillip Martin, the Mississippi Band of Choctaw Indians is making great strides in education, job creation, and the preservation of their cultural heritage. The Government should not be standing in the way of their continued progress.

Madam Speaker, I urge my colleagues to join me in supporting the bill and sending it on to the President.

Madam Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Madam Speaker, I yield myself such time as I may consume.

(Mrs. CHRISTENSEN asked and was given permission to revise and extend his remarks.)

Mrs. CHRISTENSEN. Madam Speaker, this legislation would bring some

8,700 acres of land into Federal trust status for the Mississippi Band of Choctaw Indians outside of the regulatory framework established for bringing Indian land into trust. It is important for the tribe to have this land put into trust status in order to continue their economic development plans.

The Bureau of Indian affairs has indicated that it will take at least a year for them to process the land in accordance with the land-into-trust regulations. As we hear from numerous tribes, this would have a detrimental effect on the tribe's current and future economic development and expansion.

□ 1445

The administration supports this legislation. I urge my colleagues to support it as well.

Mrs. CHRISTENSEN. Madam Speaker, I yield back the balance of my time.

Mr. WICKER. Madam Speaker, I appreciate the gentlewoman's kind remarks in support of this legislation.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from New Jersey (Mr. SAXTON) that the House suspend the rules and pass the Senate bill, S. 1967.

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

A motion to reconsider was laid on the table.

□

GRATON RANCHERIA
RESTORATION ACT

Mr. SAXTON. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 946) to restore Federal recognition to the Indians of the Graton Rancheria of California.

The Clerk read as follows:

H.R. 946

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 "Graton Rancheria Restoration Act".

SEC. 2. FINDINGS.

The Congress finds the following:

(1) In their 1997 Report to Congress, the Advisory Council on California Indian Policy specifically recommended the immediate legislative restoration of the Graton Rancheria.

(2) The Federated Indians of Graton Rancheria Tribal Council has made the express decision to restrict gaming consistent with the provisions of this Act.

SEC. 3. DEFINITIONS.

For purposes of this Act:

(1) The term "Tribe" means the Indians of the Graton Rancheria of California.

(2) The term "Secretary" means the Secretary of the Interior.

(3) The term "Interim Tribal Council" means the governing body of the Tribe specified in section 7.

(4) The term "member" means an individual who meets the membership criteria under section 6(b).

(5) The term "State" means the State of California.

(6) The term "reservation" means those lands acquired and held in trust by the Secretary for the benefit of the Tribe.

(7) The term "service area" means the counties of Marin and Sonoma, in the State of California.

SEC. 4. RESTORATION OF FEDERAL RECOGNITION, RIGHTS, AND PRIVILEGES.

(a) **FEDERAL RECOGNITION.**—Federal recognition is hereby restored to the Tribe. Except as otherwise provided in this Act, all laws and regulations of general application to Indians and nations, tribes, or bands of Indians that are not inconsistent with any specific provision of this Act shall be applicable to the Tribe and its members.

(b) **RESTORATION OF RIGHTS AND PRIVILEGES.**—Except as provided in subsection (d), all rights and privileges of the Tribe and its members under any Federal treaty, Executive order, agreement, or statute, or under any other authority which were diminished or lost under the Act of August 18, 1958 (Public Law 85-671; 72 Stat. 619), are hereby restored, and the provisions of such Act shall be inapplicable to the Tribe and its members after the date of the enactment of this Act.

(c) **FEDERAL SERVICES AND BENEFITS.**—

(1) **IN GENERAL.**—Without regard to the existence of a reservation, the Tribe and its members shall be eligible, on and after the date of enactment of this Act for all Federal services and benefits furnished to federally recognized Indian tribes or their members. For the purposes of Federal services and benefits available to members of federally recognized Indian tribes residing on a reservation, members of the Tribe residing in the Tribe's service area shall be deemed to be residing on a reservation.

(2) **RELATION TO OTHER LAWS.**—The eligibility for or receipt of services and benefits under paragraph (1) by a tribe or individual shall not be considered as income, resources, or otherwise when determining the eligibility for or computation of any payment or other benefit to such tribe, individual, or household under—

(A) any financial aid program of the United States, including grants and contracts subject to the Indian Self-Determination Act; or

(B) any other benefit to which such tribe, household, or individual would otherwise be entitled under any Federal or federally assisted program.

(d) **HUNTING, FISHING, TRAPPING, GATHERING, AND WATER RIGHTS.**—Nothing in this Act shall expand, reduce, or affect in any manner any hunting, fishing, trapping, gathering, or water rights of the Tribe and its members.

(e) **CERTAIN RIGHTS NOT ALTERED.**—Except as specifically provided in this Act, nothing in this Act shall alter any property right or obligation, any contractual right or obligation, or any obligation for taxes levied.

SEC. 5. TRANSFER OF LAND TO BE HELD IN TRUST.

(a) **LANDS TO BE TAKEN IN TRUST.**—Upon application by the Tribe, the Secretary shall accept into trust for the benefit of the Tribe any real property located in Marin or Sonoma County, California, for the benefit of the Tribe after the property is conveyed or otherwise transferred to the Secretary and if, at the time of such conveyance or transfer, there are no adverse legal claims to such property, including outstanding liens, mortgages, or taxes.

(b) **FORMER TRUST LANDS OF THE GRATON RANCHERIA.**—Subject to the conditions specified in this section, real property eligible for trust status under this section shall include Indian owned fee land held by persons listed as distributees or dependent members in the

distribution plan approved by the Secretary on September 17, 1959, or such distributees' or dependent members' Indian heirs or successors in interest.

(c) **LANDS TO BE PART OF RESERVATION.**—Any real property taken into trust for the benefit of the Tribe pursuant to this Act shall be part of the Tribe's reservation.

(d) **GAMING RESTRICTED.**—Notwithstanding subsection (c), real property taken into trust for the benefit of the Tribe pursuant to this Act shall not be exempt under section 20(b) of the Indian Gaming Regulatory Act (25 U.S.C. 2719(b)).

(e) **LANDS TO BE NONTAXABLE.**—Any real property taken into trust for the benefit of the Tribe pursuant to this section shall be exempt from all local, State, and Federal taxation as of the date that such land is transferred to the Secretary.

SEC. 6. MEMBERSHIP ROLLS.

(a) **COMPILATION OF TRIBAL MEMBERSHIP ROLL.**—Not later than 1 year after the date of the enactment of this Act, the Secretary shall, after consultation with the Tribe, compile a membership roll of the Tribe.

(b) **CRITERIA FOR MEMBERSHIP.**—

(1) Until a tribal constitution is adopted under section 8, an individual shall be placed on the Graton membership roll if such individual is living, is not an enrolled member of another federally recognized Indian tribe, and if—

(A) such individual's name was listed on the Graton Indian Rancheria distribution list compiled by the Bureau of Indian Affairs and approved by the Secretary of the Interior on September 17, 1959, under Public Law 85-671;

(B) such individual was not listed on the Graton Indian Rancheria distribution list, but met the requirements that had to be met to be listed on the Graton Indian Rancheria distribution list;

(C) such individual is identified as an Indian from the Graton, Marshall, Bodega, Tomales, or Sebastopol, California, vicinities, in documents prepared by or at the direction of the Bureau of Indian Affairs, or in any other public or California mission records; or

(D) such individual is a lineal descendant of an individual, living or dead, identified in subparagraph (A), (B), or (C).

(2) After adoption of a tribal constitution under section 8, such tribal constitution shall govern membership in the Tribe.

(c) **CONCLUSIVE PROOF OF GRATON INDIAN ANCESTRY.**—For the purpose of subsection (b), the Secretary shall accept any available evidence establishing Graton Indian ancestry. The Secretary shall accept as conclusive evidence of Graton Indian ancestry information contained in the census of the Indians from the Graton, Marshall, Bodega, Tomales, or Sebastopol, California, vicinities, prepared by or at the direction of Special Indian Agent John J. Terrell in any other roll or census of Graton Indians prepared by or at the direction of the Bureau of Indian Affairs and in the Graton Indian Rancheria distribution list compiled by the Bureau of Indian Affairs and approved by the Secretary on September 17, 1959.

SEC. 7. INTERIM GOVERNMENT.

Until the Tribe ratifies a final constitution consistent with section 8, the Tribe's governing body shall be an Interim Tribal Council. The initial membership of the Interim Tribal Council shall consist of the members serving on the date of enactment of this Act, who have been elected under the tribal constitution adopted May 3, 1997. The Interim Tribal Council shall continue to operate in the manner prescribed under such tribal constitution. Any vacancy on the Interim Tribal Council shall be filled by individuals who

meet the membership criteria set forth in section 6(b) and who are elected in the same manner as are Tribal Council members under the tribal constitution adopted May 3, 1997.

SEC. 8. TRIBAL CONSTITUTION.

(a) **ELECTION; TIME; PROCEDURE.**—After the compilation of the tribal membership roll under section 6(a), upon the written request of the Interim Council, the Secretary shall conduct, by secret ballot, an election for the purpose of ratifying a final constitution for the Tribe. The election shall be held consistent with sections 16(c)(1) and 16(c)(2)(A) of the Act of June 18, 1934 (commonly known as the Indian Reorganization Act; 25 U.S.C. 476(c)(1) and 476(c)(2)(A), respectively). Absentee voting shall be permitted regardless of voter residence.

(b) **ELECTION OF TRIBAL OFFICIALS; PROCEDURES.**—Not later than 120 days after the Tribe ratifies a final constitution under subsection (a), the Secretary shall conduct an election by secret ballot for the purpose of electing tribal officials as provided in such tribal constitution. Such election shall be conducted consistent with the procedures specified in subsection (a) except to the extent that such procedures conflict with the tribal constitution.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. **SAXTON**) and the gentlewoman from the Virgin Islands (Mrs. **CHRISTENSEN**) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. **SAXTON**).

GENERAL LEAVE

Mr. **SAXTON**. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 946.

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

There was no objection.

Mr. **SAXTON**. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 946 would restore Federal recognition to the Indians of the Graton Rancheria of California. The Graton Rancheria is one of over 40 Indian tribes which were terminated in 1958 by Public Law 85-671. Today there are approximately 355 members of the Federated Indians of Graton Rancheria living in the general vicinity of Santa Rosa, California.

H.R. 946 provides that the service area for the tribe shall be Marin and Sonoma Counties, that nothing in the legislation shall expand, reduce or affect any hunting, fishing, trapping, gathering or water rights of the tribe, that real property eligible for trust status shall include certain Indian-owned land, and that the Secretary of the Interior shall compile a membership roll of the tribe. This bill also provides for an interim tribal council, the election of tribal officials, and the ratification of a constitution for the tribe.

Section 5(d) of H.R. 946 provides that real property taken into trust for the benefit of the tribe pursuant to the bill shall not have been taken into trust for gaming purposes pursuant to section 20(b) of the Indian Gaming Regulatory Act.

Madam Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Madam Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. WOOLSEY), the sponsor of H.R. 946.

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

Ms. WOOLSEY. Madam Speaker, I am pleased to rise in support of my bill, H.R. 946, the Graton Rancheria Restoration Act. I would like to thank the gentleman from Alaska (Mr. YOUNG), the gentleman from California (Mr. GEORGE MILLER), and their staffs for the work that they have put into bringing this bill to the floor today. I appreciate that the full Committee on Resources unanimously voted this bill out of committee on May 16, and I thank them all for the earlier hearing where the Bureau of Indian Affairs testified in support of the bill. Today I am appreciative that H.R. 946 is on this floor.

The bill before us today seeks to correct a decades-old wrong by restoring Federal recognition for the Federated Indians of Graton Rancheria. This rancheria is composed primarily of the California Coast Miwok and Southern Pomo Indian tribes in my congressional district. My district is located north of San Francisco across the Golden Gate Bridge, and it consists of Marin and Sonoma Counties.

Joe Saulque, who chaired the advisory council on California Indians in the 1980s, stated that luck often determined whether a tribe got recognized. I am glad that today the House is taking luck out of the equation and voting on restoring the tribe's status, because it is the right thing to do.

The tribes of the Graton Rancheria are a rich part of the San Francisco Bay area's cultural heritage. The earliest historical account of the Coast Miwok peoples, whose traditional homelands include the California communities of Bodega, Tomales, Marshall, and Sebastopol, located along the west coast of my district, dates back to 1579. Today, there are almost 400 members of the Federated Indians of Graton Rancheria.

In 1966, the United States Government terminated the tribe's status along with numerous other tribes. This was under the California Rancheria Act of 1958. Almost 2 decades later, the advisory council on California Indian policy was established to study the report and to come up with special circumstances facing California tribes whose status had been terminated. The council's final report, which was submitted to Congress in September 1997, specifically recommended the immediate restoration of the Federated Indians of Graton Rancheria.

Following the report's recommendation, the tribes promptly decided on a course of action for their restoration. Since then, I have been working with them on the bill that is before us

today. This consensus bill restores Federal rights and privileges to the tribes and its members and makes them eligible for benefits, such as Native American health, education, and housing services that are available to federally recognized tribes.

Madam Speaker, it has been a long journey for the Federated Indians of Graton Rancheria. On behalf of their hard work and the support they have received from the local community, I ask that the House restore the recognition they deserve.

Mrs. CHRISTENSEN. Madam Speaker, I yield myself such time as I may consume.

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

Mrs. CHRISTENSEN. Madam Speaker, first I would like to thank the gentleman from Alaska (Mr. YOUNG) for his efforts in support of this bill and just to say briefly that it is important that we move swiftly to restore the rights wrongfully taken from the Federated Indians of Graton Rancheria in 1958. I urge my colleagues to vote aye on this bill.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SAXTON) that the House suspend the rules and pass the bill, H.R. 946.

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

A motion to reconsider was laid on the table.

□

SENSE OF THE HOUSE REGARDING RESPONSIBLE FATHERHOOD

Mr. SOUDER. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 522) expressing the sense of the House of Representatives regarding the importance of responsible fatherhood.

The Clerk read as follows:

H. RES. 522

Whereas studies reveal that even in high-crime, inner-city neighborhoods, well over 90 percent of children from safe, stable, two-parent homes do not become delinquents;

Whereas in 1998, 1.2 million babies, or 33 percent of all newborns, were born out of wedlock;

Whereas children with fathers at home tend to do better in school, are less prone to depression, and have more successful relationships;

Whereas premature infants whose fathers spend ample time playing with them have better cognitive outcomes and children who have higher-than-average self-esteem and lower-than-average depression report having a close relationship with their father;

Whereas both boys and girls demonstrate a greater ability to take initiative and evidence self-control when they are reared with fathers who are actively involved in their upbringing;

Whereas although mothers often work tremendously hard to rear their children in a

nurturing environment, a mother can benefit from the positive support of a father for her children;

Whereas it is recognized that to promote responsible fatherhood is in no way meant to denigrate the standing or parenting of single mothers, but rather to increase the chances that children will have two caring parents to help them grow up healthy and secure;

Whereas a broad array of America's leading family and child development experts agree that it is in the best interests of children and the nation as a whole to encourage more two-parent, father involved families;

Whereas, according to a 1996 Gallup Poll, 79.1 percent of Americans believe the most significant family or social problem facing America is the physical absence of the father from the home and the resulting lack of involvement of fathers in the rearing and development of their children;

Whereas, according to the Bureau of the Census, in 1996, 16,993,000 children in the United States (one-fourth of all children in the United States) lived in families in which a father was absent;

Whereas, according to a 1996 Gallup Poll, 90.9 percent of Americans believe "it is important for children to live in a home with both their mother and their father";

Whereas it is estimated that half of all United States children born today will spend at least half their childhood in a family in which a father figure is absent;

Whereas the United States is now the world's leader in fatherless families, according to the United States Bureau of the Census;

Whereas estimates of the likelihood that marriages will end in divorce range from 40 percent to 50 percent, and approximately 3 out of every 5 divorcing couples have at least one child;

Whereas almost half of all 11- through 16-year-old children who live in mother-headed homes have not seen their father in the last 12 months;

Whereas the likelihood that a young male will engage in criminal activity doubles if he is reared without a father and triples if he lives in a neighborhood with a high concentration of single-parent families;

Whereas a study of juveniles in state reform institutions found that 70 percent grew up in single or no parent situations;

Whereas children of single-parents are less likely to complete high school and more likely to have low earnings and low employment stability as adults than children reared in two-parent families;

Whereas a 1990 Los Angeles Times poll found that 57 percent of all fathers and 55 percent of all mothers feel guilty about not spending enough time with their children;

Whereas almost 20 percent of 6th through 12th graders report that they have not had a good conversation lasting for at least 10 minutes with at least one of their parents in more than a month;

Whereas, according to a Gallup poll, over 50 percent of all adults agreed that fathers today spend less time with their children than their fathers spent with them;

Whereas President Clinton has stated that "the single biggest social problem in our society may be the growing absence of fathers from their children's homes because it contributes to so many other social problems" and that "the real source of the [welfare] problem is the inordinate number of out of wedlock births in this country";

Whereas the Congressional Task Force on Fatherhood Promotion and the Senate Task Force on Fatherhood Promotion were both formed in 1997, and the Governors' Fatherhood Task Force was formed in February 1998, and the Mayors Task Force was formed in June 1999;

Whereas a growing number of community-based organizations are implementing outreach support and skills building programs for fathers;

Whereas a disproportionate amount of Federal dollars are spent on crime, a social symptom, as compared to addressing the principal underlying cause of crime: an increasing absence of fathers from the home;

Whereas the Congressional Task Force on Fatherhood Promotion is exploring the social changes that are required to ensure that every child is reared with a father who is committed to being actively involved in the rearing and development of his children;

Whereas the National Fatherhood Initiative holds an annual National Summit on Fatherhood in Washington, D.C., with the purpose of mobilizing a response to father absence in several of the most powerful sectors of society, including public policy, public and private social services, education, religion, entertainment, the media, and the civic community; and

Whereas the promotion of fatherhood is a bipartisan issue: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes that the creation of a better America depends in large part on the active involvement of fathers in the rearing and development of their children;

(2) urges each father in America to accept his full share of responsibility for the lives of his children, to be actively involved in rearing his children, and to encourage the academic, moral, and spiritual development of his children;

(3) urges governments and institutions at every level to remove barriers to father involvement and enact public policies that encourage and support the efforts of fathers who want to become more engaged in the lives of their children;

(4) encourages each father to devote time, energy, and resources to his children, recognizing that children need not only material support, but more importantly a secure, nurturing, family environment; and

(5) expresses its support for the National Fatherhood Initiative, and its work to inspire and equip fathers to be positively involved in the raising and development of their children.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. SOUDER) and the gentleman from Oregon (Mr. WU) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana (Mr. SOUDER).

GENERAL LEAVE

Mr. SOUDER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 522.

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

There was no objection.

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

Madam Speaker, first I want to thank the gentleman from Pennsylvania (Mr. PITTS) for his leadership on this issue. It is no secret that children who have fathers in the home tend to do better in school, have more success in relationships, and get into less trouble. I would like also to publicly thank for making our country more aware of this Dr. Wade Horn of the National Fa-

therhood Institute as well as Dr. David Blankenhorn for their years of leadership on this issue.

Although mothers often work tremendously hard to rear their children in a nurturing environment, a mother can benefit from the positive support of the father of her children. A broad array of America's leading family and child development experts agree that it is in the best interests of children and the Nation as a whole to encourage more two-parent, father-involved families.

According to a 1996 Gallup Poll, 79.1 percent of Americans believed that the most significant family or social problem facing America is the physical absence of the father in the home and the resulting lack of involvement of fathers in the rearing and development of their children. According to the Bureau of the Census in 1996, 16,993,000 children in the United States, one-fourth of all the children in the United States, lived in families in which a father was absent.

The United States is now the world's leader in fatherless families according to the U.S. Census Bureau, and the likelihood that a young male will engage in criminal activity doubles if he is reared without a father and triples if he lives in a neighborhood with a high concentration of single-parent families.

According to a Gallup Poll, over 50 percent of all adults agreed that fathers today spend less time with their children than their fathers spent with them. It is not just a problem of fathers who are not ever there but fathers who nominally live in the home and do not spend time with their children.

President Clinton has stated that "the single biggest social problem in our society may be the growing absence of fathers from their children's homes because it contributes to so many other social problems." President Clinton continued, "The real source of the welfare problem is the inordinate number of out-of-wedlock births in this country."

A growing number of community-based organizations are implementing outreach support and skills-building programs for fathers. I have personally worked with many of these. We recognize that the creation of a better America depends in large part on the active involvement of fathers in the rearing and development of their children.

As supporters of this resolution, we urge each father in America to accept his full share of responsibility for the lives of his children, to be actively involved in the rearing of his children, and to encourage the academic, moral and spiritual development of those children.

Some argue that nothing can be done, but Governor Frank Keating in Oklahoma has an excellent plan through his human services division leader, Jerry Regire, that illustrates

exactly what can be done at the State level and some at the Federal level.

Madam Speaker, at the end of my remarks I will include for the RECORD an article that appeared in yesterday's Washington Post by Barbara Dafoe Whitehead.

I would like to just quote at this time a few things from this excellent article. Barbara Dafoe Whitehead has been a leader in efforts to encourage father involvement for at least 15 years. When I first was Republican staff director at the Children Family Committee here in Congress, she worked with us as we tried to raise this issue as we saw the problem exploding in our country.

Her column starts:

A couple of months ago, amid the Elian Gonzalez controversy, U.S. Attorney General Janet Reno issued a remarkable statement on the nature of fatherhood. The United States, she told a news conference, is a Nation, quote, "whose law and whose very moral foundation recognize that there is a bond, a special, wonderful, sacred bond between father and son."

She continued in her column:

Take a look at the Father's Day cards in any neighborhood drug store. There alongside the classic greetings for fathers and stepfathers are cards aimed at the alternative dads. For the last few years there have been cards for children to send to their fathers who don't live with them. They carry sentiments like this one: "I miss you more than ever, Daddy, now that it's Father's Day and even though I'm too far away to hug you with my arms, I just want you to know I'll be hugging you in my heart."

"This year at my CVS," Barbara Dafoe Whitehead continued,

There are two new sections of Father's Day cards. One is under a sign reading "Like a Father." The cards feature such messages as: "Just wanted to thank you for all the ways you've been a daddy." The second section, poignantly labeled "Anybody," contains greetings aimed at a generic good guy, including one Father's Day message for the Good Man who spreads happiness everywhere he goes. These cards suggest that Father's Day might be morphing into Positive Male Role Model Day. There's even a positive male role model card for Mom, a woman who's done all the things that a father usually does.

You don't find a parallel range in Mother's Day cards.

She concludes this excellent article by saying:

As marriage has faded, fatherhood has split along the seam between biology and sociology. But more than anything else,

She concludes:

This project of trying to cobble together one father from several kinds of daddies is contrary to what kids want and need. Anyone who raises children knows that they are natural social conservatives. They like order, except perhaps in their bedrooms, stability, constancy, permanence and the security of having fathers worry about them rather than having the reverse responsibility of worrying about their father. And as much as they may benefit from and enjoy their relationships with other male role models, they aren't likely to confuse coaches or mentors with the real dad. Retrograde as it may sound, most kids still want one father who fulfills multiple roles all the time rather than several fathers who fulfill a few of the

roles some of the time. But today too many kids have to content themselves with the kind of fatherhood that is as paper thin as a sentiment on a Father's Day greeting card.

[From the Washington Post, June 18, 2000]

CLOSE, BUT NO CIGAR

(By Barbara Dafoe Whitehead)

A couple of months ago, amid the Elian Gonzalez controversy, U.S. Attorney General Janet Reno issued a remarkable statement on the nature of fatherhood. The United States, she told a news conference, is a nation "whose law and whose very moral foundation recognize that there is a bond, a special, wonderful sacred bond between father and son. . . ."

A tender sentiment? Sure. A true description? Hardly. Reno's statement is remarkable chiefly because of how thoroughly at odds it is with fatherhood as we now know it.

America no longer has a "special" model of fatherhood—let alone one buttressed by legal, moral and religious opinion. In a well-intentioned effort to make up for vanishing fathers and disintegrating families, and to give support to the legions of foster fathers and stepfathers and mentors and Big Brothers and role models out there. American law and civil society have diluted the concept of fatherhood until it is almost unrecognizable. What began as a conscientious response to a crisis is hardening into something like the new status quo. We once saw sometime, part-time or once-upon-a-time fathers as inadequate substitutes for a full-fledged father; now we are selling ourselves on the idea that they are all kids really want or need.

Unfortunately, while fatherhood has changed, childhood has not. Children still need love, protection, security and, perhaps most of all, stability in their lives. Many of the new varieties of fatherhood don't give that to kids. They're too geographically remote, too emotionally distant, too legally fuzzy or circumscribed, or too fleeting to do so.

No one would dream of trying to convince children that their mother could be replaced by several different kinds of mothers, all playing different roles at different times in their lives. But that is exactly what we are communicating to the many children whose fathers are absent, distant or unknown.

Take a look at the Father's Day cards in any neighborhood drugstore. There, alongside the classic greetings for fathers and stepfathers, are cards aimed at the alternative dads. For the last few years there have been cards for children to send to fathers who don't live with them. They carry sentiments like this one: I miss you more than ever Daddy, now that it's Father's Day/ and even though I'm too far away to hug you with my arms, I just want you to know I'll be hugging you in my heart.

This year, at my local CVS, there are two new sections of Father's Day cards. One is under a sign reading "Like a Father." The cards feather such messages as: Just want to thank you for all the ways you've been a daddy. The second section, poignantly labeled "Anybody," contains greetings aimed at a generic good guy, including one Father's Day message for the Good Man who spreads happiness everywhere he goes. These cards suggest that Father's Day might be morphing into Positive Male Role Model Day. There's even a Positive Male Role Model card for Mom. A woman who's done all the things a father usually does.

You don't find a parallel range of Mother's Day greetings. Despite all the dramatic changes in women's lives over recent decades, little has occurred to shake what Janet Reno might call the moral and legal foundations of motherhood.

Consider how different the Elian case would have been if it had been the boy's father who had died, and his mother who wanted him back. Few would have questioned the mother's right to her shipwrecked son. To state what is painfully apparent to many children today, the bond to a mother is rock solid, but the bond to a father isn't.

Although both motherhood and fatherhood have both biological and sociological dimensions, these dimensions are virtually fused in motherhood, especially during a child's early years. To an infant, a mother's body is both life and food, nature and nurture. This isn't true of fatherhood. Biologically, a father is a one-minute parent. (Consider sperm donors.) Indeed, a man can become a father and be the last to know, sometimes years after the fact.

What's more, his biological contribution does not naturally dictate his sociological role. Sociological fatherhood is a lot like being a designated driver. Men can choose to take on the role and the effort it involves, either through the institution of marriage or through other kinds of ties to the mother and her family—and they can also choose not to. Because of this more tenuous connection, fatherhood is universally problematic. All societies face the challenge of connecting biological and sociological fatherhood in some fashion in order to make sure children are protected and supported over time.

Within living memory, of course, there was a single prevailing model of fatherhood in America. In it, a father was connected to his children by three ties. The first was blood, or its legal equivalent, adoption. The second was a shared household with the mother of his biological or adopted children. The third was marriage to the mother of these children. In this model, marriage was the most important of the three because it bound the other two ties together.

With the new dads, one or more—or even all—of these ties may be missing. For example, some men have a blood tie to their children but have never had a residential, marital, or any other meaningful tie to them. Others have a blood tie to their children but are divorced from the mother and no longer share the children's primary residence. Still others are married stepfathers who live with their wife and her biological children, voluntarily contribute to supporting and raising the children but have no blood tie to them. A fast-growing father group includes cohabiting men who live with the children but are not married to their mother; some have blood ties to the kids but others are "step-fathers" who are unrelated. And then there are the exes—ex-stepfathers, ex-foster dads or ex-boyfriends—who have no biological or legal tie to the children but once played some kind of father role in their lives. There are also the father figures—mentors, Big Brothers, coaches, clergy—who have no biological, legal, marital or residential tie to the children.

This tangle of father types creates all kinds of problems over nomenclature—what do you call the man who lived with your mother for a while and still comes by now and then to take you to ballgames?—which probably explains why "Anybody" is a growing niche in greeting card market.

As marriage has faded, fatherhood has split along the seam between biology and sociology. For example, the state defines the biological male parent as the father, and if paternity is established—either voluntarily by signing a birth certificate or involuntarily with a DNA test—he can be compelled to support his child. Other forms of paternal support and contact may be desirable, even encouraged, but nowhere does the state require a biological father to do anything more than enter into a financial arrangement.

This is an essential but breathtakingly minimalist model of fatherhood. It defines daddy down to a name on a birth certificate and a signature on a child-support check.

Other segments of the society, from families to churches to child advocates, define fatherhood functionally as the provision of constancy, caring and affection. Men other than a biological father—stepfathers, cohabiting fathers, unrelated cohabiting partners, neighbors and male relatives and friends—can play the role of the social father. So can male mentors who are not romantically involved with the child's mother but volunteer for the role of social father out of the goodness of their hearts.

In a best-case scenario, you can patch together both kinds of father and come close to meeting the requirements of full-fledged fatherhood. A biological father contributes money and perhaps some time; a sociological father or two picks up the slack. And, indeed, for some fortunate children, a combination of fathers adds up to more paternal time, money, and attention, not less.

But face it—in many more cases, these attempts to attach children to a variety of fathers aren't panning out. Fathers are now increasingly less likely to live with their biological children—35 percent of children today live apart from their biological fathers. And when they live apart, the father's involvement tends to diminish over time. As for the idea that we can replace biological fathers with father-surrogates, it's a comforting notion but recent experience suggests just how hard it is to pull off. Mentoring programs are particularly struggling to keep pace with growing caseloads of fatherless boys, a task requiring endless recruitment campaigns, background checks and training sessions and still falling short.

As it turns out, finding and keeping a father for every child who lacks one is a tall order. It takes money and lavish amounts of effort and invention—not to mention DNA tests, hospital birth registration programs, child support orders, visitation agreements, public service announcements and community fatherhood campaigns—to scrape together what are still more term-limited and fleeting forms of fatherhood.

As marriage has faded, fatherhood has split along the seam between biology and sociology.

But more than anything else, this project of trying to cobble together one father from several kinds of daddies is contrary to what kids want and need. Anyone who raises children knows that they are natural social conservatives. They like order (except perhaps in their bedrooms), stability, constancy, permanence and security of having fathers worry about them rather than having the reverse responsibility of worrying about their father. And as much as they may benefit from and enjoy their relationships with other male role models, they aren't likely to confuse coaches or mentors with a "real dad." Retrograde as it may sound, most kids still want one father who fulfills multiple roles all of the time rather than several fathers who fulfill a few roles some of the time. But today, too many kids have to content themselves with a kind of fatherhood that is as paper-thin as the sentiment on a Father's Day greeting card.

Madam Speaker, I reserve the balance of my time.

□ 1500

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

Madam Speaker, today, one day after Father's Day, we stand before the House to encourage the participation

of fathers in the growth and development of their children. In this bipartisan effort, we note that the role of fathers in today's families has always been a prominent issue, but much more so in recent years, because too many of our children are growing up in homes without the benefit of a father.

The percentage of children growing up in a home without their father nearly tripled between 1960 and the early 1990s. Depending on estimates, today, somewhere between the cited figure of 16 million to 24 million American children are living without their biological fathers, and it is a shock to me that fully one-third of children today are born out of wedlock.

Most importantly, fatherless homes have a devastating impact on our children. It is both common sense, and research indicates, that without a father, children are four times as likely to be poor and twice as likely to drop out of school.

Fatherless children also have a higher risk of suicide, teen pregnancy, drug and alcohol abuse and delinquency. Clearly, the important role that fathers play in the development of their children cannot go unnoticed. Unfortunately, the challenges of fatherhood are not restricted to those who do not pay child support or so-called deadbeat dads.

Many fathers are caught between their duties at their work and the responsibilities to their families. The problems encountered by today's families are not limited to deadbeat dads. There are our families who are also hampered by deadbeat dads, who want to be there for their children, but for one reason or another, cannot.

As the father of a 3-year-old boy, Matthew, and a 9-month-old girl, Sarah Elizabeth, I realize the importance of spending time with my children and the pain it seems of always being short on that time. We spend a lot of time doing the Nation's business paddling in this rather large pond and yet sometimes it does feel to me that once we withdraw from this arena, that we will leave behind perhaps what one would leave behind if we pulled our hand out of a bucket of water, the Nation's business will continue, but I am absolutely confident that I will be the only father for my children, and I, like many others, struggle constantly with the needs of the Nation, the needs of our family, and the needs of providing for both.

Madam Speaker, I am encouraged by the work of the Congressional Fatherhood Promotion Task Force. Their efforts, throughout this resolution and other activities have begun to focus attention on the very important issues of complete families, fatherhood and parental participation. I believe this resolution sends a very strong signal to America, and it is a bipartisan resolution that all Members should support.

Madam Speaker, I reserve the balance of my time.

Mr. SOUDER. Madam Speaker, I yield such time as he may consume to

my friend, the gentleman from Pennsylvania (Mr. PITTS), who has been a tireless leader since he came to Congress. Many Americans may not realize what a driving force he has been, not only on the issue of fatherhood, but in family values in general, and I am proud to consider him my friend and thank him again for his leadership on this resolution.

Mr. PITTS. Madam Speaker, as a co-chairman of the Congressional Task Force on Fatherhood Promotion, I am very pleased to rise to speak in favor of this resolution.

First of all, I want to thank the gentleman from Indiana (Mr. SOUDER) for his leadership in putting together this bipartisan effort to move the resolution. Statistics show that the American family is under siege as an institution.

Divorce rates are very high. Single parenthood is becoming more and more common in communities all across the Nation.

About one-third of all babies in this country born are born out of wedlock today. For some demographic groups, that rate is as high as 70 percent. Tonight, one in four American children that go to bed will go to bed in a home in which their father does not reside.

Times have certainly changed. In 1960, more than 80 percent of America's children lived with both of their parents in a home where both parents were married.

In the last census, that number dropped to 57.7 percent. When a family breaks apart in divorce, children most often live with their mother. The effects of growing up without a father are becoming clear.

According to the 1996 Gallup poll, 79.1 percent of Americans feel, and I quote, "the most significant family or social problem facing America is the physical absence of the father from the home."

I will never forget hearing the famous psychiatrist Dr. Armond Nicoli speak about fathers and the importance of spending time with their children. He had done a study of the fathers in the 128 corridor around Boston and, actually, calculated the amount of time in minutes that a father spent with his children today and compared that with fathers in Russia, and he made this point. He said some people say, well, I do not spend a lot of time with my children, but the time I spend is quality time. And then he said, you know, quality of time, like the quality of air and oxygen is very important, but the lack of it will kill you.

It is important that we spend time and spend a good amount of time with our children. What role does a father play in a home? Well, I am sure we all have our own stories and mine is not necessarily right, but some of the things I used to try to do is I spent 3 days a week in the State Capitol away from my children, and every night I would get them on the phone and talk to each one of them on the phone.

I would schedule breakfast every quarter, every third month with each

of them individually out in a restaurant with them, to listen to them, to talk to them. It was a wonderful time, and my kids are all grown, they still like to have breakfast with me.

I still send them each a letter every month. There are lots of different kinds of things that we can do. As families we can read to them every evening. There are so many times and things that we can do to express our love and spend our time with our children. Some men perhaps make better fathers than others, I suppose, but clearly, overall, children with two parents are greatly benefitted by it.

Thank God for our single parents and our single moms, but they need help, and studies show that even in a high crime or an inner-city neighborhood, well over 90 percent of children from safe, stable two parent homes do not become delinquents. Children with fathers at home tend to do better in school. They are less prone to depression, and they have more successful relationships.

The National Fatherhood Initiative founded by Dr. Wade Horn and Don Eberly from my district have helped to stem the tide of children being raised in homes without fathers.

Dr. Horn tells us that when the National Fatherhood Initiative was founded, the topic of fatherhood was still not considered an issue of national significance. The first and the most important task that NFI set out to accomplish was to stimulate a broad-based societywide social movement on behalf of involved, committed, responsible fatherhood.

The National Fatherhood Initiative is doing a very effective job, I think, and celebrities like Tom Selleck, James Earl Jones, Tiger Woods and his father Earl, General Colin Powell, Coach Joe Paterno have all lent their names and efforts to this cause.

I, along with several other Members in Congress, have come together to form this task force on fatherhood promotion trying to raise the profile of the issue by legislative means, and the NFI has been very successful.

Thousands of community-based grassroots programs designed to provide support, skills, encouragement to fathers have sprung up all over the country. Dozens of governors have held fatherhood conferences. Fatherlessness is getting the attention that it finally deserves.

According to the 1996 Gallup poll, 90.9 percent of parents believe it is important for children to live in a home with both father and mother.

This resolution recognizes that the creation of a better country depends in large part on the active involvement of both parents, fathers in helping, rearing and developing their children.

This resolution urges each father in America to accept his full share of responsibility for the lives of his children, to be actively involved in rearing his children, to encourage the academic moral, spiritual development of his children.

This resolution urges governments and institutions at every level to remove barriers to father involvement, to enact public policies that are father friendly, that encourage and support the efforts of fathers who want to become more engaged in the lives of their children.

It encourages each father to devote time, energy and resources to his children, recognizing that children need not only material support, but also, more importantly, a secure, and nurturing, family environment.

Finally, this resolution expresses our support for the National Fatherhood Initiative, its work to inspire and equip fathers to be positively involved in raising and developing their children.

Madam Speaker, the family is the core of American society. As goes the American family, so goes America. The most important thing we can do is to make sure the American family is on a strong footing, and that means restoring American fatherhood.

Madam Speaker, I urge my colleagues to vote for this resolution.

Mr. WU. Madam Speaker, I yield such time as she may consume to the gentlewoman from Indiana (Ms. CARSON).

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

Ms. CARSON. Madam Speaker, I am certainly appreciative of my colleagues and the other gentlemen who have come together to form the Congressional Fatherhood Task Force and appreciative of their work.

Madam Speaker, I would like to preface my remarks by saying that I am probably one of the few Members in Congress who knows how it is to grow up in a home with a single parent, and that does not in any way distract from the good work of my dear mother, obviously, I am now in Congress. I know that she smiles upon me from heaven, and it was indeed a struggle, and I would have wanted very much to have had a father in the home. So I guess my remarks are not only those that are prepared, but ones that speak from the heart, having lived and breathed a single parent household for all of my childhood life.

David Blankethorn published a book, Madam Speaker, and Members called *Fatherless America: Confronting Our Most Urgent Social Problem*, criticizing the American culture and social institutions for undermining the father's role in the family and weakening the bond between men and their children.

This book along with many other publications provides, I believe, a foundation for the fatherhood movement that has surged over the last 5 years, and I am so happy that we are now about to do the business about giving some vital and needed attention to this whole question of fatherhood and what fatherhood is and what it is not in terms of our children across the country.

Society and our many systems would have us believe that financial support

from fathers is a primary need for many of our children that are currently being raised by single mothers. Unfortunately, financial support from fathers is not the only need of these children and in some instances may not be the critical need as we have been led to believe. Emotional support, love and stability is just as important for a child as financial support from a father.

Fathers are important to their children and should play an important role in their lives beyond the role of being the breadwinner. Poor children need love and support just like any other children. Fathers need to have a relationship with their children regardless of their financial status. Unfortunately, many poor fathers are viewed as deadbeat dads instead of dead broke dads. It is not that these fathers are unwillingly to financially support their children, it is that they are unable to do so due to many societal challenges, unemployment and underemployment.

I believe it is imperative to recognize the importance of the noncustodial father for their efforts instead of berating them for their inability to pay a fixed amount of child support each month. Many fathers are active in the lives of their children because they want to be very active in the lives of their children not because they have to be active in the lives of their children. Some men are silent, unfortunately, cohabitating with partners without the benefit of marriage, because the women sometimes see very limited income from welfare, and the presence of the father would jeopardize the household from getting the kind of benefits that are available for a mother and child.

Many women who are low income, underemployed would very much like for the child's father to be there and provide some of the support that they need.

We understand that a lot of the fathers, when they suffer from low literacy and poor employment history and, unfortunately, the wars in which America has been engaged has perpetuated a lot of substance abuse and a lot of fatherless children.

There is an array of issues, Madam Speaker, that we should be examining as a United States Congress to see if we can dismantle some of the obstacles that prevent fathers from being with their children and develop policy that encourages rather than discourages the fermenting of the family unit.

□ 1515

It is time for us to support responsible fatherhood. I support the amendment enthusiastically and applaud the vision and the creativity of my colleagues in this august body for bringing it before this chamber. I would encourage support.

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

Madam Speaker, I want to observe that there are as many different forms

of families in America as there are families. I think that the vast majority of fathers do want to be present, but there are times when needs draw us apart.

My family history is that which just about every American family has shared at one time or another in their respective family histories. My dad came to America when I was 4 months old, and he was physically absent from my youth until I was about 7. But even though he was physically absent, he was always a presence in our family. I knew him from little blue aerograms, toys at holiday times, and chocolate bars. But to me he was always the heroic figure who was cutting the new path in America, and there was a deep purpose to his absence.

Compared to the sacrifices that my parents went through, my weekly separations from my children seem like little pickers in comparison. That is what helps me get through those periods of separation, and I guess I just want to recognize that there are common threads in all American families. We share the will to make sacrifices for a common good, for the future of the family, and we have to fight it in different ways. But if fathers are to be absent for short periods of time, or for long, let it be for purposeful activity, for truly overriding important factors in the family history and family life.

It is a pattern of sacrifice that we are called to at times, but if there is not this overriding incredible purpose, sense of history and sense of where the family must go, then I strongly encourage fathers to be with their children, to be with their families as much as possible, to not go through the travails of separation and sometimes the travails of reunion.

Madam Speaker, I urge the adoption of this bipartisan resolution.

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

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

Madam Speaker, first I want to thank my friend from Oregon on the Committee on Education and the Workforce for his moving statement and his support of this resolution, and my fellow Hoosier, the gentlewoman from Indianapolis, Indiana (Ms. CARSON), for her personal statement and general statement in support of this resolution as well.

It is kind of awkward for us in Congress. One of the things that I hear probably most frequently at the personal level from other Members is the struggle of those of us who still have kids at home and the relationship to those kids and trying to do this duty. It is very easy to feel guilty in this job, unless you are a very kind of hard-skinned person.

Many of us tend to blame any problems we have with our kids on the fact that we are separated at times, when, in fact, we might still have those problems there. But it is very easy to worry

about those, and each of us try to deal with it in different ways, whether it is bringing our families here; whether it is trying to travel with them, I use my frequent flier miles to try to bring my kids with me to different hearings and different events; trying to call home each night; trying to e-mail, when I can remember my quick-dot-name, my handle; whether it is losing video games to your kids at home on a regular basis, I do not think I have ever won, unless I do not play fair.

It is something that they need that time, and it is something we struggle with. But it is a balance of setting an example. But then when you set the example, or when you try to inspire your kids, you also have an extra responsibility, as many of us do in this House, to reach out to our children, because if we lose our family and gain the world, we have lost everything. It is very easy to do that here, and if we are going to pass resolutions like this, we have to get our own house in order first and be an example, because the people who watch us in our home towns and the people who watch us around the country say, "Well, look at them. They will pass a resolution in Congress, but what are they doing with their own families?"

We have tried to address some of the policy questions that were raised too, whether it is in welfare reform and the accountability of child support, because at the very minimum, the kids deserve the financial support when a dad abandons.

We also tried to address child abuse. It is so hard for me to understand any father who could physically or sexually or verbally abuse their children. You talk about an anathema, how could a dad who loves their kids beat their kids? I just do not understand that, and it is something we are wrestling with in our society.

We praise all the moms who stood in for the dads that have abandoned their kids. We praise all the coaches, all the mentors, all the volunteers in this country who stepped up and stood in the gap when the dad abandons their families.

But the purpose of this resolution is to say that the men of America, the dads in America, need to stand up. If you are not home, get home, and get involved in your kids' life. If you are there, as much as possible, do not just go off into your basketball leagues and your bowling leagues and out to golf and go out with your friends. Spend time with your kids. You will regret it the rest of your life if you do not, and the country has to pay the consequence.

Mr. GOODLING. Madam Speaker, I rise today in support of H. Res. 522 offered by my colleague, the gentleman from Pennsylvania, Mr. PITTS. House Resolution 522 expresses the importance of fathers in the rearing and development of their children. This resolution enjoys bipartisan support, including both the Republican and Democrat leadership and I am pleased to have the opportunity this afternoon to speak on behalf of it.

This resolution is timely. Yesterday, we celebrated Father's Day, a holiday that was started in 1910 in Spokane, Washington by Sonora Louise Smart Dodd. Ms. Dodd wanted to honor and thank her father for raising her and her five siblings after her mother died in childbirth.

It was recognized nationally in 1972 by President Nixon to honor the significant role fathers play in the upbringing of their children.

Although families across the country just recognized and honored fathers, we should be concerned about the fact that the United States is the world's leader in fatherless families. In fact, it is estimated that half of all United States children born today will spend at least half of their childhood in a family in which the father is absent.

Madam Speaker, every child has a father, but not every child has a dad and the consequences of not having father figures are disheartening. Studies have shown that children who are reared by a single parent are less likely to complete high school, earn less, and have lower employment stability than children reared in two-parent families.

In a study of juveniles in state reform institutions, it was found that 70 percent of such juveniles grew up in single or no parent homes. Additionally, it has been found that in high-crime, inner-city neighborhoods, well over 90 percent of children from safe, stable, two-parent homes do not become delinquent.

Madam Speaker, those examples serve to illustrate my strong belief that nothing can replace the father in a child's life. Fathers are role models and offer their children the most important ingredients that they should have throughout their childhood: love, guidance, discipline, encouragement, experience, trust and faith.

This resolution rightly recognizes that the creation of a better America depends in large part on the active involvement of fathers in the rearing and development of their children.

H. Res. 522 urges each father in America to accept his full share of responsibility for the lives of his children, to be actively involved in rearing his children, and to encourage the academic, moral and spiritual development of his children.

I commend the gentleman from Pennsylvania for his leadership in authoring this resolution and urge my colleagues to adopt this measure.

Mr. WATTS of Oklahoma. Madam Speaker, today I rise as a cosponsor and supporter of H. Res. 522. I commend the gentleman from Pennsylvania, Mr. PITTS on this fine piece of legislation.

This past weekend, I was fortunate to be recognized for my work by the most important people in America. I was not recognized by some organization for my work as a Congressman, but by my children for my work as their father. My role as a father is the most important role in my life. This past weekend families all over the country celebrated Father's Day, and recognized their fathers for all the hard work and love and encouragement they provide.

Today, we here in Washington wish to say thank you to all of the fathers who work every day to instill good values in their children. We wish to say thank you to all of the fathers who make sure their children finish their homework before they go outside to play with their friends. We wish to say thank you for making

your children eat all of those green vegetables before they have those Oreo cookies. We wish to say thank you for having the patience to teach your children how to catch a baseball, ride a bicycle, say no to drugs, and drive a car responsibly. I know it is not always easy to be the guy who has to be in all of these places at once, but you all have such an important role to your children and our society.

Finally, I want to say thank you to my father. I remember growing up in Eufala, Oklahoma when my father worked three jobs to keep food on the table. He still had the time to instill in me the values that have made me the man I am today. Thank you Daddy.

Today I urge all my colleagues to support this piece legislation, and send thanks to all of our responsible fathers across this great nation.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Indiana (Mr. SOUDER) that the House suspend the rules and agree to the resolution, H. Res. 522.

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

A motion to reconsider was laid on the table.

□

SENSE OF HOUSE REGARDING MONEY LAUNDERING

Mrs. ROUKEMA. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 495) expressing the sense of the House regarding support for the Financial Action Task Force on Money Laundering, and the timely and public identification of non-cooperative jurisdictions in the fight against international money laundering.

The Clerk read as follows:

H. RES. 495

Whereas the International Monetary Fund has estimated the amount of international money laundering to be at least \$600,000,000,000 annually representing 2 to 5 percent of the world's gross domestic product;

Whereas money laundering is a crucial adjunct to the underlying crimes that generate money, including drug trafficking, kidnapping, murder, international terrorism, and other forms of violent crime;

Whereas money laundering and foreign corruption facilitate each other, undermining the efforts of the United States to promote democratic institutions and economic development around the world;

Whereas, in today's open and global financial markets, which are characterized by a high mobility of funds and the rapid development of new payment technologies, the tools for laundering the proceeds of serious crimes have become more sophisticated and readily available;

Whereas recent years have witnessed a sharp increase in the number of jurisdictions offering financial services without appropriate controls or regulation and which are protected by strict banking secrecy legislation which facilitates the anonymous protection for illegal assets in certain countries or territories making them even more attractive for money laundering;

Whereas the proliferation of such non-cooperative countries or territories which do not, or only marginally, participate in international cooperation against financial crime, also exacerbates competition between these centers and so contributes to worsen existing practices and makes more difficult the maintenance of anti-money laundering standards in other countries;

Whereas, in order to ensure the stability of the international financial system and effective prevention of money laundering, all financial centers in the world should have comprehensive control, regulation, and supervision systems, and that all financial intermediaries and agents be subject to strict obligations, notably as regards the prevention, detection, and punishment of money laundering;

Whereas the Financial Action Task Force on Money Laundering (FATF), of which the United States is a founding member, was established for the purpose of developing and promoting policies to combat international money laundering;

Whereas the FATF, consisting of 26 jurisdictions including the United States and 2 international organizations, originally issued in 1990 and revised in 1996 40 recommendations designed for universal application that set out the basic framework for antimoney laundering efforts covering the criminal justice system and law enforcement, the financial system and its regulation, and international cooperation;

Whereas the FATF has determined the criteria for defining noncooperative countries or territories consistent with the 40 recommendations, and FATF members have agreed on a process for identifying non-cooperative jurisdictions to include all countries and territories, both inside and outside FATF membership, whose detrimental practices seriously and unjustifiably hamper the fight against international money laundering;

Whereas the FATF has reported that the list of noncooperative countries or territories should include several subcategories of noncooperative countries or territories which could be as follows: clearly non-cooperative with severe deficiencies in many areas, partly noncooperative with impediments in various areas, and de facto non-cooperative with no significant impediments in laws and regulations but ineffective regime in practice; and

Whereas the FATF is gathering and analyzing all relevant information necessary for the publication of lists of noncooperative jurisdictions: Now, therefore, be it

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

(1) the United States should continue to actively and publicly support the objectives of the FATF with regard to combating international money laundering;

(2) the FATF should identify noncooperative jurisdictions in as expeditious a manner as possible and publicly release a list directly naming those jurisdictions identified;

(3) the United States should support the public release of the list naming noncooperative jurisdictions identified by the FATF;

(4) the United States should encourage the adoption of the necessary international action to encourage compliance by the identified noncooperative jurisdictions; and

(5) the United States should take the necessary countermeasures to protect the United States economy against money of unlawful origin and encourage other nations to do the same.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Jersey (Mrs. ROUKEMA) and the

gentleman from New York (Mr. LAFALCE) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Jersey (Mrs. ROUKEMA).

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

Mrs. ROUKEMA. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, today we want to address the very serious issue of international money laundering and put the House on clear record in support of efforts by the Financial Action Task Force on Money Laundering.

Madam Speaker, money laundering is the process by which organized crime and the drug cartels take their ill-gotten gains, namely cash, and move it back into the economy under their own names. The IMF has estimated that internationally over \$600 billion is laundered annually. That is a huge problem, it is an illegal problem, and one can only imagine the effect it has on the economy in various parts of the world.

The good news here is that an international organization, namely the Financial Action Task Force on Money Laundering, of which the United States is a member, has been working on this serious and growing problem for some time. In 1990, the FATF issued a list of 40 anti-money laundering standards. The 40 standards are recognized today as being the international standard which should be followed by all countries.

More recently, FATF undertook a systematic review of the compliance by jurisdiction with the FATF 40. This process is commonly named and referred to as "name and shame," a process, and it is nearly complete. Later this month, FATF will identify those jurisdictions which they have determined do not comply with the FATF 40.

I believe it is extremely important that FATF proceed as planned and publicly identify those jurisdictions which are not in compliance. As many have said before, "sunlight is the best disinfectant." That is exactly the procedure that we should be supporting and following here with this resolution. The prompt and public identification of non-compliant jurisdictions will put pressure on the jurisdictions to meet the international standards on anti-money laundering and to initiate retaliatory actions from other countries that are also in compliance.

I would note that the FATF "name and shame" process has already produced results. Austria, which is a member of FATF, just announced that it will eliminate, and by "just renounced," the report was last Friday in the Wall Street Journal, that it will eliminate anonymous savings accounts. As the Journal reported, there are over 20 million anonymous accounts, more than three for each man, woman and child in Austria. These ac-

counts hold an estimated \$100 billion. The FATF and money laundering experts had identified the anonymous Austrian savings accounts as posing significant money laundering problems. Austria's action, which came only after it became clear, and I went to stress that, that action and compliance only came after it became clear that the FATF would name Austria, shows that the "name and shame" project can be effective. Austria will then be in compliance with the international standards.

Another benefit from the FATF announcements is that our U.S. banks and securities firms will be on notice regarding what jurisdictions should be avoided and our regulators will be focused on those jurisdictions.

Madame Chairman, this resolution represents a significant step in direction of serious action to fight money laundering crimes.

This Congress needs to do more on the subject of money laundering. This week Mr. MCCOLLUM and I will be introducing a comprehensive money laundering proposal similar to the Administration's bill from last November. This bill will address major problems such as (1) bulk cash smuggling, (2) currency couriers, and (3) sanctions against money launderers.

These, and other, money laundering issues should be addressed this Congress.

Madam Chairman, as wonderful as this particular proposal is, and I would like to reserve time at the end here to add something more, I would say that as strongly as I support this effort, and it is an essential action that this Congress must take today, there is much more to be done that must be done, and I would hope that this is the first step in a concerted, focused effort for this Congress to continue down the anti-money laundering path.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise in strong support of this resolution. Of the many public policy challenges facing lawmakers, facing the law enforcement community and facing regulators, I do not know that any represents as significant a threat to our financial system as money laundering does.

The wholesale cleansing of illegitimate profits derived from criminal activities reaches staggering proportions, by some estimates between \$100 and \$300 billion in the United States alone, and nearly \$600 billion, that is over one-half trillion, worldwide per year.

According to the IMF, this figure represents from 2 to 5 percent of the entire world's gross domestic product. So in this context, the resolution of the gentlewoman from New Jersey (Mrs. ROUKEMA) expresses the support of the House of Representatives for the actions about to be taken by what is known as the Financial Action Task Force on Money Laundering.

That task force is composed of 26 member nations, including the United States, the European Commission, the Gulf Cooperation Council, et cetera. It was formed by the G-7 economic summit of 1989, and the task force was set up to address the global problem of money laundering. This week, on June 22, the task force will "name and shame," if you will, non-compliant jurisdictions, both inside and outside the task force's membership.

□ 1530

The purpose of naming these jurisdictions is to highlight their lack of cooperation in the fight against money laundering.

The resolution follows the recent approval by the Committee on Banking of the Clinton administration antimoney laundering proposal which passed our committee on June 8 with very broad bipartisan support; in fact, almost unanimously. I am hopeful that the bill will soon come before our full House so that we can pass it and can provide the Treasury Secretary with well-targeted discretionary tools to address discrete problems in recognized money laundering offshore havens.

I should note that the identical language from today's resolution was included in the administration's legislation for which we can credit the efforts of our distinguished colleague, the gentlewoman from New Jersey (Mrs. ROUKEMA). I supported the resolution in the Committee on Banking, and I support it today on the House floor.

Madam Speaker, we must not lose sight of the continuing challenges we face in the fight against money launderers who represent a very fast-moving and remarkably adaptable class of criminals. The global gross of electronic commerce and banking and the unprecedented expansion of global commerce in general, renders our financial system more vulnerable to misuse and abuse.

I therefore urge my colleagues to join us in sending a very clear message to noncooperative offshore jurisdictions that the House is paying close attention to the task force's work and supports every effort to bring more accountability to bear on those who would facilitate money laundering.

Madam Speaker, I reserve the balance of my time.

Mrs. ROUKEMA. Madam Speaker, I yield 5 minutes to the gentleman from Nebraska (Mr. BEREUTER), a leading advocate of this legislation and a leader on all Committee on Banking and Financial Services issues.

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

Mr. BEREUTER. Madam Speaker, I rise in strong support of H. Res. 495, which is a sense of the House regarding support for the Financial Action Task Force, FATF, on money laundering, and in support of the timely and public identification of noncooperative juris-

dictions in the fight against international money laundering. I thank the gentlewoman for yielding me this time, and I thank her for her initiative in introducing this resolution and for her efforts in moving the legislation.

Additional appreciation is also expressed to the distinguished gentleman from Iowa (Mr. LEACH), the chairman of the Committee on Banking and Financial Services, and the distinguished gentleman from New York (Mr. LAFALCE) for expediting consideration of the legislation.

As a member of both the House Committee on International Relations and the Committee on Banking, this Member is committed to reducing the global pervasiveness of money laundering. According to an International Monetary Fund, IMF, estimate, as already mentioned by the gentlewoman from New Jersey (Mrs. ROUKEMA), international money laundering is at least a \$600 billion industry, and that represents at least 2 to 5 percent of the world's annual gross domestic product.

This Member intends to focus his remarks on H. Res. 495 in four different sections today. They are as follows: The history and impetus for H. Res. 495; second, the main provisions of H. Res. 495; third, the support for H. Res. 495; and, fourth, the exigent circumstances explaining why immediate passage of H. Res. 495 is needed.

First, to illustrate the history behind the resolution, in February of this year, three of the five committees of the NATO Parliamentary Assembly, including this Member and other Members of the House, met, as usual, at the headquarters of the Organization for Economic Cooperation and Development, OECD, and, of course, the House delegation to the NATO PA attended that meeting. A major topic of that discussion was FATF, which predominantly includes the representatives of the member States of the OECD.

As mentioned, FATF is an intergovernmental effort whose function is the development and promotion of policies to combat money laundering. The FATF currently consists of 26 countries, including the major financial center countries of Europe, North America and Asia. During the aforementioned NATO PA meeting, after the presentation of the subject of international money laundering conducted by the FATF and given by the OECD staff, and other private conversations with OECD staff and the parliamentary delegations from the other NATO countries, the U.S. House delegation became concerned whether the FATF actually would publicly name those countries which were identified in their draft report as noncooperative jurisdictions in the fight against international money laundering. There were indications that the FATF would not name names unless pressure was brought to bear in favor of the naming of non-compliant jurisdictions.

Second: provisions. As a result of that NATO PA meeting, the distin-

guished chairwoman, the gentlewoman from New Jersey (Mrs. ROUKEMA), a long-term and active member of the Economic Committee of the NATO PA, along with this Member and other Members of the House delegation, as original cosponsors, introduced this resolution which expresses the U.S. House's firm support for the public release of the names of noncooperative jurisdictions identified by the FATF. Because of the possible public release of these names, according to media reports, as mentioned by the chairman, Austria had already recently abolished its controversial anonymous bank accounts, and I am going to include that article from the June 16 edition of the Wall Street Journal.

Furthermore, the expression of the sense of the House in this resolution also states that the U.S. should encourage the adoption of the necessary international actions to encourage compliance by these identified jurisdictions. Plus, it specifies that the U.S. should put in place necessary countermeasures against money laundering and encourage other nations to do the same.

Three: the support for it. In addition to the distinguished chairwoman from New Jersey and this Member, there are seven additional cosponsors. Moreover, very similar language, as mentioned by the gentleman from New York, was successfully added by the gentlewoman, the chairman of the subcommittee, during the Committee on Banking and Financial Services' markup of H.R. 3886. That is a more comprehensive bill, which was advanced by the Committee on Banking and Financial Services on June 8 of this year.

Lastly, exigent circumstances. Due to the planned release by FATF of some type of report on this subject later this week, it is timely and essential that H. Res. 495, this sense of the House Resolution, be approved today and the results of our action conveyed to the FATF and to the OECD.

Madam Speaker, I include this article from the Wall Street Journal for the RECORD:

[From the Wall Street Journal, June 16, 2000]
AUSTRIA ESCAPES CENSURE BY ENDING SECRET ACCOUNTS

(By Michael Allen)

A week before a multilateral task force is scheduled to "name and shame" world money-laundering havens, Austria has escaped censure by agreeing to abolish its controversial anonymous bank accounts.

The 26-nation Financial Action Task Force, or FATF, the world's leading anti-money-laundering group, had warned it would expel Austria from its ranks if it didn't abolish the anonymous passbook accounts, which date to the Austro-Hungarian Empire. The accounts had become a major concern for law-enforcement authorities—and a major irritant in U.S.-Austrian relations—because they offer an impenetrable way to disguise the source and ownership of criminal proceeds.

Passbook accounts could be used by anyone who knew the coded number and possessed the book, meaning they could be opened by one person, then traded on the

Internet to someone else, who could then use them for any number of illegal purposes in complete secrecy—and even access the funds from ATMs around the world.

"Anonymous passbook savings accounts have been a major problem and a critical loophole in the international consensus to combat money-laundering," said Stuart Eizenstat, deputy U.S. Treasury secretary. "This victory represents a clear demonstration of FATF resolve and credibility."

Forcing Austria to either clean its own house or leave the FATF was viewed as an essential step before the organization releases a list next week of money-laundering havens, or offshore centers deemed to have inadequate laws and financial supervision. The composition of the list has been kept secret, but observers believe it will be heavily weighted with Caribbean and South Pacific island states.

Another possible candidate is Liechtenstein, which a French parliamentary report described as Europe's "most dangerous money-laundering center." The Liechtenstein government, which has already sent some leading citizens to jail, says it is trying to clean up its banking industry.

According to U.S. Treasury officials, Austria has 24 million anonymous passbook accounts, or three for every man, woman and child in the country, signifying that many of them are in the hands of foreigners. The accounts are believed to hold about \$100 billion.

The U.S. and other nations have been trying to get Austria to eliminate the accounts for a decade, but it was only in February that the threat of FATF expulsion prompted Vienna to agree to changes. Initial legislative proposals didn't appease the U.S., and the Austrian government—already under heavy diplomatic pressure because of its inclusion of the right-wing Freedom Party in the ruling coalition—quickly relented. On May 25, the financial committee of the lower house of the Austrian Parliament passed the revised bill, to go into effect this fall.

The law calls for anonymous accounts to be eliminated by June 30, 2002. In the interim, many transactions will be prohibited unless the account holder is first identified. "Austrian banks will have to make a fundamental change in the way they do business," said Mr. Eizenstat.

In a move parallel to the FATF initiative, the Paris-based Organization for Economic Cooperation and Development is drawing up a list of tax havens that the group believes unfairly divert tax proceeds from developed countries, through the twin lure of low taxes and strict bank secrecy. That list is expected to be released by the end of this month.

Madam Speaker, for the above stated reasons and others, this Member urges his colleagues to support H.Res. 495.

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

Mrs. ROUKEMA. Madam Speaker, I yield myself such time as I may consume.

I would like to conclude by making the following observations. It should be recognized that as the ranking member, as well as the gentleman from Nebraska (Mr. BEREUTER), has already noted, the Committee on Banking and Financial Services on June 8 did report H.R. 3886, the International Counter-Money Laundering Act; and I would hope that we would be able to take action on that and perhaps even expand on it, as a matter of fact.

I also want to point out that while this resolution is a significant step in

the right direction, in addition to H.R. 3886, there is other serious action that we must take to fight money laundering crimes; and in that respect, I am fully anticipating that the gentleman from Florida (Mr. MCCOLLUM) and I will be introducing a comprehensive money laundering proposal similar to the administration's bill from last November. We have been working on this for some time, and it will supplement what H.R. 3886 does in the international arena, with a very focused effort comprehensively on domestic money laundering. Cash smuggling, currency couriers, and sanctions against the money launderers will be the major problems that we are addressing in the that bill; and it is a joint operation between the Committee on the Judiciary and members of the Committee on Banking and Financial Services. These and other money laundering issues, I hope and pray, will be addressed in this Congress; and if not completed in this Congress, and I think there is time enough to complete it in this Congress, then we will make it a top priority in the next.

However, that is for the future. For today, we are very happy to have this resolution before us, and I thank my colleagues for their cooperation and the work that we have been able to accomplish together here.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentlewoman from New Jersey (Mrs. ROUKEMA) that the House suspend the rules and agree to the resolution, House Resolution 495.

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

A motion to reconsider was laid on the table.

□

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 4 p.m.

Accordingly (at 3 o'clock and 40 minutes p.m.), the House stood in recess until approximately 4 p.m.

□

□ 1609

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DREIER) at 4 o'clock and 9 minutes p.m.

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GENERAL LEAVE

Mr. WALSH. 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. 4635 and that I may include tabular and extraneous material therein.

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

There was no objection.

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DEPARTMENT OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2001

The SPEAKER pro tempore. Pursuant to House Resolution 525 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4635.

□ 1610

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4635) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes, with Mr. PEASE in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from New York (Mr. WALSH) and the gentleman from West Virginia (Mr. MOLLOHAN) each will control 30 minutes.

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

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

Mr. Chairman, it is my pleasure to bring before the full House of Representatives the bill, H.R. 4635, making fiscal year 2001 appropriations for the Departments of Veterans Affairs, Housing and Urban Development and independent agencies. So that we can move quickly, I will keep my comments brief.

First, let me just thank the distinguished gentleman from West Virginia (Mr. MOLLOHAN) for his advice and counsel throughout this discussion. Even though we have different political persuasions, I think we share almost all of the same priorities in this bill, which makes it, as one might imagine, much less difficult to bring a bill to the floor.

We do not agree on everything obviously, but I think in most cases we do. So we have enjoyed the benefit of his advice and the staffs have worked very closely together. The subcommittee and the full committee worked very hard to bring this bill out.

Like most of the appropriations subcommittees, we were given a very tight 302(b) allocation. Nevertheless, we were able to make what I think are good policy and funding choices to produce a good, fair bill that deserves support.

Here are some of the highlights: this bill fully funds veterans medical care

with a \$1.355 billion increase over last year's record level. Last year, we increased it \$1.7 billion, \$1.355 billion this year for a total of over \$3 billion increase in 2 years. I think that shows how important this subcommittee, this full committee, and the House take our commitments to our veterans. It provides full funding for medical research, major construction, and cemetery administration operations.

Just as important, we have begun an effort to conduct better oversight of how much medical care funding goes for medical care, per se, and how much goes to maintaining buildings and facilities. All veterans, no matter where they are located, deserve the best facilities that we can offer.

We have also included language to make sure that veterans medical receipts stay within the VA system and do not go to the Treasury as was suggested by the Administration.

Expiring section 8 contracts at HUD are fully funded, and we have included language to push the Department to do a better, faster job of getting funds out of Washington to the people who need them most. HUD's record in this regard is not one to be proud of. We had 247,000 section 8 vouchers go begging last year because HUD did not get the job done. So we have accounted for that and still have fully funded the section 8 requirements.

We have essentially level funded the Community Development Block Grant entitlement programs, trimming them by less than 1 percent. We have level funded or only slightly reduced most other HUD programs, making sure that HUD was not using the bank to pay for other programs as it did last year.

AmeriCorps has been zeroed out. I am sure that will be a topic for discussion in conference and in consultation with the White House. In this bill, there is no funding.

EPA's operating programs have been level funded while various State grant programs, which assist the States in implementing Federal laws, have been more than fully funded. The Clean Water State Revolving Fund program, gutted in the President's budget request, has been restored to \$1.2 billion. That is real commitment on the part of Congress to support cleaner water and to improve the environment of this country, an area where I think the Administration is sorely lacking, while State and local air grants from section 319 non-point source pollution grants have been increased significantly.

Perhaps most important, we have proposed \$245 million, more than double last year's level and \$85 million more than the Administration's request, for section 106 pollution control grants. These grants offer the States the maximum flexibility to deal with the difficult TMDL issues facing the States.

To help the States deal with the MTBE problems caused by leaking underground storage tank facilities, that is a gasoline additive that has recently

been banned by the EPA, we have upped the account at EPA by \$9 million over last year and \$7 million over the budget request.

CDFI, one of the President's new programs, has been proposed for an increase over last year's funding level. They are doing a good job. They deserve our support; we provided it.

□ 1615

Likewise, the Neighborhood Reinvestment Corporation, perhaps the most productive and most efficient Federal organization dealing with housing, has been provided their full funding level of \$90 million. Again, they have earned and deserve our support. We should reward positive performance.

The National Science Foundation has received an increase of \$167 million over last year's level, putting them over \$4 billion, their largest funding level ever.

Similarly, NASA received an increase over last year of \$113 million, their first increase in several years.

Mr. Chairman, there is one point regarding this bill that really needs to be made. I stated at the outset that we faced a tight allocation. Nevertheless, there is some talk circulating that this bill received an allocation that is nearly \$5 billion above last year. I would like to try to set the record straight. The reality is that our new allocation is \$78 billion in new budget authority. The reality is that CBO's freeze level for this budget was \$76.9 billion. We have, therefore, a net increase of just \$1.1 billion over last year.

I hasten to add that that increase has been totally absorbed by VA medical care, \$1.355 billion over last year, a Section 8 housing increase of nearly \$2 billion, and increases provided for National Science Foundation and NASA over last year's level. Nearly every other program in this bill was either level funded or reduced slightly so that we could meet these necessary increases and still stay within our allocation.

I have to say that it would be very difficult to get this bill this far without the support and assistance of my ranking member, the gentleman from West Virginia (Mr. MOLLOHAN), and the rest of this hard-working subcommittee and our staffs, and we have wonderful staffs. While we do not always agree on every issue, every effort has been made on both sides to continue the subcommittee's strong history of bipartisan cooperation in the crafting of this bill. I truly appreciate the gentleman's help and close working relationship.

Mr. Chairman, in a nutshell, this is the fiscal year 2001 VA-HUD and Independent Agencies bill. It is a good fair bill, with solid policy direction, while staying completely within our budget authority and outlay allocations. I strongly encourage the support of this body in moving this measure forward.

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

Mr. MOLLOHAN. Mr. Chairman, I yield myself such times as I may consume.

Mr. Chairman, as I did during our committee markup, I want to begin by expressing my appreciation to the chairman of the subcommittee, the gentleman from New York (Mr. WALSH), and to his staff for their courtesy in dealing with our side of the aisle during this process. Although I do not think this bill is adequate in its current form, I applaud him for doing his best with the hand that he was dealt.

The chairman is to be commended for doing the right thing for veterans medical care, providing a \$1.3 billion increase and for providing a \$2 billion increase to fully fund renewal of Section 8 housing contracts. But beyond these two large increases in the bill, the numbers before the committee tell a story of missed opportunities.

We certainly appreciate the chairman's courtesy, we appreciate his listening to our concerns as the bill has been marked up, but because of the allocation that he has been given, he has, I think, and the bill reflects, missed a lot of opportunities.

Instead of expanding even slightly our support for public service by young people through AmeriCorps, this bill zeros that program out totally, a move that would almost certainly lead to a presidential veto.

Instead of providing the support the President requested for basic research at the National Science Foundation, the bill provides \$508 million less than that requested by the President for the National Science Foundation.

Instead of providing the amount requested for NASA's science and technology, the bill falls short by \$323 million. In doing so, the bill abruptly terminates research and development on the next generation of reusable launch vehicles that would replace the space shuttle and reduce the cost of access to space.

Instead of doing a bit more to help solve the crisis of affordable housing, the bill provides essentially no expansion of Federal housing assistance and actually cuts key programs like Community Development Block Grants and public housing below the current year level.

And instead of providing the amounts for FEMA that the administration calculates would be needed even for an average year of hurricanes, floods and tornadoes, the bill provides only \$300 million of the \$2.9 billion requested. As a result, it jeopardizes FEMA's ability to respond quickly and adequately to natural disasters.

The best that can be said is that this plan spreads the pain more or less evenly across all accounts, except of course for AmeriCorps, which this bill totally zeros. But when I examine the funding levels in the chairman's mark, I have to ask myself why are we not providing more resources for medical

research at the Veterans Administration or for construction of State-needed extended-care facilities for veterans? Why are we not doing more to expand the supply of affordable housing and helping our Nation's homeless? Why are we not doing more for environmental restoration and protection? And why are we not doing more to explore space and perform the basic scientific research that is directly responsible for our current economic boom?

We have the largest budget surplus in decades, a surplus that keeps growing with every estimate. Yet rather than using part of that surplus to better meet our national needs, the majority leadership has decided, instead, to reserve it; to reserve it for large tax cuts targeted at upper-income levels that will never be enacted. That approach was wrong last year, and it is wrong now.

Once again the Congress is being put through an exercise. The appropriation subcommittee chairmen are being given unreasonably low allocations and are being told to write bills accordingly, which they reluctantly do. By the time these bills are signed into law, however, we end up with something so markedly different that it begs the question of why we go through this exercise at all.

I want to be clear about this. I believe the gentleman from New York has done the very best job he could do with what he was given. However, I reject the notion that this is the best we as a Congress can do.

This bill, through no fault of the chairman, is a series of missed opportunities, missed opportunities to improve our Nation's water and sewer infrastructure, which virtually almost every community in this country either needs improvement in or need water and sewer infrastructure to begin with; missed opportunities to assist people of modest means to afford decent housing; missed opportunities to ensure our continued leadership in science and technology, and the list goes on and on, Mr. Chairman. If we do not take these opportunities now, at a time when we are experiencing the best economy in a generation, when will we?

During full committee markup, we on this side of the aisle offered several amendments in an attempt to add funds in a few critical areas. Unfortunately, all of those amendments were defeated, some by razor thin one-vote margins. We will attempt to do the same today and tomorrow as the full House considers this legislation.

No matter what happens, Mr. Chairman, with these amendments, I believe that this process should move forward. It is also important that Members understand that, although this bill on its face appears to meet many programmatic needs, it falls short in one very significant area: meeting the priorities of individual Members. If the chairman has been approached by as many Members as I have, it is clear

that great needs are going unmet. This bill must receive additional resources before the chairman will be able to address the interests of Members.

The good news is that by the time the process is complete, I expect to see something markedly different than what we have before us today. I certainly hope so, Mr. Chairman. At that time I sincerely hope, and I hope that the chairman shares that hope, that such a bill will reflect the needs of our Nation and of our Members. This Congress has the means to provide health care to our veterans, to assist our elderly and less fortunate in securing housing, and to make the critical investments in research and technology that have fueled the largest economic expansion in history. When we do that, we will have a bill that everyone can support.

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

Mr. WALSH. Mr. Chairman, I yield 6 minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN), a member of the subcommittee.

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise in support of the VA-HUD appropriations bill.

Under the leadership of the gentleman New York (Mr. WALSH), and our ranking member, the gentleman from West Virginia (Mr. MOLLOHAN), our subcommittee has produced an excellent bill. I compliment them both. I also compliment the chairman for restructuring our hearing process to maximize information gathering and to actually get answers to serious housing, environmental, scientific and medical questions that fall within the purview of HUD, the EPA, the National Science Foundation and NASA, and the Department of Veterans Affairs, among a number of Federal agencies under our committee's jurisdiction.

Our subcommittee chair has faced a difficult task in balancing so many national and regional priorities within a limited budget allocation. This bill contains \$76.4 billion in discretionary funds, \$4.9 billion above last year's \$7.1 billion level. However, the Congressional Budget Office estimates that \$76.9 billion is needed in fiscal year 2000 just to fund a freeze from last year.

That said, the chairman has done a good job of keeping our heads above water while living within our means. The Department of Housing and Urban Development, one of the largest Federal departments, with over 10,400 employees, receives an increase of \$4 billion over last year. Virtually all of this increase goes to fully fund section 8 renewals and tenant protections, which are important. Level funded is section 202 housing for the elderly and section 811 housing for individuals with disabilities, public housing operating subsidies, homeless assistance grants, and Housing Opportunities for Persons with AIDS, known as HOPA.

This committee has been especially interested in acting on behalf of hous-

ing for people with disabilities. For the past 4 years, this committee has created a section 8 disabilities set-aside to earmark some of those funds to help individuals with disabilities find suitable housing. This year, for the first time, the President finally agreed with our committee on the importance of this particular disabilities set-aside. Our bill contains the \$25 million to fund the President's long overdue request for this purpose.

Also, under HUD, this bill contains language mandating that 75 percent of the section 811 disabled housing program funds be spent on new construction. There is simply an insufficient supply of housing available for individuals with disabilities; therefore, we need to emphasize housing production over rental assistance. We reject the administration's proposal to drop the mix to 50-50, and this bill insists that 75 percent of the funds go towards building new housing units.

The Environmental Protection Agency is level funded at the administration's budget request of \$7.2 billion. Nevertheless, the clean water State revolving funds are increased by \$400 million over the President's level, for a total of \$1.2 billion, because this remains a top environmental goal of many towns and cities. State air grants, safe drinking water, State revolving funds and research are all increased over last year's amounts as well. So there are increases.

□ 1630

The committee has matched the President's request of \$1.2 billion for the Superfund program, an increase of \$2.5 million over last year. Superfund was established in 1980 to help clean up emergency hazardous materials in many waste sites around the country that have been abandoned.

As a Member of Congress, I have the dubious distinction of having more of these sites on a national priority listed in my congressional district than any other. I am glad today that this program continues to emphasize remediation rather than litigation, cleanups instead of costly, protracted lawsuits.

The EPA section of this bill also seeks to address the serious problems which we have discussed in our public hearing caused by the use of the gasoline additive known as MTBE.

During our hearings in March with EPA Administrator Carol Browner, I raised the growing problems associated with this gasoline additive. While MTBE is used in an effort to reduce fuel emissions and meet Federal clean air standards, the EPA was well aware early on it had begun to contaminate water supplies throughout our country.

California has at least 10,000 contaminated sites, New York 1,500, New Jersey nearly 500, and many communities in my district are affected adversely.

As a result of our March hearing, Administrator Browner finally took steps to phase out the use of MTBE. This bill

builds upon that decision by providing \$9 million for efforts to correct leaking underground storage tank problems associated with this additive.

Further, this bill reinforces the commitment of this committee and Congress to scientific research. I am referring particularly to the National Science Foundation, which marks our 50th anniversary this year. It is funded at a record \$4.1 billion. This is an increase of \$167 million, or a 4.3 percent increase, over last year.

It is also the first time funds for this agency have topped the \$4-billion level, with only a small portion to Federal spending. This agency has been a powerful positive effect or change in terms of national science and engineering in every State and institution of higher learning. Every dollar invested in the NSF returns many fold its worth in economic growth.

I support this budget. I support the NSF. And I support the work of the committee.

Mr. MOLLOHAN. Mr. Chairman, I am pleased to yield 6 minutes to the gentleman from Wisconsin (Mr. OBEY), the distinguished ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Chairman, this bill is a debate or part of the debate about our national priorities and our national values and it helps decide who we are going to put first in this society.

This Congress has committed itself to pass a large number of very large tax cuts, and most of those tax cuts are aimed at the most well-off people in our society. The wealthiest 2 percent will get a huge percentage of those tax cuts. And our ability to afford those tax cuts is based on the assumption by the majority that over the next few years we will cut \$125 billion below current services, below existing purchasing power levels, a whole host of programs: education programs, health programs, housing programs, land acquisition programs, science programs, all the rest.

That is really what this debate is all about. Because this is one of the appropriation bills that is cut by a large amount below the President's budget in order to pretend that we can squeeze out enough room for those huge tax cuts aimed at the most well-off people in this society. And I do not believe we ought to do that.

I think we need to look at this budget in terms of what we need 10 years from now because this is a growing society, it is a growing population. We have growing needs, we are going to have more people who need housing, we are going to have more people in high schools, we are going to have more people in college, we are going to have more needs, and these bills are not responding to them.

Some examples of that lack of response are as follows: As has been indicated, the distinguished chairman has done the best he can given the budget ceiling which was assigned to his sub-

committee and this bill does contain a welcome \$1.35 billion increase for veterans' medical care. It is about time that both parties get off their duff on that. But it fails to adequately provide for several other priorities for veterans.

It does freeze funds for veterans' medical and prosthetic research. It cuts grants for construction of State veterans homes one-third below current year levels and does some other things that we are not happy about. It needlessly creates a political confrontation with the President by terminating the Corporation for National and Community Service, including the AmeriCorps program. Everyone on this floor knows the President is not going to sign this bill with that provision.

For housing, it appropriates no funds for the 120,000 new housing assistance vouchers proposed by the administration. It cuts Community Development Block Grants \$276 million below the current year level and \$395 million below the President's request. It freezes funding for homeless assistance. It provides a number of other cuts on the environmental front and on the NASA front.

I happen to believe the most serious cut of all in terms of our long-term economic health is what this bill does to the National Science Foundation because it falls short of the President's request by \$508 billion. And I think it is essential to understand that the National Science Foundation does much of the basic scientific research, upon which all our other technological and medical progress is based.

We have had economists estimate that at least half of our economic productivity in the past 50 years can be attributed to technological innovation and the science that has supported that innovation. And yet, this bill is a giant missed opportunity because it cuts the President's budget with respect to that program.

It falls \$508 million below the President's request. And then, in addition, it takes actions which, in concert with other actions taken by other subcommittees, slowly but surely fences in the Justice Department so that neither they nor any other agency of Government can mount an effective lawsuit against the tobacco companies for lying through their teeth to the American people for the past 40 years about whether or not their product caused cancer. And so, the Government has shelled out billions of dollars in Medicare, in veterans' health costs to deal with health consequences of that product and the lying selling of that product to the American people. And I think that needs to be corrected.

So these are a number of reasons why, although I have profound respect for the gentleman from New York (Mr. WALSH) and consider him to be one of the finest people in this institution, I cannot support the work product that the budget resolution has forced him to come up with.

Mr. WALSH. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. KNOLLENBERG), a member of the subcommittee.

Mr. KNOLLENBERG. Mr. Chairman, I want to thank the chairman for yielding on my behalf, and I rise in strong support of this bill.

Mr. Chairman, I want to thank the gentleman from New York (Chairman WALSH) for all the great effort and the great work that he has done as chairman of this subcommittee. I want to thank, also, the ranking member, the gentleman from West Virginia (Mr. MOLLOHAN), who has teamed up with the gentleman from New York (Mr. WALSH) to make this thing work.

I want to further thank the staff, led by Frank Cushing, for all the great efforts that they have made on this legislation. It is not easy, and I know that; and most people do not know how much time staff puts into the effort that brings forth a bill.

This appropriations bill is unique in that it covers an array of diverse agencies ranging from the Veterans Administration to the EPA. And there is a lot of distance in between. It is not an easy task to bring this wide range of interest into a single bill. However, the gentleman from New York (Chairman WALSH) and the gentleman from New York (Mr. MOLLOHAN), the ranking member, have a working relationship that I think makes this all possible.

H.R. 4635 is a good bill and keeps us within the budget resolution. I would point out that the product before us contains, as undoubtedly has been commented on, no Member earmarks. In this respect, it is eminently fair because there are no winners or losers.

The fiscal year 2001 VA-HUD bill is a fair piece of legislation produced under very difficult circumstances and is within, again, the budget resolution. It responsibly provides a \$1.3-billion increase for veterans' medical health care, fully funds section 8 housing, and provides sound investments in research-intensive agencies, such as NASA and, as the gentleman from New Jersey (Mr. FRELINGHUYSEN) just mentioned, the National Science Foundation.

As this process moves forward, there will be plenty of opportunities for Members to offer their suggestions and amendments before the President finally signs the bill. I would implore my colleagues not to let perfection be the enemy of good. This is a good and responsible bill, and I encourage all my colleagues to support it.

Again, the gentleman from New York (Chairman WALSH) is to be saluted for crafting this piece of legislation under these circumstances. He has worked in good faith with the ranking member on the other side in a bipartisan spirit to form a bill that the House has now before it.

My colleagues, this is a fair bill and there will be time to strengthen it further as the process moves along. So I urge its support.

Mr. MOLLOHAN. Mr. Chairman, I am pleased to yield 5 minutes to the gentleman from California (Mr. FILNER).

Mr. FILNER. Mr. Chairman, I thank the ranking member for yielding me the time.

Mr. Chairman, I speak today on one part of the bill before us, title I, the bill funding the Department of Administration, and I speak as ranking member of the Subcommittee on Benefits of the Committee on Veterans' Affairs in this House.

Now, all of us on this side of the aisle have spoken of our deep respect for the chair, the gentleman from New York (Mr. WALSH), but we also have taken issue with the sense that we are doing all we can do in this bill, in this case for our Nation's veterans.

The gentleman from New York (Mr. WALSH) talks in a passive sense that we have been allocated a number. This is an active decision by this House to allocate certain figures, and this House can do what it will with regard to the budget.

As the gentleman from Wisconsin (Mr. OBEY) has pointed out, we have spoken about our priorities. This budget ranks veterans' affairs, I am afraid, very low in the priorities.

The chair said that this is fully funded, medical care for our veterans is fully funded. I am not sure what that means, but I would challenge my colleagues to go to any town hall meeting of veterans in this Nation and tell them that their benefits and their health care is fully funded.

The gentleman from Michigan said this is a good and responsible budget. I take issue. It is not a good budget. It is an irresponsible budget. We are renegeing on our commitment to our Nation's veterans, Mr. Speaker. We have asked our veterans to sacrifice in war. When we had deficits, we asked our veterans to take cuts because we had to share the sacrifice of cutting those deficits. But now that we have surpluses, it is time to make up on those commitments and start fulfilling those commitments.

Many of our national cemeteries are a national disgrace. The waiting list for our veterans to see medical specialists goes months and months and months to get adjudication. Their benefits claims may take years. This is not a good and responsible budget. We are falling behind, Mr. Speaker, on medical research for veterans. We are falling behind on our commitment to fund our State veterans' homes. We are falling behind on helping our homeless veterans. We are falling behind on providing educational benefits to those veterans.

□ 1645

The Montgomery GI bill is almost worthless in terms of its spending power in today's market.

I am going to submit amendments, Mr. Chairman, to cover some of these shortcomings, but I want to speak on a couple now. We are not adequately

meeting the benefit and health care needs of veterans who served in the Gulf War and who now suffer from various diagnosed and undiagnosed disabilities. It has been almost 10 years, Mr. Chairman, since the men and women of our Armed Forces were sent to the gulf, yet they do not know what caused their illness, and we have no treatment for it. We must not relax our efforts to fund necessary and appropriate research. This budget does virtually nothing for those veterans.

I speak today, Mr. Chairman, on behalf of the Independent Budget, a budget that was propounded by a coalition of all the veterans organizations in this Nation. It is a responsible, professional budget. They show that this budget falls behind on our commitment by a minimum of \$1.5 billion. It points out that as our veteran population ages, the need for long-term care increases. One means of providing that is through our funding of State veterans homes. In fact, a new home just opened in my congressional district; and already there is a waiting list of hundreds and hundreds. Other areas should have the same opportunity as the veterans in my San Diego region with the opening of this new home. Yet this budget has a decrease in funding for State homes.

Mr. Chairman, our Nation's veterans require an educational benefit that will actually allow them to attend college. I will propose such an amendment when the time comes. We have fallen behind on trying to deal with our homeless veterans. Thirty to 40 percent of those on the street are veterans. This is no way to treat those who served for us. We should increase that. This budget does not.

Finally, Mr. Chairman, we have a group of people in this Nation who served during World War II and were drafted into Armed Forces, Filipino veterans who helped us win the war in the Pacific. They are in their 70s and 80s. We need to provide them the health care that was taken away by this Congress more than 50 years ago. \$30 million is all that is required to provide this health care. I will submit an amendment to do just that.

Mr. Chairman, we are falling farther and farther behind with this budget. It is time to reverse our priorities. It is time to recognize the heroism and sacrifice of our Nation's veterans. Let us truly fully fund this budget. Let us truly make this a good and responsible budget. Let us do better for our Nation's veterans.

Mr. WALSH. Mr. Chairman, I yield myself such time as I may consume just to discuss some of the issues that were just raised.

I will be brief. I am not going to fight every battle and counter every argument, but I do think it needs to be said that we are not falling behind. We are not falling behind in our commitments to our veterans. In fact, the strides that this Congress has made in the last 2 years, \$1.7 billion last year, almost \$1.4 billion this year, that is over a \$3

billion commitment in a \$20 billion health care allocation. That is a profound commitment to our veterans. I do not believe any Congress in the recent or distant past has made that sort of commitment. I strongly disagree with the gentleman's statement that we are falling behind. If anything, we are quickly catching up if not pulling ahead. But to say we are falling behind, I think, gives grist for the mill for those uninformed people out there who are saying we are not keeping our commitments to the veteran. I strongly disagree.

On the issue of the G.I. Bill, those benefits are mandatory. The gentleman sits on the committee of authorization. That is where that issue belongs, not here in the committee on appropriations. Those are mandatory benefits, not within our purview to determine allocation of funds. It is mandatory.

Lastly, the GAO study says that the Veterans Administration is wasting \$1 million a day through poor administration. That is over \$300 million a year wasted. We cannot afford to have that waste continue. Clearly, the Congress can do better; but the administration can, too.

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

Mr. MOLLOHAN. Mr. Chairman, I yield 4 minutes to the gentlewoman from Michigan (Ms. KILPATRICK).

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

Ms. KILPATRICK. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I believe the gentleman from New York (Mr. WALSH) has done a fine job with the resources he has available and certainly the gentleman from West Virginia (Mr. MOLLOHAN) and the gentleman from Wisconsin (Mr. OBEY), our ranking member, who has done all that he can to bring this bill to the floor; but it is not a good bill. I just want to reiterate what I have said over and over again as a part of the Committee on Appropriations. The budget is woefully underfunded. At a time when America's prosperity is well, when the budget surpluses are higher than they ever have been or ever thought to be at this time in the process, we are dealing with a budget process in a very important veterans budget, housing budget and EPA budget that is going lacking.

Why is that? Well, some months ago, this Congress passed in a very partisan way 302(b) allocations which are the bottom line numbers that each of these budgets reflect. So we find ourselves fighting over very important programs that need to be funded. Veterans who have served this country and served well ought to have full coverage and ought to be able to have their medical needs met. They ought not be homeless in our country and many of them are. They ought to be able to have the drug treatment necessary that they be fine citizens, having worked and saved this

country from various battles across the history of our country. But it is not funded properly.

In this time of budget surpluses, if we cannot do it now, when will we do it? I think it is a travesty that this bill is on the floor with shortages in homelessness, medical care, and treatment for veterans in our country who have served this country well.

I am also disturbed that our housing, public housing, those in America, the least of these who find themselves living in public housing are now seeing cuts at a time when we were building on public housing, at a time when they were being renovated, revitalized, at a time when the capital count was at one time meeting those needs and now falling sorely behind. In 1995, the public housing budget was \$3.7 billion. This budget today calls for \$2.8 billion. From \$3.7 billion to today \$2.8 billion, the public housing needs are not being met.

The section 8 vouchers, there is a backlog of need in my district, and I am sure in many others who need section 8 vouchers. One of the previous speakers said that we are fully funding section 8 vouchers. We are funding those who already have it, but we are not at all addressing the need of the backlog, some hundreds in my own district who have applied for and are waiting for decent, free housing, free from crime, free from other kinds of negative things in our budget.

I commend the gentleman from New York (Mr. WALSH) for what he has done and the gentleman from West Virginia (Mr. MOLLOHAN), but it is really not enough. We have got to be realistic with these budgets. There are children, there are families who need us to stand up to our responsibility. If we look at veterans coverage, it is lacking. In public housing needs, it is lacking. We can do better in this Congress.

I would hope that as we go through the process, as we get through conference, and everybody says, Wait till we get to conference, it is going to be better, it is our responsibility today, we ought not have to wait until we get to conference. But, Mr. Chairman, as we leave and this bill is on the floor, we will be debating it much of this evening, let us remember those veterans, those poor people who need us to speak out for them.

Mr. MOLLOHAN. Mr. Chairman, I yield 4 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, let me first appreciate the efforts of the gentleman from New York (Mr. WALSH) and the gentleman from West Virginia (Mr. MOLLOHAN) because I think they probably did a competent job with what they had to work with. But I still believe that in addition to the veterans and the housing needs, this bill also represents a lost opportunity in research. The President proposed a historic budget increase for the National

Science Foundation this year. The increase was intended to bolster the activities of an agency with a critically important role in sustaining the Nation's capabilities in science and engineering research and education.

The bill cuts the amount of the request by more than \$500 million. This is shortsighted and inconsistent with the previous actions of the House. It also ignores the well-known connection between research and economic development. I characterize the bill as shortsighted because it has now been shown that public support for basic research in science and engineering is an investment in the future economy and in the well-being of our citizens. Over the past 50 years, half of U.S. economic productivity can be attributed to technological innovation and the science that has supported it. The social rate of return for basic research performed at academic institutions has been found to be at least 28 percent.

Basic research discoveries launch new industries that bring returns to the economy that far exceed the public investment. The recent example of the Internet, which emerged from research projects funded by the Defense Advanced Research Projects Agency and the National Science Foundation strikingly illustrates the true investment nature of such research expenditures. What then will be the effects of the anemic increase provided for the National Science Foundation by this bill? The most important is also the least quantifiable, that is, the lost opportunities due to research ideas that are not pursued.

Last year alone, the National Science Foundation could not fund 3,800 proposals that received very good or excellent ratings by peer reviewers. The budget increase requested for fiscal year 2001 has greatly reduced the number of meritorious research ideas doomed to rejection because of inadequate budgets. Nearly half of the increase in the fiscal year 2001 National Science Foundation budget proposal was designated for the core research programs of the foundation. This new funding would increase average grant size and duration as well as increasing the number of new awards. Inflation has reduced the relative value of National Science Foundation awards, thereby adding to the overhead burden placed on the academic research community. That is, researchers must generate multiple proposals to obtain adequate funding for their research projects.

If NSF were to be allowed to reach its goal of increasing average grant size to \$108,000 and grant duration to 3 years, it estimates the savings in the cost of research proposal preparation alone would be \$50 million. Of course, this is only a portion of the potential savings since it does not include reductions in the time for proposal reviews and the reduced cost to universities from administering these few grants.

Overall, the cuts from proposed funding levels in the bill will result in more

than 4,000 fewer awards for state-of-the-art research and education activities. This reduction will curtail investments in exciting, cutting-edge research initiatives, such as information technology, the nanoscale science and engineering, and environmental research. The effect will be to slow the development of new discoveries with immense potential to generate significant benefits to society.

The reduction in funding also translates into almost 18,000 fewer researchers, educators, and students receiving NSF support. This is a direct, and negative, effect on the shortages projected in the high-tech workforce. It will reduce the number of well-trained scientists and engineers needed for the Nation's future.

Finally, I feel I must point out the inconsistency between the funding provided by the bill for NSF and the interest expressed by many Members of this House in the development and widespread use of information technology.

In February the House passed H.R. 2086 by acclamation. This bill authorizes nearly \$5 billion over four years among seven agencies for information technology research. NSF was the lead agency of the multi-agency initiative and was provided a major portion of the resources. H.R. 4635 cuts the requests for NSF's part of this initiative by over \$154 million, or by more than 20 percent.

The need for the major new investment in information technology research was advocated by the President's Information Technology Advisory Committee. This committee stated that: "Unless immediate steps are taken to reinvigorate federal research in this critical area, we believe there will be a significant reduction in the rate of economic progress over the coming decades."

I regret that H.R. 4635 limits support for the research that will lead to breakthroughs in information technology, materials, environmental protection, and a host of technology dependent industries.

The economic growth that has been fueled by advances in basic research will be endangered because of the failure of this bill to provide adequate resources for the math, science, and engineering research and education activities of the National Science Foundation. This is shameful and irresponsible.

Mr. WALSH. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN).

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

Mr. Chairman, I think we need to point out, as the gentleman from New York (Mr. WALSH) has pointed out in previous remarks, that we have increased funding for veterans medical care by \$1.3 billion. I may point out, it took the President 4 years to realize what Members of this body, both Democrats and Republicans, have realized all along, that funding for veterans medical care must be increased, and we have done it. When we combine that with last year's historic increase, this Congress will have provided \$3 billion more for veterans medical care in the last 2 years. Mr. Chairman, we are keeping our promise. Unlike the President's budget, all funds that are collected by the VA from third-party insurers and copayments will stay according to our budget within the VA

system. The President's budget proposed that the first \$350 million collected as a result of changes under the Veterans Millennium Health Care Act signed into law and passed last year be returned to the Treasury, not to the Veterans Administration.

□ 1700

This bill requires that those outside collections be retained by the VA and to be used for improving veterans' medical care. This is a responsible budget, because it better addresses also, Mr. Chairman, the growing and serious problem of hepatitis C among veterans.

According to the Centers for Disease Control, this disease of the liver, if untreated, can lead to chronic liver disease and even liver failure. The hepatitis C virus affects a disproportionately high number of veterans compared to the general population, particularly those with the Vietnam-Era part of our history.

In the fiscal year 2000 bill, Congress provided \$190 million for testing and treatment of hepatitis C in our bill; the one under discussion today would increase that amount to \$340 million. However, during our committee's hearing with the VA in March, Secretary Togo West stated that the Department would be unable to spend all the fiscal year 2000 hepatitis C testing and treatment funds, because the demand was not there.

Frankly, too many of us on the committee, the committee's Secretary statement was puzzling and, in fact, contrary to a great deal of known information about this health crisis from the CDC, as well as from the VA's own data. In a 1-day random hepatitis screening done by the VA in March of 1999, it showed 6 percent of Veterans tested nationally that tested positive for hepatitis C virus compared to less than 2 percent of the general population. In my area, in New York and in New Jersey, the infection rate from that 1-day test was over 12 percent, twice the national average.

The numbers have not improved since then, but this budget increases money for hepatitis C testing. It increases money for medical care, and this is a budget that points us in the right direction.

Mr. MOLLOHAN. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, we in the Congress are constantly debating what our priorities ought to be, and 2 weeks ago this House adopted legislation to eliminate the es-

tate tax. And in doing that, we gave, in effect, \$200 billion to around 400 families. That was our judgment in this House. It was not a judgment I agreed with, but it was, nevertheless, the judgment of this House.

In this bill that is before us there is a rider that we will seek to strike, and that rider would prevent use of funds to pursue litigation against the tobacco industry. Well, some people think that if we get a judgment against the tobacco industry, that could bring in \$300 billion to pay back the Federal Government for expenses due to the misconduct of that industry.

Mr. Chairman, well, if that rider does not get taken out of this bill and that lawsuit is stopped, in the course of a couple of weeks we will have given \$200 billion to 400 families by eliminating the estate tax, and we will refuse to bring in potentially \$300 billion that can be used for veterans' health, Indian health services, prescription drug benefits for the elderly, so many things where we are always saying we do not have the money to fund it.

The amendment that we are going to be offering with a number of our colleagues would strike that rider, and so there would be no misunderstanding about it. That amendment would provide that funds that would otherwise go into the account in the veterans' health program for management and legal expenses would be used for pursuing litigation against the tobacco industry which would bring many, many, many times over that amount back to the veterans' health program.

Specifically, we do not use any funds out of the veterans' health program, but only funds allocated for legal expenses. This separate fund would be then allocated to pursue the lawsuit, and all of the veterans' groups want that lawsuit to be pursued.

They know how important it is to get funds that are not enough to meet their needs into the veterans' health priorities. We have explicit support from the Veterans of Foreign Wars, the AMVETS, the Disabled War Veterans, the Paralyzed War Veterans for our amendment; and all of the groups want this lawsuit to go forward.

Let me point out that if we strike this rider we not only have the support of the veterans' organizations, but it will have no effect at all on the Medicaid settlement with the States or on retailers in this country. The only ones who are being sued are the manufacturers of tobacco products who for decades have misled the American people and the veterans into starting to smoke and continuing to smoke.

They not only misled about the dangers of cigarettes, they misled them

about the nicotine addiction; and they not only did that, they manipulated the nicotine levels to keep people smoking.

I would hope that when we get into the opportunity for amendments, that Members on both sides of the aisle will join us in striking that rider that would prohibit use of funds to recover money that can be used for veterans' health care from the tobacco industry. It is only to the benefit of everyone that this amendment go forward, and we will hear more about it later.

The CHAIRMAN. The gentleman from West Virginia (Mr. MOLLOHAN) has 30 seconds remaining; the gentleman from New York (Mr. WALSH) has the right to close.

Mr. MOLLOHAN. Mr. Chairman, we have, I think, many requests that would be more than 30 seconds; and, therefore, I yield back the balance of my time.

Mr. WALSH. Mr. Chairman, I yield 1 minute 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. Chairman, a couple of the Members from the other side of the aisle, the gentleman from Wisconsin (Mr. OBEY), the gentleman from Texas (Ms. EDDIE BERNICE JOHNSON), suggested the need for more NSF funding, the National Science Foundation. I agree. Yet one of the Members from your side of the aisle is suggesting that we take money, additional money out of NSF and put it into HUD.

Hopefully in this appropriation bill, before it is finished, we can find more money to accommodate basic research. Basic research in this country has been instrumental in creating products and increasing our competitive position. As chairman of the Subcommittee on Basic Research, I introduced H.R. 4500 that authorizes a 17 percent increase in NSF funding.

Let us not shortchange basic research that has served us so well. Let us make sure we do not take more money out of the NSF funding, and let us look for additional funding to help make sure that the basic research that has helped make this country great, that has been vital to increasing our productivity, continues as one of our priorities.

Mr. WALSH. Mr. Chairman, I have no further comments to make. I think we can conclude our general debate and move into amendments.

Mr. Chairman, I submit the following tables for the RECORD.

**DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT,
AND INDEPENDENT AGENCIES APPROPRIATIONS BILL, 2001 (H.R. 4635)
(Amounts in thousands)**

	FY 2000 Enacted	FY 2001 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I					
DEPARTMENT OF VETERANS AFFAIRS					
Veterans Benefits Administration					
Compensation and pensions.....	21,568,364	22,766,276	22,766,276	+ 1,197,912	.....
Readjustment benefits.....	1,469,000	1,634,000	1,664,000	+ 195,000	+ 30,000
Veterans insurance and indemnities.....	28,670	19,850	19,850	-8,820	.....
Veterans housing benefit program fund program account (indefinite).....	282,342	165,740	165,740	-116,602	.....
(Limitation on direct loans).....	(300)	(300)	(300)	.....	.....
Administrative expenses.....	156,958	166,484	161,484	+ 4,526	-5,000
Education loan fund program account.....	1	1	1	.....	.....
(Limitation on direct loans).....	(3)	(3)	(3)	.....	.....
Administrative expenses.....	214	220	220	+ 6	.....
Vocational rehabilitation loans program account.....	57	52	52	-5	.....
(Limitation on direct loans).....	(2,531)	(2,726)	(2,726)	(+ 195)	.....
Administrative expenses.....	415	432	432	+ 17	.....
Native American Veteran Housing Loan Program Account.....	520	532	532	+ 12	.....
Guaranteed Transitional Housing Loans for Homeless Veterans program account.....	48,250	.....	.....	-48,250	.....
(Limitation on direct loans).....	(100,000)	.....	.....	(-100,000)	.....
Total, Veterans Benefits Administration.....	23,554,791	24,753,587	24,778,587	+ 1,223,796	+ 25,000
Veterans Health Administration					
Medical care.....	18,106,000	19,381,587	19,354,587	+ 1,248,587	-27,000
Delayed equipment obligation.....	900,000	900,000	927,000	+ 27,000	+ 27,000
Total.....	19,006,000	20,281,587	20,281,587	+ 1,275,587	.....
Across the board rescission (0.38%).....	-79,519	.....	.....	+ 79,519	.....
(Transfer to general operating expenses).....	(-27,907)	.....	(-26,134)	(-227)	(-28,134)
Subtotal.....	18,926,481	20,281,587	20,281,587	+ 1,355,106	.....
Medical care cost recovery collections:					
Offsetting receipts.....	-608,000	-639,000	-639,000	-31,000	.....
Appropriations (indefinite).....	608,000	639,000	639,000	+ 31,000	.....
Total available.....	(608,000)	(639,000)	(639,000)	(+ 31,000)	.....
Medical and prosthetic research.....	321,000	321,000	321,000	.....	.....
Medical administration and miscellaneous operating expenses.....	59,703	64,884	62,000	+ 2,297	-2,884
General Post Fund, National Homes:					
Loan program account (by transfer).....	(7)	.....	.....	(-7)	.....
(Limitation on direct loans).....	(70)	.....	.....	(-70)	.....
Administrative expenses (by transfer).....	(54)	.....	.....	(-54)	.....
General post fund (transfer out).....	(-61)	.....	.....	(+ 61)	.....
Total, Veterans Health Administration.....	19,307,184	20,667,471	20,664,587	+ 1,357,403	-2,884
Departmental Administration					
General operating expenses.....	912,594	1,061,854	1,006,000	+ 93,406	-55,854
Offsetting receipts.....	(36,754)	(36,754)	(36,754)	.....	.....
Total, Program Level.....	(949,348)	(1,098,608)	(1,042,754)	(+ 93,406)	(-55,854)
(Transfer from medical care).....	(27,907)	.....	(28,134)	(+ 227)	(+ 28,134)
(Transfer from national cemetery).....	(117)	.....	(125)	(+ 8)	(+ 125)
(Transfer from inspector general).....	(30)	.....	(28)	(-2)	(+ 28)
National Cemetery Administration.....	97,256	109,889	106,889	+ 9,633	-3,000
(Transfer to general operating expenses).....	(-117)	.....	(-125)	(-8)	(-125)
Office of Inspector General.....	43,200	46,464	46,464	+ 3,264	.....
(Transfer to general operating expenses).....	(-30)	.....	(-28)	(+ 2)	(-28)
Construction, major projects.....	65,140	62,140	62,140	-3,000	.....
Construction, minor projects.....	160,000	162,000	100,000	-60,000	-62,000
Grants for construction of State extended care facilities.....	90,000	60,000	60,000	-30,000	.....
Grants for the construction of State veterans cemeteries.....	25,000	25,000	25,000	.....	.....
Total, Departmental Administration.....	1,393,190	1,527,347	1,406,493	+ 13,303	-120,854
Total, title I, Department of Veterans Affairs.....	44,255,165	46,948,405	46,849,667	+ 2,594,502	-98,738
Appropriations.....	(44,334,684)	(46,948,405)	(46,849,667)	(+ 2,514,983)	(-98,738)
Rescissions.....	(-79,519)	.....	.....	(+ 79,519)	.....
(By transfer).....	(61)	.....	.....	(-61)	.....
(Limitation on direct loans).....	(102,904)	(3,029)	(3,029)	(-99,875)	.....
Consisting of:					
Mandatory.....	(23,396,626)	(24,585,866)	(24,615,866)	(+ 1,219,240)	(+ 30,000)
Discretionary.....	(20,858,539)	(22,362,539)	(22,233,801)	(+ 1,375,262)	(-128,738)
TITLE II					
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT					
Public and Indian Housing					
Housing Certificate Fund.....	7,176,695	9,927,824	9,075,388	+ 1,898,693	-852,436
(By transfer).....	(183,000)	.....	.....	(-183,000)	.....
Advance appropriation, FY 2001/2002.....	4,200,000	4,200,000	4,200,000	.....	.....
Total funding.....	11,376,695	14,127,824	13,275,388	+ 1,898,693	-852,436

**DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT,
AND INDEPENDENT AGENCIES APPROPRIATIONS BILL, 2001 (H.R. 4635)—Continued
(Amounts in thousands)**

	FY 2000 Enacted	FY 2001 Request	Bill	Bill vs. Enacted	Bill vs. Request
Across the board rescission (0.38%)	-72,275			+ 72,275	
Housing set-asides:					
Expiring section 8 contracts	(10,834,135)	(13,221,824)	(13,275,388)	(+ 2,441,253)	(+ 53,564)
Section 8 relocation assistance	(156,000)	(79,000)		(-156,000)	(-79,000)
Contract administration		(209,000)			(-209,000)
Incremental vouchers	(346,560)	(527,000)		(-346,560)	(-527,000)
Administrative fee change		(66,000)			(-66,000)
Voucher for disabled	(40,000)	(25,000)		(-40,000)	(-25,000)
Subtotal	(11,376,695)	(14,127,824)	(13,275,388)	(+ 1,898,693)	(-852,436)
Rescission of unobligated balances:					
Section 8 recaptures (rescission)	-1,300,000		-275,388	+ 1,024,612	-275,388
Section 8 carryover and Tenant Protection (resc)	-943,000			+ 943,000	
Subtotal	-2,243,000		-275,388	+ 1,967,612	-275,388
Public housing capital fund	2,900,000	2,955,000	2,800,000	-100,000	-155,000
Public housing operating fund	3,138,000	3,192,000	3,138,000		-54,000
Subtotal	6,038,000	6,147,000	5,938,000	-100,000	-209,000
Drug elimination grants for low-income housing	310,000	345,000	300,000	-10,000	-45,000
Revitalization of severely distressed public housing (HOPE VI)	575,000	625,000	565,000	-10,000	-60,000
Native American housing block grants	620,000	650,000	620,000		-30,000
Indian housing loan guarantee fund program account	6,000	6,000	6,000		
(Limitation on guaranteed loans)	(71,956)	(71,956)	(71,956)		
Total, Public and Indian Housing	16,610,420	21,900,824	20,429,000	+ 3,818,580	-1,471,824
Community Planning and Development					
Housing opportunities for persons with AIDS	232,000	260,000	232,000		-28,000
Rural housing and economic development	25,000	27,000	20,000	-5,000	-7,000
America's private investment companies program:					
(Limitation on guaranteed loans)	(541,000)	(1,000,000)		(-541,000)	(-1,000,000)
Credit subsidy	20,000	37,000		-20,000	-37,000
Urban empowerment zones	55,000			-55,000	
Rural empowerment zones	15,000			-15,000	
Subtotal	70,000			-70,000	
Community development block grants	4,800,000	4,900,000	4,505,000	-295,000	-395,000
Across the board rescission (0.38%)	-18,765			+ 18,765	
Section 108 loan guarantees:					
(Limitation on guaranteed loans)	(1,261,000)	(1,217,000)	(1,217,000)	(-44,000)	
Credit subsidy	29,000	28,000	28,000	-1,000	
Administrative expenses	1,000	2,000	1,000		-1,000
Brownfields redevelopment	25,000	50,000	20,000	-5,000	-30,000
HOME investment partnerships program	1,600,000	1,650,000	1,585,000	-15,000	-65,000
Homeless assistance grants	1,020,000	1,200,000	1,020,000		-180,000
Communities in schools community development program	5,000	5,000		-5,000	-5,000
Total, Community planning and development	7,808,235	8,159,000	7,411,000	-397,235	-748,000
Housing Programs					
Housing for special populations	911,000	989,000	911,000		-78,000
Housing for the elderly	(710,000)	(779,000)	(710,000)		(-69,000)
Housing for the disabled	(201,000)	(210,000)	(201,000)		(-9,000)
Federal Housing Administration					
FHA - Mutual mortgage insurance program account:					
(Limitation on guaranteed loans)	(140,000,000)	(160,000,000)	(160,000,000)	(+ 20,000,000)	
(Limitation on direct loans)	(100,000)	(250,000)	(100,000)		(-150,000)
Administrative expenses	330,888	330,888	330,888		
Administrative contract expenses	160,000	160,000	160,000		
Additional contract expenses	4,000	4,000	4,000		
FHA - General and special risk program account:					
(Limitation on guaranteed loans)	(18,100,000)	(21,000,000)	(21,000,000)	(+ 2,900,000)	
(Limitation on direct loans)	(50,000)	(50,000)	(50,000)		
Administrative expenses	64,000	211,455	211,455	+ 147,455	
Administrative expenses (unobligated balances)	(147,000)			(-147,000)	
Negative subsidy	-75,000	-100,000	-100,000	-25,000	
Subsidy		101,000	101,000	+ 101,000	
Subsidy (unobligated balances)	(153,000)			(-153,000)	
Non-overhead administrative expenses	144,000	144,000	144,000		
Additional contract expenses	7,000	7,000	7,000		
Total, Federal Housing Administration	634,888	858,343	858,343	+ 223,455	
Government National Mortgage Association					
Guarantees of mortgage-backed securities loan guarantee program account:					
(Limitation on guaranteed loans)	(200,000,000)	(200,000,000)	(200,000,000)		
Administrative expenses	9,383	9,383	9,383		
Administrative contract expenses	40,000	40,000			-40,000
Offsetting receipts	-422,000	-347,000	-347,000	+ 75,000	
Policy Development and Research					
Research and technology	45,000	62,000	40,000	-5,000	-22,000
Fair Housing and Equal Opportunity					
Fair housing activities	44,000	50,000	44,000		-6,000

**DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT,
AND INDEPENDENT AGENCIES APPROPRIATIONS BILL, 2001 (H.R. 4635)—Continued
(Amounts in thousands)**

	FY 2000 Enacted	FY 2001 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of Lead Hazard Control					
Lead hazard reduction	80,000	120,000	80,000		-40,000
Management and Administration					
Salaries and expenses	477,000	565,000	475,647	-1,353	-89,353
Transfer from:					
Limitation on FHA corporate funds	(518,000)	(518,000)	(518,000)		
GNMA	(9,383)	(9,383)	(9,383)		
Community Planning & Development	(1,000)	(1,000)	(1,000)		
America's Private Investment Companies Program		(1,000)			(-1,000)
Title VI	(150)	(150)	(150)		
Indian Housing	(200)	(200)	(200)		
Total, Salaries and expenses	(1,005,733)	(1,094,733)	(1,004,380)	(-1,353)	(-90,353)
Office of Inspector General.....	50,657	52,000	50,657		-1,343
(By transfer, limitation on FHA corporate funds)	(22,343)	(22,343)	(22,343)		
(By transfer from Drug Elimination Grants)	(10,000)	(10,000)	(10,000)		
Total, Office of Inspector General.....	(83,000)	(84,343)	(83,000)		(-1,343)
Office of Federal Housing Enterprise Oversight.....	19,493	25,800	22,000	+2,507	-3,800
Offsetting receipts.....	-19,493	-25,800	-22,000	-2,507	+3,800
Administrative Provisions					
Sec. 208 FHA	-319,000			+319,000	
Annual contribution (transfer out)	(-79,000)			(+79,000)	
Annual contributions (transfer out)	(-104,000)			(+104,000)	
Sec. 212 Rescissions.....	-74,400			+74,400	
Sec. 214 Moving to Work.....	5,000			-5,000	
Total, administrative provisions	-388,400			+388,400	
Total, title II, Department of Housing and Urban Development (net)	25,860,183	32,458,550	29,962,030	+4,101,847	-2,496,520
Current year, FY 2001	(21,660,183)	(28,258,550)	(25,762,030)	(+4,101,847)	(-2,496,520)
Appropriations	(24,068,623)	(28,258,550)	(26,037,418)	(+1,968,795)	(-2,221,132)
Rescissions.....	(-2,408,440)		(-275,388)	(+2,133,052)	(-275,388)
Advance appropriation, FY 2001/2002.....	(4,200,000)	(4,200,000)	(4,200,000)		
(Limitation on guaranteed loans)	(359,902,000)	(383,217,000)	(382,217,000)	(+22,315,000)	(-1,000,000)
(Limitation on corporate funds)	(561,076)	(562,076)	(561,076)		(-1,000)
TITLE III					
INDEPENDENT AGENCIES					
American Battle Monuments Commission					
Salaries and expenses	28,467	26,196	28,000	-467	+1,804
Across the board rescission (0.38%)	-108			+108	
Chemical Safety and Hazard Investigation Board					
Salaries and expenses	8,000	8,000	8,000		
Across the board rescission (0.38%)	-30			+30	
Department of the Treasury					
Community Development Financial Institutions					
Community development financial institutions fund program account	95,000	125,000	105,000	+10,000	-20,000
Consumer Product Safety Commission					
Salaries and expenses	49,000	52,500	51,000	+2,000	-1,500
Across the board rescission (0.38%)	-186			+186	
Corporation for National and Community Service					
National and community service programs operating expenses.....	434,500	533,700		-434,500	-533,700
Rescission.....	-80,000			+80,000	
Across the board rescission (0.38%)	-1,347			+1,347	
Office of Inspector General.....	4,000	5,000	5,000	+1,000	
Across the board rescission (0.38%)	-15			+15	
Total	357,138	538,700	5,000	-352,138	-533,700
Court of Appeals for Veterans Claims					
Salaries and expenses	11,450	12,500	12,500	+1,050	
Across the board rescission (0.38%)	-42			+42	
Department of Defense - Civil					
Cemeterial Expenses, Army					
Salaries and expenses	12,473	15,949	17,949	+5,476	+2,000
Across the board rescission (0.38%)	-47			+47	
Department of Health and Human Services					
National Institute of Health					
National Institute of Environmental Health Sciences 1/	60,000	48,527	60,000		+11,473
Public Health Service					
Toxic Substances and Environmental Public Health 1/	70,000	64,000	70,000		+6,000

**DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT,
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(Amounts in thousands)**

	FY 2000 Enacted	FY 2001 Request	Bill	Bill vs. Enacted	Bill vs. Request
Environmental Protection Agency					
Science and Technology	645,000	674,348	650,000	+ 5,000	-24,348
Transfer from Hazardous Substance Superfund	38,000	35,871	35,000	-3,000	-871
Subtotal, Science and Technology	683,000	710,219	685,000	+2,000	-25,219
Across the board rescission (0.38%)	-2,697			+2,697	
Environmental Programs and Management	1,900,000	2,099,461	1,900,000		-199,461
Across the board rescission (0.38%)	-4,733			+4,733	
Office of Inspector General	32,409	34,094	34,000	+1,591	-94
Transfer from Hazardous Substance Superfund	11,000	11,652	11,500	+500	-152
Subtotal, OIG	43,409	45,746	45,500	+2,091	-246
Across the board rescission (0.38%)	-29			+29	
Buildings and facilities	62,600	23,931	23,931	-38,669	
Across the board rescission (0.38%)	-238			+238	
Hazardous Substance Superfund 2/	1,170,000	1,337,473	1,170,000		-167,473
Delay of obligation	100,000		100,000		+100,000
Transfer to Office of Inspector General	-11,000	-11,652	-11,500	-500	+152
Transfer to Science and Technology	-38,000	-35,871	-35,000	+3,000	+871
Subtotal, Hazardous Substance Superfund	1,221,000	1,289,950	1,223,500	+2,500	-66,450
Leaking Underground Storage Tank Program	70,000	72,096	79,000	+9,000	+6,904
Across the board rescission (0.38%)	-240			+240	
Oil spill response	15,000	15,712	15,000		-712
Across the board rescission (0.38%)	-26			+26	
State and Tribal Assistance Grants	2,581,650	1,838,000	2,108,000	-473,650	+270,000
Categorical grants	885,000	1,068,957	1,068,957	+183,957	
Subtotal, STAG	3,466,650	2,906,957	3,176,957	-289,693	+270,000
Across the board rescission (0.38%)	-20,885			+20,885	
Total, EPA	7,461,659	7,164,072	7,148,888	-312,771	-15,184
Rescissions	-28,848			+28,848	
Executive Office of the President					
Office of Science and Technology Policy	5,108	5,201	5,150	+42	-51
Across the board rescission (0.38%)	-19			+19	
Council on Environmental Quality and Office of Environmental Quality	2,827	3,020	2,900	+73	-120
Across the board rescission (0.38%)	-11			+11	
Total	7,905	8,221	8,050	+145	-171
Federal Deposit Insurance Corporation					
Office of Inspector General (transfer)	(33,666)	(33,660)	(33,661)	(-5)	(+1)
Federal Emergency Management Agency					
Disaster relief	300,000	300,000		-300,000	-300,000
Emergency funding			300,000	+300,000	+300,000
(Transfer out)	(-2,900)	(-2,900)	(-35,500)	(-32,600)	(-32,600)
Across the board rescission (0.38%)	-12,416			+12,416	
Emergency funding	2,480,425	2,609,220		-2,480,425	-2,609,220
Pre-disaster mitigation		30,000			-30,000
(Transfer out)		(-2,600)			(+2,600)
Disaster assistance direct loan program account:					
State share loan	1,295	1,678	1,295		-383
(Limitation on direct loans)	(25,000)	(25,000)	(19,000)	(-6,000)	(-6,000)
Administrative expenses	420	427	420		-7
Salaries and expenses	180,000	221,024	190,000	+10,000	-31,024
Across the board rescission (0.38%)	-50			+50	
Office of Inspector General	8,015	8,476	8,015		-461
Across the board rescission (0.38%)	-50			+50	
Emergency management planning and assistance	267,000	269,652	267,000		-2,652
(By transfer)	(2,900)	(5,500)	(5,500)	(+2,600)	
Across the board rescission (0.38%)	-218			+218	
Radiological emergency preparedness fund	-1,000			+1,000	
Emergency food and shelter program	110,000	140,000	110,000		-30,000
Flood map modernization fund	5,000			-5,000	
(By transfer)			(30,000)	(+30,000)	(+30,000)
National insurance development fund	(3,730)			(-3,730)	
National Flood Insurance Fund (limitation on administrative expenses):					
Salaries and expenses	(24,333)	(25,736)	(25,736)	(+1,403)	
Flood mitigation	(78,710)	(77,307)	(77,307)	(-1,403)	
(Transfer out)	(-20,000)	(-20,000)	(-20,000)		
National flood mitigation fund (by transfer)	(20,000)	(20,000)	(20,000)		
Total, Federal Emergency Management Agency	3,338,421	3,580,477	876,730	-2,461,691	-2,703,747
Appropriations	(870,730)	(971,257)	(576,730)	(-294,000)	(-394,527)
Rescissions	(-12,734)			(+12,734)	
Emergency funding	(2,480,425)	(2,609,220)	(300,000)	(-2,180,425)	(-2,309,220)

**DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT,
AND INDEPENDENT AGENCIES APPROPRIATIONS BILL, 2001 (H.R. 4635)—Continued
(Amounts in thousands)**

	FY 2000 Enacted	FY 2001 Request	Bill	Bill vs. Enacted	Bill vs. Request
General Services Administration					
Federal Consumer Information Center Fund.....	2,622	6,822	7,122	+ 4,500	+ 300
National Aeronautics and Space Administration					
Human space flight	5,510,900	5,499,900	5,499,900	-11,000	.....
Across the board rescission (0.38%)	-23,000	.....	.....	+ 23,000	.....
Science, aeronautics and technology	5,606,700	5,929,400	5,606,700	.....	-322,700
Across the board rescission (0.38%)	-25,805	.....	.....	+ 25,805	.....
Mission support	2,515,100	2,584,000	2,584,000	+ 68,900	.....
Across the board rescission (0.38%)	-3,076	.....	.....	+ 3,076	.....
Office of Inspector General.....	20,000	22,000	23,000	+ 3,000	+ 1,000
Total, NASA.....	13,652,700	14,035,300	13,713,600	+ 60,900	-321,700
Rescissions.....	-51,881	.....	.....	+ 51,881	.....
National Credit Union Administration					
Central liquidity facility:					
(Limitation on direct loans) .....	.....	(600,000)	(3,000,000)	(+ 3,000,000)	(+ 2,400,000)
(Limitation on administrative expenses, corporate funds).....	(257)	(296)	(296)	(+ 39)	.....
Revolving loan program	1,000	.....	1,000	.....	+ 1,000
Across the board rescission (0.38%)	-4	.....	.....	+ 4	.....
Community development credit union revolving loan fund .....	.....	1,000	.....	.....	-1,000
National Science Foundation					
Research and related activities.....	2,966,000	3,540,680	3,135,690	+ 169,690	-404,990
Across the board rescission (0.38%)	-7,538	.....	.....	+ 7,538	.....
Major research equipment	95,000	138,540	76,600	-18,400	-61,940
Across the board rescission (0.38%)	-1,500	.....	.....	+ 1,500	.....
Education and human resources	696,600	729,010	694,310	-2,290	-34,700
Across the board rescission (0.38%)	-5,728	.....	.....	+ 5,728	.....
Salaries and expenses	149,000	157,890	152,000	+ 3,000	-5,890
Across the board rescission (0.38%)	-100	.....	.....	+ 100	.....
Office of Inspector General.....	5,450	6,280	5,700	+ 250	-580
Total, NSF.....	3,912,050	4,572,400	4,064,300	+ 152,250	-508,100
Rescissions.....	-14,866	.....	.....	+ 14,866	.....
Neighborhood Reinvestment Corporation					
Payment to the Neighborhood Reinvestment Corporation	75,000	90,000	90,000	+ 15,000	.....
Across the board rescission (0.38%)	-285	.....	.....	+ 285	.....
Selective Service System					
Salaries and expenses	24,000	24,480	23,000	-1,000	-1,480
Across the board rescission (0.38%)	-91	.....	.....	+ 91	.....
Total, title III, independent agencies	29,070,497	30,374,144	26,290,139	-2,780,358	-4,084,005
Appropriations	(26,590,072)	(27,764,924)	(25,990,139)	(-599,933)	(-1,774,785)
Rescissions	(-190,514)	.....	.....	(+ 190,514)	.....
Emergency funding	(2,480,425)	(2,809,220)	(300,000)	(-2,180,425)	(-2,309,220)
(Limitation on administrative expenses).....	(103,043)	(103,043)	(103,043)	.....	.....
(Limitation on direct loans).....	(25,000)	(625,000)	(3,019,000)	(+ 2,994,000)	(+ 2,394,000)
(Limitation on corporate funds).....	(257)	(296)	(296)	(+ 39)	.....
OTHER PROVISIONS					
H.R. 202 - Preservation of Affordable Housing	-14,000	.....	.....	+ 14,000	.....
VA Compensation Date Shift 3/ .....	.....	-1,574,000	-1,574,000	-1,574,000	.....
VA Pension Date Shift 3/ .....	.....	-258,000	-258,000	-258,000	.....
Grand total (net)	99,171,845	107,949,099	101,269,836	+ 2,097,991	-6,679,263
Current year, FY 2001	(94,971,845)	(103,749,099)	(97,069,836)	(+ 2,097,991)	(-6,679,263)
Appropriations	(95,169,893)	(101,139,879)	(97,045,224)	(+ 1,875,331)	(-4,094,655)
Rescissions	(-2,678,473)	.....	(-275,388)	(+ 2,403,085)	(-275,388)
Emergency funding	(2,480,425)	(2,809,220)	(300,000)	(-2,180,425)	(-2,309,220)
Advance appropriation, FY 2001/2002.....	(4,200,000)	(4,200,000)	(4,200,000)	.....	.....
(By transfer)	(236,727)	(53,660)	(83,661)	(-153,066)	(+ 30,001)
(Transfer out)	(-203,061)	(-20,000)	(-50,000)	(+ 153,061)	(-30,000)
(Limitation on administrative expenses).....	(103,043)	(103,043)	(103,043)	.....	.....
(Limitation on direct loans).....	(349,880)	(999,985)	(3,243,985)	(+ 2,894,125)	(+ 2,244,000)
(Limitation on guaranteed loans).....	(359,902,000)	(383,217,000)	(382,217,000)	(+ 22,315,000)	(-1,000,000)
(Limitation on corporate funds).....	(561,333)	(562,372)	(561,372)	(+ 39)	(-1,000)
Total mandatory and discretionary	92,877,918	107,595,099	101,086,836	+ 8,218,918	-6,498,263
Mandatory.....	21,306,626	24,581,866	24,611,866	+ 3,305,240	+ 30,000
Discretionary.....	71,571,292	83,013,233	76,484,970	+ 4,913,678	-6,528,263

1/ FY 2000 & FY 2001 Request were part of Hazardous Substance Superfund account.

2/ FY 2000 & FY 2001 Request modified to reflect comparable new accounts in Dept of HH&S.

3/ CBO assigned request to authorizing committee.

Mr. SENSENBRENNER. Mr. Chairman, as the House proceeds to consider H.R. 4635, the Veterans Administration and Housing and Urban Development Appropriations Act for Fiscal Year 2001, I wish to highlight several features of this legislation that are important to our nation's science enterprise. I also will comment on EPA's reformulated gasoline mandate.

NATIONAL SCIENCE FOUNDATION

Concerning the National Science Foundation, I support funding at the requested level of \$4,572 billion for fiscal year 2001. On May 17, 2000, I introduced H.R. 4485, the National Science Foundation Authorization Act of 2000. This bill authorizes programs at NSF not authorized by the Science Committee in previous legislation. Together with other authorization bills passed by the Committee—including H.R. 2086, the Networking and Information Technology Research and Development Act, and H.R. 1184, the National Earthquake Hazards Reduction Act—H.R. 4485 would boost NSF's FY 2001 authorization to about \$4.6 billion, \$54 million above the requested level.

While it should be recognized that, with a increase of \$167 million, NSF has fared comparatively well in the appropriations process, I would have preferred to see an increase in funding closer to the level requested, especially given the large increases planned for the National Institutes of Health (NIH).

Indeed, I think it is important that the role of NSF in providing the intellectual capital needed both for economic growth and biomedical research be more widely recognized. Today, we are in the midst of one of the Nation's longest economic expansions, an expansion that owes much to technological changes driven by the basic scientific research conducted 10 to 15 years ago. Many of today's new industries, which provide good, high paying jobs, can be linked directly to research supported by NSF.

Moreover, many of the breakthroughs in biomedical research have their underpinnings in research and technologies developed by investigators under NSF grants. The development of Magnetic Resonance Imaging is just one of many examples. We often lose sight of the fact that the ongoing revolution in medicine is as much a phenomenon of the physical and computational sciences as the biological sciences.

I do not begrudge the increased funding provided for NIH, but I think we could achieve a better balance between the biomedical fields and the other fields of science that contribute to our health and well being in ways that may not be readily apparent. The case for maintaining diversity in the federal research portfolio was made in the Science Policy Study, *Unlocking Our Future*, which found that, "It is important that the federal government fund basic research in a broad spectrum of scientific disciplines . . . and resist over-emphasis in a particular area or areas relative to other."

If Congress continues to concentrate scientific funding in one area, I am concerned that important research in other areas may be given short shrift. Such a result could have serious consequences for future economic growth and biomedical breakthroughs.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

While I am disappointed that H.R. 4635 does not fund the Space Launch Initiative, I am pleased to note that the bill recommends

\$13.714 billion for NASA, an increase of \$112.8 million over this fiscal year.

I especially commend the hard work of the Subcommittee and Committee leadership, and the Chairmen, to insure that NASA's programs and policy initiatives are sound and emphasize the pursuit of a broad range of space science. Among other notable issues cited in the accompanying committee report, I support the bill's recommendations to fully fund the Space Shuttle, Earth Sciences, and Space Station; to encourage use of the Shuttle for life and microgravity research missions; and to withhold funding for the proposed "Living With a Star" program until some of our questions about the program are adequately and fully answered.

As Members are aware, several important NASA programs have suffered some failures this year and the agency is appropriately reexamining its implementation of the concept of "faster, better, cheaper." I believe NASA must continue to pursue cost-savings measures as it designs and builds future space, but that it manage these plans with more agency oversight and with mission costs predicated on appropriate levels of risk.

Finally, I commend the Committee for insuring that NASA's aeronautics activities are properly targeted and that the agency not expend its limited budget on activities that more appropriately fall under the jurisdiction of other federal agencies.

The Space Station and the X-33 continue to drag on NASA's ability to move our space program to the next level of achievement. The Administration made fundamental management errors, in the first instance by allowing Russia to bring station construction activities to a complete halt, and in the second instance by entering into a cooperative agreement with an industry partner without appropriate safeguards to protect the federal investment.

I understand the Chairman is committed to working with the Senate to try and restore the Space Launch Initiative funds in the Conference Report. I look forward to working with the Chairman to accomplish that goal because I believe the program is important.

EPA'S REFORMULATED GASOLINE MANDATE

Under the Clean Air Act, the Environmental Protection Agency (EPA) mandated the sale of reformulated gasoline (RFG) to help reduce ozone levels in areas determined by the EPA to have high levels of ozone. At the time the original requirements were implemented in 1995, I had concerns about RFG's human and environmental health effects, cost, potential harm to engines, and about a possible drop in gas mileage. Numerous studies, including one by the EPA's own Blue Ribbon Panel, have shown my early skepticism to be well founded. The Blue Ribbon Panel recommended the phase-out of MTBE, an RFG additive, because it has been identified as a potentially dangerous drinking water contaminant. Another study, by the National Research Council, concluded that the use of commonly available additives in RFG has little, in any impact on improving air quality.

Now, following EPA's implementation of RFG Phase II requirements, gas prices in the Midwest in areas forced to comply with the new requirements are the highest in the nation. Despite the clear correlation between the areas in the Midwest forced to comply with the RFG mandate and those areas with exceptionally high gas prices, EPA has refused to ac-

cept even partial responsibility and has rejected opportunities to provide a solution to the problem. To-date, EPA has refused to grant even a temporary waiver from RFG enforcement despite repeated requests from state and federal officials gasoline consumers, and businesses in Wisconsin and Illinois. EPA has even refused to grant a waiver during the on-going FTC investigation into possible price gouging. Initial reports indicate the FTC's investigation could be lengthy, meaning a resolution to this costly ordeal may not be near.

EPA's lack of strong science to support the RFG mandate and refusal to accommodate the requests of the severely impacted communities is troubling. I continue to be extremely disappointed with EPA's actions on this issue.

Mr. LARSON. Mr. Chairman, the Fiscal Year 2001 VA—HUD Appropriations bill. H.R. 4635, which we are considering today is woefully inadequate and fails to address America's needs in housing, economic development, veterans, and science and technology programs. This is particularly distressing in these times of unprecedented prosperity and rising surpluses.

Among many unacceptable funding provisions, the bill freezes funding for veterans medical research, cuts grants for construction of state veterans homes \$30 million below the current year level, and provides \$56 million less than requested to improve processing of applications for benefits.

The bill appropriates no funds for the 120,000 new housing assistance vouchers proposed by the Administration. Further, it cuts the Community Development Block Grant by \$275 million below the current year level.

And while it provides an increase for research at the National Science Foundation, it falls short of the President's requested increase by \$508 million. The bill also fails to adequately provide for National Aeronautics and Space Administration's Science and Technology programs, which the bill underfunds by \$323 million. These cuts I believe would jeopardize the future of our space research programs, including programs directed at solving problems here on earth, that are pushing forward the frontiers of knowledge about our universe.

Even more distressing, the bill only appropriates \$300 million of the \$2.9 billion requested by the Administration for the Federal Emergency Management Agency's Disaster Relief Fund, thereby jeopardizing FEMA's ability to respond quickly and adequately to natural disasters.

Finally, the bill once again seeks to completely eliminate the AmeriCorps National Service program. As a result a great number of important projects that foster involvement and learning in technology by children and adults and programs that bring technology to underserved populations and address weaknesses in our economy, will go unfunded. One of these is Project FIRST (Fostering Instructional Reform Through Service and Technology Initiatives), whose role it is to increase access to technology and its educational benefits in the nation's least-served schools. Another way AmeriCorps is involved with technology is through TechCorps, a national non-profit organization that is driven and staffed primarily with technologically proficient volunteers. However, these cuts ensure that TechCorps will not receive AmeriCorps/VISTA volunteers to bring this program to underserved, low-income communities.

Mr. Chairman, I believe the cuts in this bill would move America in the wrong direction. Despite our unprecedented economic prosperity, there are significant unmet needs in our nation's communities and in our science and research programs. This bill is part of the majority's strategy of financing tax cuts targeted to the well off by cutting domestic spending. We should not be placing the burden of our prosperity on the backs of the people who will suffer most from cutting programs that meet vital housing, economic development, emergency, and research needs.

I will strongly oppose this bill because it fails to meet our responsibilities to war veterans, to provide relief and recovery after natural disasters, to provide service to the community, to protect the environment, to help meet housing needs, and to undertake the essential research and development that is fueling the magnificent growth achieved by the American economy and enjoyed by the American public in the last eight years.

We can do better, Mr. Chairman.

Mr. WATTS of Oklahoma. Mr. Chairman, I am pleased to see that the Committee's bill includes \$10 million to help bridge the Digital Divide in Indian Country. This funding will encourage Native Americans to pursue degrees in information technology and other science and technology fields and will build the capacity of tribally controlled community colleges—and their K–12 feeder schools—to offer high-quality science and technology classes.

According to the National Telecommunications Information Administration (NTIA), poor rural Native Americans are being left behind when it comes to even the most basic telecommunications services. According to one NITA study, 76% of rural households with incomes of less than \$5,000 have phones, but only 46% of individuals at the same income level on tribal lands have a telephone connection.

Oklahoma is home to 37 federally-recognized tribal nations and to more than 254,000 tribal members. The Cherokee Nation, located in Tahlequah, is the second largest tribe in the United States with 207,790 members.

That is why I appreciate funding of the \$10 million tribal college technology program in the FY 2001 National Science Foundation budget. At this point, it is uncertain whether the Senate will also fund this critical initiative. I hope Congress will work to preserve funding for this important program as the FY 2001 VA–HUD appropriations bill moves forward so that Native Americans in Oklahoma and across America can get the education and training at tribally-controlled community colleges they need to compete and succeed in the New Economy.

Mr. KILDEE. Mr. Chairman, I rise in opposition to H.R. 4635, the FY 2001 VA–HUD appropriations bill. I want to express my concern that the bill provides zero increases for the HUD Indian housing programs. The budget provides \$693 million for FY 2001, which is the same amount as the FY 2000 enacted level, and it does not provide any funding for any of the new initiatives proposed by the administration.

The President requested \$730 million for Indian housing programs, and the budget we are considering today slashes the President's request by \$37 million.

Mr. Chairman, Native Americans continued to have the poorest housing in this country.

The National American Indian Housing Council's fact sheet on Indian housing reveals that—

the poverty rate for rural Native Americans is 37 percent, a rate that is higher than any other racial/ethnic group,

69 percent of Native Americans in tribal areas live in overcrowded homes,

21 percent of homes in tribal areas are overcrowded as compared with the national average of 2.7 percent, and

16.5 percent of Native American households in tribal areas are without complete plumbing.

With that kind of data supporting the need for more Federal funding for Indian housing, we should not support a bill that provides zero funding for the people that need the funding most. I urge my colleagues to oppose the FY 2001 VA–HUD appropriations bill.

Mrs. MEEK of Florida. Mr. Chairman, despite the efforts of my Chairman, who did the level best he could with the subcommittee funding allocation that was given to him, there are numerous funding problems in this bill.

But I rise to express my concerns in particular about the lack of funding to help the poorest of the poor obtain decent housing.

We are living in the period of the greatest economic prosperity in our nation's history.

But even this economic boom has created a housing crisis for many Americans.

In its State of the Cities Report, HUD reported that serious housing problems are increasing at almost twice the rate of population growth. These are the people who pay more than a quarter of their incomes for housing, and the people who have no choice but to live in unsafe or substandard housing.

There are over 5 million families who pay more than 50%—half their income—on housing. This number is the highest in the nation's history, and unfortunately, the number continues to grow.

Worst-case housing needs have been three times as high for families with full-time wage earners than for other families, and particularly high for minority families.

Housing rental assistance is an important solution to the housing affordability problem. HUD's incremental vouchers help families to find homes—families that are currently homeless, living in substandard housing or paying more than half of their income in rent.

Vouchers work: the average waiting period for a Section 8 voucher is about two years. In virtually every urban area anywhere in the country, people making the minimum wage cannot afford even a medium priced apartment rental. Housing vouchers make that possible, and they do it using private sector housing.

Yet the bill does not fund the President's request for 120,000 additional incremental housing vouchers. In fact, despite its claims, it is debatable whether or not this bill will provide HUD with any new vouchers to help our families find safe, decent and affordable housing.

The bill as written claims to allow HUD to provide up to 20,000 additional vouchers.

But this is just "funny math," or "creative accounting" because these additional vouchers are only funded in the bill through overly rosey and optimistic estimates of recaptures of unused Section 8 funds.

HUD will only have these vouchers available if the Department recaptures more funds than the amount that HUD itself says can be recaptured.

HUD does not even expect these recaptured funds to be available.

We would never treat rich people this way; you can bet they get hard cash to meet their needs. Yet poor families are shunted aside with a promise that may not even pan out.

Refusing to provide additional incremental vouchers means that families will have to continue to live in substandard housing or pay excessive portions of family income toward rent.

Mr. Chairman, I agree that HUD needs to spend the funds it has recaptured. I understand that HUD has recaptured all the funding it legally can and is taking additional steps to increase voucher utilization. For example:

HUD is instituting a Section 8 management assessment program to identify poor performers.

The Department is providing for the transfer of unused funds to a public housing agency that can use them right away.

HUD has also proposed the use of a voucher success fund in rental markets where public funding agencies are not fully using available funds.

Denying incremental vouchers denies families opportunities for safe, decent housing and affordable housing.

What this bill does is punish the majority of public housing authorities—that are providing critical assistance to families and need more vouchers—because a few public housing agencies have performed poorly.

If funding for the President's proposed additional 120,000 incremental vouchers is not provided, there is a very real danger that this funding will never be made up in subsequent appropriations.

Mr. Chairman, the only way that this bill can be repaired is for the House leadership to provide the additional needed funding.

It makes no sense to underfund such an important bill when the nation is running record budget surpluses and the needs of the poor in this country are unmet.

Mr. BEREUTER. Mr. Chairman, this Member rises today to express his support for H.R. 4635, the VA, HUD and Independent Agencies Appropriations Act for fiscal year 2001. First, this Member would like to thank the distinguished Chairman of the Appropriations Subcommittee on VA, HUD and Independent Agencies from New York (Mr. WALSH), the distinguished Ranking Member from West Virginia (Mr. MOLLOHAN) and all members of the Subcommittee for the work they did under the tight 302(b) allocation.

This Member would like to focus his remarks on the following four areas: Housing, Community Development Fun—Community Development Block Grant (CDBG), America's Private Investment Companies (APICs) and the Federal Emergency Management Agency's (FEMA) National Flood Insurance Program (NFIP) on repetitive loss.

HOUSING

First, this Member would like to comment favorably upon the treatment of the Section 8 and Section 202 programs, which were funded as adequately as we can under the budgetary restraints. The Subcommittee correctly recognizes the demographic shift to a more aging population with the funding for Section 8 contract renewals.

In addition, this Member commends the \$6 million appropriation for the Section 184, American Indian Housing Loan Guarantee Program, which this Member created in consultation with a range of Indian Housing specialists. This seems to be an excellent new

program which this Member says without appropriate modesty and recognition of his colleagues support, is providing privately financed homes through a government guarantee program for Indian families who are otherwise unable to secure conventional financing due to the trust status of Indian reservation land. The above appropriation supports loan guarantees totaling \$72 million which should assist an estimated 20,000 families.

Moreover, this Member would like to specifically comment the Subcommittee for reducing duplicative efforts of the Federal Government in rural housing and economic development. After a funding level of \$25 million in fiscal year 2000 for rural housing and economic development efforts in HUD, the Subcommittee appropriated \$20 million for fiscal year 2001 for HUD's rural housing and economic development efforts. This Member would prefer that no money is appropriated for HUD for this purpose.

In fact, this Member testified before the VA, HUD and Independent Agencies Appropriations Subcommittee in opposition to HUD's duplicative efforts in rural housing. As a long-term advocate of rural housing during his tenure in the House, this Member believes that we need to be careful of duplication in the efforts of the Federal Government in rural housing and economic development. In the past, the United States Department of Agriculture (USDA) through their Rural Development offices has successfully implemented numerous rural housing and economic development programs. As a result, this Member disagrees with HUD's efforts to duplicate USDA Rural Development staff.

COMMUNITY DEVELOPMENT FUND (CDBG)

Second, this Member would like to emphasize a concern over the VA, HUD and Independent Agencies Appropriations bill which in large part results from budgetary restraints. The Community Development Fund, which includes the CDBG program, is provided \$4.5 billion, which is \$295 million less than the fiscal year 2000 level. This reduction is of deep concern to this Member. The CDBG program has been a model of local-Federal partnership.

The CDBG program not only is valuable to the larger entitlement cities, it gives assistance to those communities under 50,000 through state administering agencies. It is a government program with minimal overhead and bureaucracy. Moreover, CDBG has provided invaluable dollars to cities and rural communities for such things as affordable housing, public infrastructure, and economic development.

APICs

Third, this Member does applaud the Subcommittee for providing no new budget authority to HUD for the APIC program. APICs would be companies which are licensed by the Department of Housing and Urban Development (HUD) pursuant to a national competition for venture capital firms. Currently, HUD does not have the proper capability to administer APIC. To illustrate this, the Inspector General has labeled HUD a "troubled agency." Rather than focusing on new initiatives like APIC, HUD should focus on its existing projects.

NFIP REPETITIVE LOSS

Lastly, this Member supports the language included in the appropriations measure which provides FEMA with up to \$50 million to be obligated for pre-disaster mitigation activities

and repetitive loss buyouts following disaster declarations. This Member believes that this appropriation is just a first step in eliminating repetitive loss under the National Flood Insurance Program (NFIP) administered by FEMA. In fact, this Member has introduced a measure, H.R. 2728, Two-Floods-and-You-are-Out-of-the-Taxpayer's-Pocket-Act, which authorizes FEMA to offer buy-outs to repetitive loss properties and to increase the NFIP rates to actuarial for those properties who refuse a publicly funded mitigation offer.

Because of the necessity to fund important housing and community development programs, this Member would encourage his colleagues to support H.R. 4635, the VA, HUD and Independent Agencies Appropriations Act.

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

The CHAIRMAN. All time for general debate has expired.

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

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

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

The Clerk will read.

The Clerk read as follows:

H.R. 4635

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Veteran Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes, namely:

TITLE I—DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION COMPENSATION AND PENSIONS

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by law (38 U.S.C. 107, chapters 11, 13, 18, 51, 53, 55, and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of Article IV of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, and for other benefits as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53, 55, and 61; 50 U.S.C. App. 540-548; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198), \$22,766,276,000, to remain available until expended: *Provided*, That not to exceed \$17,419,000 of the amount appropriated shall be reimbursed to "General operating expenses" and "Medical care" for necessary expenses in implementing those

provisions authorized in the Omnibus Budget Reconciliation Act of 1990, and in the Veterans' Benefits Act of 1992 (38 U.S.C. chapters 51, 53, and 55), the funding source for which is specifically provided as the "Compensation and pensions" appropriation: *Provided further*, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical facilities revolving fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by 38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61, \$1,664,000,000, to remain available until expended: *Provided*, That funds shall be available to pay any court order, court award or any compromise settlement arising from litigation involving the vocational training program authorized by section 18 of Public Law 98-77, as amended.

AMENDMENT NO. 21 OFFERED BY MR. FILNER

Mr. FILNER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 21 offered by Mr. FILNER:

Page 3, after line 21, insert the following:
In addition, for "Readjustment Benefits", \$900,000,000 for enhanced educational assistance under chapter 30 of title 38, United States Code (the Montgomery GI Bill), in accordance with the provisions of H.R. 4334 of the 106th Congress as introduced on April 13, 2000: *Provided*, That the Congress hereby designates the entire such amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That such amount shall be available only to the extent of a specific dollar amount for such purpose that is included in an official budget request transmitted by the President to the Congress and that is designated as an emergency requirement pursuant to such section 251(b)(2)(A).

Mr. WALSH. Mr. Chairman, I reserve a point of order against the gentleman's amendment.

The CHAIRMAN. The gentleman from New York (Mr. WALSH) reserves a point of order.

Mr. FILNER. Mr. Chairman, I thank the Chair for his courtesy in hearing this amendment.

I have a series of amendments, Mr. Chairman, that speak to the former statements or earlier statements of the gentleman from New York (Chairman WALSH) to the notion that we are not falling behind, the gentleman says, in our commitment to our Nation's veterans.

It is true that in the last 2 years we have upgraded our spending over the previous year, but that was after a decade or more of flatline budgets. We have not caught up. I ask the gentleman from New York (Mr. WALSH) to visit cemeteries around this country, which are deteriorating. I ask the gentleman from New York (Mr. WALSH) to sit for months and months with our veterans who must wait for doctors' appointments, who must wait for years to get their disability claims adjudicated, who are trying to go to college; and that is the nature of the amendment I have before us today.

Mr. Chairman, in 1981, the education benefit to our veterans which allowed them to go to college was \$493 a month. 20 years later, with incredible soaring costs of education and associated expenses, we are paying only \$20 more per month.

I ask the gentleman from New York (Mr. WALSH) is that not falling behind? Here we have an amendment to catch up, to make sure that the Montgomery GI bill named after our former Member and great chairman of the Committee on Veterans' Affairs, that the goal of the Montgomery GI bill, to provide meaningful readjustment benefits to discharged Members, while also giving military recruiters an effective tool to support the concept of an all volunteer force.

My amendment will allow us to meet these goals because today this bill is not accomplishing any one of them. We are not providing a benefit that will help our retention and recruitment. We are not providing a readjustment benefit. We are not honoring the sacrifice of our veterans.

My amendment would provide \$900 million in additional funding for enhanced educational assistance. This number, Mr. Chairman, is important to explain how it was arrived at.

All the Members of the Committee on Veterans' Affairs applauded when the so-called transition commission reported its findings to our committee. That commission said that the Montgomery GI bill benefit should provide for the full costs of college education and its associated expenses for our veterans. Then we would have a recruiting tool to help our Nation's armed forces. In fact, that notion was embodied in H.R. 1071, the Evans-Dingell bill, which would pay for those full costs, in addition to a stipend of \$800 a month.

The chairman of our committee, the gentleman from Arizona (Mr. STUMP), also introduced a bill, H.R. 1182, which would pay for 90 percent of those costs. When we realized that the budget could not provide for that in the short run, a coalition across this Nation of veterans' organizations and higher educational institutions came together and came up with a compromise to say, let us at least provide at the beginning for the average costs of attending a 4-year public school college as a commuter student. That number would come to \$975 a month this year for full-time study.

The gentleman from Mississippi (Mr. SHOWS) introduced that bill as H.R. 4334. It has the full backing of veterans' organizations, as I said, all across this Nation, and in accord with that H.R. 4334 would provide all veterans and service members with an opportunity to get a good college education while taking into account the realistic costs of college today.

Let us not forget that it is largely thanks to our veterans that the rest of us are able to be safe and sound at home enjoying this prosperity. We ought to have the opportunity to give

them the opportunity to continue their education.

Mr. Chairman, I urge the committee to accept this amendment. The committee would not put this before our Members for a vote following the tradition of many parts of this bill, which have items that are not authorized. I would ask for this committee now to accept this amendment.

Mr. Chairman, I include in the RECORD the statements of various groups across this Nation, including the Veterans of Foreign Wars, the AMVETS, the Noncommissioned Officers Association, the Blinded Veterans of America, in support of this amendment. They all have weighed in, and I include that in the RECORD.

NON COMMISSIONED OFFICERS ASSOCIATION OF THE UNITED STATES OF AMERICA,

Alexandria, VA, June 16, 2000.

Hon. BOB FILNER,

Rayburn House Office Building, House of Representatives, Washington, DC.

DEAR MR. FILNER: The Non Commissioned Officers Association of the USA (NCOA) is writing to state its strong, wholehearted support for your amendment to H.R. 4635, the Fiscal Year 2001 VA-HUD Appropriations Act, that would provide enhanced readjustment educational assistance under the Montgomery GI Bill. Although the House of Representatives recently approved a modest increase to the basic monthly stipend, even when fully implemented the increase approved will still only equate to about 60% of the cost of attending a public four-year college.

The military services are in the throes of a recruiting and retention crisis that is nearing emergency proportion. Recruiting is at its lowest since the all-volunteer force began, even though enlistment requirements have declined by thirty-three percent. Sixty-five percent of high school graduates go on to post-secondary education. Only about 16 of one hundred youth are available as military prospects.

Prospective enlistees rated assistance with education to be the number one attraction of military service for several decades. That, however, is no longer the case. Prospective enlistees and veterans observe and realize the emphasis Congress has placed on higher education by providing more attractive and richer education programs without the sacrifice and risk associated with military service. This realization inevitably results in a negative message to prospective recruits that compounds the bad image which now prevails about military service being an obstacle to a rewarding and productive life—not a means to it.

One comparison dramatically illustrates the need for your amendment. The basic benefit program of the Vietnam Era GI Bill provided \$493 per month in 1981 to a veteran with a spouse and two children; however, twenty years later, a veteran with an identical circumstance receives only \$43 more. One other comparison illustrates how Congress is sending precisely the wrong message on the need for high quality military members; just last year Congress approved the DC College Access Act that provides grants of up to \$50,000 for DC high school graduates to pursue higher educational goals. Today, our warriors who go in harms way will receive a total benefit of \$19,296 but only after paying \$1200 to establish eligibility (many of who qualify for food stamps because of inadequate military pay). This is morally wrong. At a time when military recruitment is dif-

ficult and retention is declining, this is also shortsighted public policy.

NCOA firmly believes it is a fundamental responsibility of any great society to honor and help those who accept the disruption and sacrifices that military service brings. The Association also believes that the programs and services, including the educational assistance programs, offered to those who defend our country must be better than the programs that are offered to those who do not. When Congress considers education policy, the starting point should be the veteran education benefit but that has not been the case. By Congress' inattention to a program that is arguably the most important recruiting and retention tool available, Congress has devalued military service and we are witnessing the consequences today. It will take a strong message to reverse course and your amendment is right on target.

An unprecedented partnership of 50 military, veterans and higher education associations endorsed H.R. 4334, The Veterans Higher Education Opportunities Act, upon which your amendment is based. That legislation and your amendment simply says: Individuals who volunteer for and honorably serve in the Nation's uniformed services shall be provided an education benefit equal to the average cost of a commuter student at a public four-year institution of higher learning. For those who have provided for our peace, security and prosperity, providing them with an "average" education benefit is reasonable and doable.

The Non Commissioned Officers Associations support this amendment and urge your colleagues to do likewise and help restore the veteran education benefit to the pre-eminent place it should occupy in our society.

Sincerely,

LARRY D. RHEA,
Director of Legislative Affairs.

VETERANS OF FOREIGN WARS
OF THE UNITED STATES,
Washington, DC, June 19, 2000.

Hon. BOB FILNER,

House of Representatives,
Washington, DC.

DEAR MR. FILNER: The men and women of the Veterans of Foreign Wars of the United States fully supports your amendment to H.R. 4635, the Fiscal Year 2001 VA-HUD Appropriations Act, which would provide for enhanced educational assistance benefits under the Montgomery GI Bill (MGIB). Although the House of Representatives recently passed legislation that would raise the basic monthly stipend to \$600 per month, this amount is not sufficient to compensate for over a decade of underfunding.

Due to chronic underfunding, the Montgomery GI Bill has not kept pace with the rising cost of higher education and now has the distinction of having the lowest usage rate (approximately 49 percent) of any GI Bill in history. Unfortunately, many of the eligible servicemembers and veterans who have paid into the program come to realize that the MGIB monthly payout is not sufficient to meet the cost of attending school. Consequently, they must defer attending school or forego pursuing a higher education altogether.

The historical underfunding of the Montgomery GI Bill has been allowed to persist far too long and should not be deferred for another year and another Congress. The VFW applauds your effort in offering this amendment to provide for enhanced educational assistance, and urges members of the House to give it their fullest support.

Sincerely,

DENNIS M. CULLINAN,
Director, National Legislative Service.

AMVETS NATIONAL HEADQUARTERS,
Lanham, MD, June 16, 2000.

To: TODD HONCHINS,
Subject: Support for Representative Filner's
Proposed Amendment to H.R. 4635

Comments: Todd, I just received your request for a letter in support of Congressman Filner's proposed amendment to H.R. 4635. In the interest of time, our comments are contained below.

"AMVETS has argued for several years that the Montgomery GI Bill in its current form no longer serves as the recruiting and retention incentive which Congress intended when it passed the original legislation in 1985. During the intervening period, tuition and other related educational costs have risen dramatically leaving the MGIB participant at a significant disadvantage in today's educational market place.

At a time in our history when Americans are enjoying unprecedented prosperity, we can ill afford to allow those men and women who serve in our Armed Forces and who, through their sacrifices, underwrite the freedoms we enjoy, to be left by the wayside. We know the GI Bill worked. All one has to do is examine its success in helping World War II veterans resume a normal life. MGIB is today's version of that success story, however for its success to be sustained, we must support it at an appropriate funding level. Today we read that DoD recruiting is down; personnel retention is down, military readiness is at an all time low and further, that many service members qualify for food stamps.

Surely "a grateful nation" can do better than this in providing support for our men and women in uniform. AMVETS commends Congressman Filner's efforts in championing this effort to restore the Montgomery GI Bill to an effective and responsive program."

DAVID E. WOODBURY,
National Executive Director.

NATIONAL ASSOCIATION OF
STATE APPROVING, AGENCIES, INC.,
JUNE 19, 2000.

Mr. TODD HOCHINS,
Democratic Counsel, Subcommittee on Benefits,
Committee on Veterans Affairs, House of
Representatives, Cannon House Office
Building, Washington, DC.

DEAR MR. HOCHINS: This letter is written to express our complete support of the amendment that Congressman Filner is proposing to make to H.R. 4635, for the purpose of enhancing educational assistance under chapter 30 of title 38, United States Code. The amendment would change the benefits received under chapter 30 in accordance with the provisions of H.R. 4334 as introduced on April 13, 2000.

We wholeheartedly believe that members of Congress should accept Congressman Filner's amendment. Numerous studies and reports, including the one issued by the Commission on Servicemembers and Veterans Transition Assistance on January 14, 1999, speak to the need for the Nation to give immediate and serious attention to the importance of making extraordinary changes in the Montgomery GI Bill. Attached is a sheet that reflects some of the primary reasons for immediate change. The reasons were developed by members of the Partnership for Veterans Education, an informal coalition of 49 nationally based military, veterans and higher education organizations that support H.R. 4334.

We stand ready to assist Congressman Filner in helping other members of Congress to realize the importance of this issue and the magnitude of the positive impact that will be realized by the acceptance of the amend-

ment. Please let us know what we can do to assist in the achievement of this goal.

Sincerely,

C. DONALD SWEENEY,
Legislative Director.

BLINDED VETERANS ASSOCIATION,
Washington DC, June 16, 2000.

Hon. BOB FILNER,
House of Representatives, Rayburn House Office
Building, Washington, DC.

DEAR CONGRESSMAN FILNER: The Blinded Veterans Association (BVA), the only congressionally chartered veterans service organization exclusively dedicated to serving the needs of our nation's blinded veterans, is extremely supportive of your amendment to H.R. 4635, which will increase funding for the Montgomery GI Bill by \$900,000,000. BVA believes educational assistance for our veterans needs to be a priority of the Congress.

An increase in the Montgomery GI Bill not only serves as an incentive for enlistment, but also assists those who might not otherwise afford an adequate higher education and to become a contributing member of this great nation.

Thank you, Mr. Filner, for your great work as a veterans' advocate. We appreciate your assistance in fulfilling the promises made to those who risk their lives to protect this great nation.

Sincerely,

THOMAS H. MILLER,
Executive Director.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from New York (Mr. WALSH) insist on his point of order?

Mr. WALSH. Mr. Chairman, yes, I do.

Mr. Chairman, I make a point of order against the amendment because it clearly proposes legislating on an appropriations bill which violates clause 2 of rule XXI.

□ 1515

The CHAIRMAN. Does the gentleman from California wish to be heard on the point of order?

PARLIAMENTARY INQUIRY

Mr. FILNER. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FILNER. Mr. Chairman, I would just ask the Chair if there are not dozens of programs in this bill that are not authorized by this House?

The CHAIRMAN. Will the gentleman repeat his request?

Mr. FILNER. Mr. Chairman, I would like to know if this bill before us, upon which a point of order has been raised because the program is not authorized, even though I see it as an emergency item for our veterans, is it not true that there are dozens of other programs in this bill that are also not authorized by this committee or this House?

The CHAIRMAN. A waiver of potential objections to other portions of the bill is not pertinent to the discussion before us.

The Chair is willing and ready to hear arguments on the pending point of order.

Mr. FILNER. I understand the Chair, but I would argue that a waiver is very pertinent. That is, this House can

choose to protect certain programs from a point of order and can choose not to.

I would ask the Chairman of this committee to not raise this point of order, as he has asked the Committee on Rules to waive points of order on dozens and dozens of other programs to provide a basic level of college education to those who have sacrificed for this Nation. It seems to be worthy of a waiver in this case. I would ask the chairman to do so.

The CHAIRMAN. The Chair is prepared to rule. The amendment proposes to designate an appropriation as an emergency for purposes of budget enforcement procedures in law. As such, it constitutes legislation in violation of clause 2(c) of rule XXI.

The point of order is sustained.

Mr. FILNER. Mr. Chairman, is it in order to challenge the ruling of the Chair?

The CHAIRMAN. An appeal of the decision of the Chair is in order.

Mr. FILNER. Mr. Chairman, based on the precedent that there are dozens of other points of order waived in this rule, I move to appeal the ruling of the Chair.

The CHAIRMAN. The question is, Shall the decision of the Chair stand as the judgment of the Committee?

The question was taken; and the Chairman announced that the ayes appeared to have it.

So, the decision of the Chair stood as the judgment of the Committee.

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

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

Mr. LAFALCE. Mr. Chairman, I rise in order to express my strong opposition to the very inadequate funding levels for housing and community development in this bill.

This bill continues a very regrettable practice of the majority party to underfund housing programs, with the hope that Congressional Democrats and the administration will go to conference and insist in conference on more realistic funding levels.

I do commend the work of the Subcommittee on Housing chairman, who does the best he can with clearly inadequate funding allocations dictated by the budget resolution. But, at the same time, I am very concerned by inaccurate characterizations that housing is doing well under this bill simply because budget authority is theoretically up by billions of dollars. The truth is, the overwhelming majority of this increase in budget authority does not benefit housing programs, individuals or services at all, but is simply an illusion of higher funding. I will insert into the RECORD a very detailed statement explaining this phenomenon.

Mr. Chairman, 5 years ago, the majority party's first act was to cut the housing budget by 24 percent. We have been playing catchup ever since, in spite of the efforts of Democrats to beef up funding to meet needs.

This year's House bill is no different. The bill is \$2.5 billion lower than the administration's request; and, with the exception of the illusory section 8 increases, every program is flat funded or cut.

In response to the 5.3 million households with worst case housing needs, some 12.5 million Americans, including millions of seniors, this bill ignores the administration's request for 120,000 incremental vouchers. It holds out the possibility of 20,000 incrementals, but that is contingent on very unrealistic recapture levels.

In response to the 842,000 Americans who are homeless each night, with estimates of 3.5 million Americans homeless at some point during the year, the bill flat funds homeless programs, and this funding level is 21 percent lower in real terms than it was 6 years ago.

In response to a growing elderly population and escalating rents, this bill flat funds elderly housing, leaving it some 50 percent lower than funding levels 6 years ago.

In response to a multibillion dollar backlog of public housing repair and modernization needs, the bill cuts public housing funding by \$120 million compared to last year's level, and this level is 27 percent lower in real terms than the level of 6 years ago.

In the wake of an historic bipartisan agreement on new markets and community renewal, the bill cuts every community development program, including a \$275 million CDBG cut, a 20 percent Brownfields cut, and no funding for APIC and empowerment zones.

In a response to the growing problem of predatory lending, the bill flat funds housing counseling, a program which helps first time and existing home buyers cope with home ownership challenges.

Finally, the bill undermines the progress HUD is making in its 2020 management reform plan. Specifically, the bill requires termination of the HUD Community Builder staff, which provides outreach for HUD programs, it threatens termination of contractors hired to inspect section 8 assisted housing, and reduces HUD's staffing levels below the already reduced target levels in this plan.

Now, we can wait for a conference to fix a grossly deficient bill, but the right approach is for the House to fix it now, and, if we cannot fix it in this bill, to oppose the bill.

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

The VA-HUD bill for fiscal year 2001 produced by House Republicans continues a trend over the last few years of providing inadequate funding levels for housing and community development programs, with a wink and a nod that the shortfall will be addressed in conference.

Overall, the VA-HUD bill provides \$2.5 billion less than the Administration's FY 2001 budget. With the exception of illusory increases in the Section 8 account, not a single program receives a funding increase; many receive major cuts. The bill continues to ignore

critical needs in affordable housing, community development, and homelessness prevention.

For this, I do not blame the Chairman of the VA-HUD Appropriations Subcommittee, who has strived mightily to do the best he can with a clearly inadequate funding allocation. The real problem rests with the leadership of the majority party, which continues to cling to the fiction that their budget resolution provides adequate levels of discretionary spending—both overall and for housing. They know they will be bailed out in the end by Congressional Democrats and the Administration, who will insist in conference on more realistic funding levels—at least as long as we have this Administration in the White House.

What is disturbing in recent years is the tendency to underfund housing programs in the House VA-HUD bill, but to cite artificial increases in budget authority to claim publicly that no one should complain about the bill's inadequacy because, after all, funding is "increased" by billions of dollars for HUD programs.

The bill before us today is a good example of this. Proponents of the legislation point to the fact that budget authority for HUD programs, funded in Title 2, is \$4.1 billion higher than the total approved last fiscal year. While technically true, such "increases" are illusory. They do not expand programs, improve services, or increase the number of people served.

The major source of this illusion of funding increases relates to the expiration of long-term Section 8 contracts. Decades ago, Congress approved rental assistance for project-based Section 8 housing under multi-decade contracts, with the estimated multi-year costs completely funded in year one. As a result, no additional budget authority has been needed in each of the years of the long-term contract to continue to pay rental subsidies to the tenants in such project-based housing.

However, when these long term contracts expire and are renewed, Congress must for the first time in decades appropriate budget authority for the first year renewal cost of these rental subsidies. The result is a significant increase in budget authority (from zero to the annual cost) for all expiring contracts in any given year. Yet, the effect on budget outlays of this expiration is zero. And, the impact on the tenant is zero. The so-called budget authority "increase" is simply illusory.

The majority party acknowledged this in 1997, during consideration of the 1997 bipartisan balanced budget bill. At the time, we were just entering a period in which we anticipated an explosion of these expiring HUD contracts. As a result, budgeteers anticipated annual increases in required budget authority of several billion dollars a year. And, the majority party promised to build in these virtually automatic budget increases into their discretionary spending baseline. Moreover, when Section 8 reserves and recaptures occurred over the last few years, HUD proposed to use this excess budget authority to soften the impact of the anticipated increases caused by expirations. Instead, the majority party has repeatedly rescinded these Section 8 funds, in order to offset non-housing programs. When Democrats complained, we were assured that HUD would be made whole.

Yet, in recent years, the majority party appears to be trying to mask the inadequate funding levels for housing by citing the budget

authority increases caused by the expiration of Section 8 contracts. This year is no different. Approximately \$3 billion in increases in Section 8 budget authority relate to expiring contracts.

To be fair—to be consistent with what was promised in the 1997 budget bill and subsequent rescission bills—we should refrain from characterizing these as "increases" in housing funding.

Moreover, there are other factors that contribute to the illusion that funding for housing is going up this year. For example, in FY 2000, we had over \$1 billion in one-time reductions in HUD budget authority, relating to Section 8 recaptures, rescissions, and FHA provisions which are not expected to occur in FY 2001. The effect is the same as the Section 8 contract expiration phenomenon—the appearance of an increase in funding, but no corresponding benefit to housing programs, services, or low-income individuals assisted.

Finally, we have some \$300 million in "increases" in this year's appropriations bill which are at heart mere accounting changes for administrative expenses and costs in FHA and GNMA. In effect, the HUD target is taking a hit for allocations for costs in programs which, under the mandatory side of the budget, account for billions of dollars in profits to the federal taxpayers. In any event, this does not produce additional housing or housing services.

What is left, out of the billions in gross budget authority increases for housing in the bill before us today, is a few hundred million dollars in increased Section 8 costs for inflation adjustments for Section 8 tenants. In contrast, every other housing program is either flat funded at last year's levels or receives cuts. And, virtually every program is underfunded compared to need.

5.3 million households (12.5 million Americans, including millions of senior citizens) have "worst case housing needs"—that is, they pay more than 50% of their income for rent or live in severely substandard housing. The average waiting period for a Section 8 voucher or public housing unit is over two years. In every urban area nationwide, a minimum wage does not provide adequate income to afford a median period apartment rental.

In response to this crisis the majority party in 1995 rescinded the 62,000 incremental Section 8 rental vouchers funded by Democrats the year before. The pattern since then is clear: the Administration proposes incremental vouchers, and the majority party ignores that request in the House VA-HUD bill. This year is no different. In response to the Administration's proposal for 120,000 incremental vouchers, the bill holds out the mere possibility of 20,000 vouchers—contingent on overly optimistic Section 8 recapture levels, and therefore unlikely to materialize.

The majority justifies this inaction by blaming HUD for what it characterizes as unacceptably low voucher utilization rates. This criticism is not valid. A major cause for less than 100% utilization rates is the normal down time for Section 8 recipients to find housing opportunities—a particularly severe problem in low vacancy areas. To the extent that some housing authorities are not doing a good job in putting vouchers out, the problem lies with them, not with HUD. Moreover, these concerns do not justify ignoring the tremendous unmet rental subsidy need.

According to the Urban Institute, on any single night, 842,000 Americans are homeless, and at some point during the year 3.5 million Americans are homeless. Many homeless are working poor. Yet, the VA-HUD bill does not increase funding for homeless prevention programs, leaving funding 21% lower in real terms than six years ago, the last time Democrats controlled Congress.

As our population ages, and as rents escalate at a faster rate than fixed incomes and inflation, the problem of housing affordability for seniors continues to grow. Yet, the VA-HUD bill flat funds elderly housing—leaving it 53% lower in real terms than the level of six years ago. When Democrats offered an amendment to increase elderly housing by \$69 million up to the President's level, an amendment fully paid for by FHA program changes, the majority voted no on a party line vote.

Public housing units face a multi-billion dollar backlog of repair needs. Yet, the bill cuts public housing funding by \$120 million, compared to last year's bill. The bill's proposed level is 27% lower in real terms than the level of six years ago.

The bill undercuts the President's recently announced New Markets Initiative agreement with Speaker HASTERT, by cutting every community development program, including a \$275 million cut from last year's level for CDBG; a \$44 million cut in CDBG Section 108 loan authority; zero funding for Empowerment Zones; zero funding for APIC loan guarantees (part of the New Markets Initiative); and a 20% cut in funding for Brownfields Redevelopment.

The bill cuts the HOME program, which funds low down payment homeownership programs and affordable housing construction. And, the bill ignores HUD's request for a \$9 million increase in housing counseling, leaving funding down 70% compared to six years ago. Counseling is an important tool in fighting the growing problem of predatory lending.

Finally, the bill undermines the progress HUD is making in its 2020 Management Reform plan. Specifically, the bill requires termination of the HUD Community Builder staff which provides outreach for HUD programs, threatens termination of contractors hired to inspect Section 8 assisted housing, and reduces HUD staffing levels below the already reduced target levels in this plan.

I am particularly baffled by the majority's decision to completely eliminate the Community Builder program at HUD. This program is an important component in HUD's consolidation plan. The purpose is to have a staff of professionals whose sole job is to provide community outreach for and assistance with HUD programs. The purpose is to separate this function from program management and oversight functions.

Last year, the Appropriations Committee expressed its concern about the "External Community Builders" program, especially with respect to the way these personnel were hired. Last year's bill required the termination of the external community builder program, and prohibited HUD from rehiring these individuals, except through normal civil service procedures. The bill clearly did not require or even hint at the termination of the internal community builder program. In fact, there was language indicating how the program should continue to be managed.

Now, the majority is reversing itself by eliminating the community builder program entirely,

and mandating the firing of all community builders—even those hired years ago and unaffected by last year's policy. There are a number of reasons why this is wrong.

First, elimination of this position means that HUD will not be able to keep open some of their smaller field offices. Without the multi-disciplinary background of community builders, the choice will in many cases be between closing a field office or bringing in a larger number of personnel to cover the various program areas—personnel which are not available in a downsized HUD. Inevitable, some smaller field offices will be closed.

Second, it is bad policy to undermine a program designed to make HUD more responsive and accountable to the public. This is a major setback to HUD's management reforms. HUD will lose its staff that is experienced in these functions, and will be forced to totally reorganize its staffing structure, to the point where individuals go back to mixing program management and outreach responsibilities.

Third, the bill before us, incorrectly in my view, implies that HUD has failed to follow last year's policy directives. In fact, all external community builders are being terminated. No one is either slotted back into HUD directly or even given a preference because of their role as external community builders. And, the GS levels of replacement hires is on average significantly below the levels of the former external community builders.

I am also baffled why funding for "Contract Administrators" is made contingent on achieving unrealistic levels of Section 8 recaptures. This line item pays for the hiring of independent contractors which perform physical inspections of HUD-assisted project-based housing.

Last year, the Housing Subcommittee held a hearing in which the GAO testified about the level of progress HUD is making in its management reforms. Yet, one of their principal concerns that GAO cited about HUD was that it did not have a good handle on its Section 8 project-based stock. Therefore, it makes no sense, as this bill does, to make funding for inspection of Section 8 housing contingent on unrealistic Section 8 recapture levels.

You can't have it both ways—criticizing HUD for its oversight, then robbing HUD of the tools it needs for this oversight.

In closing, I urge members not to overlook the housing funding inadequacies in this bill, simply because budget authority is going up, or because we have vague promises that "things will be taken care of in conference."

Five years ago, the majority party cut the HUD budget by 24%. Housing funding has struggled to catch up ever since. This bill does not address the 5.3 million American households with "worse case housing needs." This bill does not address the 842,000 Americans that are homeless on any given night. This bill does not address the need to extend our strong economic growth to all communities and individuals.

We can and should do better.

The CHAIRMAN. The Clerk will read.
The Clerk read as follows:

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by 38 U.S.C. chapter 19; 70 Stat. 887; 72 Stat. 487, \$19,850,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by 38 U.S.C. chapter 37, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That during fiscal year 2001, within the resources available, not to exceed \$300,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$161,484,000, which may be transferred to and merged with the appropriation for "General operating expenses".

EDUCATION LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, \$1,000, as authorized by 38 U.S.C. 3698, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$3,400.

In addition, for administrative expenses necessary to carry out the direct loan program, \$220,000, which may be transferred to and merged with the appropriation for "General operating expenses".

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, \$52,000, as authorized by 38 U.S.C. chapter 31, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$2,726,000.

In addition, for administrative expenses necessary to carry out the direct loan program, \$432,000, which may be transferred to and merged with the appropriation for "General operating expenses".

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by 38 U.S.C. chapter 37, subchapter V, as amended, \$532,000, which may be transferred to and merged with the appropriation for "General operating expenses".

GUARANTEED TRANSITIONAL HOUSING LOANS FOR HOMELESS VETERANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Not to exceed \$750,000 of the amounts appropriated by this Act for "General operating expenses" and "Medical care" may be expended for the administrative expenses to carry out the guaranteed loan program authorized by 38 U.S.C. chapter 37, subchapter VI.

VETERANS HEALTH ADMINISTRATION MEDICAL CARE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities; for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs, including care and treatment in facilities not under the jurisdiction of the department; and furnishing recreational facilities,

supplies, and equipment; funeral, burial, and other expenses incidental thereto for beneficiaries receiving care in the department; administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction and renovation of any facility under the jurisdiction or for the use of the department; oversight, engineering and architectural activities not charged to project cost; repairing, altering, improving or providing facilities in the several hospitals and homes under the jurisdiction of the department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902; aid to State homes as authorized by 38 U.S.C. 1741; administrative and legal expenses of the department for collecting and recovering amounts owed the department as authorized under 38 U.S.C. chapter 17, and the Federal Medical Care Recovery Act, 42 U.S.C. 2651 et seq. and such sums as necessary to fund cost comparison studies as referred to in 38 U.S.C. 8110(a)(5): \$20,281,587,000, plus reimbursements: *Provided*, That of the funds made available under this heading, not more than \$3,000,000,000 may be used for the operation and maintenance of facilities: *Provided further*, That of the funds made available under this heading, \$927,000,000 is for the equipment and land and structures object classifications only, which amount shall not become available for obligation until August 1, 2001, and shall remain available until September 30, 2002: *Provided further*, That of the funds made available under this heading, not to exceed \$900,000,000 shall be available until September 30, 2002: *Provided further*, That of the funds made available under this heading, not to exceed \$28,134,000 may be transferred to and merged with the appropriation for "General operating expenses": *Provided further*, That the Secretary of Veterans Affairs shall conduct by contract a program of recovery audits for the fee basis and other medical services contracts with respect to payments for hospital care; and, notwithstanding 31 U.S.C. 3302(b), amounts collected, by setoff or otherwise, as the result of such audits shall be available, without fiscal year limitation, for the purposes for which funds are appropriated under this heading and the purposes of paying a contractor a percentage of the amount collected as a result of an audit carried out by the contractor: *Provided further*, That all amounts so collected under the preceding proviso with respect to a designated health care region (as that term is defined in 38 U.S.C. 1729A(d)(2)) shall be allocated, net of payments to the contractor, to that region.

In addition, in conformance with Public Law 105-33 establishing the Department of Veterans Affairs Medical Care Collections Fund, such sums as may be deposited to such Fund pursuant to 38 U.S.C. 1729A may be transferred to this account, to remain available until expended for the purposes of this account.

None of the foregoing funds may be transferred to the Department of Justice for the purposes of supporting tobacco litigation.

AMENDMENT OFFERED BY MR. WAXMAN

Mr. WAXMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WAXMAN:

Page 9, line 3, before the period insert the following: ", except for the funds for the administrative and legal expenses of the Department of Veterans Affairs for collecting and recovering amounts owed the United States as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.)."

Mr. WAXMAN. Mr. Chairman, I am offering this amendment along with the gentleman from Illinois (Mr. EVANS), the ranking member of the Committee on Veterans Affairs, the gentleman from Utah (Mr. HANSEN) and the gentleman from Massachusetts (Mr. MEEHAN), who are the co-chairs of the House Caucus on Tobacco and Health, and the gentlewoman from Michigan (Ms. STABENOW). It amends a rider in the bill that would have the effect of blocking the Justice Department's lawsuit against the tobacco companies.

Tobacco use may be the single greatest threat to public health in the United States. It kills hundreds of thousands of Americans every year. It is a particular threat to children, who are bombarded by slick advertisements inducing them to smoke, and to veterans, who often become addicted to nicotine while in the service.

With the magnitude of the health threat, Congress' record on tobacco has been absolutely abysmal. In 1998, I reached across party lines to reach an agreement with the gentleman from Virginia (Mr. BLILEY), the chairman of the Committee on Commerce, on how to regulate tobacco. This was an historic agreement, because the gentleman from Virginia (Mr. BLILEY) and I had long been opposed to each other on tobacco issues. Our agreement addressed many of the most contentious tobacco issues, including FDA regulation, environmental tobacco smoke and reducing youth smoking. But the leadership did not even allow a vote on the floor on our bipartisan proposal.

Since then, Congress has done very little to protect children and public health from tobacco. When the Supreme Court struck down the FDA regulation of tobacco earlier this year, the court invited Congress to act, calling tobacco use "perhaps the single most significant threat to public health in the United States."

But Congress has not even held a single day of hearings on FDA jurisdiction, and today we are considering legislation that would actually shield the tobacco companies from Federal liability. This most likely will be the only legislation which we will consider on the House floor dealing with tobacco.

Mr. Chairman, tucked away in this bill is a rider that is worth hundreds of billions of dollars to the tobacco industry. This rider protects the tobacco industry at the expense of health care for our veterans and the well-being of our children.

Last fall, the Justice Department filed the suit against the tobacco industry. The suit alleges that decades of deceit by the tobacco industry have caused Federal taxpayers to spend billions paying for tobacco-related illness. The suit seeks recovery of those funds, as well as injunctive relief, to stop the companies from marketing to children and engaging in other deceptive and illegal practices.

This lawsuit is good for the American taxpayer, who spend over \$25 billion a

year to treat tobacco-related illnesses. Recovery of Medicare funds would be deposited into the Medicare Trust Fund, thus adding years to Medicare's solvency.

This lawsuit is also good for veterans. Currently the VA spends over \$1 billion a year treating tobacco-related illness. Under the Medical Care Recovery Act, any recovery of these funds would be returned to the VA health program. The VA stands to recover billions of health care dollars, dollars that could be used to provide critically needed health care to our veterans.

The lawsuit is modeled on the successful litigation by the States attorneys general, but it will have no effect on their suit or their settlement. It will also have no effect on small retailers. The defendants in this case are all major cigarette manufacturers.

Despite the merits of the suit, a rider in this bill prohibits the VA from transferring funds to the Justice Department for tobacco litigation, and effectively blocks VA from participating in the lawsuit.

There is no question who is behind this rider. It is the tobacco industry. Philip Morris has been actively lobbying Congress. Last week I mailed a "Dear Colleague" letter that attached the talking points Philip Morris is using. You may even hear some of those talking points in the debate today.

Philip Morris argues this amendment will use VA health care funds for the tobacco lawsuit.

□ 1730

This is simply false.

The amendment expressly states that only funds that can be used for the VA lawsuit are "the funds for the administrative and legal expenses of the Department of Veterans Affairs for collecting and recovering amounts owed the United States," not funds intended for veterans' health care.

Philip Morris also argues that the rider is not about tobacco. Of course this issue is about tobacco. Philip Morris's argument has as much credibility as their testimony that nicotine is not addictive.

Mr. Chairman, I urge my colleagues to support this amendment.

Mr. WALSH. Mr. Chairman, I rise in opposition to the gentleman's amendment.

Mr. Chairman, my colleague alleges that this bill stops the tobacco lawsuit, that what we have done in this bill stops the tobacco lawsuit. That is not true. I can assure the House that the VA-HUD bill does not have jurisdiction over the Department of Justice nor its priorities. Nothing in this bill prohibits the Administration or the Department of Justice from moving forward with the lawsuit.

One of the problems with these politically motivated debates is that individual's motivations are questioned.

Mr. Chairman, I do not smoke; I did. I realized it was habit forming; I realized it was bad for my health, so I quit

about 25 years ago. I hope every American comes to that realization themselves. Those who would support the subcommittee's position here would be accused of being sold out to the tobacco industry. Well, again, questioning people's motivations does very little to dignify the debate. But I would state for the record that I have never accepted tobacco contributions.

We are trying to craft a bill here that provides resources for our veterans. We have heard Member after Member, one after another, come up and say we are not putting enough money in here for veterans' medical care, one after another. We are doing our level best to fund veterans' medical care. We put in \$1.7 billion last year, \$1.35 billion this year; and people still say it is not enough.

If this lawsuit started to draw down veterans' medical care funds, and that is what this does, regardless of what the gentleman says, it comes out of the veterans' medical care budget, which is \$4 million to \$6 million a year every year for however long the suit goes on.

We have heard the gentleman from New Jersey talk about veterans with hepatitis C. We tried to put additional funds in to deal with that deadly disease, but we did not meet expectations. There is more need out there. This takes \$4 million to \$6 million out of the veterans budget for hepatitis C, for HIV/AIDS, for spinal injuries, for mental health care, for drug prescriptions.

Mr. Chairman, these funds are precious; and they are dear. Let the Justice Department take it out of their own budget. That is their job. They are the lawyers. They have thousands and thousands of lawyers at the Department of Justice. The VA has hundreds and hundreds of doctors, and thousands and thousands of veterans; and we need to use those resources to take care of that commitment for medical care.

If the Department of Veterans' Affairs and the Administration want to use VA dollars to pay for this lawsuit, they can take the money from the Secretary's office or the general counsel's office. This bill says we cannot take money from veterans' medical care account. This language is limited to one account out of 18 that funds the Department of Veterans Affairs.

I am also concerned about how money derived from this litigation will be spent. No one on the Subcommittee on VA, HUD and Independent Agencies has seen a formal, binding agreement from the Administration or the Department of Justice on how these dollars will be spent between VA, Defense and Health and Human Services. The Administration tried in the past to bolster the budget with new spending from a fictional tobacco settlement. Yet VA's health funding remained level.

I am all for seeing more dollars for VA in health care and I think every member is, but I have not seen the contract yet. The Administration has never said that any settlement would go to the veterans. In fact, in their

third-party collection funding scheme, those funds would go to the general Treasury and not to the veterans agency or to veterans' medical care.

So regardless of what we are going to hear, let the Justice Department handle the lawsuits, let the Veterans Administration handle veterans' medical care.

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

Mr. Chairman, this place is something else. I am no blue nose. If people want to make an informed decision to smoke, so be it. I used to smoke three packs of cigarettes a day. At the same time, I worked with asbestos. Johns Manville Corporation knew since 1939 that asbestos caused cancer, but I did not when I was working with it, because they hid it from consumers and from the Government itself. I also did not know, but Johns Manville did, and I believe the tobacco companies did too, that there was a synergistic effect between asbestos and tobacco, and when one is exposed to both, one's chances of getting cancer increased at a geometric rate. So very frankly, since those days I have been waiting for the shoe to drop.

We have the same situation with the tobacco company executives that we had with the asbestos company executives. Both of them lied through their teeth for years. When the gentleman from California's (Mr. WAXMAN) subcommittee was holding the hearings, we all remember the famous seven tobacco company presidents standing up and swearing to tell the truth, and then proceeding to tell the committee that no, no, no, they did not believe that tobacco caused cancer. Well, they had in their files information that demonstrated that they certainly knew it did.

So we have listened to their bull gravy for 50 years. Now we have a question as to whether or not we are going to do anything about it or not.

The gentleman said there is nothing in this bill that prohibits the tobacco settlement, or the tobacco lawsuit from going forward. That is speaking only half the truth, because what is happening is that the appropriation bill which we will consider next, the Subcommittee on Commerce, Justice, State, and Judiciary appropriation bill, forbids the Justice Department from using its own funds to pursue a tobacco settlement; and then they have in other appropriation bills, in the Defense bill, in this bill, and I believe in one other appropriation bill, they also say that you cannot use funds from any of the other agencies and allow the Justice Department to use those funds from other agencies to pursue their tobacco suit either.

So slowly, the Justice Department is being surrounded by this multiplicity of attacks in appropriation bills. I think that that is wrong, and I think we ought to adopt the gentleman's amendment.

Now, I know that we will hear people say 'oh, we are going to take money

away from veterans' health care and use it to fund this suit, and it is just going to go into the pockets of the lawyers.' The fact is that I offered seven amendments in one session alone, trying to get the majority party to increase funding for veterans' health care, and they turned them all down and they did that 2 years in a row. I would suggest now, to say that the veterans' department, which has the potential to gain hundreds of millions of dollars in additional revenue for veterans, for the treatment of their problems, to say that they cannot try to do that by expending \$4 million out of their own funds to pursue this case on behalf of every veteran and on behalf of the taxpayers is ludicrous, at best.

Mr. Chairman, I would simply point out also that if one checks the facts about litigation only enriching lawyers, the administration has indicated that the department has not engaged any lawyer on a contingency-fee basis. They did engage one firm on a limited arrangement on terms that were favorable to the Government. Under that contract, which ran for 3 months, the firm provided assistance to the Department at a reduced rate of \$75 per hour, well below normal billing fees. The payment for services to that firm total less than \$80,000.

So we should not kid ourselves. Every time we hear somebody say, this is not about tobacco, remember, it is about tobacco, and it is about lying, and it is about whether or not we will defend the taxpayers' interests to recoup the billions of dollars that have been spent. It is about meeting our responsibilities, to see to it that the taxpayer is not stuck with the cost of providing health care to veterans and other folks in this society because the tobacco companies lied and caused billions of dollars' worth of damage in the process.

The CHAIRMAN. The time of the gentleman from Wisconsin (Mr. OBEY) has expired.

(By unanimous consent, Mr. OBEY was allowed to proceed for 3 additional minutes.)

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

Mr. OBEY. I yield to the gentleman from California.

Mr. WAXMAN. Mr. Chairman, we promised the veterans a couple of years ago when we took away money for their disability based on tobacco smoking and all of the illnesses that resulted from it, that we would pursue this litigation and get back into the veterans' program money that rightfully belongs in that program because of the deception add bad-doing, fraudulent actions of the tobacco companies. After years of deceit and deception, it is right to hold the tobacco companies accountable for their false promises, misrepresentations, suppression of knowledge about the health risks of tobacco.

This rider would stop the litigation. The Attorney General, Janet Reno,

today, in a press conference, announced that if this rider goes through, prohibiting the transfer of funds, she will not have the ability to pursue this litigation; she would have to drop the lawsuit.

We are not, and I want to emphasize this, because there seems to be some misunderstanding even on the part of the chairman of the subcommittee about our amendment. We are not transferring money from veterans' health care, but only from the veterans' health care fund for litigation, for expenses and legal fees. What more appropriate use of those funds would there be than to go against the tobacco companies to recover money for the veterans' health program and to keep our promise to the veterans that we would get money to put into veterans' health to make up for that which we took away from them over the years, just 2 years ago and to make up for the deceptions that the American Government placed on veterans when we encouraged them to start smoking in the past, which caused so much of the death, disability, and illness for which we could now get recovery from the tobacco industry. I thank the gentleman for yielding.

Mr. OBEY. I would simply say that to suggest that the veterans are getting a bad deal by asking that \$4 million be spent on this suit when we can get back hundreds of millions of dollars in return is patently preposterous on its face.

Mr. EVANS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I urge my colleagues to support this amendment by our colleague from California, because it simply allows the wheels of justice to move forward.

Mr. Chairman, there is something terribly wrong with the leadership of this body. During the last Congress, despite overwhelming facts to the contrary, the leadership effectively denied veterans the opportunity to seek legitimate compensation from the Department of Veterans Affairs for tobacco-related illnesses and disease, as well as tobacco addiction, during their service in the Armed Forces. That day, I believe, was one of the least noble moments in the history of this body.

Now, adding insult to injury, the leadership of the House seeks to deny the funds needed for our Federal Government to continue to seek, in court, the recovery of costs the Federal Government has incurred treating tobacco-related illnesses. It is a sad day indeed when the leadership of this House seeks to shield the tobacco industry from legitimate legal action brought by the Federal Government.

We must not forget these facts: funds spent by the Department of Veterans Affairs for health care used to treat tobacco illnesses and disease have been estimated to be between \$1 billion and \$4 billion a year. As many as 75 percent of our World War II veterans began smoking as young adults during their

military service. Cigarettes have been distributed free of charge to members of the Armed Forces as part of their so-called "C-rations," and the labeling requirements warning of the dangers of nicotine and tobacco did not become mandatory for products distributed through the military system until 1970, 5 years after this labeling was required for the civilian market.

□ 1745

Tobacco products were sold by the military at substantially discounted rates. As late as 1996, commissary tobacco prices were up to 76 percent less than commercial retail prices.

Those who support the tobacco industry will make the argument that using VA funds to finance this lawsuit will mean less money for medical care. The truth is, these dollars would be added to the administration's request after negotiations between the VA and the administration have concluded.

As an additional safeguard, our amendment would be directed at using only funds that would otherwise be used for nonmedical purposes; specifically, for the administration and legal expenses incurred in pursuing this lawsuit. It is misleading to say that these funds will be designated for health care.

Earlier today, four major veterans organizations spoke in support of this amendment. Veterans who will benefit from the successful outcome of this litigation will not be fooled. They want this litigation.

In the name of justice, support the Waxman-Evans-Hansen-Meehan-Stabenow amendment.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, people back in my district always ask me, they say, is it difficult being in Congress? They say, what is the worst thing that goes on? I always reply, the partisanship that exists between the two parties.

No matter what we do, how much we try and increase, put up priorities, the other side of the aisle wants the majority back, so they will blast anything we do.

The gentleman from Wisconsin (Mr. OBEY) just said that he had 7 different amendments to increase veterans' health care. Most of us on both sides of the aisle support increasing health care for veterans, and also making sure that the fraud and abuse, like within the VA system, \$1 million a day, is taken care of.

Yet, when we get to the House floor here, Members will see and hear, well, it is only tax breaks for the rich. We do not think that paying taxes back to people because they get married is a tax break for the rich, or money that people invest with their families their whole lives, they pay taxes on, build up their business or farm, and where the government wants to come in and take 55 percent of it back, that that is a tax break for the rich. There is a legitimate difference of opinion.

I would say to my friends on the other side, we added \$1.7 billion, the highest ever for veterans' health care last year, and \$1.4 billion this year. Yet, it is never enough. We will hear, "more research, more HUD," and in the last bill, "more Labor-HHS." On every single line item, Members the other side of the aisle say, we want more, we want more.

There is a difference between fiscal responsibility and irresponsibility. For 30 years they ran the House. Let me give an idea. If we pay down the national debt, we spend nearly \$1 billion a day on just the interest, so \$360-some billion we would have put into the coffers. But if we continue spending like my colleagues on the other side did when they had the majority, the other side of the aisle, then we just keep increasing that debt.

In 1993, when they had the White House, the House, and the Senate, they cut veterans' COLAs. My own party at one time wanted to cut veterans' COLAs. We fought that in our conference and defeated it. I think it is wrong. But Members just continue to spend and build up the national debt.

They talk about the President's budget. We as Republicans brought the President's budget back last year to the floor to show how ridiculous it was. Not many Democrats voted for it. Yet, they say the President wanted \$1.2 billion, and we are only putting a \$500 million increase, so we are cutting. That kind of rhetoric is what makes it difficult to work here, instead of coming together and helping in veterans' health care.

I am a veteran, a combat veteran. Most of my colleagues on that side of the aisle know it. The only area which some of the people that are blasting us will support is every other area but defense. Watch, there will be a couple of amendments here today to take out selective service.

In time of national emergency, in time of national emergency we are going to need the selective service program not only for biological and chemical weapons that may come forward, but if we end up in a WWII or World War III, that is the only time it would be used.

I ask my colleagues, cut the rhetoric: "Tax breaks for the rich." Some people believe it, but they know it is ridiculous. Cut the rhetoric: Well, the President's bill did this. They did not even vote for the President's budget. Only four Democrats voted for it, so the numbers there are inaccurate.

Let us sit down and work in a bipartisan way. Let us increase veterans and let us support it, and take this bill on to conference.

Mr. MOLLOHAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the gentleman's amendment. The Department of Veterans Affairs' medical budget is not the appropriate place

from which to fund Department of Justice lawsuits. It funds the Veterans Administration Department's own legal expenses, and funding Department of Justice lawsuits to the tune of \$4 million or even higher, because there is no limitation here, would significantly reduce funds available for veterans' medical care.

Mr. Chairman, it has been stated or alluded to that the effect of the restriction placed in the bill, and let me read it, Mr. Chairman, it says, "None of the foregoing funds may be transferred to the Department of Justice for purposes of supporting tobacco litigation." The restriction in here only says that none of the funds out of the Veterans Affairs medical budget can be transferred to the Department of Justice for its litigation purposes.

It has been alleged that that has the effect of blocking the Department of Justice's lawsuit against the tobacco industry. I respectfully disagree with that. It does no such thing. It does not preclude the Department of Justice from moving forward with lawsuits. What it does do, the bill language simply prohibits the Veterans Administration from transferring veterans' medical care dollars to the Department of Justice. That is the only intention and the only motivation, to preserve those scarce medical care dollars.

That money would come out of the medical care collections fund. Indeed, it does fund legal expenses for the Veterans Administration in this area: "Legal expenses of the Department for collecting and recovering amounts owed the Department." There are people very busily working over at the Veterans Administration spending dollars out of that account to collect third party pay, to collect dollars that are owed from other areas. They significantly multiply their salaries. That is, they are responsible for generating a lot of dollars. Take that \$4 million out of this account and, arguably, we would reduce by a factor of many times \$4 million the amount of money available for veterans' medical care.

The budget for veterans' medical care has been severely stressed during the last several years. After 2 years of flat budgets, Congress enacted a substantial increase in medical care last year. The bill before us today builds on that increase by fully funding the President's budget request for medical care, more than \$1.3 billion over current funding.

I cannot support an effort to divert funding from this priority in order to fund the operations of another agency. God bless the other agency, let them move forward with their lawsuit with their own funds; in this case, the Department of Justice. That department, the Department of Justice, has received significant increases during the past decade, as opposed to the Veterans Administration. In 1990, the Department of Justice received \$8.8 billion. By 1996, that had risen to over \$16 billion, and current year funding is over \$20 billion.

The Department of Justice is not an agency that has faced the same restrictive budgets as the VA. It can afford to prosecute this lawsuit without taking money out of the veterans account.

Each appropriations subcommittee must establish its own priorities for the agencies under its jurisdiction. Mr. Chairman, let me point out that the veterans organizations are split on this issue, but that the American Legion, while it supports the Department of Justice going forward with its lawsuit, does not support taking health care dollars from the VA to pay for the litigation and thinks it is counterproductive, especially with the growing demand for services by the aging veteran population.

This amendment does not stop any litigation, or this restriction, excuse me. It simply provides that that money will not come out of veterans' health care, Mr. Chairman.

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I associate myself with the ranking member and the chairman, the gentleman from New York (Mr. WALSH), in rising in opposition to this amendment, and I would like to clarify some misconceptions about the language its sponsors are attempting to remove from our bill.

Contrary to some of the Dear Colleagues and other letters that have been circulated, the language in the VA-HUD bill does one thing, it prevents the VA from taking funding from the veterans' medical care account to pay for lawsuits against tobacco companies.

Our committee language does not, I emphasize, does not prevent the VA from giving the Justice Department money to pursue their lawsuit, so the gentleman's amendment is not necessary.

Frankly, I am no friend of tobacco, of the industry, but we have not worked so hard on our committee in a bipartisan way to increase the medical accounts over the past 4 years and the VA's budget on behalf of our veterans to see the administration and the Department of Justice push our veterans out of the way so they can flog tobacco companies using funding from this and other appropriations bills.

The statistics are grim. An estimated 30,000 veterans from the World War II era are dying each month. These men and women need medical care today, not 3 or 4 years down the road. That is why none of this critical funding should be diverted from their medical care, care that they have more than earned and deserve. Too much has been taken away from our veterans already to deal them this additional blow.

For those who might forget or wish to forget, the TEA-21 bill signed by the President in 1998 and sponsored by a majority in this Chamber, and supported by them, cut veterans' disability payments for smoking-related illnesses by \$14.4 billion to pay for

highways and other important transportation projects. I voted against this bill because that \$15.4 billion should have been spent on compensating veterans with tobacco-related illnesses, or redirecting it into paying for veterans' medical care for veterans with smoking-related illnesses, as well as other veterans, instead of paving more highways and building more roads and taking care of more worthwhile projects.

Now, the administration is proposing to take \$4 million from the fiscal year 2001 allocation for veterans' medical care accounts to pay the Justice Department's legal expenses to sue tobacco companies.

Some have argued to me that \$4 million is a small amount of money and its diversion makes little difference overall to veterans' medical care. But I can tell the Members, \$4 million would provide for veterans in my district a lot of necessary things related to Hepatitis C, related to prescription drugs.

Our committee language already allows the VA to use funding from somewhere else within its budget, just not from an account that directly pays for veterans' medical care. There are a number of other accounts within the Department of Justice that the VA can take money from, including departmental administration, general operating expenses, medical administration and miscellaneous operating expenses, construction, major and minor projects, other types of grants.

These accounts total over \$1.36 billion, and the VA cannot find \$4 million from those accounts to pay for this lawsuit? That is incredible. The Secretary should cut his own budget and reduce administrative overhead before he raids the veterans' medical care accounts to comply with White House directives.

The VA should use every dollar appropriated for veterans' medical care to provide for the men and women who fought our wars, and to "care for him who shall have borne the battle."

I do not oppose lawsuits against the tobacco industry. I certainly do not receive any financial contributions from them. I do oppose the use of veterans' medical care dollars to pay for the Justice Department's lawsuit.

□ 1800

In closing, let me repeat that this language does not prohibit the VA from participating in the lawsuit. Our committee language does protect veterans' medical care dollars to make sure they are spent today for the reason they were intended, to provide for the 25 million men and women in this country who bore the cost of battle and who have fought to defend our Nation's freedom.

Mr. MEEHAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the amendment of the gentleman from California (Mr. WAXMAN) and my colleagues and my amendment.

This is not about taking money out of the medical care budget. This is about taking money, \$4 million, that is for medical care litigation. That is when the Veterans Administration has an opportunity to go out and get money that is owed to them, then they go to court and litigate.

Now what better expenditure than to expend that litigation money on fighting the tobacco companies? We have seen Attorneys General from across this country litigate and take the lead, before the Federal Government and this Congress did, to litigate against the tobacco industry; and they won \$246 billion to repay Medicaid costs related to tobacco.

Why is this such a good investment to take the tobacco companies to court? Well, I will tell my colleagues why it is a good investment. The gentleman from California (Mr. WAXMAN), who has offered this amendment, had hearings before the Congress. The tobacco companies came before the Congress; and they said their product, under oath, did not addict people. They said their product, under oath, was not addictive, was not harmful to health.

Then we found out when we looked at internal documents that, in fact, they knew the dangers and the death and destruction that this product was causing. We are talking about veterans, many of whom started smoking in the 1950s and the 1960s when there were no warnings on cigarette packages then.

There were days when the veterans used to get free cigarettes from the tobacco companies. I wonder why they gave them free cigarettes? We now know that in the 1950s and the 1960s they were conducting studies. They knew of the addictive propensity of their product, and they knew they were addicting people to their product.

It is time that we make the veterans and the Veterans Administration whole. We should get back what is owed to the veterans, what is owed to the Veterans Administration. That is why this expenditure for litigation makes so much sense. Why do you think the tobacco companies settle for \$246 billion? They were cutting their losses.

We have a great opportunity here to make whole expenditures for veterans health care cost. What a great time to do it, at a time we are trying to meet our commitment to our world or to veterans for health care, at a time when consolidation is causing anguish among veterans all across the country.

In Veterans Administration facilities, many of these veterans are there because of health-related costs that they got from smoking tobacco, from smoking cigarettes at a time when tobacco companies told them it was not dangerous, at a time when tobacco companies did not warn them of the dangerous propensities.

That is why we go to court, that is why we have this civil lawsuit, and that is why we are looking to make whole the Veterans Administration and

make whole the veterans of this country and others who were victims. We are talking about representing victims in court.

We have a \$4 million litigation account where the Veterans Administration takes and says, where can we make whole our expenditures in health care. How can anybody argue that the proper place for the Veterans Administration, too, to be made whole for health care cost than going after big tobacco.

We have been remiss in not going after the tobacco companies earlier. We have let the Attorneys General take the lead on it. We have let State legislatures all over the country take the lead on taking on big tobacco while the Congress has sat back and waited.

What would we do if Jeffrey Wigand had not had the courage to come forward and tell us as a scientist from one of the major tobacco companies that, as a scientist, they were manipulating the nicotine in their products, knowing it was addicting people? That is what this liability is all about.

This is not a partisan issue. A cosponsor of this amendment is the gentleman from Utah (Mr. HANSEN), Republican, cochair of the Tobacco Task Force on Health in the Congress, an outstanding Republican Member of this body. He is a cosponsor of this amendment. So this is not a partisan amendment.

It is not about politics. It is about whether or not the Federal Government is going to move forward and try to find a way to make whole the Veterans Administration, that nearly \$4 billion a year that has to be accounted for. In fact, in the 105th Congress, we told the Attorney General and the Secretary of Veterans Affairs in the Transportation Equity Act for the 21st Century that they should take, and I quote again, "all steps necessary to recover from the tobacco companies amounts corresponding to the losses and the costs which would be incurred by the Department of Veterans Affairs for treatments." We told them to go get this money.

Support the Waxman amendment.

Mr. WHITFIELD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we all recognize that it is politically correct to be able to attack the tobacco industry in its totality today. In the spirit of full disclosure, I will have to admit that I do represent a large number of tobacco farmers. But this really has nothing to do about tobacco farmers.

The Waxman amendment, as has been said by many people before I am speaking right now, indicates, and it is true, that under the Waxman amendment, the Department of Justice will be able to take money from the veterans' medical care dollars to finance a speculative lawsuit under the theory of which the Federal Government has never filed one like this before. So that is one reason to oppose this amend-

ment, that it would take veterans medical care dollars to finance the lawsuit.

Now, in September of 1999, the Federal Government filed this lawsuit seeking \$25 billion to recover money spent by the Federal military and civilian insurers on smoking-related illnesses. Prior to that, the State attorneys general had filed a lawsuit in which the tobacco companies entered into an agreement to settle for about \$246 billion over 25 years.

I would just point out that, in 1999, all of the money that was spent on veterans' medical care in the United States amounted to about \$17 billion in 1999. I think it will also be interesting to know that the legal fees alone in the State lawsuits amounted to almost \$12 billion. So there was almost as much money paid in legal fees in that lawsuit as there was spent for veterans' medical care in its totality.

Now, another reason that I would oppose the Waxman amendment is the simple fact that Federal and State governments have known for more than 30 years that smoking does create health risks. Yet, with that knowledge, they all permitted the sale of tobacco products and profited nicely from it, indeed enormously from it from the excise tax. Not only did the Federal Government profit from the excise tax for the sale of tobacco products, but the Federal Government gave cigarettes to its young men and women serving in the military around the world.

So how can now the Federal Government tell tobacco companies that they may lawfully sell a product that the Federal Government knew would cause injury and then turn around and sue the companies for causing the injury that they knew would be occurring. That is another reason that I would oppose the Waxman amendment.

Then a fourth reason I would simply say this, that the Justice Department's complaint is only the most recent, and I am sure it will not be the last effort to use litigation to bludgeon private firms in order to accomplish a prohibition that government could not win in the Congress. So since they cannot win in the Congress, they go to the courts under novel theories of law to collect on something that the Federal Government already knew was harmful and, furthermore, gave it to men and women serving in the military around the world.

So those are four of the reasons that I would ask the Members to oppose the Waxman amendment.

Ms. SCHAKOWSKY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we often are on this floor wringing our hands about why the public treats us so contemptuously and thinks so little of us all too often when we know we are here to do the people's work. But every once in a while, a bill comes along that reinforces that low esteem that the American public has for us, and this is one of them. The fact that there is an effort right now, an organized effort to protect the tobacco

industry from the lawsuits. That is why I am here to strongly support the amendment of the gentleman from California (Mr. WAXMAN) and others to get rid of this rider.

Now, I have heard the arguments, oh, well the Justice Department can use its own money, or the Justice Department can get it from another fund. But there are all these other efforts going on at the same time which everybody knows about that would prevent any money, even a single dollar going.

We have got riders coming up in the Commerce Justice bill. There are riders all over the place that are trying to thwart these lawsuits against the tobacco industry. It would be more credible if it were not for the fact that the veterans are all for these lawsuits going forward, including the American Legion. Four of them have endorsed the Waxman amendment. The Veterans of Foreign Wars, AmVets, Paralyzed Veterans of America, Disabled American Veterans have explicitly endorsed this amendment that would allow these lawsuits to go forward and this small amount of money, relatively small amount of money from a litigation fund to go after the tobacco companies.

Why should we not? Tobacco-related illnesses cost the Federal taxpayers approximately \$25 billion a year, excluding the Federal share of Medicaid, excluding the Federal share of Medicaid.

The Medicare program pays \$20.5 billion annually to treat tobacco-related illness. The Department of Defense pays \$1.6 billion. Indian Health Services pays \$300 million. The Veterans Administration pays \$4 billion, not \$4 million, \$4 billion a year to treat tobacco-related illnesses.

So why not take a portion of that overall fund, not the fund directly going to services, but the litigation fund to try and get some of that money back?

I will tell my colleagues, I think that the American people understand that tobacco is costing them, it is costing them and their families and their lives, and it is costing their taxpayer dollars. These thinly veiled efforts to protect the tobacco industry are not going to be viewed very well by the American people. We should all stand up together, Republicans and Democrats, because I agree this is not and should not be a partisan issue. We should stand up together and support this amendment.

Mr. DOGGETT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the provision that this amendment seeks to strike reeks of tobacco, it reeks of special interest, and it reeks of injustice. I think that this rider, and of course there has been considerable competition through the years, but it is truly the most disgusting that I have seen since this same crowd came to this same House and snuck into a bill for small business tax relief, \$50 billion in a tax credit for the same tobacco industry, so disgusting that once it was exposed, they

had to back off and remove the provision.

□ 1815

Indeed, that action is one of the only bits of action that this House of Representatives has taken during the last 6 years to deal with that plague of nicotine addiction that kills thousands every day in this country.

To those who say turn to the legislative branch instead of the judicial, Americans can look at what has happened in the last 6 years and rightly say that the tobacco industry has a stranglehold on this House. Sometimes we can prevent it from doing more wrong, but we have been totally unable to overcome the tremendous strength of the tobacco industry over the current leadership of this House to do anything affirmatively for the 3,000 children that every day will become addicted to tobacco.

Supporters of this provision have the audacity to say we will not do anything about the children and their suffering from tobacco, and the fact that so many will eventually die from emphysema and lung cancer and heart disease, but we can find it in our schedule and in our hearts to provide more special interest treatment for this same industry. The friends of tobacco have the audacity to stand on this floor this evening and tell the American people that they are not terminating this lawsuit, they are just cutting off the funds necessary to its success.

Let me ask my colleagues if they think Phillip Morris and R.J.R., and all the other big tobacco companies, are going to spare any funds when they are dealing with any thick-carpet lawyer in the country who will take their dirty money to defend them in this case. No, they are going to have an open checkbook. They are going to spend whatever it takes to obstruct the justice that this case deserves.

I stood next to Janet Reno earlier in the day, with the gentleman from California (Mr. WAXMAN) and leaders of our veterans' organizations, and heard her say in no unqualified terms that the effect of a vote against this amendment is a vote to dismiss the well-justified claims of American taxpayers against the tobacco industry. The provision that we are voting on tonight is testament to the weakness of big tobacco's legal case. They are seeking a motion to dismiss not in a court of law, relying on the justice system; no, they have come here to the Congress, a Congress that they have worked over pretty well through the years, particularly in election years. And they have asked the Congress to grant the motion to dismiss. This is just the latest underhanded maneuver in which they have engaged.

What is at stake here is a rather clear choice. It is a choice between defending our veterans who have defended us or defending the continued wrongs of the tobacco industry. I believe we ought to stand with the vet-

erans. They were there today with Attorney General Reno also, one veteran group after another, the Paralyzed Veterans, the Disabled American Veterans, the Veterans of Foreign Wars, the AMVETS, speaking out and asking us to defend interests, as they were willing to defend our country, by supporting the Waxman amendment. We owe them nothing less.

And, of course, this is not the first time that big tobacco has trampled our veterans, just as they have trampled on our children. In each of the last two years I have advanced legislation in this Congress to give our veterans their fair claim against Saddam Hussein and his Iraqi assets that have been frozen for a decade. But big tobacco said, no, we want to go first. We want to get reimbursed for all the cigarettes we sold the Iraqis before our veterans get reimbursed on their just claims. It is that same kind of greedy attitude that they bring tonight to this House, saying that they deserve immunity, which is what they would effectively gain if the Waxman amendment is defeated—immunity to continue committing the same wrongs they have been engaging in previously.

The American people have a much greater understanding of the wrongs done by the tobacco industry than this Congress has demonstrated over the last 6 years. 430,000 people every year will die as a result of tobacco, thousands will require care in hospitals and hospices. We ought to be able to remove at least some of the tremendous cost of the care incurred for the American taxpayer and for the American veteran.

Mrs. CAPPS. Mr. Chairman, I move to strike the requisite number of words, and I rise in strong support of the Waxman amendment.

I do this as a public health nurse, for I have seen firsthand the serious consequences of smoking-related illnesses, and I am appalled at the behavior of the tobacco firms. This is a time when accountability is called for.

We speak here today on behalf of our constituents. And I am speaking on behalf of the veterans I represent. I know their national leaders were here today testifying to the Justice Department, but they have spoken to me directly and to many of us across this country, as they are bearing the price for what has happened throughout the decades as a result of their exposure and addiction to tobacco in the call of their military duty. We need to speak for them.

I speak also for other citizens in my district, citizens who are aware and are aroused by the injustices that have been done. I think of a particular physician in San Luis Obispo, Dr. Steve Hanson, tireless in his work on tobacco-use prevention among young people in our community but also on the need for treatment to be available, working through the American Medical Association and the San Luis Obispo Medical Society, an articulate voice on

behalf of the justice that needs to be done in this case.

This amendment will allow for the continuation of litigation to recover tobacco-related health costs that have burdened the American taxpayer for many years. The cigarettes that were put into GI rations and unwittingly caused addictions are now being borne out in the health and illness situations of so many of our seniors who are veterans and who are paying terrific consequences with their lives, suffering from emphysema, heart disease, and cancer as they are aging. These individuals need and cry out for a response that needs to be stimulated and encouraged in this body.

Janet Reno has stated that if this rider to the VA-HUD appropriation passes, the Department of Justice would have no ability to continue in their crucial litigation on behalf of veterans. This amendment protects veterans. Under the Medical Care Recovery Act, any recovery of these tobacco costs would go directly to the VA and defense health programs.

As Members consider their votes, I urge them to remember that the tobacco companies concealed what they knew about the damaging health effects of smoking for decades. During those same decades, the consequences of smoking were played out in the lives of citizens across this country, and veterans' lives as well; and the cost has been borne by everyone. No other industry is close to matching the cigarette companies' record of misconduct and harm to the public interest.

If Congress intervenes in the judicial with this VA-HUD rider, the tobacco industry will receive unprecedented and unwarranted protection that will never be available to other more responsible companies. So Congress must hold Big Tobacco accountable, and I encourage my colleagues to vote "yes" on the Waxman amendment.

Mr. GOODLING. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. GOODLING. Mr. Chairman, I did not plan to speak on this amendment, but I was listening to the discussion back in my office and I thought, how silly do we think the American people are.

I think it was 62 years ago, I am 72 at the present time, when my mother and father said, There will be no use of tobacco in this house; it is addictive and it is injurious to your health. That was 62 years ago, and here we stand and we say, boy, people lied to us and we did not know it. Now, my colleagues know that that is nonsense. We have known it for a long, long, long, time.

But I am also surprised when we stand down here and we talk about the cost of tobacco. There is not anyone, probably in this House, who is a leading campaigner against the use of tobacco. One of our young Congressmen

when I first came here, a diabetic, a chain smoker, I tried and tried and tried my best to help him break the habit, but he could not and he died very young.

I am amazed when we talk about the cost, when no one talks about alcohol. My attorney general came to me and said, we have to have this money; we have to have this money, boy, the cost to Medicaid and Medicare. And I said, wait a minute, the cost to Medicaid and Medicare, the cost to veterans health? Talk about alcohol. It is only about 10, 12, 15, 20 times as great in relationship to the cost, but it goes way beyond that. Abusive in the home, physical abuse, mental abuse, and on and on the list goes. And yet somehow or other we do not take that on because, I suppose, it is socially acceptable; and so we talk about tobacco.

Then someone indicated that, well, tobacco has their hands on the Congress. Well, tobacco may have their hands on some individuals in the Congress, as it does on individuals all over the country, but it has nothing to do with one's ability to think clearly about the issue. So, again, I just do not understand what it is we are trying to do in relationship to this amendment other than try to confuse the public that somehow or other there are few in this Congress who really are fighting this issue and that we did not know it was addictive and we did not know that it caused health problems, when, of course, we have known that for 50, 60, 70, 80 years.

In the last 20 or 30, as a matter of fact, signs have been everywhere, and put there by the Government, indicating that it is injurious to our health and that it is addictive.

So I think we ought to switch. If we want to move money, move it, but then give a good reason for doing it. But, for goodness sakes, we should not try to make the public think that we know more than they, and that they do not know already that it is an addictive issue and it is also a health problem.

Mr. ALLEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Waxman-Hansen-Evans-Meehan amendment. This amendment will remove the rider in this bill that prohibits the Department of Veterans Affairs from aiding the Justice Department in its suit against Big Tobacco.

And in response to my friend, the gentleman from Pennsylvania, I would say that tobacco is addictive. It has been proven to be addictive. And alcohol has caused all sorts of problems in this country, there is all sorts of abuse of alcohol; but it is not addictive in the same way.

No industry, no industry deserves a special exemption from Federal liability, and without help from the VA, the Justice Department will have to drop its suit against the big tobacco companies. We should not be legislating special protections for an industry that has lied to the Congress and deceived the American people.

The VA spends more than \$4 billion annually treating tobacco-related illnesses. If the Justice Department's suit is successful, and I believe that it will be, the VA will recover billions of dollars spent on health care for veterans. If this amendment fails, then the bill will prevent the VA from obtaining billions of dollars to help veterans who suffer from tobacco-related illnesses.

Why should we not help those veterans? They need our help, and we ought to stand with them. We should not be trying to bail out Big Tobacco.

This amendment does not take \$1 away from veterans' health care. It uses money in the VA's administrative and legal expenses account to help fund the suit against Big Tobacco. Yet the tobacco companies are spending enormous amounts of money and working hard to convince Members that the Waxman amendment takes away from veterans' health care. That is absolutely false.

In 1998, we passed a highway bill here in this House that became law. And in that legislation is language that urges the Attorney General and the Secretary of the VA to sue the tobacco companies so that money could be recovered to go to veterans' health care. And what we see in this bill today is a provision that would nullify what we did in 1998. It would prevent that money from being used, the litigation money, from being used to recover money for our veterans.

Since when, Mr. Chairman, have the tobacco companies cared about the health of the American people? They make a product, which used as directed, kills people. Their future prosperity depends on enticing young people to take up smoking. They swore they were not doing that just a few years ago, and we have found since that it was not true.

The tobacco companies want relief from a legitimate lawsuit at the expense of our veterans. A vote for this amendment is a vote for veterans' health care and against the unlimited greed of the tobacco industry. Vote "yes" on the Waxman amendment.

Ms. STABENOW. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am very proud today to stand as one of the sponsors of this amendment. I want to thank my colleagues, the gentleman from California (Mr. WAXMAN), the gentleman from Illinois (Mr. EVANS), the gentleman from Utah (Mr. HANSEN), and the gentleman from Massachusetts (Mr. MEEHAN), for their leadership on this issue.

I stood on the floor a year ago asking that we fully fund veterans health care through the independent budget. We were not successful at that time, although there was a lot of discussion about the importance of veterans' health care. We have yet to fully fund at the level that has been put forward by the veterans' organizations to fully fund veterans' health care.

This amendment is supported by the Veterans for Foreign Wars, the Paralyzed Veterans of America, the Disabled American Veterans, and AMVETS. This amendment is about keeping our word. Very simple. It is very simple. As my colleagues have said, in 1998, in the transportation bill, we said that dollars would be removed for service-related tobacco illnesses. Rather than moving ahead at that time, in fact, we called on the VA, in the budget bill, to take all steps necessary to recover from the tobacco companies.

□ 1830

So this was 2 years ago we passed a bill that says all steps necessary to recover from the tobacco companies. Two years later, we are here with a bill that says they cannot sue the tobacco companies.

What happened in the last 2 years? What happened is a sleight of hand and an unwillingness to keep commitments that were made to our veterans just 2 years ago. And I am deeply concerned about that. We told them that they had to be part of the tobacco suit to recover costs so that they could treat tobacco-related illnesses. Now we are saying they cannot do that. It does not make any sense.

We know that the VA spends \$4 billion annually on treating tobacco-related illnesses, the Defense Department spends \$1.6 billion. If we allow them to continue to be a part of the suit, under the Medical Care Recovery Act, any recovery of costs will be returned back to them so that our veterans can be cared for. And this is tens of billions of dollars.

In addition to that, there are implications for the Medicare Trust Fund that are very important. Medicare spends \$20.5 billion a year on tobacco-related illnesses for our older Americans, seniors, disabled. Under the suit, the Medicare Secondary Payor Provisions, any recovery of these costs would go right back to Medicare; and if the lawsuit is funded and successful, these dollars could add years to the solvency of the Medicare Trust Fund, continue health care for older Americans and the disabled for years into the future, and, most importantly, allow us to fund a prescription drug benefit.

I have been deeply involved in this issue. For the last year, I have had a hotline set up in the State of Michigan asking people to share their stories of situations where they are struggling to pay the costs of prescription drugs. I have been deluged with letters and phone calls, people sitting down every night at the table, do I get my food? do I pay my electric bill? or do I get my medications?

If we allow this lawsuit to go forward, we can do something about that. If we allow these funds to be transferred to support this effort, we can hold an industry accountable that needs to be held accountable and we can make sure that our veterans have

the commitment kept to them that we made 2 years ago to support their efforts to increase dollars available for veterans' health care as a part of this lawsuit.

It is time to stop protecting the tobacco companies in this House of Representatives, and it is time to start keeping our word to our veterans.

Mr. MARKEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Waxman amendment. The legislation that we are considering right now that the gentleman in California (Mr. WAXMAN) and others seek to amend should have, in fact, some help from the Government Printing Office so that the package around this legislation has a warning label that states, "Warning: this legislation may be hazardous to your health and the health of every American who has a family member who smokes."

Part of me, Mr. Chairman, cannot believe that we are actually on the floor engaged in a debate about whether or not the tobacco companies should be granted immunity against Federal lawsuits. And then part of me realizes that I should not be surprised at all.

Two years ago, the tobacco companies came before the Committee on Commerce and swore that the proposed settlement worked out with the State did not contain immunity for their industry. The CEOs claimed that they wanted to work with us, that it was the dawn of a new era. And yet, at the same time, they hired a public relations firm to develop a cynical \$20 million ad campaign to, quote, create the basis for an exit strategy, ideally, that the industry made a legitimate offer and that the politicians played politics and made a mess out of it.

Well, their cynical ploy worked. Congress killed comprehensive tobacco legislation after the industry poured millions of dollars into the Republican campaign coffers. Well, Mr. Chairman, they get what they pay for. No comprehensive tobacco legislation. And now let us stop the Justice Department from suing to get back some money for the American taxpayers.

Under the underlying bill that we are debating today, a rider stuck to it will de-fund the tobacco litigation that the Department of Justice has initiated on behalf of the Departments of Veterans Affairs and Defense and Health and Human Services. In fact, the language in this bill states, in the most direct terms, that no money budgeted for litigation support may be used for the purposes of supporting litigation against tobacco companies.

This is outrageous, Mr. Chairman. The Federal Government spends \$20 billion annually on Medicare related to tobacco-induced illness costs. The same thing is true for the VA. The same thing is true for Indian services. All the way down the line.

Now, what a message that this bill sends. It says, no day in court for our

seniors who rely on Medicare, no day in court for our veterans, no day in court for our men and women in uniform, no day in court for Native Americans, no day in court for the millions upon millions of Americans ravaged by tobacco-related illnesses.

It is bad enough that the 1997 balanced budget amendment cut so much money out of Medicare, but it compounds the crime immeasurably to then say that the Federal Government cannot sue to collect money from the tobacco industry that can be used for the health care of these ordinary Americans.

Four hundred, thirty thousand Americans die each year from tobacco-related deaths. Four hundred, thirty thousand Americans die each year. One in five deaths in the United States are related to tobacco-related illnesses. Three thousand kids every single day in the United States take up smoking. Three thousand a day. One thousand of them are going to die from a tobacco-related illness.

The veterans who 30 and 40 and 50 years ago were given packs of cigarettes, they were given, basically, a one-in-three chance of dying from the addiction that would be caused by that free pack of cigarettes which was handed to them. We owe these veterans and we owe all who have suffered from tobacco-related illnesses the right to be able to go to court, the right to be able to say to those who were the primary cause of illness in our society that they must pay those families and the Federal Government for what they have done.

We are at the dawn of a new century. One in three babies born in the United States today has a chance of living to the age of 100. We, we who hold out so much promise for this country, have it within our power to do something to ensure that there is, without question, the strongest possible disincentive created for the tobacco industry doing in the 21st century what it did in the 20th century to the health of our veterans.

PREFERENTIAL MOTION OFFERED BY MR. WAXMAN

Mr. WAXMAN. Mr. Chairman, I move that the Committee do now rise.

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. WALSH. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 138, noes 243, not voting 53, as follows:

[Roll No. 292]

AYES—138

Ackerman	Berman	Brown (OH)
Allen	Berry	Capps
Andrews	Blagojevich	Capuano
Baca	Blumenauer	Cardin
Baird	Bonior	Carson
Baldacci	Borski	Clayton
Baldwin	Boucher	Conyers
Barcia	Boyd	Coyne
Becerra	Brady (PA)	Cramer

Crowley	Kildee	Pastor	Ros-Lehtinen	Smith (NJ)	Toomey
Cummings	Kilpatrick	Pickett	Roukema	Smith (TX)	Trafficant
Danner	Kucinich	Pomeroy	Royce	Smith (WA)	Turner
Davis (FL)	LaFalce	Rangel	Ryan (WI)	Souder	Udall (NM)
Davis (IL)	Lampson	Rush	Ryun (KS)	Spence	Upton
Delahunt	Lantos	Sabo	Salmon	Stearns	Vitter
DeLauro	Larson	Sanchez	Sanford	Stenholm	Walden
Deutsch	Lee	Sanders	Saxton	Stump	Walsh
Dicks	Lewis (GA)	Sandlin	Scarborough	Stupak	Wamp
Dixon	Lipinski	Sawyer	Schaffer	Sununu	Watkins
Doggett	Lowey	Schakowsky	Scott	Sweeney	Watts (OK)
Dooley	Lucas (KY)	Sherman	Sensenbrenner	Talent	Weldon (FL)
Doyle	Luther	Skelton	Serrano	Tancredo	Weldon (PA)
Edwards	Maloney (CT)	Slaughter	Sessions	Tanner	Weller
Eshoo	Markey	Snyder	Shadegg	Tauzin	Whitfield
Farr	Mascara	Spratt	Shaw	Taylor (NC)	Wicker
Filner	Matsui	Stabenow	Sherwood	Terry	Wilson
Ford	McCarthy (MO)	Stark	Shimkus	Thomas	Wise
Frank (MA)	McDermott	Strickland	Shows	Thompson (CA)	Wolf
Gejdenson	McGovern	Tauscher	Simpson	Thompson (MS)	Young (AK)
Gonzalez	McIntyre	Taylor (MS)	Sisisky	Thornberry	Young (FL)
Green (TX)	McKinney	Thurman	Skeen	Thune	
Hall (OH)	McNulty	Tierney	Smith (MI)	Tiahrt	
Hastings (FL)	Meehan	Towns			
Hilliard	Meek (FL)	Udall (CO)			
Hinchee	Millender-	Velazquez			
Hinojosa	McDonald	Visclosky			
Hoeffel	Miller, George	Waters	Bachus	Fowler	Martinez
Holden	Moakley	Watt (NC)	Bilbray	Gephardt	McCollum
Holt	Moran (VA)	Waxman	Brown (FL)	Gilman	McIntosh
Hoyer	Nadler	Weiner	Burton	Granger	Meeks (NY)
Jackson (IL)	Napolitano	Wexler	Campbell	Green (WI)	Murtha
Jefferson	Neal	Weygand	Cannon	Greenwood	Myrick
Johnson, E. B.	Oberstar	Woolsey	Coburn	Hayes	Owens
Jones (OH)	Obey	Wu	Cook	Hooley	Oxley
Kanjorski	Olver	Wynn	Cooksey	Hunter	Payne
Kaptur	Pallone		DeLay	Jenkins	Pelosi
Kennedy	Pascrell		Dunn	Kasich	Quinn
			Ehrlich	Kingston	Rogan
			Emerson	Klink	Rothman
			Engel	Largent	Roybal-Allard
			Ewing	Lazio	Shays
			Fattah	Leach	Shuster
			Fletcher	Lofgren	Vento
			Fossella	Maloney (NY)	

NOT VOTING—53

Abercrombie	Dreier	LaHood
Aderholt	Duncan	Latham
Archer	Ehlers	LaTourette
Army	English	Levin
Baker	Etheridge	Lewis (CA)
Ballenger	Evans	Lewis (KY)
Barr	Everett	Linder
Barrett (NE)	Foley	LoBiondo
Barrett (WI)	Forbes	Lucas (OK)
Bartlett	Franks (NJ)	Manzullo
Barton	Frelinghuysen	McCarthy (NY)
Bass	Frost	McCreery
Bateman	Gallegly	McHugh
Bentsen	Ganske	McInnis
Bereuter	Gekas	McKeon
Berkley	Gibbons	Menendez
Biggert	Gilchrest	Metcalf
Billirakis	Gillmor	Mica
Bishop	Goode	Miller (FL)
Bliley	Goodlatte	Miller, Gary
Blunt	Goodling	Minge
Boehrlert	Gordon	Mink
Boehner	Goss	Mollohan
Bonilla	Graham	Moore
Bono	Gutierrez	Moran (KS)
Boswell	Gutknecht	Morella
Brady (TX)	Hall (TX)	Nethercutt
Bryant	Hansen	Ney
Burr	Hastings (WA)	Northup
Buyer	Hayworth	Norwood
Callahan	Hefley	Nussle
Calvert	Herger	Ortiz
Camp	Hill (IN)	Ose
Canady	Hill (MT)	Packard
Castle	Hilleary	Paul
Chabot	Hobson	Pease
Chenbliss	Hoekstra	Peterson (MN)
Chenoweth-Hage	Horn	Peterson (PA)
Clay	Hostettler	Petri
Clement	Houghton	Phelps
Clyburn	Hulshof	Pickering
Coble	Hutchinson	Pitts
Collins	Hyde	Pombo
Combest	Inslee	Porter
Condit	Isakson	Portman
Costello	Istook	Price (NC)
Cox	Jackson-Lee	Pryce (OH)
Crane	(TX)	Radanovich
Cubin	John	Rahall
Cunningham	Johnson (CT)	Ramstad
Davis (VA)	Johnson, Sam	Regula
Deal	Jones (NC)	Reyes
DeFazio	Kelly	Reynolds
DeGette	Kind (WI)	Riley
DeMint	King (NY)	Rivers
Diaz-Balart	Klecza	Rodriguez
Dickey	Knollenberg	Roemer
Dingell	Kolbe	Rogers
Doolittle	Kuykendall	Rohrabacher

NOES—243

□ 1859

Messrs. SHOWS, LAHOOD, MCINNIS and BENTSEN changed their vote from "aye" to "no."

So the motion was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. HAYES. Mr. Chairman, I was unavoidably absent from the vote earlier this evening. Had I been here, I would have voted against the motion to rise—rollcall vote 292.

Mr. GREEN of Texas. Mr. Chairman, I move to strike the requisite number of words.

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

□ 1900

Mr. GREEN of Texas. Mr. Chairman, I rise in strong support of the Waxman-Hansen-Meehan amendment. Tobacco use is responsible for 430,000 premature deaths each year. Smoking kills by causing chronic lung disease, coronary heart disease and stroke, as well as cancer of the lungs, larynx, esophagus, mouth and bladder.

Tobacco use is the leading cause of premature death in the United States, Mr. Chairman. It causes one out of every five deaths. In fact, tobacco use causes twice the number of deaths caused by AIDS, alcohol, motor vehicles, homicide, drugs, and suicide combined. Tobacco causes twice the number of deaths of all of those diseases and accidents combined. If current trends continue, an estimated 25 million Americans who are alive today will die prematurely from smoke-related illnesses, including an estimated 5 million children.

Tobacco-related illnesses cost the Federal taxpayer approximately \$25 billion a year, excluding the Federal share of Medicaid.

To have a provision that prohibits the Veterans Administration from transferring funds to the Justice Department to support litigation against the tobacco companies is wrong, and I would hope this Congress would be able to stand up and say, no, we want to be able to have some repayment for the diseases and illness that our veterans have been afflicted by.

The Medicare program pays approximately \$20.5 billion annually to treat tobacco-related illnesses; the Veterans Administration pays in excess of \$1 billion per year. The Department of Defense pays \$1.6 billion per year. The Indian Health Services pays \$300 million a year. In addition, tobacco-related health costs the Medicaid program nearly \$17 billion a year, of which Federal taxpayers pay nearly \$10 billion. Overall public and private payments for tobacco-related care totaled nearly \$90 billion in 1997.

Mr. Chairman, to remove VA appropriations for the tobacco litigation hurts our veterans. It is our duty to provide as many dollars as possible for our vets, especially since our government encouraged tobacco use and tobacco addiction by our young service personnel, not only during World War II but during the Korean War.

Mr. Chairman, I am reading a book now about the Chosin Reservoirs and the heroes of that Korean War, particularly the Chosin Reservoir, and instance after instance, when the temperature, was well below zero, oftentimes the only thing they had were cigarettes. Those cigarettes were provided by our government.

Those Korean War veterans are up in years. We should be able to provide for them to be treated in our VA hospitals, and, again, not just by the dollars we appropriate, but by the dollars that we can generate from litigation because of their addiction and the diseases that they have because of that.

Again, this amendment is supported by the Veterans of Foreign Wars, Disabled American Veterans, Paralyzed Veterans, and AMVETS; and I think, Mr. Chairman, particularly this year, less than 2 weeks ago, we talked about it at our Memorial Day services all over the country, in recognizing our veterans' contribution that in this year, particularly, since we are recognizing Korean War veterans that the Waxman-Hansen-Meehan amendment should be adopted, and we should remove this provision.

I would hope that no matter what appropriations bill we come to, that we would not tie the hands of the Justice Department to say, no, we need to have tobacco-related lawsuits. Again, it is not our decision it, is up to the judges or the juries ultimately; but it would allow for us to recoup that money to be able to again treat more veterans for hopefully other illnesses that are not

tobacco related and thereby provide it back to the veterans' program next year and the year after.

The CHAIRMAN. The Committee will rise informally.

The SPEAKER pro tempore (Mr. LAHOOD) assumed the Chair.

□

ENROLLED BILLS SIGNED

The SPEAKER pro tempore. The Chair lays before the House the following enrolled joint resolution and Senate bills.

H.J. Res. 101. Joint resolution recognizing the 225th birthday of the United States Army.

S. 761. An act to facilitate the use of electronic records and signatures in interstate or foreign commerce.

S. 2722. An act to authorize the award of the Medal of Honor to Ed W. Freeman, James K. Okubo, and Andrew J. Smith.

The SPEAKER pro tempore. The Committee will resume its sitting.

□

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2001

The Committee resumed its sitting.

Mr. MORAN of Virginia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, decades of deceit by the tobacco industry has caused Federal taxpayers to spend billions for smoking-related illnesses.

The Justice Department is seeking recovery of these funds, as well as injunctive relief to stop the companies from marketing to children and engaging in other deceptive and illegal practices. They need to be able to have the resources for that suit. Now, the beneficiaries of that suit would be the Departments of Health, Education and Welfare, or the Health Care Financing Administration, who has spent so much money on Medicare and Medicaid reimbursement for tobacco-related illnesses, and the Veterans Administration, because so many thousands of veterans have suffered and died from tobacco-related illnesses.

This amendment would say that the Veterans Administration cannot move this money to the Justice Department to prosecute these cases. The idea, the reason, the motivation is so that this suit cannot go forward.

The Veterans Administration spends \$4 billion a year treating tobacco-related illnesses. We passed a law, the Medical Care Recovery Act, that says that any costs recovered by the Justice Department would be returned to the Veterans Administration. They desperately need that money. Why would we not seek that money from what is the source, the cause of much of that suffering and death?

This rider is wrong. It should not have been attached to this bill. For decades, tobacco companies have deliberately misled Americans regarding

the risks and the harmful effects of smoking while 400,000 people have died each year from tobacco-related illnesses.

As recently as 1998, within the last 2 years, the chairman of Phillip Morris testified under oath and said, I am unclear in my own mind as to whether anybody dies from cigarette smoking-related illnesses. That man is an intelligent, otherwise responsible man, so he must have been deliberately trying to deceive the court and the American people.

In my mind, there can be no other conclusion. That is not tolerable. If this Congress is not willing to reimburse the Veterans Administration for the costs of this deception, then we should do it for the 3,000 teenagers who start smoking every day, at least for the 1,000 who will die because they did.

This amendment should be supported. It is the right thing to do.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think there is no better term for this rider of which the Waxman amendment addresses than the smoke and mirrors rider, the misrepresentation rider, the distortion rider. The legislation to prohibit a legitimate litigative approach to re-deeming billions and billions of dollars or at least millions and millions of dollars that have been utilized by this government in its various medical care accounts to treat tobacco-related illnesses.

It is long overdue. Now, one might read this particular rider as an amendment that is on a white horse, a good amendment, a good rider, because it seems to suggest that the bad guys are trying to take minimally \$4 million out of VA, and that money would impact or take away from caring for the veterans of this Nation. That is why it is the smoke and mirrors rider, and that this amendment to strike of the gentleman from California (Mr. WAXMAN) clarifies and tells the truth.

□ 1915

In actuality, this amendment is taking or striking monies that the administration had already designated in a VA litigation account, separate and apart from any dollars dealing with the medical needs of our veterans, and this amendment specifically states that there would be no provision that would take the \$4 million out of any of the accounts that would deal with VA health care. Plain and simple.

What this rider does not say is that its basic initiative is to be hand and glove with the tobacco industry. Its basic premise is to ensure that this government does not rightly have the opportunity to engage in legitimate litigation in the courts of law to re-deem the funds that have been paid, hundreds of billions of dollars, as we have paid in Medicare, Medicaid and VA health needs, because people have been injured and have been ill and even

died from tobacco-related injuries or illnesses.

It is interesting to note that this is \$4 million which we talk about, but yet we find the Department of Veterans Affairs and the Department of Defense have spent \$4 billion and \$1.6 billion respectively per year treating tobacco-related illnesses.

Now, Mr. Chairman, you would think that that dwarfs this simple process which the administration has designed to rightly have the Department of Justice secure from HHS, Health and Human Services, the Department of Veterans Affairs and other agencies that would rightly benefit from the refund of dollars gained by prevailing litigation that says we have been wrongly required to pay for these needs of these particular citizens who have fallen ill, and, now, after determining the untruthfulness of the executives of the tobacco company who represented that tobacco was not addictive and then were found out and who have, in certain instances, settled these cases and, in other instances, lost in courts of law in various States, such as the settlement we have and the litigation in the State of Florida.

How can we then deny the opportunity for this amendment to prevail in order to allow this litigation to go forward? Do we know what else is damaging and happening? Do we realize that 430,000 of our citizens die prematurely because of tobacco use? Do we realize the number of children, about 5 million children, that smoke in the United States, and each day another 3,000 become regular smokers, and, of these children, one-third will eventually die from tobacco-related causes?

Mr. Chairman, it is high time now to get rid of these kinds of false debates on the floor of the House and the smoke and mirror riders that are put on legislative bills and appropriation bills that are passing through this House. We have seen many of them undermine the intent and purpose of good will.

We need the dollars to pursue this litigation. We need to recoup the enormous dollars we have lost in treating these terribly ill people and those that have died and lost their battle with cancer and other illnesses, and we need to stop this misrepresentation of plucking dollars out of the VA-HUD under the pretense that we are denying veterans health care. What we are actually doing is lifting up their health care opportunities.

This is a bad rider. This is a good amendment, and I support the Waxman amendment. Let us eliminate this bad language.

Mr. Chairman. I rise to speak out against this most recent attempt to undermine the ability of the Department of Justice to recover the potentially hundreds of billions of dollars paid by American taxpayers to treat tobacco-illnesses.

Evidently, contained within H.R. 4635 are legislative provisions that would block the continuance of current federal tobacco litigation.

The rider in this appropriation bill expressly states that no money budgeted for litigation support may be used "for the purposes of supporting litigation against the tobacco companies.

To allow such a rider to pass would degrade the quality of H.R. 4635 and send the message to the victims of the tobacco industry that Congress is not concerned about the lives and the illnesses resulting from the tobacco companies; exploitation of cigarettes addiction among the American public.

The dire statistics surrounding tobacco use cannot be denied. Tobacco use is responsible for more than 430,000 premature deaths each year. Tobacco use is the leading cause of premature death in the United States, twice the amount caused by AIDS, alcohol, motor vehicles, homicide, drugs, and suicide combined.

Among our youth, about 5 million children smoke in the United States and each day another 3,000 children become regular smokers. Of these children, one-third will eventually die from tobacco-related causes.

Already, the American people had begun to reap the benefits of the Department of Justice's litigation efforts, such as in my home state of Texas where the tobacco settlement proceeds have been used to fund secondary and higher education, The University of Texas Health Centers and Cancer Centers, minority health research, mental health and retardation services and child immunizations just to name a few.

Additionally, many of the funds received from this tobacco litigation would be returned to the Department of Veterans Affairs or the Department of Defense because these departments spend \$4 billion and \$1.6 billion respectively per year treating tobacco-related illnesses.

A primary concern of mine is the authority of the Justice Department to seek out court orders to prevent tobacco companies from marketing to children.

The legislative provisions attached to this appropriations bill would to all intents and purposes halt the tobacco lawsuit and prevent the Attorney General from making whole the American people who have suffered too long at the hands of the tobacco industry.

The continuation of the federal lawsuit is this country's best chance to effectively regulate the tobacco industry and prevent further harm to the public. I urge my colleagues not to support the legislative provisions halting the continuation of the federal tobacco litigation.

Mr. DICKEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am speaking on behalf of the chairman's position on this amendment. I think his position is correct.

I also want to note, and then I am going to sit down, that there is another reason. This is the gentleman's 53rd birthday, and I would like to give my vote to him as a birthday present.

Ms. DELAURO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Waxman-Evans-Meehan amendment. We should allow the Justice Department to continue to fight the tobacco companies on behalf of America's veterans and on behalf of America's children.

It is past time that the tobacco industry is held accountable for all of their years of deceit. By allowing the Justice Department to continue its suit against the tobacco industry, we will return millions of dollars in needed funding to the veterans health care system. That is fitting, considering the number of our Nation's veterans that are now suffering from tobacco-related illnesses that to this day the tobacco industry denies are the result of cigarettes.

Each year the VA spends \$4 billion treating illnesses caused by cigarettes. The Defense Department spends \$1.6 billion. Medicare spends another \$20.5 billion per year. The costs sap the strength out of our health care system and rob our veterans of the quality of care that they deserve, and this money goes directly to paying for veterans health care.

The tobacco industry knows that people who use their products will not be around for long, so they have to go out and they find what they call "replacement smokers." "Replacement smoker" is the euphemism, a callous euphemism, that tobacco executives use for our children. They see our kids as the route to future profits, even though they know for a fact that of the 3,000 kids that they hook each day, one-third of them, over 1,000 of our kids, will die of a tobacco-related illness. And these people should not be held accountable for this? It is unconscionable.

So why would someone put a provision into this bill that would protect the tobacco companies from being held accountable? Why should they place the needs of the tobacco industry ahead of veterans health care, our children and the taxpayers that have to foot the bill for these health care costs? Could it be, could it be because the tobacco industry has spent over \$31.8 million on political contributions, roughly 80 percent of which have gone to the Republican Party? Could it be because Philip Morris has given Republicans over \$1 million in soft money this year alone and is the Republican Party's second largest contributor?

It is about time that this Congress said loud and clear that the days of special treatment for the tobacco industry are over. This is not for trial lawyers, it does not rob money from veterans, and it is well within the law to use these funds for affirmative litigation. That is all the tobacco companies want, is to create a smoke screen, and we have had enough of it.

Mr. Chairman, we are never going to forget the image, the visual image in our mind of that hearing when the tobacco industry CEOs raised their right hands, swearing, swearing, that nicotine was not addictive. They lied on that day, as they continue to lie about the health problems of their product. And now they should be protected? They should not be protected on the floor of this House. That would be egregious.

This amendment will help to strengthen veterans health care in this country. It will finally hold tobacco industry accountable for their lies. Support veterans health care, protect our children from the tobacco industry's predatory practices, support this amendment.

Mr. GANSKE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of this amendment. Prior to coming to Congress, I was a reconstructive surgeon, and I did a lot of my training in VA hospitals. I can tell you, I have taken care of some pretty horrible examples of the victims of tobacco addiction, veterans who were addicted to tobacco long before it became well known that tobacco was such an addicting substance and that it had such harmful consequences.

I can remember one veteran very well when I was chief resident in general surgery. This gentleman had a disease called thromboangiitis obliterans, which is like an allergic reaction to tobacco smoke. It causes the small blood vessels in your body to thrombose, to occlude, so you undergo periodic autoamputations of your extremities. You lose the blood supply to your fingers; they fall off. You lose the blood supply to your toes; they fall off.

This gentleman was so addicted to nicotine that, despite this process going on, and despite the fact that he had lost both legs above the knees and all of his fingers except for one finger on his right hand, he could not stop smoking, so he had devised a little wire cigarette holder that somebody would put the cigarette in and then loop it over his finger so that he could smoke.

Make no mistake about it, this is one of the most addicting substances we know. We know pharmacologically that nicotine is as addictive as heroin or cocaine, and, make no mistake about it, your vote on this amendment will indicate whether you are for the tobacco industry or whether you are for their being responsible for their activities. You should vote for the Waxman-Hansen amendment.

Ms. DEGETTE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, tobacco is the number one cause of death in the United States right now. It is responsible for more than 430,000 deaths each year, or 1 in every 5, and I am willing to bet that tobacco deaths have hit every Member of this House in some way. It is a well documented and scientific fact that smoking causes chronic lung disease, coronary heart disease, stroke, cancer of the lung, larynx, esophageus, mouth, bladder, cervix, pancreas and kidney, and the disease we just heard about from my colleague. This is a horrible, horrible disease.

As you assess tonight, my colleagues, whether or not tobacco companies deserve the special treatment that the rider in this bill would occasion, I hope

you will remember that for decades now tobacco companies have been targeting our children. For example, a 1975 memorandum to R. B. Seligman, Philip Morris vice president for research and development states, "Marlboro's phenomenal growth rate in the past has been attributable in large part to our high market penetration among younger smokers 15- to 19-year-olds." And Marlboro is not the only one. In 1978, Curtis Judge, the President of Lorillard Tobacco Company, received a memo saying, "The success of Newport has been fantastic during the past few years. The base of our business is the high school student. It is the in brand to smoke if you want to be one of the group."

Recent research has indicated that tobacco companies are targeting teens today through advertisements in all of the mediums they care about, including magazines and billboards.

Now, we do not know how this lawsuit will turn out. We do not know if it will be successful. But why on Earth, when you have an industry with this kind of track record, should you give them the kind of special exemption that this bill would give them? It makes no sense, and it is dead wrong.

According to recent estimates, the Federal Government expenditures for the treatment of tobacco-related illness totals \$22.2 billion in Medicare, the Veterans Administration, the Federal Employees Health Care Benefits and the Indian Health Services. In fact, the courts recently held that the Indians must go through the Federal Government to seek remedies versus the industry because the main health funding is a Federal program.

So not only is it wrong to give the tobacco companies a pass, it is also fiscally irresponsible. We are spending billions of dollars to treat tobacco-related illnesses, and, frankly, if there is evidence of racketeering, if there is evidence of the wrongdoing that is alleged in this lawsuit, why on Earth should the United States Congress give the tobacco industry a pass? It makes no sense, it is wrong, and we cannot do it.

I would suggest to my colleagues on both sides of the aisle, it is the wrong thing to do, both fiscally and from a public health standpoint, and I would urge the adoption of this very fine amendment.

Mr. RODRIGUEZ. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise at this time to support the Waxman amendment to allow the Government to reclaim its damage from tobacco companies. Tobacco use is the single most preventable cause of death and disease in our society. Tobacco products cause more than 400,000 deaths in the U.S. each year. Each person who dies of tobacco-related lung cancer loses an average of 14 years of expected life. I again repeat, each person loses over 14 years of expected life.

In addition to that, in terms of the quality of life of the individual, I do not know if anyone has ever witnessed someone who suffers from emphysema, where they have the difficulty where before they had strength, they are unable to even walk from their bedroom to the kitchen to be able to get a cup of coffee, the quality of life that is also lost is not even recorded.

The record is clear that the health care and compensation costs have gone up as a result of tobacco-related illnesses. We all recognize this fully.

□ 1930

Our government must be able to provide proof to the courts, so that we need to go to court to assure that these resources are obtained.

Remember that in 1998, we took veterans' tobacco compensation from our transportation projects. At that time we made it clear that the Attorney General should recover this from the tobacco companies. The rider in the VA-HUD bill flies in the face of that commitment. Remember that this amendment takes only the legal funds at the VA; it does not take away any other resources in terms of health. So it is important for us to move forward in that direction.

The tobacco industry's denials about the deadly effects of smoking are not stopping over 3,000 youngsters who start smoking every single day. American youth is relying on the Congress to be protective.

I would share with my colleagues a particular research project that was done in Austin, Texas, when I was a legislator where they took youngsters from one of the high schools, these were high school youngsters and it was a research project where the students were allowed to go around the neighborhoods and purchase cigarettes. One of the things that they found when they provided that testimony before us, they laid hundreds of packages of cigarettes before us, and each one had the label where they had bought those cigarettes. These were all youngsters underage that had bought those cigarettes. These were youngsters that were sold those cigarettes. It was not surprising that on the east side of Austin and in those sectors where the minority populations were that this is where the most number of packages were sold.

In addition to that, as we move forward, I would remind my colleagues that when veterans joined the military, they were also provided with access to cigarettes, so that it becomes important for us to recognize that they recognize that one of the reasons why they go after the young, that that is when they can catch those individuals, because as adults, a lot of times we know better than to smoke. And they recognize that if anyone is going to be smoking it is if they catch them early enough. So every effort needs to be taken to make sure that we do the right thing. We have an obligation to

ourselves and to our country and to our veterans to make sure that we go after the companies that have been abusing.

The VA spends over \$4 billion annually treating tobacco-related illnesses. Under the Medical Care Recovery Act, any recovery of this cost would be returned to the VA health programs. In effect, the rider blocks the VA from obtaining potential tens of billions of dollars for the recovery and for the use of our veterans. It is also disheartening that the 106th Congress would act to prevent the Department of Justice from pushing forward the claims. The 105th Congress had denied veterans' compensation for tobacco-related illnesses in Public Law 105-178 with the express recommendation that the Attorney General take all steps necessary to recover from tobacco companies the cost of that treatment. It is our obligation, it is our responsibility, and I would ask that we move forward.

Mr. Chairman, I would ask my colleagues to please vote to stop this outrageous gift to the tobacco industry and let us move forward and do the right thing and vote "aye" on the Waxman amendment.

Mrs. LOWEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Waxman amendment, which would repeal the provision that restricts the Department of Veterans Affairs from transferring funds to the Justice Department to support tobacco litigation.

Each year, the Federal Government spends an estimated \$25 billion on tobacco-related health costs, \$25 billion. Specifically, the VA contributes more than \$4 billion to this outrageous tab. This is wrong.

That is why in the 105th Congress, the House called on the Attorney General and the Secretary of Veterans' Affairs to take all the necessary steps to recover from the tobacco industry the costs incurred by the VA for the treatment of veterans with tobacco-related illnesses. In return, the Department of Justice filed a lawsuit against the tobacco industry.

Unfortunately, some of my colleagues are now attempting to derail the DOJ's efforts. This is evident by the three antiligation riders attached to this bill, as well as the Commerce, Justice, State and Defense appropriations measures. Under section 109 of the fiscal year 1995 appropriations bill, the DOJ is allowed to seek reimbursement from other Federal agencies likely to benefit from litigation undertaken by the Department. Opponents of this amendment will say that section 109 was intended to help the DOJ fund only defense of litigation. That simply is not true. Look at the record. For example, the DOJ has used this authority to pursue litigation against oil companies and in Customs fraud cases.

So why is this body awarding the tobacco industry special protection at the expense of the public's health? Why

are my colleagues fighting to protect an industry that has come before this body and untruthfully denied for decades that nicotine is addictive and dangerous? Why are some working to protect an industry that lures in an estimated 3,000 American teenagers every day? It does not make any sense.

Mr. Chairman, the evidence is clear. Cigarette companies have targeted our youth. About 5 million children smoke in the United States. Of these, one out of three will eventually die from tobacco-related causes. The Department of Justice's suit not only seeks to recover funds, it is also aimed at stopping companies from marketing to our children.

Well, I can tell my colleagues as a mother and as a grandmother, I urge my colleagues to support the Waxman amendment and help to protect the health and well-being of our Nation's children and veterans.

Mr. NADLER. Mr. Chairman, I move to strike the requisite number of words.

I rise in support of this amendment. Mr. Chairman, this amendment seeks to prevent this Congress from betraying the veterans of the United States, a betrayal of a promise made to them by this Congress only 2 years ago.

Two years ago, in the teeth of opposition from all of the veterans' organizations, Congress repealed the ability, repealed the ability of veterans to recover in disability payments for tobacco-related illnesses. But in partial compensation for that deed, the same bill, section 8209 of the law, Public Law 105-178, called on the Attorney General, I am quoting now, and the Secretary of Veterans' Affairs, as appropriate, "to take all steps necessary to recover from tobacco companies amounts corresponding to the costs which could be incurred by the Department of Veterans' Affairs for treatment of tobacco-related illnesses of veterans if such treatments were authorized by law."

In other words, with one hand Congress said, we want to take \$16 billion that we are paying out annually to veterans in compensation for disabilities caused by tobacco smoking; and we are going to say, you cannot do it any more. We are going to take it away from the veterans. But we are not going to be quite such hideous people; we are going to see that we ask the Attorney General and the Department of Veterans Affairs to sue the tobacco companies and see if they can recover money on behalf of the veterans that will go to the veterans in compensation instead of the disability payments.

Now this bill comes. In 1999, the Department of Justice initiated a lawsuit, a Federal lawsuit, against the tobacco companies seeking to recover claims against tobacco companies, as most of the States have done, as many local government cities and towns across this country have done. Why should the Federal Government not recover on behalf of our citizens and in particular on behalf of our veterans recover mon-

ies because of damages they sustained because of the improper actions of the tobacco companies, especially after Congress promised in 1998 to urge the Department of Justice to do so?

The Department of Justice initiated the lawsuits, and what do we have now? In this bill and in other appropriation bills, we have directions that say, you may not use any funds for this lawsuit; not for lawsuits in general, for this lawsuit on the tobacco companies. Congress is coming in almost like a bill of attainder and saying, we do not like this particular lawsuit; we do not want you to recover money for the veterans. We want the veterans to continue to suffer uncompensated, not compensated through disabilities, we closed that off 2 years ago; and we will not allow you to try to recover benefits for them through a lawsuit. We are afraid of what the courts may find.

The tobacco companies are going to defend themselves in court; and maybe the court, after hearing the evidence, will say they are not liable, but we do not want to take that chance. We want to say to them, you do not have to defend yourselves in court because of your actions. We will not let the Attorney General and the Department of Veterans Affairs participate in a lawsuit to recover the money. Never mind that we promised it 2 years ago. Never mind that this is completing the betrayal of the veterans that this Congress started 2 years ago. How can we not hang our heads in shame if we do not adopt this amendment to change the policy in this bill?

I submit, Mr. Chairman, that this amendment must pass in order to save the honor of this Congress so that it cannot be said that this Congress, and I must add in good conscience, the Republican leadership of this Congress, consciously and deliberately betrayed the veterans of the United States because they preferred that the tobacco companies not have to defend themselves in court and not have to pay the veterans for damages they caused them, if the court would find they caused them such damages. Never mind the promise that this Congress and the Republican leadership made 2 years ago. Now it is time to renege on that promise, because now it is time to deliver on that promise; and it was never intended that that promise be delivered on.

If we are people of honor, if we are people of honesty and probity, if we want to be able to not hang our heads in shame before our veterans, we will vote yes on this amendment.

Mr. FILNER. Mr. Chairman, I move to strike the requisite number of words.

I do want to point out that it is the birthday of our esteemed chairman, and I hope he will take all of these testimonials as a "happy birthday to you," Mr. Chairman.

I yield to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Chairman, I thank the gentleman for yielding to me.

I want to frame this issue so that everyone understands what is at stake. We have the Veterans of Foreign Wars, the Paralyzed Veterans of America, the Disabled American Veterans, AMVets. They have all asked for an "aye" vote on this amendment. On the other side is the tobacco industry, and they would like this amendment defeated.

Now, the reason the tobacco industry wants this amendment defeated is that they would like to stop the litigation against them by the Federal Government. It will be easy for them to succeed if they could have riders in appropriations bills that defund the lawsuit. And the Attorney General of the United States said, if this lawsuit is defunded by this rider in the VA-HUD bill and another rider in the Department of Defense bill and another rider that will be in the Commerce, State, Justice bill, then she will not be able to go forward with the litigation.

Now, to give my colleagues some background, in 1998 there was a promise made to the veterans when, in this transportation bill, they sought to get some funds for transportation use; and the bill provided that those funds that otherwise would go to take care of veterans who were disabled because of tobacco smoking would no longer be available to them for that use; and in 1998, when that money was taken out of veterans' health care, there was an explicit understanding that the Federal Government would pursue a litigation against the tobacco industry to make up for those funds.

Well, we are now at the point where they are looking to see whether we are going to keep that promise.

In 1999, the Justice Department brought the lawsuit, and Congress could have provided a different way to fund it. We could have funded it. We could have provided a clear appropriation for the lawsuit. But Congress refused to do that. So the Justice Department went to the various agencies to seek a transfer of funds. They went to agencies that are affected. They did this under a law passed by this Congress in 1995, and they went to affected agencies and they went to the Department of Health and Human Services and said, you are going to be affected by this lawsuit, because if we can recover money from the tobacco industry for Medicare, that will allow us to fund Medicare; and, therefore, we want to have you help us through the department appropriation pursue the litigation.

□ 1945

They also went to the Department of Veterans Affairs and asked for a transfer of funds. That is the issue before us right now, it is the Department of Veterans Affairs.

The amendment says that the Department of Veterans Affairs can transfer money, but only from that

area provided for litigation and administrative expenses, not out of the health care budget, not out of the money to be used for health care services.

If we do not adopt this amendment to stop this rider in this bill and we do not strike the riders in the other bills, then the lawsuit is going to be dismissed because the Department of Justice, on behalf of the American taxpayers, will not be able to continue to sue the tobacco industry and hold them accountable for the harm that they have done to people for whom we have paid their health care services.

If that happens, it will be the greatest betrayal of all to the veterans and to others. So I urge support for this amendment to strike the rider that was placed in the bill to prevent the funds from being used to pursue the litigation against the tobacco industry.

Let us not betray the veterans. We have made so many promises to the veterans of the country. We have promised them greater health care services, and we have not funded all that we have promised them. If we could pursue this litigation, perhaps we could get the funds to keep the promises to the veterans.

I urge support for the amendment.

Mr. HAYES. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to the amendment that is before us. Mr. Chairman, this is an issue that has been spoken to by this Congress. This amendment is clearly an effort to circumvent the will of the Congress. It is also an improper way to insert itself between States and the courts in efforts to settle this issue in a proper way. In my opinion, this is an improper use of the Department of Justice, to try and do things that are driven by personal political agendas.

That is not to say there is anything wrong with the personal political agenda that continues to attack tobacco farmers and people who make a living in the tobacco industry, but there is another side to this story. I appreciate the putting together of a very good bill by the gentleman from New York (Chairman WALSH), and I think the issue here of keeping this \$20 million of hard-earned taxpayers' money from doing things that we do not intend as a Congress to do is a wise and proper thing.

Last fall North Carolina and other States were besieged by a horrendous hurricane. President Clinton went to Tarboro, North Carolina, and spoke very eloquently about the need to help our tobacco farmers, and then turned around and provided another Federal lawsuit to continue to break the backs of their efforts to support their families.

I wrote to the President on September 24 and asked him to reconsider, because after 6½ years of being besieged by one assault after another from the Federal government, this was not the right thing to do.

Again, Mr. Chairman, I would respectfully request a strong no vote on this amendment because it is the wrong thing at the wrong time.

Mr. BLAGOJEVICH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, to me there are two issues here. They are very simple. Number one, do we keep our promises, that is the first issue. The second issue is, when it comes to issues of facts that may be in contention, who do we believe?

First of all, who do we keep our promises to? In this instance the question is, will we keep our promises to the veterans of the United States who fought, put their lives on the line, and represent and defend our country?

Back in 1998, Mr. Chairman, Congress passed a highway bill that had in it an unusual provision. It ended the policy of providing disabled veterans benefits from tobacco-related illnesses. That was a spurious provision.

Notwithstanding, and let me say that I think it was not only spurious but I opposed that provision, but notwithstanding that, that bill passed. But within the same bill was a promise, a promise that told the Attorney General and the VA Department to sue the tobacco companies so more money, more money will be available for veterans' health care.

More money for veterans' health care. That is the promise. I strongly support keeping that promise. That is why I support the Waxman-Evans-Hansen-Meehan-Stabenow amendment, because it honors the commitment we made to veterans back in 1998.

With regard to who do we believe with regard to a contention of facts, the question is, do we believe the tobacco companies, the same tobacco companies who, back in 1994, the seven top executives came before the subcommittee of the gentleman from California (Mr. WAXMAN), and all of them under oath denied a couple of key questions?

One, they denied before his committee under oath and before all of America that nicotine was addictive. How many Americans really believed that?

Number two, the same seven executives swore under oath and answered the question were they intentionally marketing their product to children, and they said they were not, while at the same time Joe Camel ads were gracing billboards all across America.

For the question of believing in the tobacco companies or a question of believing the VFW, the Paralyzed Veterans of America, the Disabled American Veterans, and AmVets, I choose to believe the latter group, the veterans' groups who are looking out for the interests of the veterans, and not the tobacco companies, who have not been honest and provide a product that, whether one chooses to use it or not, makes people sick and ultimately causes deaths.

Mr. Chairman, we believe that we need to provide more money for veterans and veterans' health care. Supporting the Waxman amendment would do that.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from New York (Mr. WALSH).

Mr. WALSH. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, I just wanted to try to sum up some of the arguments that have been made tonight, comment on some of them, and hopefully refute some of them.

First of all, Mr. Chairman, the tobacco companies never came to me to ask us to do this. I am not sensitive to their arguments, quite frankly. I do not like their product. It smells bad. It is addictive. It makes people sick.

But that is not the point. The point here is that the Justice Department should be responsible for paying for this lawsuit. They did not come to the Congress when they sued Microsoft. Microsoft is the world's largest and richest corporation. The Justice Department took them on on their own. They have thousands and thousands of lawyers. They have plenty of money and plenty of lawyers to conduct any and all suits against tobacco companies.

So what is going on here? I am not sure exactly, but I think it is a lot about politics, because it is very, very popular to beat up the tobacco companies. Everybody should do it. But this bill does not prevent the lawsuit. This bill does not enhance tobacco companies' ability to make kids smoke. I have heard that over and over and over tonight. This bill does not have anything to do with kids, it has everything to do with veterans and their health care.

We have heard Member after Member get up and say, we do not have enough money in this bill for veterans' medical care. If Members support this amendment, they are going to take millions more out of veterans' medical care to give it to the Justice Department to run the lawsuit.

Quite frankly, if the Justice Department runs the lawsuit, Mr. Chairman, it is okay with me. If they win, I hope the administration will use those resources for the veterans department, but they have not promised to do that yet. It is still very, very vague.

The point here is if Members vote for this amendment, they are taking money out of veterans' medical care and giving it to the Justice Department. It is that simple.

So forget about all this other argument, these other arguments, because they are not salient. They do not apply to this issue. The issue here is, does the money go to veterans' medical care or does it go to Justice Department lawyers. They have their own lawyers and their own budget. They are spending enough money, so they do not need to take this.

Mr. EDWARDS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Chairman, I thank the gentleman for yielding.

I just want to respond to the point that was just made. The bill out of the committee has the words "None of the foregoing funds may be transferred to the Department of Justice for the purposes of supporting tobacco litigation." So without changing the bill, that rider would prevent transferring the funds from VA to the Department of Justice to pursue the lawsuit.

Now, the Department of Justice insists that if it cannot get the funds transferred from the VA and DOD and the HHS and other affected agencies they will not be able to pursue this litigation, because we did not fund the Justice Department litigation itself. If we would have put money in the budget for the Justice Department litigation against the tobacco industry, they would not have to seek funds from the Veterans Administration.

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

Mr. EDWARDS. I yield to the gentleman from New York.

Mr. WALSH. Mr. Chairman, I thank the gentleman for yielding.

I just wanted to make sure everybody was clear. The language that we are talking about, is it not in the medical care title of the bill, and all funds foregoing to that amendment are medical care funds?

Mr. WAXMAN. If the gentleman will yield further, Mr. Chairman, the section we are talking about is the veterans' health care section. In the veterans' health care section, there are funds for litigation expenses and administrative expenses.

Our amendment to the rider says that they didn't transfer funds except from the administrative and litigation part of the VA health care funds. If we sought to transfer funds from somewhere else in the Veterans Administration, it is our understanding there would have to be a reprogramming of funds, which means legislation to allow that reprogramming of funds.

If I had offered an amendment to say that somewhere else in the funds from the Department of Veterans Affairs funds could be transferred, as I understand it, a point of order would be permitted against that. So we sought to transfer funds from the veterans' health care.

Another reason why we did that is the veterans' health care program is the area that will benefit from the litigation against the tobacco industry, which is the reason why the Veterans of Foreign Wars, the Disabled American Veterans, the Paralyzed American Veterans, all are supporting this amendment, because they want the litigation to continue.

The American Legion has indicated they want the litigation to continue as

well. The only way it will continue is if we can get funds transferred from the affected agencies.

Mr. WALSH. Mr. Chairman, if the gentleman will yield further, the funds are in the medical care portion of the bill. If the gentleman had offered general operating funds or construction funds or any other funds, we would not have had this argument today.

I would just remind the gentleman that every one of those veterans' organizations that supported the suit, and they support the suit, I am not making that an issue, but what they are saying is, do not use our medical care money. Support the suit, but do not take it out of medical care.

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

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

Mr. KUCINICH. Mr. Chairman, it is very clear here, we are being given a choice whether we are going to stand up for our veterans and make sure they get the health guarantees and to protect them, that is why we are here, or whether we are going to cave in to the tobacco interests. That is what it appears is the easy choice here.

Mr. EDWARDS. I think the gentleman makes a good point.

I would like to just add to this debate and discussion, if the amendment of the gentleman from California (Mr. WAXMAN) was not necessary to help the Justice Department pursue litigation against the tobacco companies, I am curious to know why the tobacco companies are opposed to the amendment offered by the gentleman from California.

I have a hard time believing that the tobacco companies, through the production of their product, which has cost the VA and veterans billions of dollars in this country, not to speak of millions of lost lives, I have a hard time believing that they are getting involved in this debate because they are trying to help the veterans of America.

Mr. Chairman, I would like to just point out a fact. The fact is that each year when 400,000 Americans die because of tobacco-related diseases, that is four times as many people, Americans, as were killed in both the Korean and Vietnam wars combined.

□ 2000

It seems to me that, when we start the day with our hand over our heart and say the pledge of allegiance to the flag in this room, one thing we ought to agree on when we say liberty and justice for all is that justice ought to apply to everyone in America.

All we are saying is the Justice Department ought to be adequately funded to take this lawsuit to the courts of this land.

Mr. NEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman from Ohio for yielding to me.

Mr. Chairman, I discussed privately with the gentleman from California (Mr. WAXMAN), and let me reemphasize what the gentleman from New York (Chairman WALSH) has had. If the gentleman from California had taken it from some other section other than the medical care account, certainly I think the large majority of us would be 100 percent behind him.

Many who support the Waxman amendment claim that this language or rider in the VA-HUD bill would stop the lawsuit from going forward. None of us have any problem with the lawsuit going forward. Some may, but certainly not yours truly. There is no language in the VA-HUD bill that prevents the Justice Department's lawsuit against the tobacco industry from going forward.

The language prevents the VA from using the money from the veterans medical care account, it does not prevent the VA from taking money from another account in this bill, not the medical care account. That is not to be used directly to provide medical care to veterans.

This amendment claims that the bill provides special protections of the tobacco industry. It does not. But it does provide special protection to veterans, making sure that money intended for their medical care is used to pay for doctors' visits, inpatient treatment for veterans with posttraumatic stress disorder, fulfilling of prescriptions, hepatitis C testing and treatment, and other critical health needs.

Much has been made of letters from veterans organizations before this body this evening. I am a member of the American Legion. I am a member of the VFW. I have a letter here from the American Legion which I would like to introduce into the debate since it has been referenced that somehow they are supporting the Waxman amendment.

This is dated June 15. This is from the American Legion, mind you, and I quote, "Taking health care dollars from the VA to pay for litigation is counterproductive, especially with the growing demand for services by the aging veterans population." Continuing under quotation marks, "The American Legion strongly encourages Congress to identify \$4 million in the projected surplus to be earmarked in the Department of Justice's appropriation bill to pay for the VA's share of litigation. VA funding should be used for its intended purposes, and that is why we oppose the Waxman amendment."

I get no support from tobacco. I hate tobacco. Tobacco kills. But we do not need to take money away from veterans' medical care to pay for this litigation. Within the Department of Justice, it is interesting, Mr. Chairman. The Department of Justice has an overall budget of about \$20 billion. There are 2,374 general authorized attorneys, tax, civil, et cetera; 351 antitrust; U.S. attorneys, 4,900; 229 trustees; 7,861 attorneys in the Department of Justice.

There are enough attorneys and there is enough money in the Justice Department to fund this lawsuit. They do not need to take it away from veterans medical care.

Mr. FRANK of Massachusetts. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, there are a couple of fallacies, it seems to me, in the arguments being made against this amendment. To begin, it should be clear that the Justice Department cannot use volunteers. People who said, well, they have enough money, Members will recall that the Justice Department has been criticized by some, including some on the other side of the aisle, for not prosecuting more gun cases.

The Justice Department is under pressure to do a number of things. Tobacco litigation is very expensive. Tobacco litigation involves a good deal of effort. It is not simply sending a lawyer into court to make an argument. In fact, the discovery and the pretrial work is very, very significant.

Now, it turns out, as we know, that funds invested by governments in tobacco litigation bring a very good return. We have a good deal of useful work being done in the various States right now because the States brought tobacco litigation and won it, and we are trying to do the same at the Federal level. So the money will be returned in multiples to veterans health.

Now, people said, well, we do not need to take it out of veterans health. I would say this, we are going to pass this bill, not with my vote, because it miserably underfunds almost everything, and we are going to send it to a conference. If in conference the appropriators decide that a different account is a better source of this funding, they are free to do that. But I think it is very clear, this vote today will be taken as kind of a referendum on whether or not there ought to be this participation in the lawsuit.

I stress again, funding it entirely out of the Justice Departments account, given the expense of such a lawsuit. Given the other demands of the Justice Department it is not going to fully fund both this lawsuit and the other law enforcement priorities we have and which people have urged the Justice Department to take on.

Now, let us be clear what we are dealing with here. If I listened, if I hear correctly, some of my friends on the other side are saying, well, we are funding this lawsuit, but we do not want to take it out of veterans health. This is the constant refrain we heard last week and we will hear for the rest of this month dealing with the appropriations bills.

We should be clear where the problem started. It started with a foolish budget, a budget that Members on the other side voted for, knowing it was inadequate. It is a good thing we do not vote under oath around here or some of my friends would have had some problems, because they voted for a budget

that they knew substantially underfunded a whole range of government activities.

Now, every time an appropriations bill comes up, we are in this game, we had it last week, Indian health versus the arts, now it is veterans' health versus a lawsuit that is going to bring more money for veterans health. It is constant.

But we should be very clear before we sympathize with those who lament this terrible choice that this is an entirely self-inflicted wound. People who voted for a budget that they knew to be inadequate have really no right to come before us and say, gee, you are making us make terrible choices.

Revenues are increasing. There are important needs in this society that must be met together. Much of what we want we can do individually. Much of what we need to satisfy the quality of life we want comes from individual spending. But some things can only be done jointly through government.

What we have is a budget that substantially underfunds these necessary elements, including the lawsuit. Lawsuits are not free. Discovery is not free. The tobacco industry will put up a very good fight with very high-priced lawyers in this regard. We need to have an adequately funded public advocacy group to go on the other side. That is really what we are talking about.

Now, I would agree, and the appropriators have this power, if we win this amendment, the House will have spoken. We want there to be an adequately funded lawsuit without it necessarily coming at the expense of gun law enforcement or other kinds of enforcement at the Justice Department or antitrust for which the need seems to be growing.

Then it will be up to the appropriators in their conference to decide. If they can find a better place to fund this, I do not think anyone will object. If they came back from a conference with an appropriation and said, well, we are not going to take it from here, we are going to take it from there, that will be okay.

But what I fear will happen is, if the amendment is not accepted, we will then have an argument that will say, hey, the House voted not to let you do this. The argument will go from a narrow technical discussion of this particular account to a more general assault on the notion of the lawsuit.

Mr. Chairman, I yield to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Chairman, I am frustrated by what I am hearing from the other side on this debate. The argument is put forward that we do not want to use funds in the health care area of the Veterans Administration's budget because we do not want to use funds that should go for health care.

The CHAIRMAN. The time of the gentleman from Massachusetts (Mr. FRANK) has expired.

(On request of Mr. WAXMAN, and by unanimous consent, Mr. FRANK of Mas-

sachusetts was allowed to proceed for 3 additional minutes.)

Mr. WAXMAN. Mr. Chairman, will the gentleman continue to yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from California.

Mr. WAXMAN. Mr. Chairman, now of course nobody wants to use health care dollars that will be used for services for a lawsuit. That is why we wrote the amendment to say that health care services dollars cannot be used for the lawsuit. But there are provisions in that budget for litigation and administrative expenses.

Now, we are told, well, that is still not good enough. If we had taken it out of the general operating budget for the Veterans Administration, that would have been okay. Well, we hear that now from the people in charge of the committee, but no one came forward with that idea earlier.

So what we have is an amendment that will say let us take the money out of the administrative and litigation part of the VA health care budget and pursue what can be a return of a great deal of money to go into veterans health. That is why the veterans groups supports this. The Veterans of Foreign Wars, the Disabled American Veterans, the Paralyzed American Veterans, the AmVets organization support this.

They certainly do not want to see any reduction in health care, and they would otherwise agree with the gentleman from New York (Mr. WALSH), chairman of the subcommittee, on that point, but they do not agree with him on this amendment.

Mr. FRANK of Massachusetts. Mr. Chairman, let me say, I believe we have too little in here for veterans health care. I have to say, however, this \$4 million, especially as the gentleman from California (Mr. WAXMAN) explains it, is not a threat to veterans health care.

Now, losing \$20 billion so Bill Gates does not pay any estate tax, that cuts into veterans health care. Lavishing money on wealthy people in tax cuts elsewhere cuts into veterans health care. A military appropriation that goes way beyond what is reasonably necessary, that gets into veterans health care.

What we have here, and everybody understands this, they will go to the conference, and they can come out and account for this however they want. What we have here is legislation which has a stricture against using money to contribute to the Justice Department so we can have an adequately funded lawsuit.

If this amendment is defeated and if this bill passes with antitobacco lawsuit language in it, we all know that it will be interpreted by many in the leadership of the Republican Party working with the tobacco industry on this particular point to say no lawsuit at all. It will be part of a campaign to get the lawsuit dropped altogether.

So I will defer to the gentleman from New York (Mr. WALSH). He has done a

good job about the sow's ear he was given. He did not even get the whole ear. He got the sow's earlobe. I do not expect him to be able to give us much soap with a sow's earlobe, but that was that foolish budget that he was stuck with and an inadequate quality allocation.

So I have confidence on this point, I believe if we pass this amendment and the House says yes, we want there to be a contribution so we get a very adequately funded lawsuit so we can go up against the best lawyers in the company that the tobacco industry will have, I will be confident that they will be able in this budget to find money.

The CHAIRMAN. The time of the gentleman from Massachusetts (Mr. FRANK) has again expired.

(By unanimous consent, Mr. FRANK of Massachusetts was allowed to proceed for 1 additional minute.)

Mr. FRANK of Massachusetts. Mr. Chairman, we know finally that this is not the real budget. This is the fake budget. Everybody knows that this budget is too low. But we have people who do not like to admit that they were wrong. They do not like to admit they were wrong in 1997 with that Balanced Budget Act with those silly caps. They do not like to admit that they voted for an inadequate budget out of party loyalty earlier.

So this budget will go out of here inadequately funded. It will go to the other body. It will go into negotiations with the President. Low and behold, it will get bigger.

So we should not fight too much about which inadequacies we deal with here. Let us make a statement in principle that we are in favor of the tobacco lawsuit; and when this bill goes to other places which are a little less addicted to unreality, and adequate funding magically appears, then we will be able fully to fund the contributions to the lawsuit and I hope to do even better for veterans health than we have done in this budget.

Mr. HINCHEY. Mr. Chairman, I move to strike the requisite number words.

Mr. Chairman, we all know that the story of the propagation of tobacco use in our country by the tobacco companies is a sad and sorry one. We all witnessed the spectacle of executives of the major tobacco companies coming before committees of this Congress and claiming that tobacco was not addictive and that, furthermore, they did nothing to make it addictive.

We now know, of course, that is all untrue. They knew from the very beginning that tobacco was addictive, and they were manipulating their product to make it as addictive as possible.

At the same time, they were engaging in a number of activities which were designed to propagate the use of tobacco among young people and as young as possible so that this habit could be ingrained in them throughout their lives, which inevitably would be made and have been made much shorter as a result of the tobacco product.

One of the ways in which the tobacco companies propagated the use of their product was to give free cigarettes to service people. I was in the service myself. I saw that happen. As a result of that, a lot of young men and women, too, became addicted to tobacco products as a result of the availability of these products, and even the free availability of these products from the tobacco companies.

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It is only fair and reasonable that this government have the opportunity to recover health care costs that have been incurred by the Veterans Administration tending to veterans who have had their lives shortened and have been made extremely ill during those lives as a result of the use of these tobacco products, particularly and especially cigarettes.

That is what we are trying to do here. We are trying to provide \$4 million so that the Justice Department of the United States can engage in legal action to recover some of the costs associated with the health care costs from addictive tobacco use in veterans. Those costs amount to about \$1 billion a year, each and every year. It is only fair and reasonable that we try to recover those costs. That is what this amendment would do.

Now, we all know, too, that this budget is deficient, not as a result of any deficiencies with the chairman but as a result of the low number set by the leadership. I think the chairman has done a very good job within the construct and the constraints within which he has had to operate. But that does not solve the problem at hand.

The problem at hand is a very serious one, and we have the means to solve it simply by allowing a very small amount of money in the construct of this particular budget, and certainly the overall budget, a mere \$4 million to be made available to the Justice Department so that they might pursue appropriate litigation to recover perhaps as much as \$1 billion a year, year after year after year, to tend to the health care needs of American veterans whose lives have been direly, sorely affected and, in many cases, have been and will continue to be made much shorter as a result of the addiction to tobacco products, particularly cigarettes, induced knowingly, willingly, and intentionally by the tobacco companies.

Now, why would we not do that? I simply do not understand why this Congress would not provide that small amount of money to pursue a rightful legal action in order to recover funds which are appropriately recoverable to take care of a very obvious need, a need which can be addressed by the use of these funds if this litigation is allowed to go forward. We know the litigation is likely to be successful. How do we know that? Because we have seen litigation similarly pursued by the several States, and in each and every case

the States have been successful, as have recently individuals been successful in bringing legal actions against the tobacco companies for the illnesses caused by the use of tobacco, induced by these same tobacco companies.

So this is something that we ought to do. It is a reasonable, sensible and moderate proposal which will bring forth huge benefits to the taxpayers of our country; but most importantly it will bring forth huge benefits in additional health care to the veterans in veterans hospitals across America. Let us pass this amendment.

Mr. SNYDER. Mr. Chairman, I move to strike the requisite number of words; and as I see the Chair performing once again so admirably well in a somewhat difficult debate here this evening, I am reminded of how much we will miss him after he is gone at the conclusion of this term.

Mr. Chairman, let me just say a few words, first of all, as someone who is on the Committee on Veterans' Affairs and as a family doctor who trained in two different veterans hospitals, one in Oregon and one in Arkansas, first as a medical student and then as a medical resident, that I can assure my colleagues my vote tonight for the Waxman amendment will not be a vote to take away dollars from the veterans' health care.

I have looked at the language for this. Federal facilities, such as the veterans' health care system, veterans hospitals, have legal expense funds and they have administrative funds. The Waxman amendment very clearly states that these dollars would come from the legal and administrative expenses of the Department of Veterans Affairs for collecting and recovering amounts owed the United States. There is nothing in there about taking dollars away from x-rays for lung cancer, there is nothing in there about taking away dollars for coronary artery bypass graft surgery, there is nothing in there about taking dollars away from any other kind of health care screening or treatment or disability.

We are talking about having a legal fund that is part of the veterans' health care system and just countering the language in the majority's bill that these legal funds cannot be used for this lawsuit and just saying, yes, they can be used for this lawsuit. The monies for administrative and legal expenses can be used for this lawsuit.

About a week ago I went to a fundraiser for an organization in my town that is actually housed in one of our VA facilities. They lease some space for it for a really fine hospice program. And I just happened to be sitting next to a woman who, as it turned out, we had a mutual friend. Her new daughter-in-law used to work for me. And we began talking, and she told me how her 34-year-old daughter had died 2 years before from lung cancer, a remarkably young age. But, of course, like so many of us American kids that start smoking

when they are 14, 15, or 16, that can be a 20-year history of smoking a pack a day. And it really brought home the ominous nature of what we are talking about here and the dramatic effect this can have on people's lives.

Like the gentleman from Iowa (Mr. GANSKE), who spoke earlier, multiple times, as a medical student and as a resident, I have either dealt with folks in the end stage of some tobacco-related illness or had to be the one to tell them that they had a lung cancer or that their health had deteriorated because of their tobacco use.

So this is a big deal in the veterans' health care system. Frankly, I do not understand why the majority is drawing a line in the sand over the Waxman amendment when it so clearly states these funds would only come from administrative and legal expenses, not from health care. And, frankly, I am starting to resent the implication that by voting for the Waxman amendment that somehow I, as a family doctor, am voting to take away health care dollars from the VA. That is not what this amendment is about, and that is certainly not what the American people want or expect us to do. They expect us to find dollars to provide for our veterans' health care.

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

Mr. SNYDER. I yield to the gentleman from California.

Mr. WAXMAN. Mr. Chairman, I thank the gentleman for yielding to me. I hear from the other side the argument that they would like to have it come from the Department of Veterans Affairs but not from this particular section. And the reason I did not offer it in any other way is because of the possibility of a point of order.

But if we are willing to have this worked out, I could, by unanimous consent, if everyone would agree, to change the amendment to say, on page 9 line 3, after the word insert the following, the Department of Veterans Affairs may transfer funds from the general operating expenses of the Department for the purposes of supporting the tobacco litigation.

Let me put that forward and see if that resolves the opposition. Because I have not heard people on the other side say they do not want to fund the litigation, although we think that they would pull the plug on the litigation if they have that rider that has come out of the Committee on Appropriations. But if this is a more acceptable route, maybe we could do that, as long as we are funding the litigation.

So we would say, in effect, the Department of Veterans Affairs may transfer funds from the general operating expenses of the Department for the purposes of supporting the tobacco litigation.

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

Mr. SNYDER. I yield to the gentleman from New York.

Mr. WALSH. Mr. Chairman, responding to the gentleman from California,

first of all, we have had about 3½ hours of debate now on this amendment, and if the gentleman would like to change the amendment, we would be glad to take a look at the language; and if the language is in order, then we would take it at the proper point in the bill. But I would remind the gentleman that we only preclude the use of funds in the medical care portion.

The CHAIRMAN. The time of the gentleman from Arkansas (Mr. SNYDER) has expired.

(On request of Mr. WAXMAN, and by unanimous consent, Mr. SNYDER was allowed to proceed for 3 additional minutes.)

Mr. WALSH. Mr. Chairman, if the gentleman will continue to yield, as we tried to explain, and if the gentleman had presented his amendment to us at the beginning of this, before we began to debate, we would have been able to maybe work through this a little easier.

Let me read the language in the bill. It says, "None of the foregoing funds," meaning the funds within the medical care portion of the bill. And I would restate that, "None of the foregoing funds," meaning the medical care portion of the bill, "may be transferred to the Department of Justice for the purposes of supporting tobacco litigation."

So the only funds that the gentleman cannot get at in this bill are in the medical care portion of the bill, that the Justice Department cannot get at, are in the medical care portion of the bill. So I do not believe there is any need for any additional language.

Mr. WAXMAN. Mr. Chairman, if the gentleman will continue to yield, I did not quite hear the last point the gentleman made. The gentleman is saying we do not need another amendment if we accept the idea that it is coming out of the Veterans Administration?

Mr. WALSH. If the Veterans Administration decides that they want to use funds to provide to the Justice Department's lawyers, they would have to come back to the gentleman from West Virginia (Mr. MOLLOHAN) and I for reprogramming.

Mr. WAXMAN. If the gentleman would yield further, it seems to me, if that is the point of the gentleman, there should not be any problem with having a unanimous consent understanding right here and now to put this in the bill.

If the gentleman is saying we do not need it, I disagree with the gentleman. Because as I understand it, the Veterans Administration would then have to reprogram funds, and that would require legislation. But if the gentleman would permit, I will make a unanimous consent.

Mr. WALSH. It does not require additional legislation.

REQUEST FOR MODIFICATION TO AMENDMENT OFFERED BY MR. WAXMAN

Mr. WAXMAN. Mr. Chairman, if we have no disagreement on the issue, then I would ask unanimous consent that the amendment be modified to

provide that the Department of Veterans Affairs may transfer funds from the general operating expenses of the Department for the purposes of supporting the tobacco litigation.

Mr. WALSH. I object.

The CHAIRMAN. Objection is heard.

Mr. WAXMAN. Mr. Chairman, will the gentleman continue to yield?

Mr. SNYDER. I yield to the gentleman from California.

Mr. WAXMAN. Mr. Chairman, I thank the gentleman for continuing to yield to me, just to say one last thing, and that is that we tried to meet the objection that has been raised on the other side and we have been unable to do that. We need this amendment.

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

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

Mr. OBEY. Mr. Chairman, I thank the gentleman for yielding. Let me simply point out that the point the gentleman from California has made is a crucial point.

The issue goes to reprogramming, because what this committee has tried to do in bill after bill is to prevent the administration, first of all, from directly spending. In one subcommittee they refused to appropriate any money for the suit. And then they required them to come back for reprogramming from at least two subcommittees from which it is known they will never get approval for that reprogramming request.

The CHAIRMAN. The time of the gentleman from Arkansas (Mr. SNYDER) has again expired.

(On request of Mr. OBEY, and by unanimous consent, Mr. SNYDER was allowed to proceed for 1 additional minute.)

Mr. OBEY. Mr. Chairman, if the gentleman will continue to yield, what this really is, when we couple the refusal to appropriate the dollars in one subcommittee with the limitation on transfers from other agencies with the requirement for reprogramming, we have a three-pronged attack that winds up enabling people to pretend that they have not blocked the tobacco suit when in fact they have.

It is a way for the Congress to cover itself and pretend that it is not stopping the suit against the tobacco companies when in practical terms the way this institution operates we know that it is shutting down and closing every door available to the Justice Department to pursue that suit.

The CHAIRMAN. The time of the gentleman from Arkansas (Mr. SNYDER) has once again expired.

(On request of Mr. WAXMAN, and by unanimous consent, Mr. SNYDER was allowed to proceed for 3 additional minutes.)

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

Mr. SNYDER. I yield to the gentleman from California.

Mr. WAXMAN. Mr. Chairman, we are getting close, I think, to the end of this debate, and I just want to summarize where we are.

We argued that we should not preclude the transfer of funds so that the litigation could go forward. The chairman of the subcommittee said he wants the litigation to go forward; he just does not want the funds out of this account. We took that to heart and drafted our amendment so it would not come out of the part of the account that goes to health care services. We tried to get an agreement that it comes out of other parts of the Department of Veterans Affairs, but the ranking member of the Committee on Appropriations has told us why that will not work.

So where we are is with this amendment, and this amendment would take the funds out of the litigation and administrative expense part of the Veterans Affairs health program, and allow the use of it to pay for litigation expenses for the tobacco companies. We think that will produce a great deal of money for the Veterans Administration's health care program.

Not only do we think that, but the Veterans of Foreign Wars, the Paralyzed Veterans of America, the Disabled American Veterans, and AMVETS agree with us. That is why they are supporting our amendment.

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I urge Members to support our amendment. If it is defeated, the rider will stand in this appropriations bill and the litigation may well be stopped in its tracks. So I hope that Members understand where we are and, if they do believe this litigation ought to go forward, that they will vote for WAXMAN, EVANS, and others who have joined with us in this amendment.

Mr. SNYDER. Mr. Chairman, this is not about taking monies from veterans' health care, but it is about using veterans' health care legal expenses for litigation. That is what the Waxman amendment does. It has nothing to do with decreasing health care for veterans.

Mr. LEWIS of Kentucky. Mr. Chairman, I rise in strong opposition to this amendment.

Funds appropriated in this legislation are intended to provide for the veterans who have served our nation so well. The funds in this legislation are intended for housing assistance for Americans in need. There are funds here for environmental protection and our space program. What this legislation is not intended to do is pay for politically motivated lawsuits for the Justice Department.

The Justice Department is not prohibited from using its civil funds to pay for this lawsuit. It is not prohibited from asking Chairman ROGERS' subcommittee to allow for reprogramming of its funds. However, this Congress needs to send a clear message to the Justice Department that it is prohibited from using veterans' health care money for this lawsuit, and that it is required to live with the appropriations Congress approves.

The federal tobacco lawsuit is bad public policy and a waste of taxpayer dollars. The case is not about the law, but about the federal government extorting money from an industry it does not like. Which industry will be the next victim of this punitive action?

The tobacco industry, in accordance with the terms of its 1998 settlement with the states, has changed its marketing, advertising and business practices. The industry is also paying the states billions of dollars.

Now the Justice Department wants a share of this revenue stream for the federal government and is willing to further sidestep Congress and take money from veterans programs to try to get it.

The Justice Department needs to stop stealing veteran's health care funds to pay for its baseless lawsuit. This suit claims the federal government and the public were deceived about the health risks of tobacco products. The same federal government that claims it was "deceived" has required health warnings on tobacco products since the 1960's. The Surgeon General's 1964 report details the risks of tobacco use. The American people are not as stupid as this lawsuit claims—people know the health risks associated with use of tobacco products. It is absurd to claim ignorance on this point.

Adult consumers have the right to make risk judgments and choose the legal products they use. They also need to take responsibility for those choices.

No federal law gives the government authority to collect Medicare funds as proposed in this lawsuit. Three years ago, Attorney General Reno testified to the Senate that no federal cause of action existed for Medicare and Medicaid claims. Suddenly she has changed her tune under pressure from the White House. The Justice Department, on the same day it announced this civil lawsuit, ended its five-year investigation of the tobacco industry without making any criminal charges.

Last year the Congressional Research Service concluded that with a full accounting of costs of lifetime government funded health care and benefits for tobacco users and tobacco excise taxes, the federal government actually nets \$35 billion per year. There are not costs for the federal government to recover. It is already making money off of tobacco use, and this Administration only wants more.

The absurdity of this legislating by litigation aside, one issue should be clear to everyone today. Veterans' health benefits are not intended to pay trial lawyers in a politically-motivated lawsuit. This is not a rider; this is not special treatment. This is Congress carrying out our role in appropriating how tax dollars are spent. This Justice Department must follow Congressional intent. If it wants to fund this suit, it should do so with its funds, not the veterans'. Please vote no on this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. WAXMAN).

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. WALSH. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 197, noes 207, not voting 30 as follows:

[Roll No. 293]

AYES—197

Abercrombie	Allen	Baird
Ackerman	Andrews	Baldacci

Baldwin	Holden	Obey
Barcia	Holt	Olver
Barrett (WI)	Horn	Ortiz
Becerra	Hoyer	Pallone
Bentsen	Insole	Pascarell
Berman	Jackson (IL)	Pastor
Berry	Jackson-Lee	Peterson (MN)
Blagojevich	(TX)	Pomeroy
Blumenauer	Jefferson	Porter
Bonior	Johnson (CT)	Pryce (OH)
Borski	Johnson, E. B.	Rahall
Boswell	Jones (OH)	Ramstad
Brady (PA)	Kanjorski	Rangel
Brown (OH)	Kaptur	Reyes
Capps	Kennedy	Rivers
Capuano	Kildee	Rodriguez
Cardin	Kilpatrick	Roemer
Carson	Kind (WI)	Roukema
Castle	King (NY)	Rush
Condit	Klecza	Sabo
Conyers	Klink	Salmon
Costello	Kucinich	Sanders
Coyne	Kuykendall	Sandlin
Crowley	LaFalce	Sawyer
Cummings	Lampson	Saxton
Davis (FL)	Lantos	Scarborough
Davis (IL)	Larson	Schakowsky
DeFazio	LaTourette	Serrano
DeGette	Lazio	Shays
Delahunt	Leach	Sherman
DeLauro	Lee	Sherwood
Deutsch	Levin	Skelton
Dicks	Lewis (GA)	Slaughter
Dingell	Lipinski	Smith (NJ)
Dixon	LoBiondo	Smith (WA)
Doggett	Lofgren	Snyder
Dooley	Lowey	Stabenow
Doyle	Luther	Stark
Edwards	Maloney (NY)	Strickland
Ehlers	Markey	Stupak
Eshoo	Mascara	Tauscher
Evans	Matsui	Taylor (MS)
Farr	McCarthy (MO)	Thompson (CA)
Filner	McCarthy (NY)	Thune
Foley	McDermott	Thurman
Ford	McGovern	Tierney
Frank (MA)	McKinney	Towns
Franks (NJ)	McNulty	Trafficant
Frost	Meehan	Turner
Gallegly	Meek (FL)	Udall (CO)
Ganske	Meeks (NY)	Udall (NM)
Gejdenson	Menendez	Upton
Gilchrest	Miller, George	Velazquez
Gilman	Minge	Vislosky
Gonzalez	Mink	Waters
Green (TX)	Moakley	Watt (NC)
Greenwood	Moore	Waxman
Gutierrez	Moran (KS)	Wexler
Hall (OH)	Morella	Weygand
Hansen	Murtha	Wise
Hastings (FL)	Nadler	Wolf
Hinchey	Napolitano	Woolsey
Hinojosa	Neal	Wu
Hoefel	Ney	Wynn

NOES—207

Aderholt	Camp	Forbes
Archer	Canady	Fossella
Armey	Chabot	Frelinghuysen
Baca	Chambliss	Gekas
Bachus	Chenoweth-Hage	Gibbons
Baker	Clay	Gillmor
Ballenger	Clayton	Goode
Barr	Clement	Goodlatte
Barrett (NE)	Clyburn	Goodling
Bartlett	Coble	Gordon
Barton	Collins	Goss
Bass	Combest	Graham
Bateman	Cooksey	Granger
Bereuter	Cox	Green (WI)
Berkley	Cramer	Gutknecht
Biggert	Crane	Hall (TX)
Bilirakis	Cubin	Hastings (WA)
Bishop	Cunningham	Hayworth
Bliley	Danner	Hefley
Blunt	Davis (VA)	Herger
Boehlert	Deal	Hill (IN)
Boehner	DeLay	Hill (MT)
Bonilla	DeMint	Hilleary
Bono	Diaz-Balart	Hilliard
Boucher	Dickey	Hobson
Boyd	Doolittle	Hoekstra
Brady (TX)	Dreier	Hostettler
Bryant	Duncan	Houghton
Burr	Ehrlich	Hulshof
Burton	English	Hunter
Buyer	Etheridge	Hutchinson
Callahan	Everett	Hyde
Calvert	Fletcher	Isakson

Istook	Packard	Skeen
Jenkins	Paul	Smith (MI)
John	Pease	Smith (TX)
Johnson, Sam	Peterson (PA)	Souder
Jones (NC)	Petri	Spence
Kasich	Phelps	Spratt
Kelly	Pickering	Stearns
Kingston	Pickett	Stenholm
Knollenberg	Pitts	Stump
Kolbe	Pombo	Sununu
LaHood	Portman	Sweeney
Latham	Price (NC)	Talent
Lewis (CA)	Quinn	Tancredo
Lewis (KY)	Radanovich	Tanner
Linder	Regula	Tauzin
Lucas (KY)	Reynolds	Taylor (NC)
Lucas (OK)	Riley	Terry
Maloney (CT)	Rogan	Thomas
Manzullo	Rogers	Thompson (MS)
McCrary	Rohrabacher	Thornberry
McHugh	Ros-Lehtinen	Tiahrt
McInnis	Royce	Toomey
McIntyre	Ryan (WI)	Vitter
McKeon	Ryun (KS)	Walden
Metcalf	Sanchez	Walsh
Mica	Sanford	Wamp
Miller (FL)	Schaffer	Watkins
Miller, Gary	Scott	Watts (OK)
Mollohan	Sensenbrenner	Weldon (FL)
Myrick	Sessions	Weldon (PA)
Nethercutt	Shadegg	Weller
Northup	Shaw	Whitfield
Norwood	Shimkus	Wicker
Nussle	Shows	Wilson
Ose	Simpson	Young (AK)
Oxley	Sisisky	Young (FL)

NOT VOTING—30

Bilbray	Fowler	Oberstar
Brown (FL)	Gephardt	Owens
Campbell	Hayes	Payne
Cannon	Hooley	Pelosi
Coburn	Largent	Rothman
Cook	Martinez	Roybal-Allard
Dunn	McCollum	Shuster
Emerson	McIntosh	Vento
Engel	Millender-	Weiner
Ewing	McDonald	
Fattah	Moran (VA)	

□ 2050

Mr. HILLIARD changed his vote from "aye" to "no."

Ms. KILPATRICK and Messrs. SMITH of New Jersey, HALL of Ohio, EHLERS and GILCHREST changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. MILLENDER-McDONALD. Mr. Chairman, on rollcall No. 293, I was unavoidably detained and was unable to make this vote. Had I been present, I would have voted "aye."

Stated against:

Mr. HAYES. Mr. Chairman, on rollcall No. 293, I was inadvertently detained. Had I been present, I would have voted "no."

Mr. WALSH. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. OSE) having assumed the chair, Mr. Pease, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4635) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes, had come to no resolution thereon.

PERSONAL EXPLANATION

Ms. JACKSON-LEE of Texas. Mr. Speaker, on June 15 I was away from the floor on official business and missed rollcall vote number 289, the Weldon amendment to H.R. 4578. If I was present I would have voted no. And on rollcall vote 288, the Nethercutt amendment to H.R. 4578, if I was present, I would have voted no.

□

REPORT ON DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, 2001

Mr. ROGERS, from the Committee on Appropriations, submitted a privileged report (Reprt. No. 106-680) on the bill (H.R. 4690) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. All points of order are reserved on the bill.

□

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4201, NONCOMMERCIAL BROADCASTING FREEDOM OF EXPRESSION ACT OF 2000

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 106-681) on the resolution (H. Res. 527) providing for consideration of the bill (H.R. 4201) to amend the Communications Act of 1934 to clarify the service obligations of noncommercial educational broadcast stations, which was referred to the House Calendar and ordered to be printed.

□

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 90, WITHDRAWING APPROVAL OF UNITED STATES FROM AGREEMENT ESTABLISHING WORLD TRADE ORGANIZATION

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 106-682) on the resolution (H. Res. 528) providing for consideration of the joint resolution (H.J. Res. 90) withdrawing the approval of the United States from the Agreement establishing the World Trade Organization, which was referred to the House Calendar and ordered to be printed.

□

SUPPORTING THE GOALS AND IDEALS OF THE OLYMPICS

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that the Committee on International Relations be discharged from further consideration of the resolution (H.Res. 259) supporting the goals and ideals of the Olympics, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

Mr. HASTINGS of Florida. Mr. Speaker, reserving the right to object, I believe the House needs to understand why we are proceeding with this bill in an expeditious manner.

Mr. Speaker, I yield to the distinguished gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Mr. Speaker, I rise in support of House Resolution 259, a measure to support the goals and ideals of the Olympics. June 23 is the anniversary date on which the Congress of Paris approved the proposal to found the modern Olympics. This resolution recognizes the value of the Olympic games, calls for Congress and the American people to observe the anniversary, and for the President to issue a proclamation in observation.

The Committee on International Relations readily supported this resolution. I want to commend the gentleman from Kansas (Mr. RYUN) for introducing the measure. The Olympics showcases amateur athletes, and our country should encourage the spirit of competition and achievement exemplified by these games.

I thank the gentleman for yielding.

Mr. HASTINGS of Florida. Mr. Speaker, further reserving the right to object, I yield to the gentleman from Kansas (Mr. RYUN).

Mr. RYUN of Kansas. Mr. Speaker, first I would like to express my thanks to the gentleman from New York (Mr. GILMAN) for bringing this bill before the Committee on International Relations and to the House floor today.

House Resolution 259 recognizes the goals and ideals of the modern Olympic movement as propounded by Pierre de Coubertain, particularly the spread of a better and more peaceful world through sports. On June 23, the Olympic community will recognize this anniversary, so the timing of this bill on the House floor today could not be better.

Mr. Speaker, in September, millions of Americans will gather around their televisions to watch our Olympians compete in Sydney. Who among us can forget the amazing feats of the Olympians throughout the years. While each of us has our own memories of the greatest Olympic moment, the Olympics gives this Nation the collective sense of oneness and pride that many times is lost in the worlds of professional sports and business and politics. Through the years, U.S. athletes have not only been outstanding standard-bearers of the Olympic ideal, but they have consistently been among the world's best in the athletic arena.

I had the distinct privilege to represent my country three times in the Olympic games. Each experience was different, but each represented the opportunity to put on the uniform that read USA. Not long before I attempted

to qualify for the 1964 games in Tokyo, I was a 17-year-old high school student who did not really know what the Olympic games were all about. While many remember the 1968 games in Mexico City, the unrest and the civil rights movement, I also remember the countless world records and Olympic records set during the track and field competition. In 1972, I watched in horror as Israeli athletes tragically lost their lives to the hands of terrorists. The games did go on, most importantly to show that terrorists would not break the spirit of the Olympic ideal of a more peaceful world.

□ 2100

In 1972, I also had a personal tragedy as the favorite in the 1500 meters for the United States; and with the world watching, I was tripped and fell and was not knocked out of the competition. I cannot begin to describe the anger and disappointment I felt at that moment. However, I no longer feel that was a tragedy. Rather, I point to that event as a turning point that taught me there was more to life than running. It brought to new life the importance of God and family in my life.

Every Olympian has their own stories to overcoming long odds and personal triumph, regardless of whether they stood on the podium and received a medal. It is my honor to stand on the House floor in their place.

Mr. Speaker, as we look toward the next century of the Olympic Games, I ask my colleagues to join me in honoring our Olympic athletes and coaches along with their families and supporters.

Mr. HASTINGS of Florida. Mr. Speaker, continuing my reservation, I would like to make a few additional points.

First, I would like to congratulate the gentleman from Kansas (Mr. RYUN), on behalf of all of us in the House for being a distinguished Olympian in and of himself, and it proves once again the greatness of this country, that a person like the gentleman from Kansas (Mr. RYUN) would get a chance to work in the Olympics and then come and be in the Olympics of legislation.

We are delighted. The Olympics obviously are a significant event for all nations to share in the accomplishments of men and women in the area of athletics.

Mr. Speaker, I would like to thank the chairman of the Committee on International Relations, the gentleman from New York (Mr. GILMAN), for expediting this matter, and the gentleman from Kansas (Mr. RYUN) for bringing it to our attention. We strongheartedly endorse it.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 259

Whereas for over 100 years, the Olympic movement has built a more peaceful and better world by educating young people through amateur athletics, by bringing together athletes from many countries in friendly competition, and by forging new relationships bound by friendship, solidarity, and fair play;

Whereas the United States Olympic Committee is dedicated to coordinating and developing amateur athletic activity in the United States to foster productive working relationships among sports-related organizations;

Whereas the United States Olympic Committee promotes and supports amateur athletic activities involving the United States and foreign nations;

Whereas the United States Olympic Committee promotes and encourages physical fitness and public participation in amateur athletic activities;

Whereas the United States Olympic Committee assists organizations and persons concerned with sports in the development of athletic programs for amateur athletes;

Whereas the United States Olympic Committee protects the opportunity of each amateur athlete, coach, trainer, manager, administrator, and official to participate in amateur athletic competition;

Whereas athletes representing the United States at the Olympic games have achieved great success personally and for the Nation;

Whereas thousands of men and women of the United States are focusing their energy and skill on becoming part of the United States Olympic team and aspire to compete in the 2000 summer Olympic games in Sydney, Australia, and the 2002 winter Olympic games in Salt Lake City, Utah;

Whereas the Nation takes great pride in the qualities of commitment to excellence, grace under pressure, and good will toward other competitors exhibited by the athletes of the United States Olympic team; and

Whereas June 23 is the anniversary of the founding of the modern Olympic movement, representing the date on which the Congress of Paris approved the proposal of Pierre de Coubertin to found the modern Olympics: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of the Olympics;

(2) calls upon the President to issue a proclamation recognizing the anniversary of the founding of the modern Olympic movement; and

(3) calls upon the people of the United States to observe such anniversary with appropriate ceremonies and activities.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Resolution 259.

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

There was no objection.

EXPRESSING SENSE OF HOUSE CONCERNING TROUBLED PRE-ELECTION PERIOD IN REPUBLIC OF ZIMBABWE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that the Committee on International Relations be discharged from further consideration of the resolution (H. Res. 500) expressing the sense of the House of Representatives concerning the violence, breakdown of rule of law, and troubled pre-election period in the Republic of Zimbabwe, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

Mr. HASTINGS of Florida. Mr. Speaker, reserving the right to object, I believe, again, the House needs to understand why we are proceeding with this bill in an expeditious manner.

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

Mr. HASTINGS of Florida. I yield to the gentleman from New York for an explanation.

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, the people of Zimbabwe will go to the polls next weekend to elect their parliament. Since its independence 20 years ago, Zimbabwe has been, in effect, a one-party state. The liberation party of President Robert Mugabe, which emerged from a war, for majority war with slogans shouting for equality and justice, has become thoroughly corrupted by the absolute power that it has enjoyed these past 2 decades.

Change is now at hand. The people of Zimbabwe are patient, but their patience appears to have come to an end. Candidates from parliament for the opposition parties have registered in record numbers. The leading opposition party appears to have overwhelming support among the urban populations of Zimbabwe.

But President Mugabe and his party cronies who have grown rich in government do not want to accept an honest political contest. He has used land reform as a political wedge issue for years, refusing credible programs that would have addressed the issue in favor of a soapbox for demagoguery. Now he has taken extreme measures, provoking widespread violence against farmers, teachers, and farm workers.

The citizens of Zimbabwe remain steadfast. The murders, the beatings and harassment that have been visited upon them have merely strengthened their resolve.

H. Res. 500 expresses this Congress' profound dismay at these kinds of practices. It also conveys our solidarity and our support for those who struggle for democratic freedom wherever they may be.

I would like to thank our friend and distinguished colleague, the gentleman from Florida (Mr. HASTINGS), who was

an original cosponsor of this measure; and I would also like to commend the Subcommittee on African Affairs, ably led by its distinguished chairman, the gentleman from California (Mr. ROYCE), and the gentleman from New Jersey (Mr. PAYNE), who are also cosponsors. They held an informative and timely hearing on the situation in Zimbabwe just last week.

Accordingly, I urge our colleagues to join in support of this measure.

(Mr. HASTINGS of Florida asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Florida. Mr. Speaker, further reserving the right to object, I would like to make some additional points.

First, I would like to thank the gentleman from New York (Chairman GILMAN) for expediting this matter and, the Chair of the Subcommittee on Africa, along with the ranking member, the gentleman from New Jersey (Mr. PAYNE). It was my pleasure to be a cosponsor with the chairman of this resolution.

It is simple but it strongly condemns the ongoing spiral of political violence in Zimbabwe. Mr. Speaker, for those of us who cherish life, liberty, and the pursuit of happiness and believe that government should be for the people and by the people, the current situation in Zimbabwe is not only atrocious, but quite painful.

As we witness the escalation of violence in that tiny nation, it appears that due process, free speech, and the right of assembly are ignored. And if quick and robust attention is not brought to these matters, I fear this nation could slip into civil unrest and economic devastation.

First, I am gravely concerned about Zimbabwe's economic downturn and that government's inability to control the inflation, unemployment, and violence. The economy has suffered and continues to suffer and Zimbabweans are paying a terrible price. Agriculture production is down and inflation is over 70 percent.

President Mugabe must immediately demonstrate a willingness to address its economic problems strategically and equitably.

Second, I would like to express my deep concern for the people of Zimbabwe by condemning the many egregious acts of violence and intimidation occurring there against both Zimbabwean farm workers and individuals who support opposition parties.

Recently, the chairman held a full hearing on this matter in the Subcommittee on Africa, and we heard from one of those members of the opposition party by way of technology that is now being utilized in Committee on International Relations.

The ruling party militants have attacked teachers and health workers, forcing many to flee their clinics and schools in the wake of pre-election violence. I strongly condemn the widespread and violent attacks in

Zimbabwe, including reports of murder, rape, beatings, and burning of homes.

Third, Mr. Speaker, the government of Zimbabwe is supportive of the squatters who currently occupy white farms. The results of the February 12 referendum provided additional momentum for demographic reform activists. The people of Zimbabwe sent a message by their ballot that a constitution perpetuating state power was not acceptable.

And in the interest of time, I would just like to say that the bottom line is this: President Mugabe and his key associates fear losing power in a democratic election in which their adversaries are fellow black Zimbabweans.

Mr. Speaker, I continue to believe that we must act swiftly to avoid further disaster. I believe that with Sierra Leone in a state of anarchy, the Democratic Republic of Congo a battlefield, and the other parts of the African continent are undergoing cataclysmic upheavals, we cannot allow Zimbabwe to collapse as well.

There is still time, but only if President Mugabe listens, acts swiftly and returns to his senses.

Mr. Speaker, continuing my reservation, I would like to make some additional points.

Mr. Speaker, this resolution is simple, but it strongly condemns the ongoing spiral of political violence in Zimbabwe. It further condemns all violence directed against farm workers; recommends that a bipartisan delegation travel to Zimbabwe under the auspices of the International Republican Institute and the National Democratic Institute for International Affairs, to monitor elections scheduled for June 24 and 25, 2000; and urges President Mugabe and his ruling Zimbabwe African National Union-Patriotic Front to enforce the rule of law, and support international efforts to assist land reform.

Mr. Speaker, for those of us who cherish life, liberty and the pursuit of happiness and believe that government should be for the people and by the people, the current situation in Zimbabwe is not only atrocious but quite painful. As we witness the escalation of violence in that tiny nation, it appears that due process, free speech, and the right of assembly are ignored. And if quick and robust attention is not brought to these matters, I fear this nation could slip into civil unrest and economic devastation.

First, I am gravely concerned about Zimbabwe's economic downturn and that government's inability to control inflation, unemployment and violence. The economy has suffered and continues to suffer, and Zimbabweans are paying a terrible price. Agricultural production is down and inflation is over 70 percent. President Mugabe must immediately demonstrate a willingness to address its economic problems strategically and equitably.

Second, I'd like to express my deep concern for the people of Zimbabwe by condemning the many egregious acts of violence and intimidation occurring there against both Zimbabwean farm workers and individuals who support opposition parties. Recently, Mr. Speaker, the ruling party militants have attacked teachers and health workers, forcing many to flee their clinics and schools in the

wake of pre-election violence. I strongly condemn the widespread and violent attacks in Zimbabwe, including reports of murder, rape, beatings and burning of homes.

Third, Mr. Speaker, the government of Zimbabwe is supportive of the squatters who currently occupy white farms. The results of the February 12th referendum provided additional momentum for democratic reform activists. The people of Zimbabwe sent a message by their ballot that a constitution perpetuating state power was not acceptable. President Mugabe's supported constitution was defeated with approximately 55 percent of all ballots against the measure. However, Mr. Mugabe rejected rulings from the independent judiciary. He is supportive of the squatters who currently occupy white farms. To be sure, while the take overs have been largely peaceful, the Zimbabwe Supreme Court has ruled these actions to be illegitimated and have ordered the protesting civil war veterans off the white farms. However, the police and security personnel have yet to enforce the court decree, and it is now perceived that the Zimbabwean government is countering the rule of law.

Mr. Speaker, the bottom line is this: President Mugabe and his key associates fear losing power in a democratic election in which their adversaries are fellow black Zimbabweans.

Mr. Speaker, I continue to believe that we must act swiftly to avoid further disaster. I believe that with Sierra Leone in a state of anarchy, the Democratic Republic of the Congo a battle field and other parts of the African continent undergoing cataclysmic upheavals, we cannot allow Zimbabwe to collapse as well. There is still time, but only if President Mugabe listens, acts swiftly and returns to his senses.

Mr. Speaker, the United States has a longstanding friendship with the people of Zimbabwe, and we must do everything we can to preserve and advance democratic gains, protect civil society, and help the people of Zimbabwe to uphold the rule of law.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 500

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 no date has been set for parliamentary elections in Zimbabwe;

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 House of Representatives—

(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 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;

(9) recommends that the United States send a bipartisan delegation under the auspices of the International Republican Institute and the National Democratic Institute for International Affairs to observe the parliamentary election process in Zimbabwe; and

(10) desires a lasting, warm, and mutually beneficial relationship between the United States and a democratic, peaceful Zimbabwe.

The resolution was agreed to.

AMENDMENT TO PREAMBLE OFFERED BY MR. GILMAN

Mr. GILMAN. Mr. Speaker, I offer an amendment to the preamble.

The Clerk read as follows:

Amendment to the preamble offered by Mr. GILMAN.

In the 14th clause of the preamble, strike "no date has been set" and insert "June 24 and June 25, 2000, are the dates".

Mr. GILMAN. Mr. Speaker, I have no comment on the amendment.

Mr. HASTINGS of Florida. Mr. Speaker, we do not object.

The SPEAKER pro tempore. The question is on the amendment to the preamble offered by the gentleman from New York (Mr. GILMAN).

The amendment to the preamble was agreed to.

A motion to reconsider was laid on the table.

□

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Resolution 500.

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

There was no objection.

□

SENSE OF HOUSE REGARDING INDEPENDENT MEDIA IN RUSSIAN FEDERATION

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that the Committee on International Relations be discharged from further consideration of the concurrent resolution (H. Con. Res. 352) expressing the sense of the Congress regarding manipulation of the mass media and intimidation of the independent press in the Russian Federation, expressing support for freedom of speech and the independent media in the Russian Federation, and calling on the President of the United States to express his strong concern for freedom of speech and the independent media in the Russian Federation, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

Mr. HASTINGS of Florida. Mr. Speaker, reserving the right to object, I believe the House needs to understand why we are proceeding in an expeditious manner, but I would ask the Chair, in deference to the fact that the gentleman from Pennsylvania (Mr. WELDON) has such extraordinary experience in this area, if we could be permitted to allow him to go forward and then allow the gentleman from New York (Mr. GILMAN) to speak.

Mr. Speaker, I yield to the distinguished gentleman from Pennsylvania (Mr. WELDON), who has a great deal of experience in this area.

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Speaker, I want to, first of all, thank my distinguished chairman and leader, the gentleman from New York (Mr. GILMAN), and my distinguished good friend, the gentleman from Florida (Mr. HASTINGS), for bringing this very timely legislation and thank all the members on the Committee on International Relations to allow us to make a statement on the seriousness of the situation that is occurring in Russia over the last several months relative to freedom of the press.

As my friend has stated and my colleagues are aware, I have a special interest in Russia. I just made my 21st trip there last weekend with Secretary Cohen, where I was able to attend meetings with him and the defense minister and the leaders of the Duma on improving American-Russian relations.

I felt that we achieved a considerable amount of progress, but I would be less than candid if I did not tell my colleagues that there are serious problems inside of Russia. All of us were optimistic when the new President Putin took over in January and was elected in free and fair elections several months later, but there has been a pattern well documented in this bill of actions against members of the free press, including Radio Free Europe and the independent radio and TV stations in Moscow and, most recently, including the chairman and the head of Media Most Corporation, Mr. Gusinsky. In fact, the distinguished chairman knows because he was host to the number two person at Media Most. As the distinguished chairman knows, just several weeks ago, we had the number 2 person from Media Most over speaking to Members of Congress expressing the real concerns of what happened with the FSB invasion of their headquarters and the outrage that many of us felt about having this independent media feel the pressure of what appears to be the Putin government, in trying to crack down on the ability of Russians to speak out.

Russia is a fragile democracy, and that fragile democracy is going to exist and succeed only based upon the success of their free media, and we must in America speak out when we see incidences occur like the incident involving the reporter who was responding or reporting on the Chechnyan war to the efforts by Gusinsky to report on concerns within Russia about the direction of the Russian government. And while President Putin and leaders in the various factions may not agree with what is being said by the Russian media, they must understand that a free democracy must have that free speech, or it will cease to be a free democracy.

I might also add that we are heartened that Mr. Gusinsky has recently been released, but I also want to mention there are other patterns of strong-arm tactics coming out of Russia, Mr. Speaker. On April 3, one of our Pennsylvania constituents, a Penn State

professor by the name of Ed Pope, was arrested. He has been charged with crimes against the Russian state. It is an absolute fabrication.

My good friend and colleague, the gentleman from Pennsylvania (Mr. PETERSON), and I have been working this case for 6 weeks; and we are not going to step back until we see Mr. Pope released to his wife and to his loved ones up in State College.

□ 2115

Russia needs to understand, Mr. Speaker, that all of us on both sides of the aisle want to be friends with Russia. We want Russia to be an equal trading partner of ours. We want a secure stable relationship. We want to have a fair process where the two countries can work together in every possible area of cooperation. But none of this can exist if there is a pattern of abuse of the free media and if there is a fear of intimidation on the part of those people who would go to Russia to conduct business or to perform positive relations with the people of Russia.

So, again, I want to thank my colleagues for this outstanding resolution. The gentleman from New York (Mr. GILMAN) has been a tireless advocate on these kinds of issues around the world. The gentleman from Florida (Mr. HASTINGS) is constantly on top of these issues. I applaud both of them for their leadership and join with them in urging our colleagues to pass this important legislation this evening.

Mr. HASTINGS of Florida. Mr. Speaker, continuing my reservation of objection, I yield to the gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I want to commend the gentleman from Pennsylvania (Mr. WELDON) for his supporting remarks.

Mr. Speaker, House Concurrent Resolution 352, which I have introduced along with the gentleman from California (Mr. LANTOS) and the gentleman from New Jersey (Mr. SMITH), makes it clear that the Congress is greatly concerned by the treatment of the Russian media by President Vladimir Putin and by his government's increasingly apparent lack of respect for freedom of expression in Russia.

After years of extensive privatization of Russian state-owned enterprises, little privatization has been carried out in major segments of the Russian media. Important segments, such as large printing and publishing houses and nationwide television frequencies and broadcasting facilities, have been only partially privatized, if they have been privatized at all.

That failure to privatize key segments of the media presents a tempting opportunity for Russian officials to manipulate the state-run media for their own ends; and in the recent parliamentary and presidential elections, we saw clear evidence that Russian officials have succumbed to that temptation. As this resolution points out, the

Russian government's immense influence over the state-run media was used during those elections to openly support friends of the party in power in the Kremlin and to attack, blatantly and viciously, those who oppose that party of power.

Mr. Putin probably would not be president of Russia today if such media manipulation had not been used to his own advantage. Mr. Speaker, in addition to that manipulation of the state-run media, this resolution points out that the Russian government and its officials and agencies have also sought to intimidate the independent media.

A new Russian Ministry for the Press was created last July, and the Minister for the Press stated quite openly that his job was to address the so-called "aggression" of the Russian press. Leading Russian editors complaining in an open letter to former President Boris Yeltsin in August that government officials were putting pressure on the media, particularly through unwarranted raids by the tax police.

In fact, as recently as May 11, masked officers of the Russian Federal Security Service raided the headquarters of Media-Most, that is the company which operates NTV, the largest independent national television station in Russia. Then, just last week, the owner of Media-Most, Vladimir Gusinsky, was arrested on rather vague charges and held for several days.

In addition, Russian reporters have been beaten, some murdered, and police investigations have tended to fail to identify the perpetrators, much less bring them to justice. Andrei Babitsky, a Russian reporter working for Radio Free Europe/Radio Liberty covering the war in Chechnya, was arrested by the Russian military and then exchanged to unidentified Chechens for Russian POWs. Another reporter was ordered by police to enter a psychiatric clinic for an examination after he wrote articles critical of certain Russian officials.

Mr. Speaker, beyond these examples of the ongoing intimidation of the press by Mr. Putin's government, this resolution points out a distressing fact that is very relevant to freedom of expression in general in Russia. The Russian Federal Security Service is now moving to ensure total surveillance over the Internet in Russia by installing a system by which all transmissions and e-mails originating within Russia and sent to parties in Russia can be read by its personnel. In this manner, new structures of surveillance over all of Russia's citizens are now being created.

This resolution, H. Con. Res. 352, makes it clear that the Russian government's manipulation and intimidation of the media threatens the chances for democracy and the rule of law in Russia and makes it clear that freedom of expression by Russians in general is also under attack by that government and by its agencies.

Mr. Speaker, this measure calls on our President to make it clear to Presi-

dent Putin that the United States insists on respect for freedom of speech and of the press in Russia.

Mr. HASTINGS of Florida. Mr. Speaker, continuing my reservation, I would like to make a few additional points, one being that under President Putin it seems that conditions are getting worse. But, more important, I would like to thank the chairman of the Committee on International Relations for expediting this matter and for all of our colleagues that are cosponsors. None are more significant than the gentleman from California (Mr. LANTOS), who, along with the chairman, is the author of some of the language that appears in the resolution.

Having that understanding, I would like to reflect on two things. Had he been here and not had the scheduling mix-up that he has, the gentleman from California (Mr. LANTOS) no doubt would have pointed out that under former President Yeltsin, the media enjoyed a reasonable degree of independence and freedom from supervision by the so-called Media Ministry. The gentleman from California (Mr. LANTOS), myself and the gentleman from New York (Chairman GILMAN) have expressed our concerns that these actions will exacerbate tension in the Russian media and Russian society vis-a-vis the government.

Finally, the government of Russia has a right to enforce its laws and investigate illegal activity of its citizens. However, such a selective application of the Russian government's procuratory authority, imprisonment before the actual charges are brought and the overall abuse of the Federal authority, does deserve Congressional condemnation.

For the gentleman from California (Mr. LANTOS) and for the gentleman from New York (Chairman GILMAN), I offer my thanks.

Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 352

Whereas almost all of the large printing plants, publishing houses, and newspaper distribution companies, several leading news agencies, and almost all of the nationwide television frequencies and broadcasting facilities in the Russian Federation remain under government control, despite the extensive privatization of state-owned enterprises in other sectors of the Russian economy;

Whereas the "Press Freedom Survey 2000" reported by "Freedom House" of Washington, DC, stated that the approximately 2,500 regional and rural newspapers in Russia outside of Moscow are almost completely owned by local or provincial governments;

Whereas the Government of Russia is able to suspend or revoke broadcast and publishing licenses and apply exorbitant taxes and fees on the independent media;

Whereas, in 1999, a major television network controlled by the Russian Government canceled the program "Top Secret" after it

reported on alleged corruption at high levels of the government;

Whereas, in July 1999, the Government of Russia created a new Ministry for Press, Television and Radio Broadcasting, and Mass Communications;

Whereas, in August 1999, the editors of fourteen of Russia's leading news publications sent an open letter to then Russian President Boris Yeltsin stating that high-ranking officials of the government were putting pressure on the mass media, particularly through unwarranted raids by tax police;

Whereas Mikhail Lesin, Minister for Press, Television and Radio Broadcasting, and Mass Communications, stated in October 1999 that the Russian Government would change its policies towards the mass media so as to address "aggression" by the Russian press;

Whereas the Russian Federal Security Service or "FSB" is reportedly implementing a technical regulation known as "SORM-2" by which it could reroute, in real time, all electronic transmissions over the Internet through FSB offices for purposes of surveillance, a likely violation of the Russian constitution's provisions concerning the right to privacy of private communications, according to Aleksei Simonov, President of the Russian "Glasnost Defense Foundation", a nongovernmental human rights organization;

Whereas such surveillance under SORM-2 would allow the Russian Federal Security Service access to passwords, financial transactions, and confidential company information, among other transmissions;

Whereas it is reported that over one hundred Russian journalists have been killed over the past decade, with few if any of the government investigations into those murders resulting in arrests, prosecutions, or convictions;

Whereas numerous observers of Russian politics have noted the blatant misuse of the leading Russian television channels, controlled by the Russian Government, to undermine popular support for political rivals of those supporting the government in the run-up to parliamentary elections held in December 1999;

Whereas it has been reported that Russian television stations controlled by the Russian Government were used to disparage opponents of Vladimir Putin during the campaign for the presidency in the beginning of this year, and whereas it has been reported that political advertisements by those candidates were routinely relegated by those stations to slots outside of prime time coverage;

Whereas manipulation of the media by the Russian Government appeared intent on portraying the Russian military attack on the separatist Republic of Chechnya to the maximum political advantage of the Russian Government;

Whereas in December 1999 two correspondents for "Reuters News Agency" and the "Associated Press" were reportedly accused of being foreign spies after reporting high Russian casualty figures in the war in Chechnya;

Whereas the arrest in January 2000, subsequent treatment by the Russian military, and prosecution by the Russian Government of Andrei Babitsky, a correspondent for Radio Free Europe/Radio Liberty covering the war in Chechnya, have constituted a violation of commitments made by the Russian Government to foster freedom of speech and of the press, and have reportedly constituted a violation of the Criminal Code of the Russian Federation;

Whereas in January 2000 Aleksandr Khinshtein, a reporter for the newspaper "Moskovsky Komsomolets", was ordered by the Russian Federal Security Service to

enter a clinic over 100 miles from his home for a psychiatric examination after he accused top Russian officials of illegal activities, and such detainment in psychiatric wards was previously employed by the former Soviet regime to stifle dissent;

Whereas the Russian newspaper "Novaya Gazeta" was officially warned by the Russian Ministry of the Press for its printing of an interview with Aslan Maskhadov, the elected President of the Republic of Chechnya; an entire issue of "Novaya Gazeta", including several articles alleging massive campaign finance violations by the presidential campaign of Vladimir Putin, was lost to unidentified computer "hackers"; and a journalist for "Novaya Gazeta" was savagely beaten in May of this year;

Whereas President Thomas Dine of Radio Free Europe/Radio Liberty on March 14th, 2000, condemned the Russian Government's expanding efforts to intimidate the mass media, stating that those actions threaten the chances for democracy and rule of law in Russia;

Whereas "NTV", the only national independent television station, which reaches half of Russia and is credited with professional and balanced news programs, has frequently broadcast news stories critical of Russian Government policies;

Whereas on May 11, 2000, masked officers of the Russian Federal Security Service carrying assault weapons raided the offices of "Media-Most", the corporate owner of NTV and other independent media;

Whereas the May 11th raid on Media-Most represented a failure of recourse to normal legal mechanisms and conveyed the appearance of a politically-motivated attack on Russian independent media;

Whereas the raid on Media-Most was carried out under the authority of President Putin and Russian Government ministers who have not criticized or repudiated that action;

Whereas on June 12, 2000, Vladimir Gusinsky, owner of NTV and other leading independent media was suddenly arrested;

Whereas President Putin claimed not to have known of the planned arrest of Vladimir Gusinsky;

Whereas the continued functioning of an independent media is a vital attribute of Russian democracy and an important obstacle to the return of authoritarian or totalitarian dictatorship in Russia; and

Whereas a free news media can exist only in an environment that is free of state control of the news media, that is free of any form of state censorship or official coercion of any kind, and that is protected and guaranteed by the rule of law: Now, therefore, be it

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

(1) expresses its continuing, strong support for freedom of speech and the independent media in the Russian Federation;

(2) expresses its strong concern over the failure of the government of the Russian Federation to privatize major segments of the Russian media, thus retaining the ability of Russian officials to manipulate the media for political or corrupt ends;

(3) expresses its strong concern over the pattern of Russian officials' surveillance and physical, economic, legal, and political intimidation of Russian citizens and of the Russian media that has now become apparent in Russia;

(4) expresses its strong concern over the pattern of manipulation of the Russian media by Russian Government officials for political and possibly corrupt purposes that has now become apparent;

(5) expresses profound regret and dismay at the detention and continued prosecution of

Radio Free Europe/Radio Liberty journalist Andrei Babitsky and condemns those breaches of Russian legal procedure and of Russian Government commitments to the rights of Russian citizens that have reportedly occurred in his detention and prosecution;

(6) expresses strong concern over the breaches of Russian legal procedure that have reportedly occurred in the course of the May 11th raid by the Russian Federal Security Service on Media-Most and the June 12th arrest of Vladimir Gusinsky; and

(7) calls on the President of the United States to express to the President of the Russian Federation his strong concern for freedom of speech and the independent media in the Russian Federation and to emphasize the concern of the United States that official pressures against the independent media and the political manipulation of the state-owned media in Russia are incompatible with democratic norms.

SEC. 2. TRANSMITTAL TO SECRETARY OF STATE.

The Clerk of the House of Representatives shall transmit a copy of this resolution to the Secretary of State with the request that it be forwarded to the President of the Russian Federation.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

□

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 352.

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

There was no objection.

□

PERSONAL EXPLANATION

Mr. GREEN of Texas. Mr. Speaker, last Thursday, I was unavoidably detained and missed rollcall votes numbers 285 through 291.

Had I been present, I would have voted present on rollcall 285, yes on rollcall 286, yes on recall 287, no on rollcall 288, no on rollcall 289, yes on rollcall 290 and no on rollcall 291.

□

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.

□

COMMUNITY EMERGENCY ADJUSTMENT ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. LARSON) is recognized for 5 minutes.

Mr. LARSON. Mr. Speaker, we are preparing tomorrow evening to drop an important piece of legislation, a bill whose short title is the Community Emergency Adjustment Act. It is a very simple and straightforward solution for communities who are experiencing sudden economic distress. That

sudden economic distress occurs due to plant closures, mergers and acquisitions that lead to dislocation, displacement and layoffs, layoffs that occur because of trade or technology.

I am pleased to announce that we have more than 160 cosponsors, bipartisan support, and am equally pleased that all the members of the Connecticut delegation have sponsored this legislation, along with my good friend the gentleman from Maine (Mr. BALDACCIO), who we will hear from shortly as well, and I especially want to thank the gentleman from Pennsylvania (Mr. WELDON) and the gentleman from Ohio (Mr. KASICH) for their advice in pursuing this legislation.

I know firsthand why we seek this kind of remedy. We are experiencing some 1,700 layoffs within my district. What we know firsthand is that there is often a lack of coordination. It is this kind of coordinated effort that this piece of legislation seeks to remedy.

In short, when there is a natural disaster, FEMA comes in and provides an opportunity to make sure that it integrates with all the Federal agencies the kind of emergency response that is needed when communities are experiencing a natural disaster. It is true when there have been base closures in the past that the Department of Defense comes in and also organizes all the Federal agencies that are impacted, and in this way presenting a coordinated effort in assisting the communities through these problematic concerns.

That is not the case currently when layoffs occur, when workers are displaced. So, what this bill seeks through the Department of Commerce is to create in the Economic Development Administration a coordinating entity that will work with our various agencies, that will work with the Department of Agriculture, Small Business Administration, the Treasury, Labor, HUD, and, of course, the Department of Commerce itself.

The purpose here is to appoint a team leader. Again, when communities are experiencing these kinds of layoffs, currently the communities involved have to reach out to the various Federal agencies. What this will do when a community experiences the economic distress that I have talked about is it will provide the Department of Commerce with the opportunities to come in and coordinate this assistance, so it will be both cost savings, efficient and effective and assist our communities and assist those who are being displaced, those who have been laid off, with getting the kind of immediate coordinated assistance that they expect from the Federal Government.

I want to thank as well the administration, especially the Department of Commerce, for working with us on this approach. We hope to pilot this approach by getting them up to Connecticut and having them work through some of these particularly

thorny areas so that we can coordinate in a whole-hearted effort to make sure that workers are receiving the kind of relief that they have.

Mr. Speaker we are seeking original cosponsors on this bill that we are going to drop tomorrow evening. As I have indicated, we have more than 160 cosponsors to what is a very pragmatic, straightforward solution in addressing communities that experience economic distress.

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PERSONAL EXPLANATION

Ms. JACKSON-LEE of Texas. Mr. Speaker, on June 15, 2000, I was away from the House on official business and missed rollcall vote number 288, the Nethercutt amendment to H.R. 4578. I would have voted no.

On rollcall vote 289, the Weldon amendment to H.R. 4578, I would have voted no.

On rollcall 290, the motion to recommit with instructions regarding H.R. 4578, I would have voted aye.

On final passage, rollcall vote number 291 on H.R. 4578, the Department of Interior Appropriations for FY 2001, I would have voted no.

□

□ 2130

U.S. MEMBERSHIP IN THE WORLD TRADE ORGANIZATION

The SPEAKER pro tempore (Mr. OSE). Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

Mr. PAUL. Mr. Speaker, I rise tonight to talk about a bill that is coming to the floor either tomorrow or the next day. It is H.J. Res. 90. This resolution, if it were to pass, would get us out of the World Trade Organization.

There are many of us here in the House and many Americans who believe very sincerely that it is not in our best interests to belong to the World Trade Organization, who believe very sincerely that international managed trade, as carried on through the World Trade Organization, does not conform with our Constitution and does not serve our interests.

It said by those who disagree with this so often in the media that those of us who disagree with the World Trade Organization that we are paranoid, we worry too much, and that there is no loss of sovereignty in this procedure. But quite frankly, there is strong evidence to present to show that not only do we lose sovereignty as we deliver this power to the World Trade Organization, that it indeed is not a legal agreement. It does not conform with our Constitution; and, therefore, we as Members of Congress should exert this privilege that we have every 5 years to think about the World Trade Organization, whether it is in our best interests and whether it is technically a good agreement.

The World Trade Organization came into existence, and we joined it, in a

lame duck session in 1994. It was hurried up in 1994 because of the concern that the new Members of Congress, who would have much more reflected the sentiments of the people, would oppose our membership in the WTO. So it went through in 1994; but in that bill, there was an agreement that a privileged resolution could come up to offer us this opportunity.

Mr. Speaker, let me just point out the importance of whether or not this actually attacks our sovereignty. The CRS has done a study on the WTO, and they make a statement in this regard. This comes from a report from the Congressional Research Service on 8-25-99. It is very explicit. It says, as a member of the WTO, the United States does commit to act in accordance with the rules of the multilateral body. It is legally obligated to ensure national laws do not conflict with WTO rules. That is about as clear as one can get.

Now, more recently, on June 5, the WTO director, General Michael Moore, made this statement and makes it very clear: the dispute settlement mechanism is unique in the international architecture. WTO member governments bind themselves to the outcome from panels and, if necessary, the appellate body. That is why the WTO has attracted so much attention from all sorts of groups who wish to use this mechanism to advance their interests.

Interestingly enough, in the past, if we dealt with trade matters, they came to the U.S. Congress to change the law; they came to elected representatives to deal with this, and that is the way it should be under the Constitution. Today, though, the effort has to be directed through our world trade representative, our international trade representative, who then goes to bat for our business people at the WTO. So is it any surprise that, for instance, the company of Chiquita Banana, who has these trade wars going on in the trade fights, wants somebody in the administration to fight their battle, and just by coincidence, they have donated \$1.5 million in their effort to get influence?

So I think that the American people deserve a little bit more than this.

The membership in the WTO actually is illegal, illegal any way we look at it. If we are delivering to the WTO the authority to regulate trade, we are violating the Constitution, because it is very clear that only Congress can do this. We cannot give that authority away. We cannot give it to the President, and we cannot give it to an international body that is going to manage trade in the WTO. This is not legal, it is not constitutional, and it is not in our best interests. It stirs up the interest to do things politically, and unelected bureaucrats make the decision, not elected officials. It was never intended to be that way, and yet we did this 5 years ago. We have become accustomed to it, and I think it is very important, it is not paranoia that makes some of us bring this up on the floor.

Mr. Speaker, we will be discussing this either tomorrow or the next day. We will make a decision, and it is not up to the World Trade Organization to decide what labor laws we have or what kind of environmental laws we have, or what tax laws.

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COMMUNITY ECONOMIC ADJUSTMENT ACT OF 2000

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maine (Mr. BALDACCI) is recognized for 5 minutes.

Mr. BALDACCI. Mr. Speaker, first I would like to commend the gentleman from Connecticut (Mr. LARSON) for working on and developing this legislation and to be able to work with him in recognizing that the economic tide of prosperity has not reached all Americans in every place in America. I would also like to commend him on the ability of working in a bipartisan fashion with the gentleman from Pennsylvania (Mr. WELDON) and the gentleman from Ohio (Mr. KASICH) and other Members, because we recognize that we have to work together across the aisle in order to accomplish things, and anything that is worthwhile to the people that we represent.

New market initiatives that the President has proposed, working with the Speaker, recognize that everyone in every place has not been touched by economic prosperity. So while we are trying to develop markets overseas and go more towards more and more global trade and world trade, we must look in the rearview mirror and make sure that all Americans in all of America have an opportunity to live and achieve the American dream.

Mr. Speaker, this legislation, the Community Economic Adjustment Act of 2000, which I am an original cosponsor of together with my colleague, would create a single agency at the Federal level to be able to respond with the same force that FEMA does for natural disasters, that the defense relocation acts as in terms of base closures, would be able to react in terms of economic distress. There are parts of Maine that have over 9 percent unemployment. There have been plant closings which I have been a part of trying to make sure that people have training, education and one-stop centers. When we are looking into the faces and the eyes of people who have nowhere else to turn but an extended unemployment check and relocation costs, we know that we have more to do here in the United States Congress, in the capital of this United States.

That is why this legislation, along with other proposals that the President and the Speaker are pushing, working in concert together, are going to try to make sure that that tide is in all areas of the country and has an opportunity to hit all people throughout this country to give them the same opportunities, to give corporations the same opportunities to invest here; to give the

same resources available to people here that we provide overseas, so that they have an opportunity to be able to achieve and strengthen their skills and educational opportunities; and this legislation does it.

The gentleman from Connecticut (Mr. LARSON) and myself and other Members are seeking cosponsors so that we can develop more sponsors and cosponsors on a bipartisan basis. At this point we are talking about over 160 cosponsors so far, to develop bipartisan widespread support in the United States Congress to recognize that we need to have a comprehensive trade policy; that we need to have a comprehensive review of global policies at the same time that we are advancing those policies; that we are trying to make sure that each part of Maine and America have an opportunity, whether it is empowerment zones, enterprise communities, new markets initiatives, or the coordination of these agencies, so that we can begin to do some collaboration here, so that we can have agencies working together and not at cross-purposes.

In this Congress, we have worked very hard to restructure the job training programs so that we did not have 66 job training programs costing over \$30 billion. The fact of the matter is, we left out some of the NAFTA job training programs, some of the trade adjustment assistance programs. We did this to make sure that there is coordination and a single source so that when the people are walking into these sources of training and education, that they have this opportunity.

Mr. Speaker, I yield to the gentleman from Connecticut, if I have time, if he would like to comment on this legislation; but I would like to commend him at this time and seek to continue to work with him.

Mr. LARSON. Mr. Speaker, I thank the gentleman from Maine for yielding. I would only add to his eloquently stated verse with regard to the impact that this legislation will have on workers all across this great Nation of ours and in my home State of Connecticut. The fact of the matter is, as the gentleman has pointed out, that as we experience globalization, we know that the blessings of commerce are not evenly spread across this Nation. So that is why it is critically important that the Federal Government coordinate a response in a timely fashion that this legislation will provide.

Again, I thank the gentleman from Maine for his hard work on this bill; and as he indicated, we seek cosponsors as well.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. HUNTER) is recognized for 5 minutes.

(Mr. HUNTER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

REVISIONS TO ALLOCATION FOR HOUSE COMMITTEE ON APPRO- PRIATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. KASICH) is recognized for 5 minutes.

Mr. KASICH. Mr. Speaker, pursuant to Sec. 314 of the Congressional Budget Act, I hereby submit for printing in the CONGRESSIONAL RECORD revisions to the allocations for the House Committee on Appropriations printed in House Report 106-660. In total, these revisions reduce the Committee's allocations by \$201,000,000 in budget authority and \$227,000,000 in outlays.

Floor action on H.R. 4577, the bill making fiscal year 2001 appropriations for the Departments of Labor, Health and Human Services, Education and Related Agencies, removed the emergency designation from \$501,000,000 in budget authority contained in the House-reported bill. Outlays flowing from that budget authority totaled \$240,000,000. The allocations to the House Committee on Appropriations and budgetary aggregates were increased to reflect the emergency funding in the House-reported bill in a letter dated 6 June 2000. The allocations to the Appropriations Committee and the budgetary aggregates are reduced by \$501,000,000 in budget authority and \$240,000,000 in outlays to reflect floor action. This sets the allocations to the House Committee on Appropriations at \$601,180,000,000 in budget authority and \$625,735,000,000 in outlays. Budgetary aggregates become \$1,529,385,000,000 in budget authority and \$1,494,956,000,000 in outlays.

As reported to the House, H.R. 4635, the bill making fiscal year 2001 appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies, includes \$300,000,000 in budget authority and \$13,000,000 in outlays for emergencies. The allocations for the House Committee on Appropriations are further adjusted to reflect those amounts, establishing allocations of \$601,480,000,000 in budget authority and \$625,748,000,000 in outlays. Budgetary aggregates become \$1,529,685,000,000 in budget authority and \$1,494,969,000,000 in outlays.

These adjustments shall apply while the legislation is under consideration and shall take effect upon final enactment of the legislation. Questions may be directed to Dan Kowalski or Jim Bates at 67270.

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LOOKING AT WAYS TO CONTROL THE RISING PRICE OF GAS IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. FOSSELLA) is recognized for 5 minutes.

Mr. FOSSELLA. Mr. Speaker, on June 21, the nations of OPEC will meet once again to determine the fate of practically every family across the country, and that is whether to increase oil production in those nations.

Now, it is no secret, Mr. Speaker, to every family and business across this Nation that gas prices are through the roof. Lately, we have been hearing a lot of excuses as to why that is occurring. But let us not lose sight of why it

is occurring. It is fundamentally a law of supply and demand. As we keep down production, and the demand for that product, in this case oil, continues to grow, prices will rise. So not only must we call upon our OPEC nations to increase production, to lessen the price at the pump, but we also I think have to look inside our unnecessary rules and regulations that cause those gas prices to jump as well.

For months now, more than a year, Members of Congress, both Democrats and Republicans, have tried to plead with the administration to find ways to stimulate domestic production to decrease our reliance on OPEC nations. If they want to keep those production levels at what they are now, fine. That is their right. I do not agree with it, but that is their right. But why can we not, the United States of America, find ways to decrease our reliance upon OPEC nations and look right here in our 50 States to develop ways to lessen the burden to that family at the pump?

Do the math. It is very simple. If you have a 15-gallon tank in your car, and you go to the pump, say, once a week, you are paying \$10 to \$15 more just to fill up your family car, to take your kids to the Little League game or to school. Over a month, you are looking at another \$40 or \$50 out of your family wallet. Over 6 months, you are in the \$200 to \$300 range. If you do a lot of driving, you have to fill up twice a week, we are talking about \$500 or \$600 for a 6-month period that has got to come from somewhere. It does not fall from the sky; it comes from the family wallet. That means no vacation perhaps; that means maybe we are not going to buy the clothes for the kids for school; maybe we are going to put off buying that microwave oven that we wanted.

What do we hear from the administration? Let us see if there is price gouging. Fine, go, see if there is price gouging, but also be honest with the American people and tell them that there are a lot of unnecessary rules and regulations and a commitment to keep production in this country down.

□ 2145

Only when we are totally honest with the American people can we find ways to truly decrease the price at the pump.

If anybody thinks this is not affecting our everyday American out there, I think they are losing a lot of disks out in Los Alamos that they are so busy they cannot understand what is happening. Small businesses are forced to raise their fees, taxi drivers are forced to find alternative sources of income or go out of a job, small business owners who have to pay this additional freight, the additional gas costs.

This is not right, and for so many folks who claim to feel the pain of others, we are turning our cheek, turning our head away from the folks who cannot afford the costs the most.

Mr. Speaker, let me say that I think in more than the year of promises that

were made and not fulfilled, the American people deserve more of a response that allows the United States companies to increase production, to decrease these onerous rules and regulations that do nothing but increase the price at the pump, and give the American family a break.

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THE DEMOCRATIC PLAN FOR A MEDICARE PRESCRIPTION DRUG POLICY

The SPEAKER pro tempore (Mr. OSE). Under the Speaker's announced policy of January 6, 1999, the gentleman from Pennsylvania (Mr. PALLONE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Tonight, Mr. Speaker, once again I would like to talk about the need for a Medicare prescription drug policy, and talk a little bit about the Democratic plan, the President's plan, in contrast with what I consider the lack of plan that the Republican leadership appears to have come up with and apparently is attempting to move through the House over the next week or two.

My colleague, the gentleman from Maine (Mr. ALLEN), has been a leader on this issue and introduced legislation more than a year ago to deal most specifically with the issue of price discrimination.

As he has said many times and I will reiterate, there are really two aspects to this Medicare prescription drug proposal. One is to provide the benefit, and the other is to make sure that the price discrimination that we have witnessed so often in the last few years does not continue.

I would like to commend the gentleman for all that he has done to address this issue of price discrimination with his legislation, and also with his effort to get so many cosponsors to that bill.

Mr. Speaker, I yield to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. I thank the gentleman for yielding, Mr. Speaker.

Here we are again, back in the well of the House, talking about a problem that is a matter of immediate concern to seniors and others all across the country.

A little history. I want to talk in a few minutes about the debates that are going to come up this week and next week here in the Congress over the issue of prescription drugs, but a little history is worth recalling.

It was almost 2 years ago when I released the first study done by the Democratic staff of the Committee on Government Reform which shows that, on average, seniors pay twice as much for their prescription medications as the drug companies' best customers, being big hospitals, HMOs, and the Federal government itself buying either for Medicaid or through the Veterans Administration.

That is an astonishing difference, a difference of about 100 percent of the

most commonly-prescribed prescription drugs.

We released that first study on July 2, 1998. In September I introduced legislation, September of 1998, that would provide a discount to every senior who is on Medicare, to all Medicare beneficiaries. The bill would work very simply. It simply would provide that pharmacists would be able to buy drugs for Medicare beneficiaries at the best price given to the Federal government. It is called the Prescription Drug Fairness for Seniors Act, H.R. 664, in this Congress.

Then, in October of 1998, we did the first of the international comparisons. That was a study to show that Mainers pay on average 72 percent more than Canadians and 102 percent more than Mexicans for the same drug in the same quantity from the same manufacturer. Those two studies have been replicated in the first place in over 115 districts around the country, and in the second case, by dozens.

I want to thank the gentleman from New Jersey (Mr. PALLONE), who has done so much to help drive this issue, being here night after night after night and organizing the Health Care Task Force as the gentleman does.

It is very clear what Democrats are advocating for. On the one hand, we are saying we need a discount. It is very simple, it does not cost the Federal government any significant amount of money, it does not create any new bureaucracy, but it would yield about a 40 percent discount for seniors who are already on Medicare paying out-of-pocket for their own prescription drugs.

Let us remember that over half of all seniors have either no coverage at all, 37 percent, or very inadequate coverage from HMOs or through MediGap itself, so we are dealing with over half of the senior population which does not have adequate coverage for prescription drugs.

Now, 2 years after we began this effort, the Republicans are finally coming up this week and next with a plan. It is interesting what that plan is, because we have been advocating for the kind of discount I described, and also a benefit to make Medicare updated, to make it more like what the plans of Aetna, Signa, United, the Blue Cross companies provide employees, a health care plan with prescription drug coverage.

That is what we want for Medicare. Those plans negotiate lower prices for their beneficiaries. Medicare beneficiaries should get lower prices. But also, a discount is not enough. We have to have the benefit under Medicare.

It all seems very simple, but in Washington not much is very simple. What we notice are two things happening this week. On the one hand, the Republicans are coming up with a prescription drug plan that relies on HMOs and private insurance companies. On this foundation is built a plan that, the

truth is, will not help America's seniors, because instead of updating Medicare, instead of strengthening Medicare, instead of providing a Federal prescription drug benefit, what the Republican plan does is turn to HMOs. It says that they have been so successful in providing benefits for Medicare beneficiaries that we should let them provide prescription drug coverage, as well.

Then it says that the plan provides that there should be room for private insurance companies to offer prescription drug coverage, stand-alone prescription drug coverage. So one of the things we notice is this is the plan that the Republicans are rolling out in the House this week.

What we also notice is that, not by coincidence, the pharmaceutical industry is running ads suggesting that what this country's seniors really need is private insurance. What we can see is the Republicans in Congress are working hand in glove with the pharmaceutical industry, hand in glove with the HMOs and the private insurance industry.

Here is the most interesting ad. This ad has appeared as a full-page ad in the Washington Post. This is either from Roll Call or the Hill magazines here. It is in Congress Daily. Everywhere we go in Washington we see this particular ad. I have never seen it in anything less than a full page in whatever publication it has been in.

It is an interesting ad. It says, "Read label before legislating. Private drug insurance lowers prices 30 percent to 39 percent. Shouldn't seniors have it?" Now, I think seniors should get that kind of discount. That is exactly the kind of discount that is reflected in the Prescription Drug Fairness for Seniors Act. But my bill would provide that Medicare would negotiate lower prices for all 39 million Medicare beneficiaries. Under that kind of plan, Medicare would have real leverage to drive down prices.

What is interesting about this particular plan, this particular advertisement, is that a portion of it reads as follows: "12 million senior Americans now have no prescription drug insurance coverage. As a result, most of them pay full price for their medicines. That is because they don't have the market clout that comes with a drug insurance benefit."

Now, it is interesting, until last week the pharmaceutical industry was attacking my proposal and others on the grounds that if it provided a 20, 30, 40 percent discount to seniors, that they would have to cut back on research and development costs.

Here is an advertisement sponsored by PHARMA, the pharmaceutical industry, basically calling for a 30 to 39 percent discount.

The question that might arise is, why do they not simply give seniors a 30 to 39 percent discount now? They set the prices, they can lower them tomorrow. But they do not. This is an industry ad

saying, protect us from ourselves. We are charging seniors far more than we charge insurance companies, big hospitals, and HMOs, and the way to do that is to give private insurance to seniors.

Now, to some extent we might say, well, does that not make sense? But the truth is, there is a glitch. There is a problem. The insurance industry says, we are not going to provide private insurance for prescription drugs. They have said it over and over and over again. Yet, the Republicans in this House are bringing forth a plan that depends on HMOs and private insurance companies.

How does this work? What does it mean? Well, the private insurance, Chick Kahn, head of the Insurance Association of America, has said, we are not going to provide private insurance for prescription drugs because it is like ensuring against haircuts. There are so many claimants, in other words. They say to people up in Maine, if Maine were a low-lying State and 85 percent of the people every year put in a claim for flood insurance, we would not be able to buy flood insurance in Maine at any price. But 85 percent of seniors in this country take some form of prescription drugs.

So despite the fact that the insurance industry is saying, we will not provide prescription drug insurance for seniors, the Republicans in this House are bringing up a plan that depends on private insurance for seniors. It will not work.

Why are they doing this? What is the purpose of the plan? The only conclusion we can come to is that the Republican plan is not a plan to help seniors afford their prescription drugs. What it is is a prescription for Republican Congressmen. It is a prescription to help them in November by having the appearance of a prescription drug plan for seniors but not the reality of a prescription drug plan for seniors. It is an illusion.

That is why it does not matter to the Republican leadership in this House whether the plan works or not, whether the insurance industry will actually provide insurance or not, or whether the plan will ever become law or not. It is designed as political cover. It is designed as a prescription drug theme for the fall elections, but not a prescription drug plan for seniors.

It is America's seniors who need the help. It is America's seniors who write to me, and I am sure to the gentleman from New Jersey, and send us a list of the cost of their prescription drugs. Then they show us what they are earning.

I have had people in my district say, "Here is the list." I can remember a couple of women who wrote to me with basically the same kinds of numbers. They both said, "My husband and I take about \$650 of prescription drugs a month, but our two social security checks only come to \$1,350. We cannot make do," so they do not take the

medicines that their doctors tell them they have to take.

I have other women who have written to me and said, I do not want my husband to know, but I am not taking my prescription medication because he is sicker than I am, and we cannot both afford to take our medication. That is wrong in this country. It is absolutely wrong. We have the power in this Congress this year to do something about it.

As the gentleman knows, our task forces on the Democratic side have been working away developing plans that are not good politics, just good policy, policy that will help America's seniors, a benefit under Medicare that will help so people can get payment for their prescription drugs; so they are not driven to the hospital because they cannot afford to take their medications; so they can pay their rent and their food and their electric bills and still get medications that they need.

That is what we are trying to do on this side of the aisle, but on the other side of the aisle what we have is private insurance. An astonishing ad, this one is. It says, in effect, protect us against ourselves. We are charging seniors too much and we know it, and if only the private insurers would come in and cover America's seniors, then we would reduce our prices to seniors.

But they know that this will never happen. Here is the pharmaceutical industry with its own misrepresentation yet again to the people of the country. They are advocating a plan that will never happen because in fact the insurance industry will never provide stand-alone prescription drug coverage to seniors.

This ad is a fraud, and the Republican plan is a fraud. It will not work. It will not happen. It is a prescription for Republican legislators in the fall.

I think what we need in this country is a recognition that this issue will not go away. This problem that seniors face today will not go away until it is fixed.

□ 2200

Every year, prescription drug spending goes up 15 to 18 percent year after year after year. So if we think we have got a big problem this year, a year from now, it will be 15 to 18 percent larger than it is right now. That is what we face in this country.

I just want to thank the gentleman from New Jersey (Mr. PALLONE) because this is a battle. We have a raid against the pharmaceutical industry and the HMOs. What we need to do, there is no reason, there is absolutely no reason to say that the only way we can give seniors prescription drug coverage is to pay private insurers to pay HMOs to provide that coverage when the insurers say they will not do it anyway.

I mean, it makes no sense. We need a stronger and better and more comprehensive Medicare. We need a plan that will provide continuity and predictability and stability and equity. That is what we need.

All the talk about choice and all the talk about private insurance is really a smoke screen. It is not about policy that will work for America's seniors. That is what we need to be doing. Seniors need help. They need it now. We can give it to them if we handle this issue right in the coming weeks.

I thank the gentleman from New Jersey very much for yielding to me.

Mr. PALLONE. Mr. Speaker, I want to thank the gentleman from Maine (Mr. ALLEN) for putting really so succinctly the difference, if you will, between what the Democrats are proposing and trying to accomplish here versus this Republican essentially sham proposal.

It reminds me so much of the debate over HMO reform, the Patients' Bill of Rights. Because as my colleagues know, I guess it was about a year ago, maybe 6 months ago, the American people were crying out, we all would go to town meetings and hear from all our constituents about the need for HMO reform.

The Democrats came up with the Patients' Bill of Rights, which is a very good bill to address the concerns and abuses within the HMO system. We heard the Republicans kept stalling and saying they did not want to deal with it, they did not want to deal with it. Nothing was happening in committee.

Finally, the pressure got so great that they decided to push a bill which essentially accomplished nothing. But beyond the fact that the legislation that was being pushed, particularly on the Senate side, was so weak and so lacking in any kind of basic protections for those who were being abused by the HMOs was the fact that it was very obvious that it was not being done because they really wanted to pass the bill, it was being done so they could say they were doing something.

Lo and behold, 6 months have passed, we have had conferences between the House and Senate, nothing has happened, and we are getting very close to the election without an HMO reform bill.

I think the same thing is happening here. The gentleman from Maine is absolutely right. We keep coming to the floor talking about the need for a Medicare prescription drug program. The pressure builds because it is a real concern out there. All of a sudden, now we get a statement from the Republican leadership saying that they are going to do something which is a sham. They may have it in committee this week, they may bring it to the floor next week so they can pass something by the July 4th recess.

What does that mean? The Senate will not act. If the Senate acts, there will be a conference. The conference will not go. It will never get to the President. The politics of this is really disgraceful because this issue, just like the HMO reform issue, is something that needs to be addressed, and it is not going to be.

The gentleman talked about the Republicans using this insurance plan. It reminds me so much, I read a little bit about what happened in the 1960s when Medicare was first started. We were getting the same arguments then. There were all these people, all these senior citizens that had no health insurance.

It was the majority of seniors that had no health insurance. The Republicans then in both the House and the Senate in the 1960s were arguing that we should set up some kind of private insurance program for the seniors. The Democrats rejected that. The Democrats passed the current Medicare program. The President, then Johnson, signed it. We have had a very good program. Why not build on the existing program?

What the President has proposed and what the Democrats in the House and the Senate have proposed is basically adding another part to the existing Medicare program. We have part A for hospitalization. We have part B for one's doctor bills, which is voluntary. One pays so much of a premium per month.

What the Democrats are proposing is that we set up another part C or D, whatever we want to call it, where one pays so much a month and one gets a prescription drug program. Everybody who is in Medicare is eligible for it. It is universal. It is affordable. It is voluntary. It is a defined benefit program so one knows that one will get all medically necessary drugs.

It has the effort to address the price discrimination that the gentleman from Maine mentioned with the benefit provider so that, basically, we have these benefit providers that negotiate a better price for the seniors than many of them would get now in the open market.

Why not build on the existing Medicare program and do just that? Why go back to this private insurance model which, as the gentleman from Maine said, does not work.

I just wanted to mention one more thing, and I want to yield back to the gentleman from Maine because he has been doing such a good job. Chip Kahn, who is head of the Health Insurance Association of America, made that statement before the Committee on Ways and Means last week where he said, This insurance-only program will not work. The insurance companies will not sell it. It is a sham. He also came before our Committee on Commerce and said the same thing.

One thing that he said that concerns me a little, he said, I was pleased to see that the Republicans at least have said that, if their private insurance program does not work and they cannot get it sold, then they will fall back on some sort of government assistance for the people who cannot buy private health insurance. Of course I said, well, it is not really clear what they are going to do. What is this fall back? Is it Medicare? They have not said.

I said to Chip Kahn, I said, Well, Chip, does it make sense to have a private insurance program with a fall back when we already have an existing Medicare program that does work that we can just add a prescription drug benefit to it? He said, Well, I am not really in a position to comment. Health insurance people do not let me say yes or no whether that makes sense. Certainly I agree there is nothing wrong with having a Medicare program.

They already realize that this will not work. That is why the gentleman from California (Mr. THOMAS) is now starting to talk about some sort of fall back. What does one need the fall back for? Do the Medicare program the way it has been working for 30 years.

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

Mr. PALLONE. I yield to the gentleman from Maine.

Mr. ALLEN. Mr. Speaker, the gentleman from New Jersey is exactly right. It is interesting. The Republican plan, because of its reliance on the private sector to deal with the problem of Medicare beneficiaries, is incredibly complex. I mean, basically they create a whole new bureaucracy to deal with this, and then they expect a variety of different private insurance companies and HMOs to pick up and deal with this particular problem.

Well, let us look at what is going on in Medicare right now, in Medicare, managed care. Remember, we passed Medicare Plus Choice plan in 1997. The thought was, well, the HMOs will come into Medicare, and they will save us money because the private sector is always more efficient than the public sector. But in truth, the Medicare system, when one is in Medicare, there is no money being paid for profit. The overhead expenses and administrative expenses are far lower than in any private sector health care company.

Look at what is happening with Medicare managed care right now. What we see is, every year, the benefits change. The prescription drug benefits, which in some cases were free, free prescription drugs essentially for no additional premium when Medicare managed care was created. Now the caps keep coming down every year. Now 62 or 70 percent of all plans have an annual prescription drug cap of \$1,000 or less. The premiums go up. The copays go up. The benefits go down.

But most striking, it is not available in most places. In seven out of ten counties in this country, Medicare managed care is not even available. It really only works, to the extent it works at all, in larger urban areas. Rural America gets left out. Frankly, maybe that is a good thing right now.

But it is only very limited in my home State of Maine. I mean, no more than 1,500 people in the State of Maine have Medicare managed care plan. Managed care is not working very well with this particular population. We know that because, every July 1, the

health care plans report to HCFA, and, again, last year, they dropped 400,000 people because it simply was not cost effective. They could not make a profit on those 400,000 Medicare beneficiaries. So they just dropped them from the plan.

July 1 is coming up again. My colleagues are going to see plans all across this country, managed care plans, simply dropping their Medicare beneficiaries because they are not making money on this.

So what do the Republicans do? They say we have got a prescription drug plan, and it relies on HMOs and private insurance companies. With all of the complexity, with all of the inequity, they are saying what we really need is more of a system that is not working.

That is why I keep coming back to the thing that this is bad policy. It is terrible policy. At a recent caucus, a Republican pollster made a presentation, and that material got out and has been published and so on. Now it is very clear that the Republican pollster said for Republicans it is more important that people think, that people believe you have a plan than the content of the plan. So the appearance of the plan is more important than the content of the plan. That is bad.

Basically, if we get the policy right, we will be doing the right thing. That is why, if we are going to make changes to Medicare, if we are going to deal with the Medicare population, if we are going to deal with the biggest problems that Medicare beneficiaries have today, which is the inability to pay for their prescription drugs, then we need to do it through Medicare. Medicare is reliable. It is universal. It is equitable. It is simple. It is cost effective.

I find the cost of providing a benefit would be significant. But there is not anybody in this Chamber who says it is too expensive who does not support a tax cut that is much larger than the annual cost of providing a prescription drug benefit under Medicare.

We can do this. We can do this this year. But we cannot do it with sham proposals, with private insurance companies who say we are not going to provide the insurance.

Let us get to a real proposal. Let us get the Democratic benefit and the Democratic discount on the floor for a debate. Then I think we can do the right thing for America's seniors.

Mr. PALLONE. Mr. Speaker, I agree with the gentleman from Maine (Mr. ALLEN). I guess I just worry that the public does get confused because the Republican leadership proposal is designed to confuse them. I mean, one of the things that I know of, they try to give the impression somehow that if one does not go along with their proposal, and one has an HMO, and one would like the HMO or one has an existing pension plan that provides for prescription drugs, that somehow that is going to change.

One of the things that I have made clear is that the Democratic proposal

is a Medicare benefit, but it is voluntary. We have actually built into the President's proposal, the Democratic proposal, the idea that about 50 percent of the costs for an HMO or 50 percent of the costs if somebody has a drug benefit now through their pension or whatever would be paid for.

We would not discourage people from leaving their HMO if they like it and they have a drug benefit or leaving their other private plan that they might have through an employer that they like, because we are going to build in that about 50 percent of the cost of that drug plan in both of these cases would be paid for by the government through this Medicare program.

But what we are saying is that for those people who do not feel that they have a good program either because they have nothing or because they do not have a good program that they will be guaranteed a benefit if they do opt to pay for their premium per month just like they do with part B.

It just seems to me it makes a lot more sense to say on the one hand everybody is covered who wants it. If one does not want it, one does not have to opt for it. Everybody has got a specific benefit that they know is guaranteed. Then if one wants to opt out, one can. But not to build, as the gentleman, says, this bureaucracy which is very similar to the existing HMOs.

Mr. Speaker, I want to thank the gentleman from Maine (Mr. ALLEN) for joining me this evening. We are going to continue the battle on this.

Mr. Speaker, I wanted to go into a little detail about what the Democratic proposal is, which is essentially the President's plan. In describing what the Democrat proposal is, I am relying on the testimony that was made before the Committee on Commerce, of which I am a member, last week by Nancy-Ann DeParle, who is the administrator of the Health Care Financing Administration, which administers Medicare and would also continue to administer the prescription drug proposal under the President's plan which, as I said, is essentially the Democrats' plan.

I want to outline this because I do not want to just talk about why the Republican proposal is bad, I want to explain what the Democratic proposal is and why it is a good plan.

Basically, under the President's plan, it is voluntary. It is affordable. It is competitive. It has a quality drug benefit that would be available to all beneficiaries. The President's plan dedicates over half of the on-budget surplus to Medicare and also extends the life of the Medicare trust fund to at least 2030.

So what we are doing is we are using the budget surplus that has been generated with the good economy to pay for this Medicare prescription drug program.

Most important, the coverage is available to all beneficiaries under the President's plan.

□ 2215

And I say that because I believe that the Medicare program has worked, and it makes sense to put this prescription drug plan under the rubric of the existing Medicare program. The advantage of doing that is that everyone, regardless of income or health status, gets the same basic package of benefits. All workers pay taxes to support the Medicare program; and, therefore, all beneficiaries should have access to this new drug benefit, just like they have for everything else in the Medicare program.

Now, a universal benefit helps ensure that enrollment is not dominated by those with high drug costs, the so-called problem adverse selection, which would make the benefit unaffordable and unsustainable. One of the criticisms of the leadership plan is that what may happen is that only people with high drug costs would opt into it. What we want to do is create an insurance pool, just like with Medicare in general, that everybody is involved with. Because it is only when we have a large insurance pool with people of all categories of use for drug benefits that we can be successful.

And, again, under the President's plan it is strictly voluntary. If a beneficiary has what they think is better coverage under an HMO or some kind of pension plan or something through their employer, they do not have to opt into it. As I said, what we are really going to do is to make sure that those plans get extra money, up to 50 percent of the cost of what it cost them for a drug benefit, the existing HMO would get or the existing employer benefit plan would get, in order for the individual to continue to use that plan if they do not want to opt into the Medicare plan.

Now, for beneficiaries who choose to participate under the President's plan, the Democratic plan, Medicare will pay half of the monthly premium, with beneficiaries paying an estimated \$26 per month for the base benefit in 2003. As the program is phased in from 2003 on, it becomes more generous; and, of course, the premium goes up accordingly. The premiums would be collected just like the Medicare part B program as a deduction from Social Security checks for most beneficiaries who choose to participate.

Low-income beneficiaries would receive special assistance so that if they are below a certain income, just like now for part B, for those seniors in part B now, which pays for their doctor bills, if they are below a certain income, they get part of the premium paid for. If they are at a very low income, the complete premium is paid for. We would do the same thing with this prescription drug plan using the same criteria. The income basically that would be used for those criteria would be the same.

Under the President's plan, Medicare would pay half the cost of each prescription with no deductible. The benefit will cover up to \$2,000 of prescription drugs when coverage begins in 2003

and increase to \$5,000 by 2009, with 50 percent beneficiary coinsurance. After that, that would be adjusted for inflation. But most important, also, we have a catastrophic benefit. So that basically above a certain amount, I believe it is \$3,000 out of pocket, all the costs would be paid for by Medicare and by the Government.

The price discrimination issue that my colleague, the gentleman from Maine (Mr. ALLEN), mentioned is addressed in the President's plan through competitive regional contracts to provide the service. In other words, basically in each region of the country we would ask people to apply or compete to be the benefit provider; to be the entity that would go out and negotiate a price for the drugs and provide the medicine or prescription drug benefits for the individual. And basically that would be reviewed by HCFA on some kind of yearly or biannual basis. If it was not working out so that prices remained too high, then they could drop those benefit providers that were not performing.

I think that is important. Because, again, if we do not have some way to address the price discrimination issue, then I do not think that this program would work. And, again, there is nothing in the Republican proposal to address the issue of price discrimination or provide this kind of fair price that has been proposed in the President's program.

I want to talk, again, about those people who are in HMOs. We are not saying that individuals in HMOs cannot continue in those HMOs and get a drug benefit. In fact, what is going to happen is that this Medicare program is going to provide money to the HMO for that drug benefit. Under the President's plan, essentially we strengthen and stabilize the Medicare+Choice HMO program.

Today, most Medicare+Choice, or HMOs, offer prescription drug coverage using the excess from payments intended to cover basic Medicare benefits. They are only getting the amount of money that the Federal Government assumes would pay for basic Medicare benefits without the drug benefit. But under the President's proposal, those HMO plans in all markets will be paid explicitly for providing a drug benefit in addition to the payments that they receive for current Medicare benefits.

So they will no longer have to rely on the rate in a given area to determine whether they can offer a benefit or how generous it can be. And that is where we get into the problem where some of the HMOs drop the drug benefit or start charging more for the drug benefit. They will not have to do that because there will not be the regional variations. They will be getting money directly from Medicare, directly from the Federal Government, to pay for half the cost of the drug benefit. And that also will be true for any kind of employer plan that someone might have that they receive through their

employer that they want to keep as well.

I think that the concern that I have, if I contrast the Democratic plan, which I think is really a Medicare benefit that is available to all, that ends price discrimination, that has a defined benefit, if I contrast that with the Republican plan, the basic problem with the Republican plan is that it is imaginary. It is not going to work. It is just political cover. It is empty promises. My colleague talked about that before. And it is not an entitlement to anything.

The one thing that really disturbs me is if we set up a system, as the Republican leadership has proposed, where this is basically a private insurance plan, we get away from the basic universality of Medicare that we have had for a long time. If we start breaking up Medicare and suggesting that one part of it, in this case the prescription drug plan, can be outside of the Medicare drug program, I think it undermines the whole Medicare program and the whole ideology of the Medicare program.

I have been concerned because I think that is the goal of some of my Republican colleagues. They do not really like Medicare. They do not like the fact that Medicare was set up as a government program. They would rather have all of Medicare, perhaps, to be some kind of a private insurance program, and the prescription drug benefit becomes sort of the first way to accomplish that.

The other problem with the Republican plan is that since it does not have a defined benefit, we are never going to know exactly what kind of benefit one gets. In other words, we say in the Democratic plan that if the medicine, the prescription drug, is medically necessary, if the doctor feels, and he is going to write a prescription that this drug is medically necessary, then the individual gets it. That is the definition of the benefit. But we do not have that under the Republican plan. We do not necessarily know what kind of drugs are going to be covered. And it is going to depend upon the whims of the private insurance market whether or not they can offer certain drugs or cover certain things at a given time.

Seniors need to have a certain amount of certainty. I think one of the biggest problems that exists now when HMOs change their drug benefit plans or they simply drop seniors altogether is that I get a call saying what happened, I thought I had a certain HMO, I thought I had a certain drug benefit plan and all of a sudden I do not. We need certainty, and that is essentially what the Democrats are proposing.

There was a very interesting article, I thought a really enlightening article, in *The New York Times*, Mr. Speaker, just yesterday, Sunday. It was on the front page. It was by Robert Pear, and it was entitled "Party Differences on Drug Benefits Continue to Grow." And it talked about this whole Medicare de-

bate in terms of what the Republican leadership proposes as opposed to what the President and the Democrats are proposing.

I do not like to read, but I just thought that there were certain parts of this article that really sort of explained the differences between what the Democrats proposed and what the Republicans proposed, and why I feel that the Democratic plan really is a good plan that will work whereas the Republican plan simply will not work and it is just something they are putting forward. I would just like to read certain sections of this article, if I could, because it does draw such contrasts between the Democrats and the Republicans on the issue.

It says, about halfway down the front page in the article from yesterday's *New York Times*, "Democrats want more uniformity in premiums and benefits. They say the Republicans' free-market approach will confuse beneficiaries and encourage insurers to seek out healthy customers with relatively low drug costs, a practice known as cherrypicking."

This is the whole idea of breaking the insurance pool. The reason why Medicare works is because so many people, almost everyone, most seniors, are involved with it. So it creates this huge insurance pool that does not depend on whether a person is sick or how much health care or hospitalization is needed. Well, we break that system by allowing insurance companies, through private insurance, to cherrypick those who use the least amount of drugs; and all of a sudden, we do not have a workable plan.

Well, the article says that, "The Republican proposal assumes that insurers can be induced to offer drug coverage subsidized by the government just as health maintenance organizations have been induced to sign contracts with the government to care for 6.2 million Medicare beneficiaries. But when asked if insurers would be interested in offering drug coverage under Mr. Thomas'," the Republicans', "bill, Charles Kahn," this is Chip Kahn, "President of the Health Insurance Association of America, said: No, I don't think so. They would not sell insurance exclusively for drug costs. The government may find some private entities to administer drug benefits, but the government would have to accept all or nearly all of the financial risk."

Well, this again goes back to what my colleague from Maine was saying before. Who is going to offer a benefit or an insurance policy that has a benefit that almost all seniors need? The whole basic idea of insurance is risk. And if we have a situation where they have to insure and probably pay out money to almost every senior, they are not going to sell the policy.

"President Clinton," again from the *New York Times*, "would offer the same drug benefits to all 39 million people on Medicare. House Republicans, by contrast, would describe a

model insurance policy, known as standard coverage. Insurers could offer alternative policies with different premiums and benefits."

That is the problem. Rather than having that defined benefit under the Democratic plan, we have under the Republican proposal a standard coverage that does not mean anything because the insurance companies do not have to provide the benefits that are under the standard coverage. They can vary as they see fit.

Again, in this New York Times article from yesterday, "Nancy-Ann Min DeParle, administrator of the Health Care Financing Administration, which runs Medicare, said elderly people could be refused if they had a large number of choices." And she is talking about the Republican plan. "It's difficult for seniors to navigate among plans," Ms. DeParle said. "Moreover," Ms. DeParle asked, "do seniors want and need all these choices? If you let plans design all sorts of benefit packages, that promotes choice, but it also promotes cherry-picking of the healthiest seniors. That's why we need defined benefits. Seniors want to know what's covered. It must be predictable."

The Republicans keep talking about choice, but look at the example with the HMOs and how much confusion that has caused now in Medicare, where so many of them are dropping the plans or changing their plans and the seniors call us up and complain to us. Well, I frankly feel that if we have a defined benefit plan under Medicare that is certainly preferable. If someone wants to use an HMO, they can, but at least provide a guaranteed benefit.

"Democrats fear," again in the New York Times, "that the market for drug insurance would be filled with turmoil as insurers went in and out from year to year. In the last two years, dozens of HMOs have pulled out of Medicare or curtailed their participation, disrupting insurance arrangements for more than 700,000 elderly people, and more health plans are expected to withdraw this year. Democrats say drug benefits should be fully integrated into Medicare, like coverage of hospital care and doctors' services. The bill," this is the Republican bill now, "says Medicare officials must ensure that every beneficiary has a choice of at least two plans providing prescription drug coverage. One could be an HMO; at least one must be a traditional insurer. But Democrats say even if benefits have two options, both may be high priced plans. Under the House Republican proposal, Medicare officials could offer financial incentives to get insurers to enter markets in which no drug plans were available."

Now, that is fine. In other words, just like HMOs, the Republican plan would say, and this is what the gentleman from California (Mr. THOMAS) has said, well, if we cannot find any insurance companies to provide this prescription drug coverage, then we will just give

them more money and then they will do it. Well, that is all very nice, but, again I am going back to this New York Times article, "Chris Jennings, the health policy coordinator at the White House, said the availability of these incentives would encourage insurers to hold out for more money. It would encourage insurers to hold Medicare hostage, Mr. Jennings said. The policy says that if insurers don't participate in the marketplace, we'll give them more money."

Now, do my colleagues think an insurer will decide to participate in the market at the beginning, when they get less money, or will they hold out a little longer and then they might get more?

□ 2230

"That's the most inefficient, ridiculous incentive mechanism one could imagine."

That is, essentially, what we are getting now with the HMOs. HMOs that are pulling out of the Medicare senior market are coming back to Congress and saying, okay, we will stay in the markets if you give us more money, if you give us a higher reimbursement rate. Insurance companies that theoretically are going to tap into the drug benefit programmed under the Republican plan, they will do the same thing, they will say, well, we cannot offer the plan now. Give us more money. And then they will hold out until they get more money. And even then there is no guarantee that we are going to get a good benefit plan.

I do not want to keep talking all night, Mr. Speaker, because I know that we are going to be dealing with this issue again and again. And I certainly plan to come again on other nights in special orders with my colleagues on the Democratic side to keep making the point that what we really need here is a Medicare benefit, a Medicare prescription drug benefit, that is voluntary; that provides universal coverage to everyone who wants to opt for it; that is designed to give all beneficiaries meaningful defined coverage; that has a catastrophic protection so that, if over a certain amount, the Government pays for all benefits; that has access to medically necessary drugs and, basically, defines what is medically necessary by the physician, not by the insurance company; and that, basically, says that if you are low income, we will pay for your premium, just like we do for part B for your doctors bills; and, finally, that is administered in a way that has purchasing mechanisms so that we can keep the price fair and not provide for the price discrimination that exists right now under current law for so many people.

That is what we will push for regardless of what the Republicans come up with. And certainly, we are more than willing, as Democrats, to work with the Republicans to fashion a plan that will work. But, so far, what we are hearing from the other side of the aisle

is a sham, is not something that is designed to provide a meaningful benefit, and that ultimately will not pass here, not pass the Senate, not land on the President's desk in time for the end of this Congress. And that is what I do not want to see.

The Democrats want to see something that will pass and be signed by the President and become law so that Medicare beneficiaries can take advantage of it and that it not just be a political issue for this November election.

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PRESCRIPTION DRUG COVERAGE

The SPEAKER pro tempore (Mr. PITTS). Under the Speaker's announced policy of January 6, 1999, the gentleman from Pennsylvania (Mr. ENGLISH) is recognized for 60 minutes as the designee of the majority leader.

Mr. ENGLISH. Mr. Speaker, the House is on the brink of considering a very important issue, one that matters to people in my district in northwestern Pennsylvania and to all users of the Medicare program throughout the United States, whether they are seniors or individuals with disabilities. We are talking, of course, about the bipartisan effort to revise the Medicare program and to include prescription drugs.

My intention tonight, along with a couple of my colleagues, is to clear away the partisan smoke, to clear away the rhetoric, and to focus on what is really being proposed and the potential for a true bipartisan approach to extending prescription drugs under the Medicare program.

Mr. Speaker, modern medicine is using drug therapies more and more to prevent and treat chronic health problems. This is the 21st century. A trip to the pharmacy is far better than a trip to the operating room. We no longer practice medicine as our grandfathers or even our fathers once experienced, nor should we continue to offer seniors the limited Medicare program that our grandfathers and fathers knew. We need to revise the program and expand it and rethink it.

Medicare is, essentially, a standard benefit program from the 1960s, and it needs a facelift. We started that process in recent years by extending Medicare benefits to include a variety of new procedures. But we need, among other things, fundamentally we must modernize this benefit to provide prescription drug coverage.

Now, Mr. Speaker, I had the privilege of being appointed by the Speaker to serve on his Prescription Drug Task Force. We generated a blueprint and an outline which we thought could form the basis of a bipartisan prescription drug initiative. And indeed it has.

The House bipartisan prescription drug plan is a billion-dollar market-oriented approach targeted at updating Medicare and providing prescription drug coverage. After all, how many of us would give our employer's health

plan a second look if it did not include coverage for prescription drugs. But that is what we have been asking America's seniors to do.

We must take the steps necessary to ensure that seniors have access to affordable prescription drugs throughout America. What we have done is create a plan which invests \$40 billion of the non-Social Security surplus to strengthen Medicare and offer prescription coverage to every beneficiary.

This is, after all, \$5.2 billion more than what the President had proposed, and it was included in a budget resolution that we passed in this House over fierce resistance from House Democrats.

The bipartisan prescription drug plan that we have created will provide lower drug prices while expanding access to life-saving drugs for all seniors. Many of us had carefully examined the President's proposal and, in doing so, felt that we could improve on it and do better and provide seniors with a richer benefit and the flexibility to choose a plan that best meets their needs.

Under this bipartisan plan, seniors and persons with disabilities will not have to pay the full price for their prescriptions and will have access to the specific drug, brand name or generic, that their doctor prescribes.

This plan provides Medicare beneficiaries with real bargaining power through group purchasing discount and pharmaceutical rebates, meaning that seniors can lower their drug bills up to 39 percent. These will be the best prices on the drugs that they need, not some Government bureaucracy that may not offer the drug that the doctor prescribed.

Studies have shown, Mr. Speaker, that a small portion of the senior population consume a majority of prescription drugs, making them extremely difficult to insure and driving up costs for everyone. Under our prescription drug plan, the Government would share in insuring the sickest seniors, creating a stop-loss mechanism, making the risk more manageable for private insurers.

By sharing the risk and the cost associated with caring for the sickest beneficiaries, premiums would be lowered for every beneficiary. We address skyrocketing drug costs by providing Medicare beneficiaries with real bargaining power through private health care plans which can purchase drugs at discount rates.

Our plan provides options to all seniors, options that allow all seniors to choose affordable coverage that does not compromise their financial security. The plan benefits all seniors. Even though it is not a subsidy for a millionaire's mother, it provides the prospect of more affordable coverage for every senior. Seniors will have the right to choose a coverage plan that best suits their needs through a voluntary and universally offered benefit.

We realize that the left wing of the House Democratic Caucus is violently

opposed to giving seniors that choice, but we disagree with them. Those that are happy with their current coverage will be able to keep that plan without any difficulty. Others who need to supplement existing benefits or State programs or who are without coverage can also choose from a variety of competing drug plans.

Keeping rural seniors in mind, our plan guarantees at least two drug plans that will be available in every area of the country with the Government serving as the insurer of last resort. Clearly, we do not depend exclusively on HMOs or on private insurance, as has been alleged. The plan also requires convenient access to pharmacies allowing beneficiaries to use their local pharmacy or have their prescriptions filled by mail.

This plan protects seniors at 135 percent below the poverty level, matching the eligibility contained in the President's plan. That means a single senior making less than \$11,272 or a couple making less than \$15,187 a year will receive 100 percent Federal assistance for low-income seniors, including 100 percent full reimbursement for premiums.

Like the President's proposal, this bipartisan plan also includes reimbursement phase-outs exceeding the poverty line. For those between 135 percent and 150 percent of poverty, Medicare will pay part of their premiums and their co-payments would be covered under Medicare. Yet, the President's plan shoe-horns seniors, many of them who have already private drug coverage which they are happy with, into what I would call a one-size-fits-few plan, with Washington bureaucrats in control of their benefits.

Our plan, our bipartisan plan, gives all seniors the right to choose an affordable prescription drug benefit that best fits their own health care needs. By making it available to everyone, we are making sure that no senior citizen or disabled American falls through the cracks.

The plan also provides coverage and security against out-of-pocket drug costs for every Medicare beneficiary. Any senior spending \$6,000 a year or more will have 100 percent of their drug costs covered by Medicare. No longer will seniors be forced to drain their savings in order to pay for the prescriptions on which their lives depend.

The President's plan does not reflect any coverage for those seniors who pay high drug costs. Although we now understand that belatedly the President has leaped forward, panicked, and is now offering a catastrophic benefit as an add-on, but that was not his original proposal.

The Congressional Budget Office has estimated that if the President were to add such coverage, it will double the cost of the plan and/or double the premiums seniors would pay. The President leaves those who face the highest drug costs out in the cold in his original plan, choosing between paying the bills or buying life-saving medicines.

In addition, private employers under our plan would be given the option to buy into the Federal program in order to enhance their current plans or to begin offering a drug benefit to their employees. States would be allowed to choose to enhance their existing plans with the Federal coverage while not jeopardizing the existing coverage that their residents have. This includes programs such as the Pace Program in Pennsylvania.

But in adding a prescription drug benefit, we also modernize Medicare to ensure its long-term solvency. The plan ensures that seniors and disabled Americans will continue to have access to life-saving drug therapies.

In recent years, scientific and medical research has resulted in 400 new medications to treat the top killers of seniors: heart disease, cancer, and stroke. A market-oriented approach ensures that the quality of care that beneficiaries receive will continue to be second to none.

The plan takes vital steps toward improving Medicare as a whole. It expedites the appeals process by mandating that appeals that used to take an average of 400 days now take less than a quarter of that time. After all, to some seniors every minute counts.

But on top of that, the plan removes this part of Medicare from the Washington bureaucracy that has haunted and nearly bankrupted the system. The Health Care Financing Administration, which the last speaker had quoted extensively in his comments, will not control the prescription drug benefit under our plan. We create a Medicare benefit administration within the Department of Health and Human Services to manage prescription drug plans autonomously.

This reform is fundamental to safeguard the new program and to allow it to realize its potential free from interference from the bureaucracy.

We would also remove Medicare+Choice plans from under HCFA and put under the control of this agency giving it more flexibility and stability.

□ 2245

President Clinton has attacked the bipartisan plan primarily because he knows it offers richer, more encompassing benefits and greater flexibility than the plan he has proposed while dealing with the needs of people with diverse circumstances. The President's plan would force as many as 9 million seniors out of their existing programs for drug coverage because the employers would be dropping or limiting their prescription drug coverage instead of allowing the Government to take over.

As baby-boomers retire, 40 million Medicare beneficiaries could lose their current drug coverage under the President's plan. As time goes on, the coverage offered by the President dwindles as the cost of the program for seniors skyrockets. Under his plan, seniors see as little as a 12 percent savings on drug

costs. Under his plan, seniors would pay more for premiums, more fees for services, all while the President spends more than was ever budgeted for the program.

Mr. Speaker, about 69 percent of America's seniors have some prescription drug coverage currently. Many of them need more help, but it is the remaining 31 percent that worry me the most. A stronger Medicare program with prescription drug coverage is a promise of health security and financial security for older Americans, and we are working to ensure that promise is kept. America's seniors deserve no less.

House Republicans believe that Americans should be spending their golden years concerned about what time the grandchildren are coming to visit or is the rain ruining their walk in the park. They should not be concerned with how they are going to pay for the medicines that allow them to enjoy life.

I am joined in this sentiment by a number of members from my task force that I served on and also fellow members of the Committee on Ways and Means.

I would like first to recognize a colleague of mine, the gentleman from Pennsylvania (Mr. Greenwood), who served with me on the task force and a distinguished member of the House Committee on Commerce who has specialized in health care issues and has been a strong voice for seniors.

Mr. GREENWOOD. I thank the gentleman for yielding, and I thank my colleague from the other side of the State of Pennsylvania, from Erie, Pennsylvania, for organizing this Special Order.

Mr. Speaker, we come here to Washington and we talk about the issue of Medicare prescription drugs, as we have for months and months; and sometimes the discussion, the dialogue, gets fairly arcane and complicated and seems to go far from the flesh and blood of the people we are trying to represent; and the gentleman from Erie just talked about the fact that seniors should not have to at that stage of their lives be worrying about whether or not they can afford their prescription benefit.

I want to read a letter that I received recently from just such a senior in my district, who certainly is worrying. She is from Holland, Pennsylvania, which is the little town that my family moved into in 1955. She wrote this letter to me just a few weeks ago, a couple of weeks ago.

"Dear Congressman GREENWOOD, I never thought that I would come to this time in my life and find myself neglecting my health out of sheer necessity. I am a widow, 70 years of age. My medical problems require drugs that amount to over \$1,000 per month. I am enrolled in Aetna U.S. Health Care which has a cap on prescription drugs of \$500 a year. After filling out the prescriptions, my cap was met.

"I am in pain daily and I cannot correct this problem because of financial difficulty. I have stopped taking Prilosec," which costs her \$285 each month, "Zoloft, approximately \$100 a month; Losomax, another \$100 a month; Xanax, approximately \$100 a month; and Zocor, \$100 or more. I need these drugs filled monthly, and I simply cannot afford them. I am also in need of pain pill, Vioxx, which costs \$89; and I have not been able to purchase it.

"I have cried myself to sleep over this dilemma. I had to visit my pulmonary doctor, who diagnosed me with full-blown asthma and chronic bronchitis. My doctor told me that I cannot miss a day taking my medication for my lungs. I take Zevent, two puffs twice a day; Flovent, two puffs twice a day; and Albuterol, 2 puffs every 4 hours.

"The prescription for each is \$98 times three, lasts 2 weeks." So \$98 every 2 weeks for each of these three medications. That is \$600 per month right there. "I cannot stop taking this. I tried and ran into breathing problems again.

"I also must take Zithomax for chronic infection, \$89. I must keep this on hand always.

"Also my ophthalmologist prescribed Xalton for glaucoma, which I must take faithfully, nightly, another \$89.

"The drugs I must take average about \$800 per month. The other drugs I need for osteoporosis, reflux and hiatal hernia, anxiety and depression, high cholesterol and nerves, I had to eliminate them; and I can feel my health declining each day.

"I tried a generic brand drug for my lung infection, and I had to end up taking three Zithromax, as the generic did not help me.

"My problem is that I make \$200 too much per month to qualify for assistance. You figure this out. I have two friends who make \$200 and \$250 less than I do per month. They are paying \$6 for all their prescriptions because they qualify for the program. They are getting help with their electric bill, they are being well taken care of, they are able to go out to dinner weekly and on a bus trip now and then. I can do none of this. My money is going to prescription drugs.

"I just pray that some good Congressman like you could make the guys in Washington see what this drug problem for the aged is doing to us. We worked hard all of our lives and then have to come to this."

Mr. Speaker, that is a pretty persuasive argument, I think, a pretty poignant letter from a real woman who lives in my district, a 70-year-old widow who is only able to use every penny of her income simply for the drugs that she has to have to stay alive, and then she neglects her other needs; and so her cholesterol problem, her anxiety, her depression, her pain, her osteoporosis, all of those conditions go unchecked because she does not have this benefit.

That is why all of us in Washington who care about this issue are trying so hard to get this done, and that is why we have come here tonight to talk about the bipartisan bill.

If this issue is not handled in a bipartisan fashion, my constituent, this 70-year-old woman, will not get relief. It is absolutely the case. The people of the United States have elected a Republican House and a Republican Senate, and they have a Democratic President in the White House. For us to get this done this year, we have to exercise bipartisanship, and that is why this bill that we are supporting is bipartisan.

Now, unfortunately, in the Special Order that came before us, my friend, the gentleman from New Jersey (Mr. PALLONE), and I will give him credit for this, he comes to the floor every night just about and makes a speech about prescription drugs; but what is so discouraging to me is the level of partisanship. There are reasons for there to be differences between the President's plan, the Democrat's plan, and the Republican plan, because this is a hard problem to solve; and it takes different kinds of thinking from different perspectives.

There are reasons why the Republican plan is different. This is a complex issue. One of those differences between the two plans is that we think that you need catastrophic coverage. We think that it is important that when some of these drugs that can cost \$10,000 to \$20,000 per year, you cannot stop the coverage at \$2,000 and let the individual be on their own, because that is not going to help my constituent. My constituent will not be helped by that, because she will run out of money; and not only will her insurance coverage not be sufficient, but now the Medicare coverage will not be sufficient, and that is not good enough.

When you look at the President's plan and when you look at the Republican plan, there are differences. I happen to prefer the Republican plan, but the fact of the matter is they are more alike than they are different. What we have got to do this year is we have to be bipartisan and make sure that the bipartisan bill is adopted by the House, that we take ideas from other Members, we negotiate this with the President and get it done.

When you see Members of Congress come to the well of this House or sit in committee hearings and meetings, and when you hear them looking for common ground and looking for a bipartisan approach, when you have Republicans and Democrats supporting the same kind of legislation, then you know these are serious Members who care about 70-year-old widows from Holland, Pennsylvania, who cry themselves to sleep at night.

Conversely, when you see Members of Congress come to the well of the House and you listen to them in the hearings and they spend most of their time emphasizing the differences, contrasting

the Republicans and the Democrats, this lady does not care whether the bill is a Republican bill or a Democratic bill. She wants a bipartisan approach that gets the job done. When you see Members constantly emphasizing partisan differences, then you have to conclude that these are Members who are not interested in solving the problem. They are interested in winning elections, they are interested in political gain and leverage, and I think that is what is shameful.

We need to get this done in a bipartisan fashion. The bipartisan bill we are here to talk about tonight will do that. I urge my colleagues in the Congress to support that.

Mr. Speaker, I would again thank my colleague from Erie for organizing this event tonight.

Mr. ENGLISH. Mr. Speaker, I yield to the gentleman from Arizona (Mr. HAYWORTH), a very distinguished member of the Committee on Ways and Means and a gentleman who has been a leader on most of the issues before our committee, but who particularly has come forward to be a strong advocate today on prescription drugs; and I might add, it is a great service to serve with him.

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from Pennsylvania, and I thank the gentleman from Pennsylvania who preceded me in the well. So we have not only eastern and western Pennsylvania, but the east and the west united in this bipartisan effort to find a solution that helps America's seniors with prescription drug bills.

I thought it was very instructive to hear the comments of the lady from Pennsylvania in the letter to our friend, the gentleman from Pennsylvania (Mr. GREENWOOD); and I thought it was equally instructive to hear our friends on the left precede us this evening on the floor, focusing on process and politics instead of on problem solving, because, Mr. Speaker, make no mistake: we are committed to forging a bipartisan plan. Indeed, sponsors of both political parties have stepped forward and said, even though this is an even numbered year on the calendar, even though it is the nature in this institution to realize that about 5 months remain before an election, some issues are too important even in an election year to simply preen and posture and, yes, politic.

Mr. Speaker, not only was that letter from the lady in Pennsylvania very poignant, it was also very practical. I think, Mr. Speaker, another difference that we see in terms of approach is a question of trust. Our bipartisan plan trusts America's seniors with an aspect of freedom that has been their birthright. My folks are now in their late sixties; my grandfather is 96. Choice has been a part of their life in a variety of settings. Why then take away choice when it comes to prescription drug coverage?

I hold a number of senior coffees in my district to sit down with constitu-

ents who are articulate, informed, and very interested in a multitude of topics. When this first appeared on the radar screen of the body politic, a lady from my district summed it up very nicely when she said to, "J.D., whatever you do, please don't increase my Medicare premium so that I have the honor of paying Ross Perot's prescription bill."

Now, think about that. Despite all the sophisticated talk that comes out of Washington, D.C., my constituent really defined the issue. She says, "Number one, keep Medicare affordable. Don't needlessly raise my premiums. Number two, don't force me into a plan that Washington sometimes seems to gravitate toward, which in intent is one size fits all, which in reality," as my colleague from Pennsylvania pointed out, "is one size fits very few, and yet everyone is compelled, indeed, coerced by law, to be involved in the plan."

□ 2300

That is not what we want to do. We want to champion choice and the marketplace, and we want to make sure that the nearly two-thirds of America's seniors who have existing prescription drug coverage can keep that current coverage if they so desire.

The letter read by the gentleman from Pennsylvania from his constituent reminds me of another real-life story involving one of my constituents from Apache Junction, Arizona. Like the lady from Pennsylvania, she too faced tough choices for herself and for her husband. She told me that the prescription bills had become so cumbersome that she was not able to qualify for a plan with prescription drug coverage; that she, in her 70s, was employed at the drive-through window of a prominent fast food chain, one of their outlets in Apache Junction and, at that time, paying a penalty for working, because of the earnings limit for seniors. But she was doing so out of necessity, to deal with the prescription bills that she and her husband were facing.

So let us state a broad objective and observation that most Americans can agree with, Mr. Speaker and my colleagues, and it is this: no senior should be forced to choose between buying food and buying medicine. That is fundamentally wrong.

It is our intent to make sure that those who heretofore have not had coverage, the one-third of current seniors without a health insurance plan, without a prescription insurance plan, should have that type of coverage. We want to take action to strengthen Medicare by prescribing prescription drug coverage that is available to all seniors, but undergirded with the principles of freedom and choice, that no one in this country, I believe, wants to abandon.

Even though it was disturbing to hear earlier tonight the chief administrator for the Health Care Financing

Administration basically say that seniors could not make up their own minds, I find that nothing could be further from the truth in my district. As I said earlier, at town hall meetings, at senior coffees, at the grocery store, at church, at the softball and T-ball games when grandparents come to watch their grandchildren play and visit with me, I find that our Nation's seniors are among the most engaged, the best informed.

Now, at the dawn of the new century, there is unparalleled health and prosperity for today's seniors, and indeed, this is a blessing, and it is an opportunity. Yes, problems exist, as I pointed out, the situation for the lady in Apache Junction and as the gentleman from Pennsylvania read the letter from his constituent and the tough decision she has been forced to make without prescription drug coverage. But we want to make sure that we embrace and bring to the floor a plan that gives seniors the right to choose an affordable prescription drug benefit that best fits their own health care needs.

Mr. Speaker, this bulletin just in: we are all unique. We all have different health challenges, different problems, different prescription bills, different treatments. Why would we choose a plan that would allow Washington bureaucrats to bring their red tape and regulation to America's medicine chests? That is not what we want to see. We want, again, to embrace the notion of freedom and opportunity and choice for our honored citizens, for our senior citizens, for people who take the time, as every senior in my district has, to intimately understand their own challenges, their own health needs, their own prescription needs, and to deal with it. We do not want to force the two-thirds of seniors already covered out of coverage if it works for them.

The real challenge with the one-size-fits-some approach is that in an effort to have the heavy hand of government and the Washington bureaucrats take the role of the corner druggist, that when government inserts itself into that dynamic, we have very serious problems, and we would hate to see those plans abandoned. Let us make sure that good coverage is maintained for those who want the private coverage that they currently enjoy; let us have a variety of plans based on the free markets that are there; and yes, in those circumstances, in some rural areas, in some areas that have been deprived of coverage, yes, there is a role for government to play, not a game of "gotcha" or bureaucratic intent, but by focusing on what works. That is what we are about in this bipartisan plan.

Again, our mission is clear here, defined by my constituent and her very simple and direct statement: please do not increase my Medicare premiums so that I have the honor of paying Ross Perot's drug bill. Make sure the plan focuses first on those seniors and disabled Americans who have fallen

through the cracks, who do not have the prescription coverage, who find themselves working a couple of jobs in their senior years to make ends meet, who find themselves currently making a difficult choice between food and medicine. It is those seniors to whom we should turn first. But also, in the spirit of competition and choice and option, we should allow folks to take a look at their plan to determine which is best for them and find the plan that is right, rather than one-size-fits-some. We should not force seniors into a Washington bureaucrat-run, one-size-fits-all prescription drug plan that has too many rules, regulations, restrictions, and allows politicians and Washington bureaucrats to make medical decisions.

Indeed, this is something that I believe every Member of this House, Mr. Speaker, ought to be able to agree on, as we debate the many facets of health care, the many different challenges we face. The last thing on earth we should do under the guise of helping the American people is to decide on a course of treatment or action that violates the sanctity of the doctor-patient relationship that prompts bureaucrats, whether Washington bureaucrats or insurance company bureaucrats, to try and make health care decisions. The principles we embrace, the plan that we will bring to the floor in short order will make sure that there is choice, will make sure that the two-thirds of seniors with current coverage can continue to enjoy that coverage if that is their want, but also provide other plans and other availabilities, and that is what we need to do.

Again I would call on my colleagues to make sure that even in this even-numbered year, that even with that great exercise, unique in our constitutional republic where we, as constitutional officers, stand at the bar of public opinion, the first Tuesday following the first Monday in November, even with the temptation of some to turn this into a bumper sticker issue, to come to the floor and impugn the motives of others. Mr. Speaker, we understand that oftentimes free discussion in our constitutional republic and in this chamber can bring out both the best and, sadly, the worst in people.

□ 2310

So tonight, Mr. Speaker, our call is to every Member of this institution and, Mr. Speaker, to every American to put aside the partisanship, to embrace the principles of freedom and choice, and to focus on what works, making sure that seniors have choice in prescription drug plans, that the one-third of seniors currently not covered by a plan have options available to them, options that will also exist for those currently covered by insurance, but that we do not throw away or get rid of that coverage as a Washington-run compulsory, coercive plan would do.

So I would challenge my friends on the left to put aside the venom, the vit-

riol, and the predictable political speeches in search of a bumper sticker solution, and join with us in a plan that is already bipartisan, that already has the support of Republicans and Democrats from across the country, folks who have listened to their constituents and heard loud and clear.

Put aside partisanship, focus on what works. That is our challenge. Mr. Speaker, I believe we will meet that. I would simply say to my friends in Arizona to keep those cards and letters coming. We appreciate their insight. We understand that they are on the front lines in this battle and their initiative, their input, their wisdom will help us solve this problem.

Mr. ENGLISH. Mr. Speaker, I thank the gentleman for his generous efforts in helping us clear away the rhetorical smokescreen that hides the fact that we have heard advocated on the floor an alternative to the bipartisan plan which is actually less flexible and less generous in terms of the benefits it offers. We think we have a better product.

Mr. Speaker, I yield to the distinguished gentleman from Tennessee (Mr. BRYANT), a gentleman who played a critical role in developing this bipartisan product. He was part of the task force that I served on, and he is a member of the Committee on Commerce.

Mr. BRYANT. Mr. Speaker, I thank my friend from Pennsylvania for hosting this special order tonight obviously on a very important subject that we have already spent 1 hour before we came into the Chamber hearing one side of this debate, so to speak, and now we are talking about what we think is probably not the other side, but rather the one side, the bipartisan side of the solution to this very important problem.

As we discuss this addition of prescription drugs to senior citizens, we cannot talk about it in isolation. I think we have to place it in the context of Medicare as we talk about this.

One of the first things that comes to my mind and I hear about from my constituents in Tennessee is what I think is the doctors' maxim, First, do no harm. As we examine these prescription drug proposals, we should make sure that whatever plan we adopt does no harm. That is, it should not jeopardize any of the current coverage of Medicare in what they receive, beneficiaries receive, nor should it jeopardize the retirement security of any American.

I think, secondly, as we talk about this issue we have to remember the dignity and rights of Medicare beneficiaries as we protect them. Just because an American reaches the age of 65 does not mean that they should be treated like second-class citizens, and any effort that we make to add this prescription drug benefit should ensure that seniors gain the right to all the benefits that they are entitled to before they reach 65, as well as after 65.

Mr. Speaker, I would agree with everyone who has spoken tonight on both

sides of the aisle, that something has got to happen. Something needs to happen with regard to adding prescription drugs to our senior citizens. Had we drawn up Medicare in this day and age, we would have surely brought in prescription drug benefits because of the importance to everyone, particularly to senior citizens, of drug therapy. This was not done, though, in 1965, so we have to go back now and find the most appropriate way to bring this in.

I think the best thing this body can do is to work together in a bipartisan fashion. We have heard that word "bipartisan" mentioned a lot. What that means is simply we are talking about both Republicans and Democrats come together. Already on this bill that we are talking about in this hour, we are in that bipartisan situation where we have both Democrat Members and Republican Members cosponsoring this bill.

That is why I am proud of this legislation. It is something that our task force worked hard to produce, and we have now people on both sides of the aisle who can support it. I think our seniors and our disabled people who will be eligible for prescription drugs deserve this type of treatment, and I hope that we can rise above the partisan rhetoric and the political ploys and get this job done.

As my friend, the gentleman from Arizona, mentioned, so often in these even-numbered years, which means that we are all up for election in the House, people play politics with issues like this. They like to try to go out and scare our senior citizens and turn them for or against, however they might try to use an issue. That is shameful.

I have hope that we do not do this this year, but last week I saw in a paper, a newspaper, a paper that is distributed on the Hill with all the news, where, in the other body, on the other side of the Capitol, one of the Democrat Senators, the headline mentions his name and says he is landing in hot water. What he did to put himself in hot water with his own Democrat leadership was to agree to cosponsor this bipartisan bill.

It goes on to say in here how he has dashed any hope of landing one of three coveted seats on a powerful committee in the Senate. My optimism sunk, because when we have people who are willing to play politics and threaten their fellow Members and try to intimidate them from joining a bipartisan bill in an election year, I think it is shameful, too.

I hope in the House we can move forward, work together as we have started on this bipartisan bill, and get something done. My friend, the gentleman from Pennsylvania, mentioned that we have worked on this task force together, something that our Speaker of the House put together to study and to come up with recommendations. He charged our task force with development of a fair and responsible plan to

help seniors and disabled Americans with their drug expenses.

As we started, we began with a set of principles, and used those principles to guide our efforts, I think resulting in this bill that we are talking about tonight.

First, we wanted a plan that was voluntary. Everybody understands what voluntary means. It means we can get in it or we do not have to, we have a choice to get in and stay out; that it is universal, available to everybody; and affordable to all beneficiaries. It would be voluntary, universal, and affordable.

We also wanted to give seniors meaningful protection and bargaining power to lower their prescription drug prices. I will talk just a little more about that in a couple of minutes.

We also wanted to make sure that we preserved and protected Medicare benefits seniors currently receive. That is what I meant when I said, First, do no harm.

Finally, we wanted an insurance base, a public-private partnership that sets us on a path towards a stronger more modern Medicare and would extend the life of this Medicare program for the baby boom generation and even beyond.

Coming up with a good plan that fit all of these principles was a tall order, but the bipartisan Medicare prescription 2000 legislation does follow these guidelines, and I believe it is the right approach.

Our plan provides prescription drug coverage that is affordable. Seniors in my district and across Tennessee have been writing and asking me for help, just like other Members have talked about tonight, with the high cost of drugs.

In this bill, we will help more people get prescription drug coverage at lower cost by creating group buying power, without price-fixing or government control, something that has been referenced tonight already, something that is totally unworkable. For the first time, Medicare beneficiaries will no longer have to pay the highest prices for prescription drugs. Under this proposal, they will have access to the same discount the rest of the insured population enjoys.

An analysis by the Lewin Group recently concluded that private market-based insurance policies that we are talking about here can reduce the consumer's prescription drug costs by as much as 39 percent.

Also, our plan strengthens Medicare so we can protect seniors against the high out-of-pocket drug costs that threaten beneficiaries' health and financial security. This plan sets a monetary ceiling, what is called a stop loss, beyond which Medicare would pay 100 percent of the beneficiary's drug expenses.

□ 2320

This is one of the things I found most challenging about what we were trying to do is somehow protecting people

against catastrophic drug costs where we hear about people having to exhaust their life savings or sell their home to pay their drug bills. We do that in our bill, and I think that is one of the best components of what we have done is have that protection out there, that stop loss, that once one gets to a certain level, then the beneficiary, the senior citizen does not have to go beyond that.

Our plan is available to all Medicare beneficiaries, and our public-private partnership ensures that drug coverage is available to all who need it by managing the risk and lowering the premiums. The plan calls for the government to share in insuring the sickest seniors, thereby making the risk more manageable, more affordable for insurers, and lower premiums for every beneficiary.

As I mentioned before, we protect the most vulnerable of our seniors and low-income beneficiaries. I could go on and on and talk about this.

I would just urge those in the House and those that might be viewing the proceedings otherwise to look at this bill carefully, study it, and see if we did not follow those principles that we talked about that we wanted choice, we wanted it to be universal, we wanted it to be voluntary, we wanted it to be affordable. We think we have done that.

We were very pleased to bring this bill to the House floor. As we move this process, I trust that we can do it in a Republican-Democrat fashion, do what is best for the American citizens. As again my colleague from Arizona says, even though it is an even number year, an election year, let us do the right thing.

Mr. ENGLISH. Mr. Speaker, let me say I appreciate the remarks of the gentleman from Tennessee (Mr. BRYANT). Judging from his remarks, he would concede that we have managed to build a bipartisan product based on a Republican budget that set aside \$40 billion to modernize Medicare and to improve benefits, and we have offered here the American people a bipartisan plan that would provide benefits that are universal, affordable, flexible and voluntary and allow them to get prescription drugs based on a model of choice, something lacking in the other plan.

I appreciate the gentleman's remarks because he has clearly elucidated the strength of our plan and the fact that we are offering something that the American people, hopefully, can unite behind.

Mr. Speaker, I yield the balance of my time to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. ENGLISH) for yielding to me, and I thank the gentleman from Tennessee (Mr. BRYANT).

Mr. Speaker, I think it is important just to summarize where it is we believe this bipartisan plan is headed and what it is we are trying to do.

Mr. Speaker, as we pointed out earlier, it is a sad fact that too many senior citizens and disabled Americans are forced to choose between putting food on the table and being able to afford the prescription drugs they need to stay alive. That is morally wrong.

So we want to take action in a bipartisan way to strengthen Medicare by providing prescription drug coverage for seniors and disabled Americans so that no one is left behind.

While ensuring that all Medicare recipients have access to prescription drug coverage, we must make sure our senior citizens and disabled Americans also maintain control over their health care choices.

It is fundamental that we cannot force folks into a government-run one-size-fits-all prescription drug plan because, in reality, that becomes one-size-fits-some. That type of approach would be too restrictive, too confusing, and would allow Washington bureaucrats to control what medicines one's doctor can and cannot prescribe.

It is our intent with our plan to give all seniors and disabled Americans the right to choose an affordable prescription drug benefit that best fits their own health care needs.

Our plan will help the sickest and the neediest on Medicare who currently have no prescription drug coverage while offering all others a number of affordable options to best meet their needs and to protect them from financial ruin.

By making it available to everyone, Mr. Speaker, we are ensuring that no senior citizen or disabled American falls through the cracks. Because our plan is voluntary, we protect seniors already satisfied with their current prescription drug benefit by allowing them to keep what they have while expanding coverage to those who need it. We will not, Mr. Speaker, we will not force senior citizens or disabled Americans out of the good private coverage they currently enjoy.

I would point out, again, nearly two-thirds of today's seniors have some form of prescription drug coverage. Again, our plan emphasizes individual freedom, giving individuals the power to decide what is best for them, not to rely on Washington bureaucrats.

The task is daunting. The details, we are in the process of hammering out as we move to markup in the Committee on Ways and Means shortly, but it is our intent to reach across the aisle as we have already done with sponsorship of this plan on a bipartisan basis because the stronger Medicare with prescription drug coverage is a promise of health security and financial security for older Americans. And it is our intent to work on a bipartisan basis to ensure that promise is kept.

Our parents and grandparents sacrificed much for this country. As we have been given charge by the people to come to this floor to do the people's

business, to be about the work of preparing for a new century, we understand that America's seniors and disabled deserve no less.

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THE WORLD TRADE ORGANIZATION—THE END OF GEOGRAPHY?

The SPEAKER pro tempore (Mr. SWEENEY). Under the Speaker's announced policy of January 6, 1999, the gentleman from Washington (Mr. METCALF) is recognized until midnight.

Mr. METCALF. Mr. Speaker, during 1969, C. P. Kendleberger wrote that the Nation's State is just about through as an economic unit. He added that the U.S. Congress and right-wing-know-nothings in all countries were unaware of this. He added the world is too small. Two hundred thousand ton tank and ore carriers and air buses and the like will not permit sovereign independence of the Nation's state in economic affairs.

Before that, Emile Durkheim stated, "The corporations are to become the elementary divisions of the state, the fundamental political unit." Now I am going to repeat that. "The corporations are to become the elementary division of the state, the fundamental political unit. They will efface the distinction between public and private, dissect the democratic citizenry into discrete functional groupings which are no longer capable of joint political action".

Durkheim went so far as to proclaim that, "Through corporatisms' scientific rationale, it will achieve its rightful standing as the creator of collective reality."

There is little question that part of these two statements are accurate. America has seen its national sovereignty slowly diffused over a growing number of international governing organizations.

The WTO is just the latest in a long line of such developments that began right after World War II. But as the protest in Seattle against the WTO ministerial meeting made clear, the democratic citizenry seemed well prepared for joint action. Though it has been pointed out that many, if not the majority of protesters, did not know what the WTO was, and much of the protest itself entirely missed the mark regarding WTO culpability, in many areas proclaimed jurisdiction, responsibility, this remains but a question of education. It is the responsibility of the citizens' Representatives to begin that education process.

The former head of the antitrust division of the U.S. Justice Department was Thurman Arnold from 1938 to 1943. We may not entirely agree with him when he stated that the United States had, I quote, "developed two coordinate governing classes. One is called business, building cities, manufacturing and distributing goods, and holding complete and autocratic power over the livelihood of millions."

□ 2330

The other called government, concerned with preaching and exemplification of spiritual ideas, but so caught up in a mass of theory that when it wished to move in a practical world, it had to do so by means of a sub-rosa political machine. But surely the advocates of corporate governance today, housed quietly and efficiently within the corridors of power at the WTO, the OECD, IMF, and the World Bank, clearly believe. They really believe. Corporatism as ideology, and it is an ideology; as John Ralston Saul referred recently to it as a hijacking of first our terms, such as individualism, and then a hijacking of western civilization, the result being the portrait of a society addicted to ideologies, a civilization tightly held at this moment in the embrace of a dominant ideology: corporatism.

As we find our citizenry affected by this ideology and its consequences, consumerism, the overall effects on the individual are passivity and conformity in those areas that matter and nonconformity in those which do not. We do know more than ever before just how we got here. The WTO is a creature of the General Agreement on Tariffs and Trade, that's GATT, which began in 1948 its quest for a global regime of economic interdependence. But by 1972, some Members of Congress saw the handwriting on the wall, and it was a forgery.

Senator Long, while chairman of the Senate Committee on Finance, made these comments to Dr. Henry Kissinger regarding the completion and prepared signing of the Kennedy round of the GATT accords, and I quote: "If we trade away American jobs and farmers' incomes for some vague concept of a new international order, the American people will demand from their elected representatives a new order of their own which puts their jobs, their security and their incomes above the priority of those who dealt them a bad deal."

But we know that few listened. And 20 years later the former chairman of the International Trade Commission argued that it was the Kennedy round that began the slow decline in America's living standards. Citing statistics in his point regarding the loss of manufacturing jobs and the like, he concluded with what must be seen as a warning, and I quote: "The Uruguay Round and the promise of the North American Free Trade Agreement all may mesmerize and motivate Washington policymakers, but in the American heartland those initiatives translate into further efforts to promote international order at the expense of existing American jobs."

We are still not listening. Certainly, ideologists of corporatism cannot hear us. They, in fact, are pressing the same ideological stratagem in the journals that matter, like Foreign Affairs, and the books coming out of the elite think-tanks and nongovernmental or-

ganizations. One such author, Anne-Marie Slaughter, proclaimed her rather self-important opinion that State sovereignty was little more than a status symbol and something to be attained now through transgovernmental participation. That would be presumably achieved through the WTO, for instance?

Stephan Krasner, in a volume, *International Rules*, goes into more detail by explaining global regimes as functional attributes of world order, that is, environmental regimes, financial regimes and, of course, trade regimes. In a world of sovereign states, the basic function of regimes is to coordinate state behavior to achieve desired outcomes in particular issue areas. If, as many have argued, there is a general movement toward a world of complex interdependence, then the number of areas in which regimes can matter is growing.

But we are not here speaking of changes within an existing regime, thereby elected representatives of free people make adjustments to new technologies, new ideas and further the betterment of their people. The first duty of elected representatives is to look out for their constituency. The WTO is not changes within the existing regime but an entirely new regime. It has assumed an unprecedented degree of American sovereignty over the economic regime of the Nation and the world.

Then who are the sovereigns? Is it the people, the nation, in nation state? I do not believe so. I would argue that who governs, rules. Who rules is sovereign. And the people of America and their elected representatives do not rule nor govern at the WTO but corporate diplomats, a word decidedly oxymoronic.

Who are these new sovereigns? Maybe we can get a clearer picture by looking at what WTO is in place to accomplish. I took interest in an article in *Foreign Affairs*, "A New Trade Order," volume 72, number one, by Cowhey and Aronson. Foreign investment flows are only about 10 percent the size of the world trade flows each year, but intrafirm trade, for example sales by Ford Europe to Ford USA, now accounts for up to an astonishing 40 percent of all U.S. trade.

This complex interdependence we hear of every day inside the Beltway is nothing short of miraculous, according to the policymakers who are mesmerized by all this. But, clearly, the interdependence is less between the people of the nation states than between the corporations of the corporate states.

Richard O'Brien in his book entitled "Global Financial Integration: The End of Geography," states the case this way: "The firm is far less wedded to the idea of geography. Ownership is more and more international and global, divorced from national definitions. If one marketplace can no longer provide a service or an attractive location to carry out transactions, then the

firm will actively seek another home. At the level of the firm, therefore, there are plenty of choice of geography."

O'Brien seems unduly excited when he adds, "The glorious end of geography prospect for the close of this century is the emergence of a seamless global financial market. Barriers will be gone, services will be global, the world economy will benefit, and so too, presumably, the consumer."

Presumably? Counter to this ideological slant, and it is ideological, O'Brien notes the fact that "governments are the very embodiment of geography, representing the nation state. The end of geography is, in many respects, all about the end or diminution of sovereignty."

In a rare find, a French author published a book titled *The End of Democracy*. Jean-Marie Guehenno has served in a number of posts for the French Government, including as their ambassador to the European Union. He suggests this period we live in is an imperial age. And to quote, "The imperial age is an age of diffuse and continuous violence. There will no longer be any territory to defend, but only older operating methods to protect. And this abstract security is infinitely more difficult to ensure than that of a world in which geography commanded history. Neither the rivers nor oceans protect the delicate mechanisms of the imperial age from a menace as multi-form as the empire itself."

The empire itself. Whose empire? In whose interests?

□ 2340

Political analyst Craig B. Hulet, in his book entitled "Global Triage: Imperium in Imperio," refers to the new global regime as imperium in imperio, or power within a power, a state within a state.

His theory proposes that these new sovereigns are nothing short of this: "they represent the power not of the natural persons which make up the nations' peoples nor of their elected representatives, but the power of the legal paper persons recognized in law, the corporations themselves then are the new sovereigns. And in their efforts to be treated in law as equal as to the citizens of each separate state, they call this National Treatment, they would travel the sea and wherever they land ashore, they would be citizens here and there. Not even the Privateers of old would have dared impose this will upon the nation-states."

Can we claim to know today what this rapid progress of global transformation will portend for democracy here at home? We understand the great benefits of past progress; we are not Luddites here. We know what refrigeration can do to a child in a poor country, what clean water means to everyone everywhere, what free communication has already achieved. But are we going to unwittingly sacrifice our sovereignty on the altar of this new God,

progress? Is it progress if a cannibal uses a knife and fork?

Can we claim to know today what this rapid progress of global transformation will portend for national sovereignty here at home? We protect our way of life, our children's futures, our workers' jobs, our security at home by measures often not unlike our airports are protected from pistols on planes, but self-interested ideologies, private greed and private power? Bad ideas escape our mental detectors.

We seem to be radically short of leadership where this act of participation in the process of diffusing America's power over to and into the private global monopoly capitalist regime, today pursued without questioning its basis at all.

An empire represented by not just the WTO but clearly this new regime is the core ideological success for corporativism.

The only step remaining, according to Harvard Professor Paul Krugman, is the finalization of a completed Multilateral Agreement on Investment, which failed at OECD. According to OECD, the agreement's actual success may come through not a treaty this time but arrangements within corporate governments itself quietly being hashed out at the IMF and the World Bank as well as OECD. We are not yet the united corporations of America.

The WTO needs to be scrutinized carefully, debated, hearings and public participation where possible. If there is any issue upon which Congress must hold extensive and detailed public hearings, this is it. Yet few are planned that I know of.

We can, of course, as author Christopher Lasch notes, peer inward at ourselves as well, when he argued, the history of the 20th century suggests that totalitarian regimes are highly unstable, evolving toward some type of bureaucracy that neither fits the classic fascism nor the capitalist model. None of this means that the future will be safe to democracy, only that the threat of democracy comes less from totalitarian or elected movements abroad than from the erosion of its psychological, cultural, and spiritual foundations from within.

Are we not witness to, though, the growth of global bureaucracy being created not out of totalitarian or collective movements but from autocratic corporations which hold so many lives in the balance? And where shall we redress our grievances when the regime completes its global transformation, when the people of each nation and their state find that they can no longer identify their rulers, their true rulers, when it is no longer their state which rules?

The most recent U.N. Development Report documents how globalization has increased inequality between and within nations while bringing them together as never before.

Some are referring to this globalization's dark side like Jay Mazur recently in *Foreign Affairs*.

"A world in which the assets of the 200 richest people are greater than the combined income of more than 2 billion people at the other end of the economic ladder should give everyone pause. Such islands of concentrated wealth in the sea of misery have historically been a prelude to upheaval. The vast majority of trade and investment takes place between industrial nations dominated by global corporations that control one-third of the world's exports."

With further mergers and acquisitions in the future, with no end in sight, those of us that are awake must speak up now.

Or is it that we just cannot see at all, believing in our current speculative bubble which nobody credible believes can be sustained much longer. We miss the growing anger, fear, and frustration of our people. Believing in the myths our policy priests pass on, we missed the dissatisfaction of our workers, believing in the God "progress" we have lost our vision.

Another warning, this time from Ethan Kapstein in his article "Workers on the World Economy" (*Foreign Affairs*: Vol. 75, No. 3):

"While the world stands at a critical time in post-war history, it has a group of leaders who appear unwilling, like their predecessors in the 1930s, to provide international leadership to meet economic dislocations. Worse, many of them and their economic advisors do not seem to recognize the profound troubles affecting their associates. Like the German elite in Weimar, they dismiss mounting worker satisfaction, fringe political movements, and plight of the unemployed and working poor as marginal concerns compared with the unquestioned importance of a sound currency and balanced budget. Leaders need to recognize the policy failures of the last 20 years and respond accordingly. If they do not, there are others waiting in the wings who will, perhaps on less pleasant terms."

We ought to be looking very closely at where the new sovereigns intend to take us. We need to discuss the end they have in sight. It is our responsibility and our duty.

Most everyone today agrees that socialism is not a threat. Many people feel communism, even in China, is not a threat. Indeed, there are few real security threats to America that could compare to even our recent past.

Be that as it may, when we speak of global market economy free enterprise, we massage the terms to merge with manage the competition and planning authorities, all the while suggesting we have met the "hidden hand" and it is good.

We need to also recall what Adam Smith said but is rarely quoted. "Masters are always and everywhere in a sort of tacit but constant and uniform combination not to raise the wages of labor above their actual rate. To violate this combination is everywhere a most unpopular action and a sort of reproach for a master among his neighbors and questions. We seldom, indeed,

hear of this combination because it is usual and, one may say, the natural state of things. Masters, too, sometimes enter into particular combinations to sink wages of labor even below this rate. They are always conducted with the utmost silence and secrecy till the moment of execution.”

And now precisely, whose responsibility is it to keep an eye on the masters?

I urge my colleagues, Republicans and Democrats, left and right on the political spectrum, to boldly restore the oversight role of Congress in one stroke and join my colleagues and I in supporting H.J. Res. 90 in restoring the sovereignty of these United States.

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LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. JACKSON-LEE of Texas (at the request of Mr. GEPHARDT) for June 15 after 10:00 p.m. on account of official business.

Mrs. EMERSON (at the request of Mr. ARMEY) for today after 6:00 p.m. and June 20 on account of her daughter's graduation.

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SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. ALLEN) to revise and extend their remarks and include extraneous material:)

Mr. LARSON, for 5 minutes, today.

Mr. BALDACCI, for 5 minutes, today.

(The following Members (at the request of Mr. PAUL) to revise and extend their remarks and include extraneous material:)

Mr. PAUL, for 5 minutes, today and June 20.

Mr. HUNTER, for 5 minutes, today.

Mr. KASICH, for 5 minutes, today. (The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. FOSSELLA, for 5 minutes, today.

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ENROLLED JOINT RESOLUTION

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 101. Joint resolution recognizing the 225th birthday of the United States Army.

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SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 761. An act to facilitate the use of electronic records and signatures in interstate or foreign commerce.

S. 2722. An act to authorize the award of the Medal of Honor to Ed W. Freeman, James K. Okubo, and Andrew J. Smith.

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BILL PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 4387. To provide that the School Governance Charter Amendment Act of 2000 shall take effect upon the date such Act is ratified by the voters of the District of Columbia.

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ADJOURNMENT

Mr. METCALF. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 50 minutes p.m.), under its previous order, the House adjourned until Tuesday, June 20, 2000, at 9 a.m., for morning hour debates.

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EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

8182. A letter from the Associate Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Raisins Produced From Grapes Grown in California; Changes in Reporting Requirements [Docket No. FV00-989-1 FR] received March 23, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8183. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Tebufenozide; Benzoic Acid, 3,5-dimethyl-1-(1,1-dimethylethyl)-2-(4-ethylbenzoyl) hydrazide; Pesticide Tolerance [OPP-300999; FRL-6555-1] (RIN: 2070-AB78) received May 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8184. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Consolidation of Certain Food and Feed Additive Tolerance Regulations [OPP-300756; FRL-6043-1] (RIN: 2070-AB78) received May 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8185. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Consolidation of Certain Food and Feed Additive Tolerance Regulations [OPP-300753; FRL-6041-9] (RIN: 2070-AB78) received May 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8186. A letter from the the Director, the Office of Management and Budget, transmitting Cumulative report on rescissions and deferrals of budget authority, pursuant to 2 U.S.C. 685(e); (H. Doc. No. 106-257); to the Committee on Appropriations and ordered to be printed.

8187. A letter from the Assistant Secretary, Force Management Policy, Department of Defense, transmitting a report entitled, "Mili-

tary Child-Care: Meeting Extended and Irregular Duty Requirements"; to the Committee on Armed Services.

8188. A letter from the Under Secretary, Acquisition and Technology, Department of Defense, transmitting a response to section 922 of the National Defense Authorization Act of Fiscal Year 2000, Public Law 106-65; to the Committee on Armed Services.

8189. A letter from the Assistant Secretary, Command, Control, Communications, and Intelligence, Department of Defense, transmitting the "Year 2000 (Y2K) Lessons Learned"; to the Committee on Armed Services.

8190. A letter from the Under Secretary, Acquisition and Technology, Department of Defense, transmitting a report on, "Review of Profit Guidelines in the Defense Federal Acquisition Regulation Supplement"; to the Committee on Armed Services.

8191. A letter from the Principal Deputy, Personnel and Readiness, Department of Defense, transmitting a report on the status of the elimination of the backlog and a plan for preventing accumulation of backlogs in the future; to the Committee on Armed Services.

8192. A letter from the Secretary of Defense, transmitting the approved retirement and advancement to the grade of general on the retired list of General Wesley K. Clark, United States Army; to the Committee on Armed Services.

8193. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA-7297] received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

8194. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Final Flood Elevation Determinations—received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

8195. A letter from the Assistant General Counsel for Regulations, Special Education & Rehabilitative Services, Department of Education, transmitting the Department's final rule—National Institute on Disability and Rehabilitation Research—received May 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

8196. A letter from the Attorney Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Consumer Information Regulations: Uniform Tire Quality Grading Test Procedures [Docket No. 00-7364] (RIN: 2127-AG96) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8197. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans: Oregon [OR 76-7291; FRL-6601-1] received May 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8198. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Colorado; Designation of Areas for Air Quality Planning Purposes, Canon City [CO-001-0037a; FRL-6706-5] received May 23, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8199. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans;

California State Implementation Plan Revision, Bay Area Air Quality Management District, San Diego County Air Pollution Control District [CA-184-0229; FRL-6585-9] received May 23, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8200. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants for Source Categories [AD-FRL-6706-1] received May 23, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8201. A letter from the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants for Source Categories [AD-FRL-6706-2] received May 23, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8202. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Revision to the California State Implementation Plan, South Coast Air Quality Management District [CA 031-0237; FRL-6704-1] received May 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8203. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Extension of Operating Permits Program Interim Approval Expiration Dates [FRL-6703-3] (RIN: 2060-AJ12) received May 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8204. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of New Mexico; Approval of Revised Maintenance Plan and Motor Vehicle Emissions Budgets; Albuquerque/Bernalillo County, New Mexico; Carbon Monoxide [NM39-1-7462; FRL-6703-8] received May 17, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

8205. A letter from the Director, International Cooperation, Acquisition and Technology, Department of Defense, transmitting a Request for Final Approval for the Memorandum of Understanding (MOU) Between the United States and the United Kingdom of Great Britain and Northern Ireland Concerning Cooperation on the Future Development, Operation and Support of the Apache Attack Helicopter, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

8206. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing license for the export of major defense equipment sold under a contract [Transmittal No. DTC 023-00], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

8207. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13-352, "Emergency and Non-Emergency Number Telephone Calling Systems Fund Act of 2000" received June 19, 2000, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

8208. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13-353, "Procurement Practices Human Care Agreement Amendment Act of 2000" received June 19, 2000, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

8209. A letter from the Chairman, Council of the District of Columbia, transmitting a

copy of D.C. Act 13-354, "Closing of Public Alleys in Square 4335, S.O. 98-234, Act of 2000" received June 19, 2000, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

8210. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13-355, "Solid Waste Transfer Facility Site Selection Advisory Panel Report Deadlines Extension Temporary Amendment Act of 2000" received June 19, 2000, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

8211. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13-345, "Approval of the Extension of the Term of District Cablevision Limited Partnership's Franchise Act of 2000" received June 19, 2000, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

8212. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13-356, "Tenant Protection Temporary Amendment Act of 2000" received June 19, 2000, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

8213. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Reclassification of Yacare Caiman in South America from Endangered to Threatened, and the Listing of Two Other Caiman Species as Threatened by Reason of Similarity of Appearance (RIN: 1018-AD67) received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8214. A letter from the General Counsel, Department of Commerce, transmitting a draft bill, "To establish the National Marine Sanctuary Foundation"; to the Committee on Resources.

8215. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—OPSAIL 2000, Delaware River, Philadelphia, PA [CGD05-00-002] (RIN: 2115-AA97, AA98) received May 22, 2000; to the Committee on Transportation and Infrastructure.

8216. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30017; Amdt. No. 1990] received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8217. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Andrews-Murphy, NC [Airspace Docket No. 00-ASO-4] received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8218. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—OPSAIL 2000, Port of Baltimore, MD [CGD 05-99-097] (RIN: 2115-AA97, AA98, AE46) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8219. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Tall Ships Delaware, Delaware River, Wilmington, DE [CGD05-00-008] (RIN: 2115-AA97, AA98) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8220. A letter from the Chief, Office of Regulations and Administrative Law, USCG, De-

partment of Transportation, transmitting the Department's final rule—OPSAIL 2000, Port of Hampton Roads, VA [CGD05-99-068] (RIN: 2115-AA97, AA98, AE96, AE84) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8221. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Temporary Regulations: OPSAIL 2000/International Naval Review 2000 (INR 2000), Port of New York/New Jersey [CGD01-99-050] (RIN: 2115-AA97) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8222. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—OPSAIL 2000, Port of San Juan, PR [CGD07-00-014] (RIN: 2115-AE46, AA98) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8223. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: Chelsea Street Bridge, Chelsea River, Chelsea, MA [CGD1-00-123] (RIN: 2115-AA97) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8224. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Massalina Bayou, Florida [CGD08-00-011] (RIN: 2115-AE47) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8225. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulation; Upper Mississippi River [CGD 08-00-009] (RIN: 2115-AE47) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8226. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Port GRAHAM, Cook Inlet, Alaska [COTP Western Alaska 00-003] (RIN: 2115-AA97) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8227. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Atlantic Ocean, Virginia Beach, VA [CGD05-00-013] (RIN: 2115-AA97) received May 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8228. A letter from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, transmitting the Bureau's final rule—Extension for Johannisberg Riesling; Additional Grape Varieties (98R-406P) [T.D. ATF-417; Ref. Notice No. 871] (RIN: 1512-AB80) received April 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8229. A letter from the Chief, Regulations Branch, U.S. Customs Service, Department of the Treasury, transmitting the Department's final rule—Location of Duty-Free Stores [T.D. 00-33] (RIN: 1515-AC53) received May 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8230. 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; Changes to the FY 1999 Hospital Inpatient Prospective Payment Wage Index and Standardized Amounts Resulting From Approved Requests for Wage Data Revisions [HCFA-1049-F] (RIN: 0938-AJ26) received April 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8231. 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; Revision to Accrual Basis of Accounting Policy [HCFA-1876-F] (RIN: 0938-AH61) received April 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8232. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Department Store Indexes—March 2000 [Rev. Rul. 2000-25] received April 28, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8233. A letter from the Commissioner, Social Security Administration, transmitting a report titled, "Report on Supplemental Security Income: Income and Resource Exclusions And Disability Insurance Earnings-Related Provisions," pursuant to Public Law 106-170; to the Committee on Ways and Means.

8234. A letter from the Deputy Executive Secretary, Office of the Inspector General, Department of Health and Human Services, transmitting the Department's final rule—Federal Health Care Programs: Fraud and Abuse; Statutory Exception to the Anti-Kickback Statute for Shared Risk Arrangements (RIN: 0991-AA91) received April 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Commerce.

8235. A letter from the Deputy Executive Secretary, Inspector General, Department of Health and Human Services, transmitting the Department's final rule—Medicare and State Health Care Programs: Fraud and Abuse; Clarification of the Initial OIG Safe Harbor Provisions and Establishment of Additional Safe Harbor Provisions Under the Anti-Kickback Statute (RIN: 0991-AA66) received April 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Commerce.

8236. A letter from the Acting General Counsel, Department of Defense, transmitting the enclosed legislation relating to the management of the Department of Defense; jointly to the Committees on Armed Services, Banking and Financial Services, and Government Reform.

8237. A letter from the Secretary, Department of Agriculture, transmitting a report entitled, "Preparing For Drought In The 21st Century"; jointly to the Committees on Transportation and Infrastructure, Agriculture, and Resources.

8238. A letter from the Acting General Counsel, Department of Defense, transmitting the proposed legislation relating to the Department of Defense civilian personnel and Mentor-Protege Programs; jointly to the Committees on Ways and Means, Government Reform, and Armed Services.

8239. A letter from the Acting General Counsel, Department of Defense, transmitting proposed legislation, "To make a technical correction to uniformed services pay tables as enacted in the National Defense Authorization Act for Fiscal Year 2000 and that become effective July 1, 2000"; jointly to the Committees on Armed Services, Transportation and Infrastructure, Commerce, and Resources.

8240. A letter from the Acting General Counsel, Department of Defense, transmitting the proposed amendments to the current law concerning the housing allowances paid to uniformed service members stationed in the United States; jointly to the Committees on Armed Services, Transportation and Infrastructure, Resources, and Commerce.

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REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Alaska: Committee on Resources. H.R. 946. A bill to restore Federal recognition to the Indians of the Graton Rancheria of California (Rept. 106-677). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 2778. A bill to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes; with an amendment (Rept. 106-678). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 3084. A bill to authorize the Secretary of the Interior to contribute funds for the establishment of an interpretative center on the life and contributions of President Abraham Lincoln; with an amendment (Rept. 106-679). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROGERS: Committee on Appropriations. H.R. 4690. A bill making appropriations for the Department of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2001, and for other purposes (Rept. 106-680). Referred to the Committee of the Whole House on the State of the Union.

Mr. LINDER: Committee on Rules. House Resolution 527. Resolution providing for consideration of the bill (H.R. 4201) to amend the Communications Act of 1934 to clarify the service obligations of noncommercial educational broadcast stations (Rept. 106-681). Referred to the House Calendar.

Mr. REYNOLDS: Committee on Rules. House Resolution 528. Resolution providing for consideration of the joint resolution (H.J. Res. 90) withdrawing the approval of the United States from the Agreement establishing the World Trade Organization (Rept. 106-682). Referred to the House Calendar.

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PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. ROGERS:

H.R. 4690. A bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

By Mr. BACA:

H.R. 4691. A bill to amend the farmland protection program of the Department of Agriculture to facilitate a regional approach to the acquisition of permanent conservation easements in the Chino Basin in the State of California; to the Committee on Agriculture.

By Ms. BERKLEY:

H.R. 4692. A bill to direct the Secretary of the Army, the Administrator of the Environmental Protection Agency, the Secretary of

Agriculture, and the Secretary of the Interior to participate in the implementation of the Las Vegas Wash Wetland Restoration and Lake Mead Water Quality Improvement Project, Nevada; to the Committee on Transportation and Infrastructure.

By Mr. HALL of Ohio (for himself, Mr. BONIOR, Ms. CARSON, Mrs. CLAYTON, Mr. COBURN, Mr. COSTELLO, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Mrs. JONES of Ohio, Mr. LEWIS of Georgia, Ms. MCKINNEY, Mr. McNULTY, Mr. MEEKS of New York, Mr. RUSH, Mr. TRAFICANT, Mr. ENGEL, Ms. LEE, and Ms. KAPTUR):

H. Con. Res. 356. Concurrent resolution acknowledging the fundamental injustice, cruelty, brutality, and inhumanity of slavery in the United States and the 13 American colonies, and for other purposes; to the Committee on the Judiciary.

By Mr. EVANS (for himself, Mr. LIPINSKI, Mr. ROHRBACHER, Mr. BONIOR, Mr. BILBRAY, Mr. GREEN of Texas, Mrs. FOWLER, Mr. UNDERWOOD, Mr. CAMPBELL, Ms. NORTON, Mrs. KELLY, Mr. PALLONE, Mr. ROYCE, Mr. MCGOVERN, Ms. LOFGREN, Mr. LAMPSON, Ms. JACKSON-LEE of Texas, and Ms. ESHOO):

H. Con. Res. 357. Concurrent resolution expressing the sense of Congress concerning the war crimes committed by the Japanese military during World War II; to the Committee on International Relations.

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PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, Ms. ROYBAL-ALLARD introduced a bill (H.R. 4693) for the relief of Sergio Lozano; which was referred to the Committee on the Judiciary.

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ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 148: Mr. CRAMER.
 H.R. 266: Mr. PASCRELL.
 H.R. 407: Mr. GOODLATTE.
 H.R. 531: Mr. CAMPBELL, Mr. MCINNIS, and Ms. MCKINNEY.
 H.R. 568: Mr. CRAMER.
 H.R. 583: Mr. CARDIN.
 H.R. 684: Ms. ESHOO.
 H.R. 742: Mr. DOYLE and Mr. ALLEN.
 H.R. 1005: Mr. METCALF.
 H.R. 1217: Mr. THUNE.
 H.R. 1310: Ms. BALDWIN, Ms. LEE, and Mr. WALSH.
 H.R. 1324: Mr. ANDREWS.
 H.R. 1325: Mr. ANDREWS.
 H.R. 1366: Mr. BACA.
 H.R. 1505: Mr. STRECKLAND.
 H.R. 1581: Mr. FRELINGHUYSEN.
 H.R. 1590: Mr. COSTELLO.
 H.R. 1595: Mr. HOLT.
 H.R. 1625: Mr. BOEHLERT.
 H.R. 1899: Mr. ROMERO-BARCELO.
 H.R. 2059: Ms. PELOSI.
 H.R. 2121: Mr. TIAHRT, Mr. DEFAZIO, Mr. MCGOVERN, and Mr. BOUCHER.
 H.R. 2138: Mr. JEFFERSON.
 H.R. 2288: Mr. HALL of Ohio.
 H.R. 2362: Mr. CANNON.
 H.R. 2431: Mr. COLLINS, Mr. MATSUI, and Mr. HULSHOF.
 H.R. 2457: Mr. WALSH, Mr. MCINTOSH, Mr. WEINER, Mr. MARKEY, and Ms. WATERS.
 H.R. 2631: Mr. HANSEN and Mr. BOEHLERT.
 H.R. 2696: Mr. MORAN of Virginia.

H.R. 2706: Ms. WOOLSEY.
 H.R. 2710: Mr. GORDON.
 H.R. 2790: Mr. FRANKS of New Jersey and Mr. KILDEE.
 H.R. 2870: Mr. BONIOR.
 H.R. 2953: Mr. WEYGAND, Mr. SHADEGG, Mr. LEWIS of Georgia, and Mr. HALL of Texas.
 H.R. 3003: Mr. FLETCHER, Mr. MALONEY of Connecticut, and Mrs. CLAYTON.
 H.R. 3032: Mr. MCGOVERN, Mr. PHELPS, and Mr. BOEHLERT.
 H.R. 3125: Mr. ENGLISH and Mr. SALMON.
 H.R. 3144: Ms. MCCARTHY of Missouri.
 H.R. 3440: Ms. CARSON, Mr. JACKSON of Illinois, and Mrs. MEEK of Florida.
 H.R. 3580: Mr. LEVIN.
 H.R. 3614: Mr. GEJDENSON, Ms. DELAURO, and Mr. LARSON.
 H.R. 3698: Mr. COLLINS, Mr. JONES of North Carolina, Mr. PICKETT, Ms. MCKINNEY, Mr. MANZULLO, Mr. THORNBERRY, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. PRYCE of Ohio, Mr. NEY, and Mr. LAZIO.
 H.R. 3766: Mr. GREEN of Texas, Mr. SMITH of New Jersey, Mr. QUINN, Mrs. MEEK of Florida, Ms. SANCHEZ, Mr. GILCHREST, Mr. MATSUI, and Ms. VELAZQUEZ.
 H.R. 3915: Mr. BLILEY, Mr. CANADY of Florida, Mr. SKELTON, Mr. PASCARELL, Mr. HASTINGS of Washington, Ms. BERKLEY, Mr. PAUL, and Mr. GILLMOR.
 H.R. 4106: Mr. ENGLISH.
 H.R. 4108: Mrs. LOWEY.
 H.R. 4215: Mr. SESSIONS.
 H.R. 4239: Mr. BARRETT of Wisconsin and Mrs. MALONEY of New York.
 H.R. 4277: Mr. DOYLE, Mr. GOODE, Mr. RYAN of Kansas, and Mr. GORDON.
 H.R. 4328: Mr. NORWOOD, Mr. GILLMOR, and Mrs. MYRICK.
 H.R. 4334: Mr. PAYNE.
 H.R. 4390: Mr. BONIOR.
 H.R. 4438: Mr. BOEHLERT, Mr. HASTINGS of Florida, and Mr. FALCOMAVALA.
 H.R. 4463: Mrs. MEEK of Florida.
 H.R. 4471: Mr. DEFAZIO, Mr. ENGLISH, Mr. LAMPSON, Mr. HERGER, Mr. LATOURETTE, Mr. MEEKS of New York, Mr. TANNER, Ms. CARSON, Mr. TERRY, Mr. GREENWOOD, and Mr. ALLEN.
 H.R. 4472: Mr. PAUL.
 H.R. 4473: Mr. SANDLIN and Mrs. MEEK of Florida.
 H.R. 4496: Mr. HASTINGS of Washington.
 H.R. 4511: Mr. BILBRAY, Mr. LATOURETTE, Mr. SESSIONS, Mr. METCALF, Mr. BAKER, and Mr. SHERWOOD.
 H.R. 4539: Mr. BACA, Mr. DEUTSCH, Mr. MCGOVERN, Mr. FALCOMAVALA, Mr. MCNULTY, and Ms. KILPATRICK.
 H.R. 4548: Mr. EWING.
 H.R. 4567: Mr. RAHALL.
 H.R. 4570: Mr. HOFFFEL and Mr. BOEHLERT.
 H.R. 4587: Ms. LEE.
 H.R. 4596: Mr. UNDERWOOD.
 H.R. 4652: Mr. REYNOLDS.
 H.R. 4659: Mr. ROGAN, Mr. SHIMKUS, Mr. ETHERIDGE, Mr. CONDIT, and Ms. CARSON.
 H.J. Res. 77: Mr. SHADEGG.
 H. Con. Res. 209: Mr. SALMON, Mr. UDALL of New Mexico, Mr. ENGEL, Mr. KING, Mr. WYNN, Mr. SANDLIN, Mr. KIND, Mr. OLVER, and Mrs. MINK of Hawaii.
 H. Con. Res. 321: Mr. HOUGHTON, Mr. TURNER, Mr. JEFFERSON, Mr. HINCHEY, Mr. SAWYER, Mrs. MINK of Hawaii, Mrs. KELLY, Mr. EWING, Mr. SESSIONS, and Mrs. MORELLA.
 H. Con. Res. 339: Mr. HOYER, Mrs. LOWEY, Mr. CARDIN, and Mr. EVANS.
 H. Con. Res. 346: Mr. MCGOVERN, Mr. CONYERS, Mr. PAYNE, Ms. MILLENDER-MCDONALD, Mr. HILLIARD, and Ms. JACKSON-LEE of Texas.
 H. Con. Res. 348: Mr. HOYER, Mr. RUSH, Mr. KILDEE, Mrs. CLAYTON, Mr. TIERNEY, Mr. SMITH of New Jersey, and Mrs. JONES of Ohio.
 H. Con. Res. 352: Mr. DEUTSCH and Mrs. LOWEY.

H. Res. 398: Mrs. MYRICK, Ms. LOFGREN, Mr. GEORGE MILLER of California, Mr. SANDERS, Mr. HALL of Ohio, Mr. NORWOOD, Mr. DOOLEY of California, Mr. SMITH, of New Jersey, Mr. BACA, Mr. LEWIS of Georgia, Mr. MARKEY, Ms. ROYBAL-ALLARD, and Mr. BECERRA.
 H. Res. 461: Mr. FRANKS of New Jersey, Mr. WAMP, Mr. GONZALEZ, Mr. PAYNE, Mr. TRAFICANT, and Mr. VISCLOSKEY.

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AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4201

OFFERED BY: MR. MARKEY

AMENDMENT NO. 1: Page 3, line 23, insert "educational" after "nonprofit".
 Page 4, line 3, insert "educational" before "religious".

H.R. 4201

OFFERED BY: MR. MARKEY

(Amendment in the Nature of a Substitute)

AMENDMENT NO. 2: Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Noncommercial Broadcasting Freedom of Expression Act of 2000".

SEC. 2. CLARIFICATION OF SERVICE OBLIGATIONS OF NONCOMMERCIAL EDUCATIONAL OR PUBLIC BROADCAST STATIONS.

(a) SERVICE CONDITIONS.—Section 309 of the Communications Act of 1934 (47 U.S.C. 309) is amended by adding at the end the following new subsection:

"(m) SERVICE CONDITIONS ON NONCOMMERCIAL EDUCATIONAL AND PUBLIC BROADCAST STATIONS.—

"(1) IN GENERAL.—A nonprofit educational organization shall be eligible to hold a noncommercial educational radio or television license if the station is used primarily to broadcast material that the organization determines serves an educational, instructional, cultural, or educational religious purpose (or any combination of such purposes) in the station's community of license, unless that determination is arbitrary or unreasonable.

"(2) ADDITIONAL CONTENT-BASED REQUIREMENTS PROHIBITED.—The Commission shall not—

"(A) impose or enforce any quantitative requirement on noncommercial educational radio or television licenses based on the number of hours of programming that serve educational, instructional, cultural, or religious purposes; or

"(B) impose or enforce any other requirement on the content of the programming broadcast by a licensee, permittee, or applicant for a noncommercial educational radio or television license that is not imposed and enforced on a licensee, permittee, or applicant for a commercial radio or television license, respectively.

"(3) RULES OF CONSTRUCTION.—Nothing in this subsection shall be construed as affecting—

"(A) any obligation of noncommercial educational television broadcast stations under the Children's Television Act of 1990 (47 U.S.C. 303a, 303b); or

"(B) the requirements of section 396, 399, 399A, and 399B of this Act."

(b) POLITICAL BROADCASTING EXEMPTION.—Section 312(a)(7) of the Communications Act of 1934 (47 U.S.C. 312(a)(7)) is amended by inserting ", other than a noncommercial educational broadcast station," after "use of a broadcasting station".

(c) AUDIT OF COMPLIANCE WITH DONOR PRIVACY PROTECTION REQUIREMENTS.—Section

396(l)(3)(B)(ii) of the Communications Act of 1934 (47 U.S.C. 396(l)(3)(B)(ii)) is amended—

(1) in subclause (I), by inserting before the semicolon the following: ", and shall include a determination of the compliance of the entity with the requirements of subsection (k)(12)"; and

(2) in subclause (II), by inserting before the semicolon the following: ", except that such statement shall include a statement regarding the extent of the compliance of the entity with the requirements of subsection (k)(12)".

(d) IMPLEMENTATION.—Consistent with the requirements of section 3 of this Act, the Federal Communications Commission shall amend sections 73.1930 through 73.1944 of its rules (47 C.F.R. 73.1930-73.1944) to provide that those sections do not apply to noncommercial educational broadcast stations.

SEC. 3. RULEMAKING.

(a) LIMITATION.—After the date of enactment of this Act, the Federal Communications Commission shall not establish, expand, or otherwise modify requirements relating to the service obligations of noncommercial educational radio or television stations except by means of agency rulemaking conducted in accordance with chapter 5 of title 5, United States Code, and other applicable law (including the amendments made by section 2).

(b) RULEMAKING DEADLINE.—The Federal Communications Commission shall prescribe such revisions to its regulations as may be necessary to comply with the amendment made by section 2 within 270 days after the date of enactment of this Act.

H.R. 4516

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 5: Page 40, insert after line 19 the following:

ADMINISTRATIVE PROVISION

SEC. 211. The Comptroller General shall conduct a study of the project proposed to be carried out by the Secretary of the Army to dredge the Delaware River to bring the depth of its shipping channel to 45 feet, and shall include in the study an analysis of the following issues:

(1) Whether the benefit to the nation of carrying out this project is outweighed by its costs.

(2) The extent to which the project is in compliance with the applicable requirements of the National Environmental Policy Act, including whether the sponsors of the project addressed the following issues in preparing the environmental impact statement associated with this project:

(A) The environmental impact of the disposal sites for materials dredged during the course of the project.

(B) The impact of any dredging of private oil refinery berths which may be associated with the project.

(C) The impact of the project on essential fish and oyster habitats.

(D) Whether the averages of the levels of toxins in samples taken from the sediment of the River failed to reveal areas where toxins are highly concentrated.

(E) The threats to drinking water supplies and water quality.

(3) The environmental and economic impacts of placing 23,000,000 cubic yards of dredged materials on the riverfront of communities near the project.

(4) The failure of the Secretary of the Army to obtain a meaningful number of commitments from private entities to carry out similar dredging of their privately owned ports.

H.R. 4635

OFFERED BY: MR. BAKER

AMENDMENT NO. 32: Page 14, line 13, insert after the dollar amount the following: "(increased by \$30,000,000)".

Page 20, line 13, insert after the dollar amount the following: "(reduced by \$30,000,000)".

H.R. 4635

OFFERED BY: MR. CUMMINGS

AMENDMENT NO. 33: Page 73, line 3, after the dollar amount insert the following: "(reduced by \$2,800,000)".

Page 73, line 18, after the dollar amount insert the following: "(increased by \$2,800,000)".

H.R. 4635

OFFERED BY: MR. GREEN OF TEXAS

AMENDMENT NO. 34: Page 90, after line 16, insert the following new section:

SEC. 426. None of the funds provided under this Act may be used by the Environmental Protection Agency to issue, implement, or enforce any regulatory program (including reporting requirements) applicable to pipeline facilities for the transportation of hazardous liquids subject to regulations issued by the Office of Pipeline Safety, Research, and Special Programs Administration of the Department of Transportation under part 195 of title 49 of the Code of Federal Regulations, with respect to the matters regulated under that part.

H.R. 4635

OFFERED BY: MR. HINCHEY

AMENDMENT NO. 35: Page 90, after line 16, insert:

SEC. 426. Any limitation in this Act on funds made available in this Act for the Environmental Protection Agency shall not apply to:

(1) The use of dredging or other invasive sediment remediation technologies;

(2) enforcing drinking water standards for arsenic; or

(3) promulgation of a drinking water standard for radon

where such activities are authorized by law.

H.R. 4635

OFFERED BY: MRS. MEEK OF FLORIDA

AMENDMENT NO. 36: Page 30, after line 14, insert the following new items:

URBAN EMPOWERMENT ZONES

For grants in connection with a second round of the empowerment zones program in urban areas, designated by the Secretary of Housing and Urban Development in fiscal year 1999 pursuant to the Taxpayer Relief Act of 1997, \$150,000,000 to the Secretary of Housing and Urban Development for "Urban Empowerment Zones", including \$10,000,000 for each empowerment zone for use in conjunction with economic development activities consistent with the strategic plan of each empowerment zone, to remain available until expended.

RURAL EMPOWERMENT ZONES

For grants for the rural empowerment zone and enterprise communities programs, as designated by the Secretary of Agriculture, \$15,000,000 to the Secretary of Agriculture for grants for designated empowerment zones in rural areas and for grants for designated rural enterprise communities, to remain available until expended.

H.R. 4635

OFFERED BY: MRS. MEEK OF FLORIDA

AMENDMENT NO. 37: Page 30, line 20, after the dollar amount, insert the following: "(increased by \$395,000,000)".

H.R. 4635

OFFERED BY: MR. MOLLOHAN

AMENDMENT NO. 38: Page 23, strike the provisos that begin on lines 6, 12, and 16.

Page 24, after line 19, insert the following: For incremental vouchers under section 8 of the United States Housing Act of 1937, \$593,000,000, to remain available until expended: *Provided*, That of the amount provided by this paragraph, \$66,000,000 shall be available for use in a housing production program in connection with the low-income housing tax credit program to assist very low-income and extremely low-income families.

Page 25, line 1, after the dollar amount, insert the following: "(increased by \$200,000,000)".

Page 25, line 19, after the dollar amount, insert the following: "(increased by \$127,000,000)".

Page 27, line 23, after the dollar amount, insert the following: "(increased by \$30,000,000)".

Page 29, line 24, after the dollar amount, insert the following: "(increased by \$43,000,000)".

Page 30, line 20, after the dollar amount, insert the following: "(increased by \$395,000,000)".

Page 35, line 16, after the dollar amount, insert the following: "(increased by \$215,000,000)".

Page 35, line 17, after the dollar amount, insert the following: "(increased by \$5,000,000)".

Page 36, line 13, after the dollar amount, insert the following: "(increased by \$80,000,000)".

Page 37, after line 5, insert the following new item:

AMERICA'S PRIVATE INVESTMENT COMPANIES PROGRAM ACCOUNT

For the cost of guaranteed loans under the America's Private Investment Companies Program, \$37,000,000, to remain available until September 30, 2003, of which not to exceed \$1,000,000 shall be for administrative expenses to carry out such a loan program, to be transferred to and merged with the appropriation under this title for "Salaries and Expenses": *Provided*, That such costs, including the cost of modifying loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is guaranteed, not to exceed \$1,000,000,000.

Page 37, line 12, after the dollar amount, insert the following: "(increased by \$114,000,000)".

Page 37, line 13, after the dollar amount, insert the following: "(increased by \$90,000,000)".

Page 38, line 2, after the dollar amount, insert the following: "(increased by \$24,000,000)".

H.R. 4635

OFFERED BY: MR. MOLLOHAN

AMENDMENT NO. 39: Page 73, line 18, insert after the dollar amount the following: "(increased by \$322,700,000)".

H.R. 4635

OFFERED BY: MR. NEY

AMENDMENT NO. 40: Under the heading "MEDICAL AND PROSTHETIC RESEARCH" of title I, page 9, line 8, insert "(increased by \$5,000,000)" after "\$321,000,000".

Under the heading "ENVIRONMENTAL PROGRAMS AND MANAGEMENT" of title III, page 59, line 6, insert "(reduced by \$5,000,000)" after "\$1,900,000,000".

H.R. 4635

OFFERED BY: MR. SCOTT

AMENDMENT NO. 41: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____ (a) FINDINGS REGARDING THE STATE OF NASA AERONAUTICS FUNDING.—The Congress finds the following:

(1) The past efforts of the National Aeronautics and Space Administration in aeronautics research have yielded significant technological breakthroughs that have improved aircraft safety and efficiency, including wing design, noise abatement, structural integrity, and fuel efficiency.

(2) Every aircraft worldwide uses National Aeronautics and Space Administration technology.

(3) Past investments in aeronautics research have contributed significantly to the Nation's economy.

(4) The aerospace industry, made up primarily of aeronautics products, is the number one net positive contributor to the Nation's international balance of trade.

(5) Over the past decade there has been a dramatic decline in funding for aeronautics research.

(6) Funding for aeronautics research makes up less than five percent of the budget of the National Aeronautics and Space Administration.

(7) In the last two years alone, the aeronautics component of the National Aeronautics and Space Administration budget has been reduced by 30 percent.

(8) A 1999 report by the National Research Council entitled "Recent Trends in U.S. Aeronautics Research and Technology" expressed concern "that the ongoing reductions in [aeronautics] [research and technology (R&T)], which seem to be motivated primarily by the desire to reduce expenditures in the near term, are taking place without an adequate understanding of the long-term consequences" and that the Federal Government "analyze the national security and economic implications of reduced aeronautics R&T funding before the nation discovers that reductions in R&T have inadvertently done severe, long-term damage to its aeronautics interests".

(9) This Act reduces the already underfunded investment in aeronautics research even further and may impact the long-term safety and convenience of the Nation's air transportation system.

(b) SENSE OF THE HOUSE.—It is the sense of the House of Representatives that legislation enacted into law for funding the Departments of Veterans Affairs and Housing and Urban Development and independent agencies for fiscal year 2001 should not result in funding for National Aeronautics and Space Administration aeronautics research programs which is less than the level in the President's requested fiscal year 2001 budget.

H.R. 4635

OFFERED BY: MR. SMITH OF MICHIGAN

AMENDMENT NO. 42: Page 30, line 20, after the dollar amount, insert the following: "(reduced by \$20,000,000)".

Page 30, line 21, after the dollar amount, insert the following: "(reduced by \$20,000,000)".

Page 77, line 1, after the dollar amount, insert the following: "(increased by \$20,000,000)".

H.R. 4635

OFFERED BY: MR. SMITH OF MICHIGAN

AMENDMENT NO. 43: Page 56, line 13, after the dollar amount, insert the following: "(reduced by \$10,000,000)".

Page 77, line 1, after the dollar amount, insert the following: "(increased by \$10,000,000)".