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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 12, 2000.

I hereby appoint the Honorable JOHNNY ISAKSON to act as Speaker pro tempore on this day.

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agreed to the following resolution:

S. RES. 352

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Herbert H. Bateman, late a Representative from the Commonwealth of Virginia.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the deceased Representative.

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.

LIVABLE COMMUNITIES

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

Mr. BLUMENAUER. Mr. Speaker, as the American public weighs the personalities, the politics, the policies, and the passions of this election year, there is one area where their differences could not be more clear, the commitment to livable communities and a cleaner environment. In the long run, there may be no area where the decisions are more significant.

The forces of environmental degradation will not be easy to reverse. Cleaning up our waterways and dealing with the consequences of unplanned growth and sprawl may take decades. Reversing global warming may take thousands of years. We have no time to waste.

Luckily for the American public, AL GORE and JOE LIEBERMAN have the very highest rating from the people whose job it is to advocate for and monitor congressional performance on the environment.

One does not have to be merely concerned about the stated environmental policies and positions of a Bush/Cheney administration, like drilling in the Arctic Wilderness Reserve or reversing monument status protections for some of our national treasures.

The Republican ticket also has an environmental record. Dick Cheney, in his 12 years in this Chamber, compiled one of the worst environmental voting records. Governor Bush, after two terms leading the State of Texas, has failed to lead his State from the bottom ranks in air and water quality. His voluntary approach for polluting industries out of compliance with air quality standards has resulted in only 30 of 461 companies stepping forward, raising questions about both his judgment and his commitment to the environment.

Indeed, sad as his performance has been, it is the lack of perception and passion that I find most disturbing. He seems unaware of the Texas environmental problems. Where is his outrage and his concern that, under his leadership, Houston has become the city in the country with the worst air quality? This environmental indifference, if combined with that of the Republican leadership in this Congress, could be disastrous.

The Clinton/Gore administration has been perhaps the most environmentally sensitive in history, but progress has been slowed not just by the complexity of today's environmental problems but by highly organized special interests and, sadly, by a Republican-controlled Congress that has been one of the least sensitive in history.

For example, since the Gingrich revolution, the EPA has been under continuous assault and a series of destructive riders have made the budget process an ordeal every single year for the environment.

Bipartisan alliances to protect the environment should be the rule, and we have seen them on this floor. I salute the work of the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Minnesota (Mr. OBERSTAR) with TEA–21, keeping the framework in place, of the gentleman from Alaska] (Mr. YOUNG) and the gentleman from California (Mr. GEORGE MILLER) on CARA, with the gentleman from Nebraska (Mr. BEREUTER) working with me on flood insurance reform. But these, sadly, have been the rare exception.

The leader of the other body not only proclaims brownfields reform to be off-limits but actually puts this incredible pledge in writing. In the House, the majority leader and the majority whip have an environmental voting record of zero from the League of Conservation Voters.

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We should also consider the hidden environmental issue of this election, that of judicial appointments. The third branch of government, the judiciary, has at times played a key role in protecting the environment by requiring the enforcement of environmental laws, preventing overreaching by public and private parties. Governor Bush has voiced enthusiasm for judges in the mold of Scalia and Thomas. Judicial appointments along these lines could not only hamstring an administration for years but could cripple environmental enforcement for a generation.

There are some who suggest there is no difference between the Republicans and the Democrats in this election. When it comes to the environment, the reality is stark. The Democrats have a positive record of support and accomplishment, of sympathy and passion for the environment. The Republican ticket offers indifferent voting record, cursory performance in office, and advocacy of dangerous, even reckless, environmental policies.

Our air, the water, the landscape, our precious natural resources do not have the time to survive benign neglect, malicious indifference, let alone active assault.

There is a huge difference, perhaps more than any other issue, that of the environment. The stakes for the environment could not be higher, and the public should give it the attention that it deserves.

DEPARTMENT OF VETERANS AFFAIRS HEALTH CARE PERSONNEL ACT OF 2000

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

Mr. STEARNS. Mr. Speaker, in all deference to my colleague from Oregon, the zero rating that he cited for Secretary Cheney in his voting while in Congress was from a group that is really very socialistic and makes its decisions based upon emotion and not upon science. Governor Bush is dedicated to making decisions on the basis of science and economics and not just emotions when it comes to our environment.

So I ask my colleague to review the record of Governor Bush and look carefully at the votes of Secretary Cheney with that in mind.

Mr. Speaker, I came down here this afternoon to speak about a bill, H.R. 5109, which is a bipartisan bill. It is called the Veterans' Affairs Health Care Personnel Act of 2000.

I chair the Subcommittee on Health and Veterans' Affairs, and we passed this bill. Tomorrow we are going to have a full markup. I want to bring this bill to the attention of my colleagues because I think all of them will want to cosponsor this.

About 10 years ago, the professional nursing corps at the Department of Veterans Affairs' was in a crisis. VA was losing critical, even irreplaceable, assets from its clinical base. The Nation's hospitals in general were suffering acute shortages of trained nurses, and indeed the VA itself was viewed as a major recruitment source by these hospitals. Because of the nature of the payroll system for Federal employees, it is sort of a ponderous civil service system. VA was powerless to react in a highly competitive, volatile arena. The quality of care was in danger.

In the 101st Congress, we went ahead and tried to correct that, but we did not quite complete the job. So we had a hearing in the subcommittee earlier this year on the status of VA's work with special focus on the pay situation of VA nurses.

Mr. Speaker, what we found was very disappointing. In fact, we learned that many VA nurses had not received any increases in pay since our 1990 legislation 10 years ago. While those initial pay increases were in many cases substantial, in the course of time, other VA employee groups had caught up because of the annual comparability raises available to every Federal employee. So the nurses of the VA found themselves in a situation that they were not competitive, they were at a disadvantage, and some were leaving to go to the private sector. And this is again creating a crisis.

We in the Veterans' Affairs cannot afford to lose these specialized individuals. Therefore, in addition to the guaranteed national pay raises for nurses that was put in our bill, the subcommittee has crafted necessary adjustments to the locality survey mechanism, which is a special formula that is set up to take care of nurses and their pay increases to ensure that data are available when needed and to specify that certain steps be taken when they were necessary that lead to these appropriate salary increases for their nurses.

Mr. Speaker, this bill also addresses recommendations of the VA's Quadrennial Pay Report concerning VA dentists. Now, this is another area where we are losing specialized people. We want to bring their pay up to contemporary balance with compensation of hospital-based dentists in the private sector, or we are going to lose all the dentists in the VA system. This is the first change in 10 years in VA dentists special pay.

Our bill also addresses a very important area dealing with Vietnam veterans. At the instigation of the gentleman from Illinois (Mr. EVANS), who is the ranking minority member of the full committee, he brought up the idea of reauthorizing the landmark 1988 study of posttraumatic stress disorder in Vietnam veterans. Our bill would reauthorize this study. I look forward to working with the gentleman from Illinois (Mr. EVANS) on passage of this bill.

The bill also requires the VA to record military service history when VA veterans come in to talk to physicians about their health care history. This will aid any veteran who subsequently files a claim of disability, especially given our newfound acquisition of knowledge with the Gulf War Syndrome, and that military combat causes stress, exposures may be associated with pesticides and other things, and all this might lead to disease later in life.

So I want to commend the Vietnam Veterans of America for bringing this proposal to me. It is a valuable contribution to this bill.

Finally, I want to talk about another very innovative idea that is crafted in this bill with the help of the gentleman from Florida (Mr. WELDON). His proposal will set up a pilot program involving not more than four VA clinic service areas. Within these areas, enrolled veterans in need of uncomplicated hospital admissions would be referred to community hospitals rather than being sent to VA Hospitals.

So if there are far distances from these hospitals, they will be able to go to a local hospital. We found out that this saves 15 percent in cost savings.

So, Mr. Speaker, I urge all of my colleagues to support my bill, and I look forward to its passage on the House floor.

Our bill is bipartisan and major provisions of it are already endorsed by several organizations, including Vietnam Veterans of America, the Nursing Organization of Veterans Affairs and the American Dental Association, and the largest federal union, the American Federation of Government Employees (AFGE), among others.

IN RECOGNITION OF DR. DIANA S. NATALICIO, PRESIDENT OF UNIVERSITY OF TEXAS AT EL PASO

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

Mr. REYES. Mr. Speaker, I rise today to recognize Dr. Diana S. Natalicio, an outstanding individual and role model in both the Hispanic and academic community.

Dr. Natalicio is currently president of the University of Texas at El Paso, otherwise known as UTEP, a position that she has held since 1988. She received her bachelor's degree in Spanish from St. Louis University; her master's degree in Portuguese; and a doctorate in linguistics was awarded by the University of Texas at Austin.

In 1961, she was a Fulbright Scholar in Rio de Janeiro, Brazil; and in 1964, she was a visiting scholar in Lisbon, Portugal. After serving as a research associate at the Center for Communication Research at the University of Texas at Austin, Dr. Natalicio joined the faculty of UTEP in 1971 as a part-time assistant professor. She quickly rose to the rank of associate professor and then professor.

In addition to her teaching responsibilities in the Department of Linguistics and Modern Languages, she has

served UTEP in numerous administrative capacities, including chairman of Modern Languages, associate dean and dean of Liberal Arts, vice president for Academic Affairs, interim president, and finally as president in today's capacity.

Dr. Natalicio has served on numerous boards and commissions, appointed to those boards and commissions by President Clinton, former President Bush, and Governor Bush as well. Some of them are the National Science Board, NASA Advisory Council, the Fund for the Improvement of Postsecondary Education, the ''America Reads Challenge'' Steering Committee, the Advisory Commission on Educational Excellence and many, many others that are important in her role as president of a dynamic university.

Dr. Natalicio has received countless awards and honors, which include the Harold W. McGraw, Jr. Prize in Education, the Outstanding Contribution to Education Award by the Hispanic and Business Alliance for Education, the Humanitarian Award from the League of United Latin American Citizens, and the distinguished Professional Women's Award.

□ 1245

In 1999, Mr. Speaker, Dr. Natalicio was inducted into the Texas Women's Hall of Fame. She has also written numerous books, articles and reviews in the field of applied linguistics.

Under Dr. Natalicio's leadership, UTEP has become the largest Hispanic majority university in the Nation. Its budget has increased from $64 million in 1988 to over $146 million today, and its doctoral programs have grown from 1 to 8 programs and it is still growing.

In the last decade, Dr. Natalicio has been an effective and increasingly influential individual in raising the visibility and the funding of the University of Texas at El Paso.

Dr. Natalicio began visiting Washington, D.C. some 10 years ago in an attempt to solicit Federal research dollars. At the time, Dr. Natalicio today reflects, they did not even know who UTEP was. I had to go and create an identity for the institution in Washington, D.C.

UTEP's Federal research grants have increased to $53 million last year from $3.5 million in 1987. The university spent some $27.8 million in 1999 moving up to fifth place among the State's 35 public academic universities in actual expenditures for Federal money.

Dr. Natalicio has constantly pushed UTEP towards becoming a Tier 1 research university. In May of 1997, under the leadership of Dr. Natalicio, UTEP embarked on an unprecedented fundraising effort called the Legacy Campaign, an initiative which, to date, has raised some $50 million in new endowments, tripling the university's total endowment from $25 million to over $75 million today.

Within one year, Dr. Natalicio has announced that the university's Legacy Campaign has raised $45 million, 95 percent of its goal. This generous financial commitment has resulted in the creation of more than 200 new endowments, including 80 newly endowed scholarships; 26 new professorships and chairs; and 48 new departmental excellence funds.

Dr. Natalicio's efforts to expand UTEP's Development and Alumni Affairs office has resulted in a steady increase in annual giving to the university. Dr. Natalicio further is proud of the accomplishments and can be traced to the courageous decisions and an appreciation for the contributions of others. She has been an instrumental force in transforming UTEP from a regional institution to an international university whose vision is outward and whose growth and phenomenal success in garnering additional funds for new programs are the envy of other universities. She is responsible for developing, during radically changing times, an atmosphere in which students, faculty, and staff are stimulated, inspired, and challenged.

VOTE AGAINST WELFARE FOR LARGE MULTINATIONAL CORPORATIONS

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

Mr. STARK. Mr. Speaker, later today we will have an opportunity to vote on H.R. 4986, the FSC replacement bill. That is a foreign sales tax credit that was inaugurated by President Nixon in which the Washington Times recently, in an editorial, referred to it as one of the largest bipartisan and unanimous blunders passed by the House of Representatives.

In the early seventies, I opposed the FSC bill, or the foreign sales tax credit, and was successful at least in denying that tax credit to weapons manufacturers, on the theory that all weapons sold to foreign countries had to be approved by the Defense Department and the Secretary of State and basically were sold by our government to other governments, and there was no reason to give a subsidy, which is what this FSC thing is, to weapons manufacturers in the United States.

The Senate saw fit to reduce that to a 50 percent limitation and that has been the law for some 20 years. Recently, without any hearings and without any discussion, almost in the dead of night, the 50 percent limitation to defense contractors was removed. The World Trade Organization has filed a lawsuit against the United States saying that this foreign sales tax credit is a hidden subsidy, and they are right. It is a subsidy. It is being changed now in language in this bill that will come up under suspension, but the old saying, it is a duck if it quacks like a duck and it waddles like a duck. In this case, it quacks like a subsidy and it gives money back to companies out of the taxpayers' pocket to subsidize sales overseas.

What is perhaps most egregious at this time is that we are now cutting taxes to and for U.S. pharmaceutical companies to get the U.S. pharmaceutical companies to sell cheaper drugs to foreigners while at the same time selling them at higher prices here at home to our seniors. That is what will be done if my colleagues vote for 4986, and they should vote no.

The pharmaceutical industry does not need another corporate subsidy at the expense of the American taxpayer. Why give an incentive for the pharmaceutical companies when they sell their products to other developed nations for less than we can buy them here? I offered an amendment to say that pharmaceutical companies could not have this subsidy if they were selling their drugs for 5 percent more in this country than they sell in Canada and Mexico. That, unfortunately, was defeated.

We have shown, or studies have shown, that the American seniors are without drug coverage, pay almost twice as much for their pharmaceutical drugs as do our neighbors in Canada and Mexico. Why on Earth we should be giving companies like Merck, already one of the most profitable drug companies in the world, with more than twice the profits of, say, engineering and the construction industry, why we should give them an additional subsidy to continue to sell drugs for less money in Canada and Mexico and Germany and Japan than they do to the seniors in my district in Fremont, California, escapes me.

I hope that my colleagues will see the nonsense in this bill. It is being run through. We will not even see a report. They have held the report up so nobody can read that. There were a few of us on the committee who signed dissenting views. It is a bad bill. It does nothing but take money from the average senior, the average purchaser of pharmaceutical drugs, and give it to the richest companies in this country.

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

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

Mr. DOGGETT. Mr. Speaker, if I understand what the gentleman is saying, we, of course, are well aware that America's seniors, indeed uninsured people in America of all ages, a young family that has a sick child that does not have insurance, these individuals across America, millions of them, are paying the highest price for drugs of anyplace in the entire world, and an American pharmaceutical company under this bill can continue to do that, to charge them the highest prices in the world and export the same drug to another country, whether it is Canada, Europe, wherever.

Mr. STARK. Precisely. My Zucor, which got my cholesterol down from

220 to 160, great stuff, 1,200 bucks a year for Zucor. Fortunately, Blue Cross pays some of that for me. I could buy the same drug in Canada for $600. And I am giving this company a subsidy so they can sell it for less in Canada and I have to pay more for it here? I cannot figure that out.

Mr. DOGGETT. That is the vote we will be taking today, whether to reward these companies that charge Americans more money than anywhere else in the world, reward them by giving them a tax subsidy?

Mr. STARK. That is what it seems to me, and that seems like a dumb idea, and I hope the gentleman and my colleagues will vote no.

WE SHOULD NOT SUBSIDIZE AN INDUSTRY THAT OVERCHARGES AMERICAN CONSUMERS

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

Mr. DOGGETT. Mr. Speaker, because of my commitment to expanding international trade, I voted in favor of H.R. 4986 in committee. I must say that I was forced to cast that vote under very strange circumstances, with very limited information about the full content of this bill because of the way it was brought up. Because of the secrecy surrounding this bill and the deceit surrounding it, I am reconsidering that vote and will expand on the concerns that I just expressed in the discussion with my colleague, the gentleman from California (Mr. STARK). On pharmaceuticals, I question why it could possibly be right to subsidize an industry that overcharges American customers and sells the very same product made in America in other parts of the world for less. Why should there be a subsidy designed to encourage lower prices for seniors in other parts of the world for American pharmaceuticals than right here at home? The high cost of prescription drugs represents an injury to American consumers, but it really does add insult to injury to reward pharmaceutical companies with a tax break with reference to those foreign sales in addition to the gouging of the American consumer.

It is very important for our colleagues to understand that H.R. 4986, which will be coming up for a vote later today, was considered under the most extraordinary and unusual circumstances before the Committee on Ways and Means. There was no public hearing. There was no report that has yet been published. There was even an attempt to limit the ability of the members of the committee to ask questions to any resource witnesses about the nature of this bill. The lead official for the administration on this, Secretary Eizenstat, was rushed out of the committee before he could answer a single question about the bill. Highly unusual that an administration official would be unwilling to publicly answer questions about a bill that will cost American taxpayers $4 billion to $6 billion each year. Apparently the entire process for putting this bill together was to gather in a room outside of public purview those people who would benefit, like the pharmaceutical industry, from the tax break and work with them to figure out how they could get the most tax break without any input from anyone other than those who stood to gain from the tax subsidy.

It is particularly ironic that we would be taking this bill up today, because we have just had released this morning a new study concerning the very highly addictive quality of nicotine; that it takes a child a very short period of time of being exposed to a cigarette before they become addicted to nicotine. Yet one of the principal beneficiaries of this piece of legislation are the giant tobacco companies. They are involved in a worldwide effort to spread the plague of death and disease associated with tobacco use. We have learned today that tobacco is even more addictive than previously known for children.

Phillip Morris, for example, runs these ads all the time, they are spending millions of dollars to tell us how they do not put their logos on clothing; they do not sponsor youth-oriented activities; they do not try to attract children to smoke in the United States. While such claims are very questionable even here at home, none of them apply abroad. Phillip Morris is directly targeting the world's children, as are other tobacco companies.

Under this piece of legislation, the American taxpayer will be an unwilling accomplice of this attempt to addict children around the world. The tobacco industry, if this bill is passed, will get at least $100 million every year in special tax breaks for the purpose of allowing it to go around and do the same thing to children in other parts of the world, particularly in the developing countries, that it has done to our children. Nor does the American tobacco industry need a special tax break in order to enjoy a competitive advantage. Big tobacco companies have already gained extensive experience as they abused American children, as they successfully addicted millions of American children who grew up to die of emphysema and lung cancer and heart problems as a result of their exposure to tobacco.

Big tobacco has the tremendous marketing expertise, paid for with millions of lives in this country, to apply to Eastern Europe, to Asia, to Africa, to South America, to addict the children in that part of the world. And, as I indicated, they have specifically refused to apply any of the very modest limitations on marketing to children that they now apply in this country to their efforts to addict children around the world.

Why should we reward this malicious industry with $100 million a year tax cut? That is what the members of this Congress will have to answer this afternoon when this bill comes up.

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 59 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

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

PRAYER

Sister Catherine Moran, O.P., New Community Corporation, Newark, New Jersey, offered the following prayer:

Lord God,

As Members of the House of Representatives meet today, give this Nation the strength and wisdom to follow Your way.

By Your gentle prodding, Lord, help those elected to public office to act on the promises made to those who rely on them.

By loosening the bonds that have held Your people in the past, may this body give service to all.

In deliberating and making decisions, may the poor and the oppressed never be forgotten.

With Your guidance, Lord, may Your servants be instrumental in fashioning a better tomorrow for all.

We ask Your blessing on the work of this Congress and we thank You for Your presence among us.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. PAYNE 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.

WELCOME AND CONGRATULATIONS TO SISTER CATHERINE MORAN

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

Mr. PAYNE. Mr. Speaker, on this historic occasion it is with great pride that I welcome the guest chaplain to the United States House of Representatives, the first Roman Catholic nun, and the first nonordained woman to offer the opening prayer, Sister Catherine Moran. Sister Catherine Moran is well known and widely admired in my hometown of Newark, New Jersey, where she lives and has made a great difference in our community with her over-15 years of service to the New Community Corporation and earlier as an assistant superintendent for secondary schools in the Newark Archdiocese.

A dynamic and forward-thinking leader with a passion for social justice, Sister Catherine works diligently to improve the quality of life in our community for all people. The New Community Corporation, which was founded by my good friend, Monsignor William Linder, has a tremendous record of success in restoring vibrancy to the city of Newark through a number of innovative economic development projects and community-based programs. I am pleased to have the opportunity to offer our heart-felt thanks to Sister Catherine for bringing such energy, creativity, and resourcefulness to our community.

Mr. Speaker, as a graduate of Seton Hall University in South Orange, New Jersey, I think it should be noted that Sister Catherine Moran is carrying on a legacy of another strong woman of faith whom my alma mater is named after, Mother Elizabeth Ann Seton, the first saint who was born in the United States of America. I know my colleagues here in the United States House of Representatives join me in honoring Sister Catherine and congratulating her on this very special day.

The SPEAKER pro tempore. The Chair and the House joins the gentleman from New Jersey (Mr. PAYNE) in welcoming Sister Catherine to this historic event today. Sister, thank you.

BIBLE OF THE REVOLUTION

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

Mr. PITTS. Mr. Speaker, on this day in history, September 12, 1782, 218 years ago, Congress made a significant decision reported in the records of Congress. The American Revolution had just concluded, and America was no longer bound by the British law making it illegal to print a Bible in the English language.

A plan was therefore presented for Congress to approve the printing of a Bible that would be ''a neat edition of the Holy Scriptures for the use of schools.'' Congress approved the plan and on this day in 1782 our Founding Fathers issued the endorsement printed in the front of the ''Bible of the Revolution,'' now considered one of the rarest books in the world, and I saw one recently.

That endorsement declares: ''The United States in Congress assembled recommend this edition of the Bible to the inhabitants of the United States.'' One historian observed that ''this Congress of the States assumed all the rights and performed all the duties of a Bible Society long before such an institution existed.''

This act by Congress on this day in 1782 shows that our Founding Fathers believed that it was appropriate for Congress to encourage religion and even the use of a Bible, a lesson many today would like us to forget.

INVESTIGATE THE CHINESE FIASCO

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

Mr. TRAFICANT. Mr. Speaker, Charles LaBella, Louis Freeh, David Shippers, even Justice Department officials who wish to remain anonymous all recommended an independent counsel investigation into this Chinese fiasco: the buying and spying of our secrets and literally making illegal campaign contributions to the Democrat National Committee, possibly threatening our national security.

Poll after poll shows that Americans overwhelmingly want an investigation; and on every occasion, Janet Reno said no. Janet Reno said no five times. In fact, Janet Reno said no every single time.

Mr. Speaker, Janet Reno has betrayed America and Congress has allowed it. Beam me up. I yield back the fact that Congress should demand through legislation an independent investigation of this Attorney General and this Chinese fiasco.

NO CONTROLLING LEGAL AUTHORITY

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

Mr. BALLENGER. Mr. Speaker, Vice President GORE made a promise to the AFL–CIO that he would keep Federal contracts from companies the unions did not like. This ''blacklist'' would be created under the proposed rules the administration released late last month and would allow unions to punish companies by holding hostage the yearly pool of $200 billion in Federal contracts.

Mr. GORE's ''blacklisting'' regulations kick in far too easily. Under the proposed rule, all it takes for a contractor to be denied a contract is one adverse decision by an administrative law judge.

Mr. Speaker, when the Vice President got caught making questionable phone calls for campaign cash, his defense was that there was not any controlling legal authority. Well, Mr. Vice President, administrative law judges' decisions are not ''controlling legal authority'' either. Their decisions are often overturned by agencies and by the Federal courts. In fact, a court recently overruled an ALJ and the board held that a company could lawfully fire a worker who sabotaged a company's repair work.

If Mr. GORE is going to try to punish honest companies and their hard-working employees, let him at least do it upon ''controlling legal authority.''

TAX BREAK FOR MULTINATIONAL CORPORATIONS

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

Mr. DEFAZIO. Mr. Speaker, finally, today, Congress is going to push through a tax break that the President will rush to sign, not veto. Is it education credits, child care credits? No. A compromise on the marriage penalty or estate tax relief? No. How about how the other side loves to talk about tax breaks for small business. Will it go to small business? No. It is a tax break designed only for the largest multinational corporations operating in the United States. It will not produce a single American job, but it will cost American taxpayers $5 billion to $6 billion.

Over the next decade, $750 million to GE, $686 million to Boeing. It will double the tax break for arms exporters. It will give a generous tax break to tobacco exporters, and it will give a tax break to the pharmaceutical companies to sell even more of their drugs at prices lower than that that they offer to U.S. citizens subsidized by the U.S. taxpayers.

Mr. Speaker, this is outrageous. It will also go to foreign companies operating in the U.S.: BP, BASF, Daimler-Benz. Why are we rushing a $5 billion tax break to these companies when Americans are still waiting?

RIGHTING A WRONG AND HELPING OUR FAMILIES

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

Mr. GIBBONS. Mr. Speaker, this week Congress will have a unique opportunity of righting a wrong and helping American families, all with just one vote. This week, we will vote to override President Clinton's veto of the Marriage Penalty Relief Act.

In an era of unprecedented tax surpluses, our Federal Government continues to force married couples to pay, on average, $1,400 more in taxes than two single people earning the same salaries. It seems obvious to me and to the people of the State of Nevada that this tax discrimination is simply wrong and must be corrected, and now we will have the opportunity to correct this wrong.

Eliminating the marriage penalty will also help lessen the biggest concern facing American families today, and that is financial security. I want to give the working families of Nevada the opportunity to save more of their hard-earned money for their retirement, their children's education, and their families' future. I urge my colleagues to join me in supporting the hard-working American family and eliminate the unfair marriage penalty. It is time to give our families a break.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

SCHOOL SAFETY HOTLINE ACT OF 2000

Mr. TANCREDO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5123) to require the Secretary of Education to provide notification to States and State educational agencies regarding the availability of certain administrative funds to establish school safety hotlines.

The Clerk read as follows:

H.R. 5123

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

SECTION 1. FINDINGS.

The Congress finds that—

(1) an estimated 255,000 violent incidents occurred in 1999 on school property, at an official school function, or while traveling to and from school;

(2) for the complete school year July 1, 1997, through June 30, 1998, there were 58 school-associated violent deaths that resulted from 46 incidents; 46 of these violent deaths were homicides, 11 were suicides, and 1 teenager was killed by a law enforcement officer in the course of duty;

(3) although fewer school-associated violent deaths have occurred in recent years, the total number of multiple victim homicide events has increased;

(4) in 1997, 5 percent of all 12th graders reported that they had been purposefully injured, while they were at school, with a weapon such as a knife, gun, or club during the prior 12 months, and 14 percent reported that they had been injured on purpose without a weapon;

(5) on average, each year from 1993 to 1997, there were 131,400 violent crimes against teachers at schools, as reported by teachers from both public and private schools, which translates into a rate of 31 violent crimes for every 1,000 teachers;

(6) tools should be created for, and provided to, students, teachers, parents, and administrators across the country so that they have the ability to provide the information necessary to law enforcement authorities to take action before other tragedies occur; and

(7) school safety hotlines allow students, parents, and school personnel the opportunity to report threats of school violence to law enforcement authorities, thus reducing incidents of youth violence.

SEC. 2. NOTIFICATION.

Not later than 1 year after the date of the enactment of this Act, the Secretary of Education shall provide written notification to the States and State educational agencies of the ability of States or State educational agencies, as appropriate, to use State administrative funds provided under title IV and title VI of the Elementary and Secondary Education Act of 1965 to implement programs related to the establishment and operation of a toll-free telephone hotline that students, parents, and school personnel use to report suspicious, violent, or threatening behavior related to schools or school functions to law enforcement authorities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. TANCREDO) and the gentlewoman from New York (Mrs. MCCARTHY) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado (Mr. TANCREDO).

GENERAL LEAVE

Mr. TANCREDO. 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. 5123.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 5123, the School Safety Hotline Act of 2000, which would require the Secretary of Education to notify State education agencies so that they can use funding under the Elementary and Secondary Education Act to establish school safety hotlines.

One of the effects of the recent rash of violence in our Nation's schools is that many of our students no longer feel safe. Recent studies and polls have confirmed this, showing that the number of students who fear violence in their school is at a record level. We cannot expect the educational process to continue unencumbered when teachers and students are as concerned with their safety as they are with teaching and learning.

School safety hotlines allow students, teachers, parents, and school personnel the opportunity to report threats or acts of violence to authorities. They give everyone back some of the security that they deserve, allowing them to concentrate on teaching and learning, the very reasons for which they are in school.

□ 1415

According to the report ''The School Shooter: A Threat Assessment Perspective'' released by the Federal Bureau of Investigation last week, one of the most important aspects of identifying potential violent adolescents is detecting that point at which they begin to talk about the event they are planning, when a student intentionally or unintentionally reveals clues to feelings, thoughts, fantasies, attitudes, or intentions that may signal an impending violent act.

Not too long ago we had the opportunity to hear from members of the Secret Service who came into our office and made us aware of the fact that they had been working on a profile similar to this, or a document similar to this, and looking at the number of people who have been involved with either threats against personnel or threats against elected officials or people who have carried out those threats, and then looking at what they found were similar characteristics among the people who had been involved with school shootings and school violence.

One of the things they told us, there were several common elements, but the one that struck my attention at the time was the fact that all of these people tell somebody; that none of them have acted alone, in a vacuum, without ever letting anyone know of their intentions.

If that is the case, if in fact that happens and these people are inclined toward that and do in fact tell others, then something like the school safety hotline, the need for it is quite evident.

In the aftermath of the tragedies around the country, I worked in cooperation with the Colorado Bureau of Investigation, the Colorado Department of Education, U.S. West, now Qwest, AT&T, and local sheriffs departments throughout the State to establish the Colorado school safety hotline. We were able to pool the resources of State agencies and private companies to provide this needed resource for the State which provides parents, students, and teachers with a valuable tool in our efforts to make schools safe.

We were able to come together as elected leaders, administrators, neighbors, friends, and families to search for ways to restore that sense of safety and security to our schools. Now if someone learns of a potential threat to a fellow student, a teacher, or a school facility, they have an opportunity to provide this information to law enforcement and school authorities who will follow up on their tip, and they can do so anonymously.

All reports to the hotline are kept strictly confidential. Here is how it works, and here is how it has worked in Colorado. The Colorado Bureau of Investigation answers the school safety hotline 24 hours a day, 7 days a week. This is enormously important. We have talked to other people and other school districts that have implemented these, but they are not really always available and accessible to a live person on the other end. Sometimes they go into a recording. That leaves a great deal of liability for the agency involved.

This hotline, the one we have in Colorado, operates, as I say, 24 hours a day, 7 days a week. It goes to a live person. Then the sheriff's department

in the county where the school is located is identified and is provided with the information, if that is necessary.

The local sheriff's department then works with local law enforcement agencies to take appropriate action and follow up on tips phoned into the hotline.

Of course, one of the most important aspects of the hotline is getting the word out to everyone in our schools and communities. To this end, the Colorado Department of Education provides each school with posters and makes sure all students and parents are aware of the hotline. AT&T-Qwest provides the public service announcements to highlight the school safety hotline to students, and they do so through the cooperation of TCI cable.

On the hardware side, Qwest has provided the telephone service for the hotline, including the telephones, the phone service, and installation, and provides the maintenance. As of September 5, the Colorado school safety hotline has taken over 600 calls, including 80 that were in the nature of a threat.

Establishing hotlines will hopefully help prevent future tragedy, and are just one of the many actions we can take to help make our schools safer. This will not be a cure, but it is another tool for all of us to use. We all know that the roots of school violence lie much deeper, but we should do everything at our disposal to prevent individual acts from happening.

The Colorado school safety hotline has been a success, and we need to make sure that every school district in America knows they already have some of the resources they need to start their own hotline.

H.R. 5123, the School Safety Hotline Act of 2000, was devised to help States throughout the nation do just that. While I wholeheartedly advocate the public-private partnerships in developing the hotline, which has been extremely successful in my district, with the passage of this legislation, funding will not be an issue whether to take steps to help protect our schools and communities.

It is my hope that tools like the school safety hotline will help restore a sense of security to students, teachers, and their families who undertake this learning mission each day. Once again, I thank the Speaker and the gentleman from Pennsylvania (Mr. GOODLING) for moving this bill. I urge my colleagues to support H.R. 5123.

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

Mrs. MCCARTHY of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today the House considers legislation that will direct the Secretary of Education to notify the States that Federal money is available to set up school safety hotlines so teachers, students, and parents will be able to report threats of school violence to law enforcement.

Many States already know these funds are available for school hotlines. Some House Members may question whether or not this legislation is really necessary.

As a member of the Committee on Education and the Workforce with my colleague, the gentleman from Colorado, I am committed to reducing classroom sizes, ensuring after-school programs, and increasing student achievement and test scores. We can accomplish none of these things unless we have safe schools first.

Had the 106th Congress really addressed school violence, then this legislation would be an appropriate amendment in major gun safety legislation. I regret that Congress has accomplished next to nothing to enact commonsense gun safety legislation.

Have we closed the gun show loophole that permits criminals to get guns easily? No. Have we required gun manufacturers to install safety locks on all new guns? No. Have we banned high-capacity ammunition clips on assault weapons? No. Do we even allow the Department of Education to collect specific information on gun violence in our schools? No.

In my home State of New York, I have worked closely with Governor George Pataki and our State lawmakers so we were able to enact strong, commonsense gun safety legislation this summer. I am proud our State now has a law that closes the gun show loophole and requires child safety locks on guns.

We need national commonsense gun legislation. This way we know all our schools will certainly be as safe as they can be.

The House leadership and the gun lobby have maintained their ironclad alliance to block the consideration of this commonsense gun legislation. I urge the American people to send a message to the House leadership to reject the gun lobby and enact real gun safety legislation before we adjourn for the year.

Mr. Speaker, the new school year has just begun. We need to give parents greater assurance that their children will be safe while they are attending school. I will support H.R. 5123, but the truth is, the Congress must do more. We can close the gun show loophole. We can require child safety locks. We can ban high-capacity ammunition clips. We can collect information on gun violence in our schools.

Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, I thank the gentlewoman for yielding time to me on this important issue, and I commend her for her continued fight on this most critical problem.

We all remember with horror the tragedy that occurred in April of 1999 at Littleton, Colorado. It left a country speechless, parents childless, and Congress clueless. We will likely never know the motivations behind these two young killers.

One fact remains glaringly clear, Mr. Speaker: They were able to obtain the firearms they needed without any questions asked. A friend of the two purchased the guns from a gun show the previous autumn. Days after the killing she said, ''I wish it had been more difficult. I wouldn't have helped them buy the guns if I had faced a background check.''

In the days, months, and now a year following Columbine, I have joined my colleagues in the Congress from both sides of the aisle to put an end to the gun show loophole. While successful to that end, the majority leadership still refuses to address other proposed legislation dealing with gun safety issues, so I am pleased and I am honored to stand with the gentleman from Colorado (Mr. TANCREDO) and his legislation. It is on the suspension calendar today, and I salute the gentleman from Colorado. It is timely, in fact, because millions of children and teenagers are returning to classrooms across the Nation to go back to school this month.

As stated in H.R. 5123, an estimated 225,000 violent incidents occurred in 1999 on school property, at an official school function, or while traveling to and from school. That is not acceptable and it should not be to anybody, regardless of which side of the aisle they sit on. Students and teachers ought not to leave their houses in the morning worried about whether or not they will make it home that evening.

H.R. 5123 adds one more safety measure to ensuring that school violence is stopped. To those who say there are enough laws on the books already, I say, they are misinformed. It requires the Secretary of Education to notify States that administrative funds may be used to establish the tollfree hotline in schools, as the good gentleman from Colorado pointed out. Parents, students, and school personnel wanting to report suspicious or violent acts could use this hotline.

I applaud the author of this commonsense legislation. It does not take one gun away from one person in the United States of America. It is common sense, and I applaud the gentleman for that. This is a step in the right direction.

I am encouraged that we are debating this today, because it gives me hope. Remember the song, Core Ingrata. Give me the slightest sign of hope. That is what they are doing today. This measure requires, as a measure that I had introduced not too long ago concerning smart guns, that every handgun manufactured and sold in America must incorporate technology to allow operation only by its owner. What in God's name is so demonic about that?

I urge the majority leadership to consider bringing up reasonable gun legislation: a 3-day waiting period for gun show purchases, the elimination of high-capacity ammunition clips, and requiring child safety locks on every handgun. We have Federal law on aspirins, child seats, cigarette lighters. We are afraid to do it with weapons.

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

Mr. Speaker, I recognized when I brought this measure forward that would provide an opportunity for our friends on the other side to discuss a variety of other issues not really attendant to this particular problem, not attendant to this particular bill.

We can spend all of our time, and I know that, in debate on the myriad of issues that have been hashed and rehashed on this floor, debated, discussed, or raked over, but in fact we are talking about something here that is a very practical step that can be taken tomorrow.

It does not need the overwhelming support of the Congress from a financial standpoint, it just simply needs to be passed into law and allowed to be implemented by the Secretary of Education, and we will have done something significant. It is meaningful. These are not just whimsical attempts to try to deal with this problem. Over 600 calls have come in in 1 year, a little over 1 year. Eighty of those calls were of a threatening nature.

□ 1430

We do not know, because the system does not require a feedback, as to what kind of action was finally taken after the CBA sends the information to the local agency. But, anecdotally, we have heard that there have been three to four arrests that have been made as a result of the hotline; and, therefore, we can only speculate as to the possibility as to the number of people whose lives have either been saved or at least kept out of harm's way as a result of this. So we can do this. We should think positively about the steps we can take in this regard.

I urge us to focus our attention on this issue and not on the many other things that I know are deep and deeply felt. I totally understand my colleagues who do get emotional about this issue. It is definitely an emotional issue. Perhaps the gentleman from New Jersey (Mr. PASCRELL) and I share more than just an inclination of that because, being both Italians here, one can understand how we can both get emotional about this.

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

Mrs. McCARTHY of New York. Mr. Speaker, I yield 4 minutes to the gentleman from Indiana (Mr. ROEMER), my colleague on the Committee on Education and the Workforce.

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

Mr. ROEMER. Mr. Speaker, I would, first of all, like to thank the gentlewoman from New York for the time that she has given me to speak on such an important topic and commend her for her strong leadership on the committee that we serve on together.

I would like to extend a bipartisan hand to my colleague on the other side of the aisle who also serves on the Committee on Education and the Workforce for his common sense, his bipartisanship, and his responsiveness to a need in America, which is important to establish a safety hotline for our parents and our schools.

But just as we need this safety hotline because of violence programs in our schools, we also need more. We need a lifeline to many of our students in our schools across this great country who do not have a chance to get a good education.

Just as we have brought this bipartisan and responsive and common sense legislation to the floor tonight, it is a very small step, a drop in the bucket towards solving some of the education problems in America, we need to do more.

The gentleman from Florida (Mr. DAVIS) and I have a bill to try innovative and bold and new ways to respond to the need in this country to bring more teachers into the teaching profession. Where is that bill today? This would bring people into the teaching profession at 40 or 50 years old in technology and math and science areas when too many of our teachers are overwhelmed with problems in the schools; and they are teaching, with a physical education degree, physics. They are not certified in the area. So we need to do more.

We need to do more in Head Start, making our Head Start programs more responsive to the needs of learning children earlier and at earlier ages. We need more resources for those children. Where is that bill today?

We need to do more to help some of our working families in the middle class and low income to afford the cost of college or community school. But we do not have that bill today.

We do not have the Elementary and Secondary Education Act on the floor today, although that will probably expire soon. We need more charter schools and public choice in America today. Where is that bill today?

Now, I am all for establishing a hotline to help our parents and our children and help establish safer schools, but what about the lifeline? In America today, across the country, from Colorado to Indiana to New York, education is the most important and pressing concern on the minds of our parents. Yet, oftentimes we cannot muster the needed, the required bipartisanship and common sense and responsiveness to bring some of these other bills to the floor.

I hope we do it before this session ends. I hope we can work on charter schools and public choice. I hope we can work on new ideas to bring new teachers into the profession. I hope we can work on better quality ideas for our parents to be involved in our schools and for local control. I hope that we can work on the ideas of, sometimes in our cities, schools that are literally falling down on the heads of our children.

Let us work together in this Congress on these ideas and not just on the idea, although it is a good one, of outlines for our parents, for safe schools.

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

Mr. Speaker, if we are going to get into all of the things that have not been on the floor that are not on the floor, it is, I guess, important for us to talk about what has happened so far.

April 29, 1999, the Educational Flexibility Act, H.R. 800, was signed into law; May 4, 1999, IDEA Full Funding resolution passed the House; July 10, the Teacher Empowerment Act. October 12, Dollars to the Classroom resolution passed the House; October 21, Student's Results Act. October 21, the Academic Achievement Act (Straight A's) passed the House. February 29, Literacy Involves Families Together Act passed the committee. April 13, the committee completed consideration of Education Options Act. May 3, IDEA Full Funding bill passed the House.

There have been actions taken. Again, speaking about these things in a vacuum makes it appear as though this is the only thing that we are doing. It is certainly not the case with education.

Mrs. MCCARTHY of New York. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. ROEMER).

Mr. ROEMER. Mr. Speaker, I thank the gentlewoman from New York once again for her kindness and generosity. I just respond to the gentleman from Colorado (Mr. TANCREDO) by saying this: The first bill that he mentioned, the Education Flexibility Act, was a bill that I authored with the gentleman from Delaware (Mr. CASTLE), a Republican; and we worked across the aisle to pass that bill. It was signed into law by the President. It was one of the few that the gentleman from Colorado mentioned that has been signed into law.

It is one thing to be able to say we passed this in this body, it is another thing to be able to say we mustered the bipartisanship in the Senate or we were able to persuade or convince the President to be with us on the issue; and generally he is with us on many of these education issues.

The gentleman from Colorado mentioned a host of resolutions that do not have the force of law. The gentleman mentioned the TEA act, the Teacher Empowerment Act, that tries to provide more opportunities for our teachers to get into the teaching profession in new ways. I supported that piece of legislation. That is not law. ESCA, no where to be found today. Elementary and Secondary Education Act that is so vital where, we worked very well together for about a third of that act in a bipartisan way, and then bipartisanship somehow mysteriously fell apart.

So we have a long way to go. My point to the gentleman from Colorado (Mr. TANCREDO) is, one, to congratulate him for a bipartisan piece of legislation today, and, secondly, and I think he would admit, we need to do more.

The challenges in America today were succinctly put forward by Thomas

Jefferson a long time ago when he said ''I like the dreams of the future better than the history of the past.'' The dreams for the future for our children are a great education and not leaving children behind. Too many of these children are being left behind.

We need local control of our schools. We need more public school choice and more charter schools. We need more new and innovative ways to bring teachers into the profession and give them the resources to have great schools.

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

Mr. Speaker, I thank the gentleman from Indiana (Mr. ROEMER) for his comments, his very, I think, observant comments. I believe that much of what he brings to our attention is worthy of our attention. There is so much that we can do here and so much for which we have responsibility.

There is this other body, the other body we all know, we all have concerns and complaints about how it operates, or sometimes it apparently does not, but the fact is that is where most of this legislation resides. We can take, I think, pride in what we have done here. There is only so much we can do until the other body makes their decisions and moves along.

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

Mrs. MCCARTHY of New York. Mr. Speaker, I yield 7½ minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentlewoman from New York (Mrs. MCCARTHY) for yielding me this time. I especially want to thank her for her consistent and dedicated leadership on gun safety; leadership that has not faltered, as I am sad to say this Congress has.

I want to congratulate the gentleman from Colorado (Mr. TANCREDO), who knows firsthand what gun violence can mean to a State and to a jurisdiction, for the bipartisan leadership he has given on the bill that is before us today.

It is a useful bill. It is useful if nothing more as an advertisement for districts to know that this money exists. It is useful as a reminder to the Department of Education, if the Secretary has not already done it, to send out notices that these funds are available. It is useful to help prevent further gun violence.

But if I may say so, if we are truly serious about preventing gun violence, we will look at more than threats for gun violence. There would be fewer threats if there were fewer guns.

The gentleman from Colorado (Mr. TANCREDO) mentioned the kind of emotion that he knew his bill would call forth on the floor. Well, particularly for those of us from high gun violence jurisdictions, what kind of Members would we be this late in the session if we had no passion for this issue?

I can tell my colleagues this, the representatives of the Million Moms came to see me recently. Last week they went to the press in desperation. The mothers who appeared with pictures of their dead children. Yes, we are angry, Mr. Speaker. They were angry, many of them, to the point of tears. School was opening throughout the region and throughout the country. They could not believe that the 106th Congress had made no progress on gun safety since the Columbine youth massacre more than a year ago. They were incredulous, and they mean for us to be incredulous.

They were dismayed that the leadership could be sitting on gun safety legislation as their children were about to go back to school. They could not believe that we would consider going home without taking this bill out of conference and passing it now. That is what they wanted me to come to the floor to say this afternoon. I would be here in a 5-minute speech if not for this legislation.

My colleagues are going to hear, not only from me and the gentlewoman from New York (Mrs. MCCARTHY), they are going to hear from many of us until this bill is passed and especially during this session.

The moms cannot believe that, after families pulled off the largest gun safety demonstration in American history, this House, this Senate has not yet heard them. I can tell my colleagues this, they have not gone away. They have not only not gone away, look in the districts of my colleagues. They are in their district now organizing.

They are making gun safety a potent election issue, which it did not have to be, because there is bipartisan support for the minimum gun safety legislation that is locked up in a self-imposed moratorium in conference committee as I speak.

I can tell my colleagues one thing. It is dangerous to treat moms like children with short attention spans. They are in for the long haul. They are not going to forget. They did not forget when they came, and they are not going to forget in November.

As Congress came back, the families felt no safer, even though it was reported during that very week that crime was down 10 percent in the country over last year. We hear one hand clapping. I do not hear the moms clapping. We are down 34 percent since 1993. Do my colleagues know why they do not hear them clapping is because they do not feel any safer.

Now, I do not know if passing the gun legislation locked up by the majority will make them be any safer, I know they will feel safer. It is the shadow of Columbine, I will say to the gentleman from Colorado (Mr. TANCREDO), that is hanging over the heads of parents and children in every State of the Union, in the District of Columbia, and the insular areas.

Imagine waking up just before Congress reconvenes and reading in the Washington Post that the FBI was preparing a guidebook on how to detect children who might go on a shooting spree.

□ 1445

I want to know how to detect the guns and get the guns out of the hands of children who might be inclined to go on a shooting spree.

Congress better watch out, we are way behind the moms. We are still at the level of high-capacity ammunition, safety locks on guns, and the gun show loophole. They have sailed ahead to licensing and registration one gun a month. But if we were to do just what is before us now, I think they would feel that they and we had accomplished much.

I know this much: they have got long memories and their memories are not sustained by the statistics that show about 80,000 children killed in gun violence since 1979. They are not sustained by the statistics from the District of Columbia that show that there were 700 children killed by gun violence in my district.

Do my colleagues know why I am emotional? Seven hundred children in this city of half a million.

I know some of my colleagues will say, Yeah, you have got legislation that bans guns, Eleanor, so what good is it? I will tell them what good it is. Not one of those guns came from the District of Columbia. Every one of them was brought in from jurisdictions that allow guns to be sold with loopholes and without safety locks.

This is one country. This is all of our country. Guns travel across borders the same way that children do. And until there is a national gun law, there is no gun law and there is no safety for any child anywhere in America.

We do not measure them by statistics. We measure them by the way I do, by Harris ''Pappy'' Bates, who went on Easter Monday to the National Zoo, set up by this body, and got shot in the head. I am pleased to report that somehow he has survived.

We measure it by Andre Watts and Natasha Marsh of Wilson High School, who were buried in their graduation gowns.

Many of us stand with Mothers Across America. I say to my colleagues, I come to my colleagues with their message: we go home without gun safety legislation at our peril.

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

Mr. Speaker, it was inevitable, I am sure, regardless of how many attempts to try and focus on this particular piece of legislation, a positive step that we are taking, it was inevitable that we would begin to once again hear the kind of rhetoric just propounded on the floor of the House. It is inevitable but disconcerting.

Certainly those of us from my State, certainly I need no one to remind me what happened, where it happened, and how it happened. And I will tell my colleagues this also: we can talk forever

about gun violence, and there are absolutely legitimate issues for us to debate on this floor and through legislative bodies throughout the United States, but to tie every single issue every single time they have an opportunity to tie Columbine to it, to use that name over and over again, they do so and they do so, I believe, in a way that is not respectful of the event and of the feelings and emotions of the people in my community because it is exploiting that horrific event.

The gun show, let us talk about exactly what did happen. And I do hope that, in fact, the people of this Nation do have long memories. I will be more than willing to help them remember exactly what happened on this floor when we debated the part of the bill dealing with gun safety that we call the juvenile justice bill and we, in fact, included a provision to close the gun show loophole; and we included a ban on importation of high-capacity clips, and we included a juvenile Brady bill saying that if any juvenile gets convicted of a violent crime that they can never own a gun, and we included a mandatory sale of gun locks; and we included making it illegal for a juvenile to possess an assault weapon.

Those were there. The bill went down, and it went down with 191 Democrat noes and about 81 or 82 Republican noes, and it went down because there was a desire to have rhetoric for the rest of this session about guns as opposed to a solution.

This that I propose today is part of a solution. It is not the cure. It is not the silver lining that we can look for in this ominous picture. But it does give us hope, and it is designed to give children and parents hope.

There is nothing more discouraging in the last several months than having to recognize the fact that there were kids all over this country actually afraid to go to school. Even if nothing had happened in their particular school, nothing of a violent nature, they were still afraid because of everything they had seen on the television, everything they had heard from the media about the potential for violence.

I kept thinking to myself, what can I do, what is one thing I can do about this; and it was this hotline, the school safety hotline. It is not everything we should do. I agree with my colleagues, there is more. But, please, let us at least be positive enough to move in the direction that we know we all want to move here; and that is to provide a safe learning environment for every single child in America and to do so without the sort of incredibly divisive and, I think, inappropriate rhetoric, especially in reference to Columbine.

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

The SPEAKER pro tempore (Mr. QUINN). The question is on the motion offered by the gentleman from Colorado (Mr. TANCREDO) that the House suspend the rules and pass the bill, H.R. 5123.

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.

ATLANTIC COASTAL FISHERIES ACT OF 2000

Mr. SAXTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4840) to reauthorize the Atlantic Coastal Fisheries Cooperative Management Act, as amended.

The Clerk read as follows:

H.R. 4840

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 ''Atlantic Coastal Fisheries Act of 2000''.

SEC. 2. REAUTHORIZATION OF ATLANTIC COASTAL FISHERIES COOPERATIVE MANAGEMENT ACT.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 811 of the Atlantic Coastal Fisheries Cooperative Management Act (16 U.S.C. 5108) is amended to read as follows:

''SEC. 811. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—To carry out this title, there are authorized to be appropriated $10,000,000 for each of fiscal years 2001 through 2005.

''(b) COOPERATIVE STATISTICS PROGRAM.—Amounts authorized under subsection (a) may be used by the Secretary to support the Commission's cooperative statistics program.

''(c) REPORTS.—

''(1) ANNUAL REPORT TO THE SECRETARY.—The Secretary shall require, as a condition of providing financial assistance under this title, that the Commission and each State receiving such assistance submit to the Secretary an annual report that provides a detailed accounting of the use of the assistance.

''(2) BIENNIAL REPORTS TO THE CONGRESS.—The Secretary shall submit biennial reports to the Committee on Resources of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the use of Federal assistance provided to the Commission and the States under this title. Each biennial report shall evaluate the success of such assistance in implementing this title.''.

(b) TECHNICAL CORRECTIONS.—

(1) IN GENERAL.—Such Act is amended—

(A) in section 802(3) (16 U.S.C. 5101(3)) by striking ''such resources in'' and inserting ''such resources is''; and

(B) by striking section 812 and the second section 811.

(2) AMENDMENTS TO REPEAL NOT AFFECTED.—The amendments made by paragraph (1)(B) shall not affect any amendment or repeal made by the sections struck by that paragraph.

(3) SHORT TITLE REFERENCES.—Such Act is further amended by striking ''Magnuson Fishery'' each place it appears and inserting ''Magnuson-Stevens Fishery''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SAXTON) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) 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. 4840.

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

There was no objection.

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

Mr. Speaker, H.R. 4840 reauthorizes the Atlantic Coastal Fisheries Management Act through fiscal year 2005. This bill will extend the successful Federal-State fishery management partnership with the Atlantic States Marine Fisheries Commission.

The commission, Mr. Speaker, is made up of representatives from each of the Atlantic coastal States. Under the Act, the Federal Government can implement a moratorium on fishing in State waters if States do not comply with the plans written by the commission.

The commission's greatest success is notable in the recovery of the Atlantic striped bass, Mr. Speaker. The striped bass suffered a population crash in the late 1970s for a number of reasons, including over-fishing. Today, for fishermen in the mid-Atlantic region, including those in Ocean County, New Jersey, which is part of the district I am privileged to represent and all along Long Beach Island, this comeback has resulted in the greatest fishing on the East Coast.

Mr. Speaker, as a matter of fact, just a short time ago, last week, I had a nice group of folks join me on a 10-mile beach walk; and as we walked up the beach on Long Beach Island, there were surf fishermen after surf fishermen in quest of the Atlantic striped bass and, I might add, with some success.

This legislation simply authorizes $10 million a year to carry out the Atlantic coastal fisheries program to enable this striped bass program and others to move forward.

The bill also allows appropriated funds to be used to carry out a fisheries statistics program which supports Atlantic coastal States fishery management plans.

I believe this legislation is noncontroversial, and I would urge everyone to vote aye.

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

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, I certainly want to compliment my good friend, the gentleman from New Jersey (Mr. SAXTON), the chairman of the Subcommittee on Fisheries, for his authorship of this legislation. I also want to thank the full committee chairman and the gentleman from California (Mr. MILLER) for their support of this important legislation.

Mr. Speaker, Atlantic coastal fishery resources that migrate or are widely

distributed among the coast are of substantial commercial, recreational, environment importance and economic benefit to the Atlantic States and our Nation.

Unfortunately, proper management of these species is often hampered by the fact that no single government entity has exclusive authority over them. Because of this, harvest and management of the Atlantic coastal resources has historically been subject to disparate, inconsistent, and intermittent State and Federal regulations.

To help address this complication, Congress passed the Atlantic Coastal Fisheries Cooperative Management Act since 1993.

Since its inception, Mr. Speaker, this law has been an effective mechanism for supporting and encouraging the development, implementation, and enforcement of effective interstate conservation and management measures for the Atlantic coastal fishery resources.

I fully support the reauthorization of the Atlantic Coastal Fisheries Cooperative Management Act. I urge my colleagues to support this important legislation.

Mr. Speaker, I thank the gentleman for his authorship of this legislation.

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

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

Mr. Speaker, I have no further speakers; but I would just like to say in conclusion, I would like to thank the gentleman from American Samoa (Mr. FALEOMAVAEGA) for his cooperation. It makes one feel very good to have the kind of bipartisan cooperation that we have had on this and many other bills in our subcommittee. So I thank the gentleman for his cooperation.

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

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

Mr. Speaker, in my capacity as the ranking Democrat of the Subcommittee on Fisheries and Oceans and Wildlife and Refuge, I also want to certainly compliment my good friend, the chairman of our subcommittee, for his leadership and for the cooperative way that we have worked closely for the past 2 years since my membership in that capacity in this subcommittee. Again, I thank my good friend for working together and cooperatively on this legislation.

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

Mr. SAXTON. Mr. 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. 4840, 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.

EXPLORATION OF THE SEAS ACT

Mr. SAXTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2090) to direct the Secretary of Commerce to contract with the National Academy of Sciences to establish the Coordinated Oceanographic Program Advisory Panel to report to the Congress on the feasibility and social value of a coordinated oceanography program, as amended.

The Clerk read as follows:

H.R. 2090

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 ''Exploration of the Seas Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) During the past 100 years, scientists working with marine fossils, both underwater and high in the mountains, have traced the origins of life on Earth to the sea, beginning approximately 3 billion years ago. Today, life on our planet remains dependent on the vitality of the sea.

(2) More than two-thirds of the Earth's surface is covered by water, with oceans and inland seas accounting for almost 140 million square miles.

(3) The United Nations forecasts a worldwide population of 8.9 billion by the year 2050, a 50 percent increase from 5.9 billion in 1999. As this trend in population growth continues, increasing demands will be placed on ocean and coastal resources, not only as a result of population growth in coastal regions, but also from the need to harvest increasing amounts of marine life as a source of food to satisfy world protein requirements, and from the mining of energy-producing materials from offshore resource deposits.

(4) The ocean remains one of the Earth's last unexplored frontiers. It has stirred our imaginations over the millennia, led to the discovery of new lands, immense mineral deposits, and reservoirs of other resources, and produced startling scientific findings. Recognizing the importance of the marine environment, the need for scientific exploration to expand our knowledge of the world's oceans is crucial if we are to ensure that the marine environment will be managed sustainably.

(5) The seas possess enormous economic and environmental importance. Some ocean resources, such as fisheries and minerals, are well recognized. Oil use has increased dramatically in recent times, and the sea bed holds large deposits of largely undiscovered reserves. Other ocean resources offer promise for the future. In addition to fossil fuels, the ocean floor contains deposits of gravel, sand, manganese crusts and nodules, tin, gold, and diamonds. Marine mineral resources are extensive, yet poorly understood.

(6) The oceans also offer rich untapped potential for medications. Marine plants and animals possess inestimable potential in the treatment of human illnesses. Coral reefs, sometimes described as the rain forests of the sea, contain uncommon chemicals that may be used to fight diseases for which scientists have not yet found a cure, such as cancer, acquired immunodeficiency syndrome (AIDS), and diabetes. While the number of new chemical compounds that can be derived from land based plants and microbial fermentation is limited, scientists have only just begun to explore the sea's vast molecular potential.

(7) In spite of the development of new technologies, comparatively little of the ocean has been studied. The leadership role of the United States has been eroded by a gradual decrease in funding support, even while public opinion surveys indicate that ocean exploration is at least as important as space exploration.

(8) The National Academy of Sciences has the means by which to study and make determinations regarding the adoption and establishment of a coordinated oceanography program for the exploration of the seas, in which the National Oceanic and Atmospheric Administration could participate in a role similar to that of the National Aeronautics and Space Administration with regard to the International Space Station.

SEC. 3. COORDINATED OCEANOGRAPHIC PROGRAM ADVISORY PANEL.

(a) IN GENERAL.—Not later than 60 days after the date of enactment of this Act and subject to the availability of appropriations, the Secretary of Commerce shall contract with the National Academy of Sciences to establish the Coordinated Oceanography Program Advisory Panel (in this Act referred to as the ''Panel''), comprised of experts in ocean studies, including individuals with academic experience in oceanography, marine biology, marine geology, ichthyology, and ocean related economics.

(b) CHAIRPERSON AND VICE CHAIRPERSON.—The Panel shall elect a chairperson and a vice-chairperson.

(c) TERMINATION.—The Panel shall cease to exist 30 days after submitting its final report and recommendations pursuant to section 4.

SEC. 4. REPORT AND RECOMMENDATIONS.

(a) IN GENERAL.—No later than 18 months after its establishment, the Panel shall report to the Committee on Resources of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the feasibility and social value of a coordinated oceanography program. In preparing its report, the Panel shall examine existing oceanographic efforts and the level of coordination or cooperation between and among participating countries and institutions.

(b) INTERNATIONAL WORKSHOP.—To assist in making its feasibility determination under subsection (a), the Panel shall convene an international workshop with participation from interested nations and a broad range of persons representing scientists, engineers, policy makers, regulators, industry, and other interested parties.

(c) FINAL REPORT.—The Panel shall include in its final report recommendations for a national oceans exploration strategy, which will—

(1) define objectives and priorities, and note important scientific, historic, and cultural sites;

(2) promote collaboration among research organizations;

(3) examine the potential for new ocean exploration technologies;

(4) describe those areas of study in which national or international oceanographic cooperation is currently being undertaken;

(5) identify areas of study in which knowledge of the oceans is inadequate;

(6) ensure coordination with the National Oceanic and Atmospheric Administration's Marine Protected Area Center;

(7) ensure that newly discovered organisms with medicinal or commercial potential are identified for possible research and development; and

(8) identify countries and organizations that would be likely to participate in a coordinated oceanography program.

(d) IMPLEMENTATION.—If the Panel determines that a coordinated oceanography program is feasible and has significant value for advancing mankind's knowledge of the ocean, the Panel shall include in its final report recommendations

for implementing such program, including recommendations regarding—

(1) the institutional arrangements, treaties, or laws necessary to implement a coordinated oceanography program;

(2) the methods and incentives needed to secure cooperation and commitments from participating nations to ensure that the benefit that each nation that is a party to any international agreement establishing a coordinated oceanography program receives is contingent upon meeting the nation's obligations (financial and otherwise) under such an agreement;

(3) the costs associated with establishing a coordinated oceanography program;

(4) the types of undersea vehicles, ships, observing systems, or other equipment that would be necessary to operate a coordinated oceanography program; and

(5) how utilization of aboriginal observational data and other historical information may be best incorporated into a coordinated oceanography program.

SEC. 5. OBTAINING DATA.

Subject to national security restrictions, the Panel may obtain from any department or agency of the United States information necessary to enable it to carry out this Act. Upon request of the chairperson of the Panel, the head of any department or agency shall furnish that information at no cost to the Panel.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for the purposes of carrying out this Act, and to remain available until expended, $1,500,000.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SAXTON) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) 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. 2090.

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

There was no objection.

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

Mr. Speaker, H.R. 2090 requires the Secretary of Commerce to contract with the National Academy of Sciences to establish a Coordinated Oceanographic Program Advisory Panel. The Panel will submit a report to Congress on the feasibility and social value of a coordinated international oceanography program.

Recent technical advances have given us the ability to fully explore the world's oceans.

□ 1500

As an example, in the district that I am privileged to represent, a project in Tuckerton, New Jersey, called the Long-term Ecological Observatory, better known to us at home as FEO–15, measures ocean processes along the New Jersey coast and in Little Egg Harbor and Barnegat Bay. This legislation will enhance programs just like FEO–15 for their success.

While there have been many tremendous advances in oceanography technology over the past 15 years, the United States does not have yet a comprehensive plan for determining what data needs to be collected or for integrating that data into a usable system.

This bill, H.R. 2090, is a positive step in moving this technology forward in an efficient way; and I urge support of the exploration. And I might say at this point, Mr. Speaker, that I congratulate the gentleman from Pennsylvania (Mr. GREENWOOD) for leading us to the floor with this very important piece of legislation.

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

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, I again compliment and thank my good friend, the chairman of the Subcommittee on Fisheries Conservation, Wildlife and Oceans for his management of this legislation, and I do commend the gentleman from Pennsylvania (Mr. GREENWOOD) as the chief author of this legislation, H.R. 2090.

Mr. Speaker, the world's oceans are critical to human health, as well as the vitality of our entire planet. The establishment of an advisory panel to examine the feasibility and value of a coordinated domestic and international oceanography program makes good sense.

With this in mind, I do support the principles and the provisions behind the passage of the Exploration of the Seas Act. I just have a little concern about the relevance and the need of the legislation, given the fact that earlier this year we did pass the Oceans Act of 2000 which was passed by the Congress and subsequently signed by the President on August 7 of this year.

This law already establishes a commission to evaluate and make recommendations on oceans policy. And I just thought that maybe there may be a little duplication here, but on the other hand I think on anything relevant to the situation affecting the oceans policies, where over the years we really have not given really any real substantive examination of this very, very important issue, perhaps the gentleman's legislation will add on to what we are sincerely trying to bring about this real coordinated effort with all the agencies involved between the White House and especially with the Congress so we can really look at a national oceans policy having the participation and coordination of all relevant Federal agencies that should be a participant in this effort. I just wanted to express that concern.

I urge my colleagues to pass this legislation.

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

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

Mr. Speaker, I appreciate very much the support of my friend from American Samoa (Mr. FALEOMAVAEGA). I would just like to comment, relative to his concerns on duplication, obviously the Oceans Act that we passed here a short time ago is a very important act because it essentially provides for an opportunity to take a look at how United States ocean policy is developed and carried out. Obviously, the Stratton Commission that was created in the late 1960s and reported to the Congress in 1969 provided an opportunity for us to make some changes and establish a great organization known as the National Oceanic and Atmospheric Administration.

This bill differs in two ways. Number one, it is international in scope, which gives us the opportunity to cooperate with, exchange information with, extract cooperative efforts from our friends around the world who are also engaged in various types of oceanography studies and the development of technology. I think that many of our friends around the world recognize, as we do, that there is a need for better ocean stewardship, and to the extent that we can cooperate with them through programs like the one that we are creating or moving to create here today will be, I think, a great advantage.

Secondly, the Oceans Act takes a broad look at United States ocean policy, domestic policy. This act is a very narrow focus on technology, and so I think that is an important distinction and one that mitigates for the important passage of this bill.

Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. GREENWOOD).

Mr. GREENWOOD. Mr. Speaker, I thank the gentleman from New Jersey (Mr. SAXTON) not only for yielding to me but for all of his help in moving this bill through the subcommittee, as well as the minority ranking member.

Mr. Speaker, today I rise in strong support of the Exploration of the Seas Act, H.R. 2090, which is a necessary step if mankind is ever to realize the untapped potential of the world's oceans.

The Exploration of the Seas Act accomplishes this goal by directing the Secretary of Commerce to contract with the National Academy of Sciences to establish a coordinated oceanographic program advisory panel comprised of experts in ocean studies, which will create a blueprint of how to implement an international undersea exploration effort.

A visitor to our solar system asked to name the third planet from the sun would most certainly not name it Earth as early land-bound humans did, but rather Oceania for the dominating character of its seas. Seventy-five percent of our planet's surface and 95 percent of its biosphere is ocean.

Life began in the sea, which is now the home of somewhere between 10 and 100 million spectacularly diverse species. Ninety-seven percent of the planet's water is in its oceans. The oceans

are the engines for our terrestrial weather patterns, the highway for international trade. Fifteen percent of the protein consumed by humans comes from the sea.

Beneath the ocean floor lies unimaginable quantities of oil, gas, coal, and minerals. Marine plants and animals possess inestimable biotechnological potential in the treatment of human illness. Coral reefs, sometimes described as the rain forest of the sea, contain uncommon chemicals that may be used to fight diseases for which scientists have not yet found a cure, such as cancer, AIDS and diabetes.

While the number of new chemical compounds that can be derived from land-based plants and microbial fermentation is limited, scientists have only just begun to explore the sea's vast molecular potential.

The oceans are our source, our sustenance and the key to our future survival. But the capacity of the seas to absorb our waste and fulfill our desires is not without limit. Twenty percent of the world's coral reefs have been destroyed, 20 percent and counting. Oceans are the dumping grounds for municipal trash, sewage and even nuclear waste. More than two-thirds of the world's marine fish stocks have been fished beyond their maximum productivity.

If our children's children are to inherit the ocean's bounty, we must come to understand and manage it far better than we do today; and I am confident the Exploration of the Seas Act will assist in achieving that goal.

I urge support of H.R. 2090. Mr. Speaker, we spend billions of dollars in outer space and NASA programs. I support that. I think it is fascinating that the Russians and Americans have achieved such amazing goals in our space station, but by contrast we spend pennies on explorations of our oceans. And yet our survival as a species depends on our oceans. This legislation will begin the process by which I hope the nations of the world, the great nations of the world, can combine our efforts and begin to devote the kind of attention that we need to devote to our oceans for our own survival and for the betterment of our species.

I again thank the chairman of the subcommittee and the ranking member for all of their support.

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

Mr. Speaker, while the gentleman was speaking, I thought back of all the efforts that we have been involved in together, Members of both parties, in trying to address one of the issues that the gentleman from Pennsylvania (Mr. GREENWOOD) just spoke of that namely the ocean is not the kind of expanse that can absorb our wastes for time unlimited. And during the time that we have been in the Congress, we have stopped ocean sludge dumping. We have been successful in passing the act to make sure that people do not dump medical waste in the ocean, which was so important to my district and the beaches that I know the gentleman visits in the summertime.

We have been successful in making sure that chemical dumping is taken care of in ways outside the ocean.

There is one burning issue off the coast of New Jersey that the gentleman and I love very much, that is the shore that we love very much, and that is that this administration is currently issuing permits to dump contaminated dredge spoils off Sandy Hook. And these are the kinds of nonthinking, bad ideas that we need to avoid. The dumping of dredge spoils with contaminants such as mercury and lead and PCBs and other things that are poisonous to the human body and to the creatures that live in the ocean is something that we need to pay a lot more of attention to.

So while we have had some successes, we have a long way to go. And this bill creating an awareness and a study, a further study of technologies about what we can do and what we should not do and what we cannot do to the ocean environment, is extremely important.

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

Mr. SAXTON. I yield to the gentleman from Pennsylvania.

Mr. GREENWOOD. Mr. Speaker, once again, I appreciate that.

As the gentleman pointed out, the United States Congress has done a great deal, particularly with the leadership of the gentleman from New Jersey (Mr. SAXTON), in reducing the pollution that the United States adds to the oceans in reducing the over exploitation in which we engage. But the rest of the world continues in many parts, whether it is in India, or in China, in Asia. The Russians have a very long way to go, and that is why I think this international cooperation is what is really needed both to explore the oceans and to protect them for the future generations. And I thank the gentleman again for all of his support

Mr. SAXTON. Mr. Speaker, I again commend the gentleman for bringing this very good and important legislation to the floor.

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

Mr. Speaker, again I want to compliment and thank my good friend, the gentleman from Pennsylvania (Mr. GREENWOOD), for his comments, especially as the author of this legislation, and thank also the chairman of our subcommittee for managing the bill now before the floor.

I want to note also so many things relative to oceans policy of our Nation. I think our Nation is one of the few nations, if we look at the geography alone, are from the Atlantic coastal States, the State of Florida in particular, the Gulf States and then the entire Pacific coast. Probably no other nation, in my opinion, has had this direct exposure to the problems, whether it be the Atlantic Ocean, the Gulf Stream, the areas relative to the Pacific area where ocean policy needs to be really firmly established as far as our Nation is concerned. And I thank the gentleman for bringing this legislation, hopefully, as a means of complementing what we are trying to do with other pieces of legislation.

I recall I recently attended a Conference on Marine Debris; the billions of dollars in costs for some of the things that I had listened to represented from some 20 nations in the Pacific region, and one of the things that I noticed quite well was their response in looking up to the leaders of our Nation to take the leadership in this effort because of the fact that we do have the resources and, hopefully, that we will commit such resources to assist in this effort.

I do not know if our colleagues are aware that every year we have to import over $9 billion worth of fish from other countries. My question is: Why are we not producing enough of our own domestic consumption demand of fish in the States and in our own domestic consumption needs?

The situation of ornamental fish, it is about a $6 billion industry. The point is that with the economics of all of this dealing with fisheries, I do think we do need to establish that policy. I thank the gentleman from Pennsylvania (Mr. GREENWOOD) for this legislation and my good friend, the gentleman from New Jersey (Mr. SAXTON). I do urge my colleagues to support this legislation.

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

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

Mr. Speaker, in closing, let me just say that the gentleman's help is very much appreciated. We need to understand issues like ocean dumping and this bill provides the forum in which we can look at the technology so that we can better understand. I thought we understood because we stopped dumping ocean sludge, sewage sludge in the ocean. We stopped dumping chemicals in the ocean, but we still have this burning problem of dumping contaminated dredge spoils in the ocean. It is a practice which is unwarranted, and this bill, hopefully, will provide an opportunity for the administration to understand that this is bad policy.

Mr. FARR of California. Mr. Speaker, I am pleased to be a cosponsor of H.R. 2090, The Exploration of the Seas Act. This bill requires the Commerce Department to contract with the National Academy of Sciences (NAS) to establish an advisory panel to study the feasibility and social value of creating a coordinated international oceanographic exploration and study program.

For too long crucial policy decisions regarding the development and use of our oceans and coastal regions have been made with too little information. Two years ago, at my initiation, President Clinton convened the first ever National Ocean Conference in Monterey, California. The purpose of the White House conference was to bring national attention on the need to protect and preserve our

oceans—which cover 71 percent of the Earth's surface and are key to the life support system for all creatures on our planet.

Following the National Ocean Conference, I introduced the Oceans Act with several of my colleagues. This bipartisan bill, which was signed into law by the President on August 8, 2000, will create a national Oceans Commission to bring together ocean and coastal experts, policy makers, environmental groups, and industry representatives to take a comprehensive look at our nation's ocean and coastal policies. In constant dollars, Federal expenditures for ocean activities are about one-third of what they were thirty years ago, when Congress convened a similar commission that led to the creation of the National Oceanic and Atmospheric Administration.

This summer I co-chaired the Oceans Policy Conference, to move beyond crisis management to a policy that balances conservation and development, with the guiding principles of sustainability. It is vital that the United States take the leadership in ensuring that the oceans are protected so that the ocean benefits we enjoy today will be available for future generations. Sound science and careful exploration will lay the groundwork for sustainable use of existing ocean resources and future untapped reserves.

The bill before us today, the Exploration of the Seas Act, builds on the foundation laid by my previous initiatives and those of other Members to raise global awareness of the importance of our oceans. For example, gas hydrates found in seabed floor deposits may be the energy source of the future to replace traditional fossil fuels. Half of the pharmaceuticals under development to treat cancer are derived from marine species. These two examples alone adequately illustrate that now is the time to explore the poorly understood resources of the oceans, so we may be prepared to wisely manage them in the future.

We know more about the surface of the moon than the bottom of the oceans. H.R. 2090 remedies this situation by making an important step towards discovering the unknown treasures hidden below the surface of the ocean.

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

The SPEAKER pro tempore (Mr. QUINN). 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. 2090, as amended.

The question was taken.

Mr. SAXTON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

□ 1515

RED RIVER NATIONAL WILDLIFE REFUGE ACT

Mr. SAXTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4318) to establish the Red River National Wildlife Refuge, as amended.

The Clerk read as follows:

H.R. 4318

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 ''Red River National Wildlife Refuge Act''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) The area of Louisiana known as the Red River Valley, located along the Red River Waterway in Caddo, Bossier, Red River, Natchitoches, and De Soto Parishes, is of critical importance to over 350 species of birds (including migratory and resident waterfowl, shore birds, and neotropical migratory birds), aquatic life, and a wide array of other species associated with river basin ecosystems.

(2) The bottomland hardwood forests of the Red River Valley have been almost totally cleared. Reforestation and restoration of native habitat will benefit a host of species.

(3) The Red River Valley is part of a major continental migration corridor for migratory birds funneling through the mid continent from as far north as the Arctic Circle and as far south as South America.

(4) There are no significant public sanctuaries for over 300 river miles on this important migration corridor, and no significant Federal, State, or private wildlife sanctuaries along the Red River north of Alexandria, Louisiana.

(5) Completion of the lock and dam system associated with the Red River Waterway project up to Shreveport, Louisiana, has enhanced opportunities for management of fish and wildlife.

(6) The Red River Valley offers extraordinary recreational, research, and educational opportunities for students, scientists, bird watchers, wildlife observers, hunters, anglers, trappers, hikers, and nature photographers.

(7) The Red River Valley is an internationally significant environmental resource that has been neglected and requires active restoration and management to protect and enhance the value of the region as a habitat for fish and wildlife.

SEC. 3. ESTABLISHMENT AND PURPOSES OF REFUGE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary shall establish the Red River National Wildlife Refuge, consisting of approximately 50,000 acres of Federal lands, waters, and interests therein within the boundaries depicted upon the map entitled ''Red River National Wildlife Refuge—Selection Area'', dated September 5, 2000.

(2) BOUNDARY REVISIONS.—The Secretary shall make such minor revisions of the boundaries of the Refuge as may be appropriate to carry out the purposes of the Refuge or to facilitate the acquisition of property within the Refuge.

(3) AVAILABILITY OF MAP.—The Secretary shall keep the map referred to in paragraph (1) available for inspection in appropriate offices of the United States Fish and Wildlife Service.

(b) PURPOSES.—The purposes of the Refuge are the following:

(1) To provide for the restoration and conservation of native plants and animal communities on suitable sites in the Red River basin, including restoration of extirpated species.

(2) To provide habitat for migratory birds.

(3) To provide technical assistance to private land owners in the restoration of their lands for the benefit of fish and wildlife.

(c) EFFECTIVE DATE.—The establishment of the Refuge under paragraph (1) of subsection (a) shall take effect on the date the Secretary publishes, in the Federal Register and publications of local circulation in the vicinity of the area within the boundaries referred to in that paragraph, a notice that sufficient property has been acquired by the United States within those boundaries to constitute an area that can be efficiently managed as a National Wildlife Refuge.

SEC. 4. ADMINISTRATION OF REFUGE.

(a) IN GENERAL.—The Secretary shall administer all lands, waters, and interests therein acquired under section 5 in accordance with—

(1) the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.) and the Act of September 28, 1962 (76 Stat. 653; 16 U.S.C. 460k et seq.; commonly known as the Refuge Recreation Act);

(2) the purposes of the Refuge set forth in section 3(b); and

(3) the management plan issued under subsection (b).

(b) MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 18 months after the date of the establishment of the Refuge, the Secretary shall issue a management plan for the Refuge.

(2) CONTENTS.—The management plan shall include provisions that provide for the following:

(A) Planning and design of trails and access points.

(B) Planning of wildlife and habitat restoration, including reforestation.

(C) Permanent exhibits and facilities and regular educational programs throughout the Refuge.

(D) Ensuring that compatible hunting, fishing, wildlife observation and photography, and environmental education and interpretation are the priority general public uses of the Refuge, in accordance with section 4(a)(3) and (4) of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668ee(a)(3), (4)).

(3) PUBLIC PARTICIPATION.—

(A) IN GENERAL.—The Secretary shall provide an opportunity for public participation in developing the management plan.

(B) LOCAL VIEWS.—The Secretary shall give special consideration to views by local public and private entities and individuals in developing the management plan.

(c) WILDLIFE INTERPRETATION AND EDUCATION CENTER.—

(1) IN GENERAL.—The Secretary shall construct, administer, and maintain, at an appropriate site within the Refuge, a wildlife interpretation and education center.

(2) PURPOSES.—The center shall be designed and operated—

(A) to promote environmental education; and

(B) to provide an opportunity for the study and enjoyment of wildlife in its natural habitat.

(d) ASSISTANCE TO RED RIVER WATERWAY COMMISSION.—The Secretary shall provide to the Red River Waterway Commission—

(1) technical assistance in monitoring water quality, noxious plants, and exotic organisms, and in preventing siltation of prime fisheries habitat; and

(2) where appropriate and available, fish for stocking.

SEC. 5. ACQUISITION OF LANDS, WATERS, AND INTERESTS THEREIN.

(a) IN GENERAL.—The Secretary may acquire up to 50,000 acres of lands, waters, or interests therein within the boundaries of the Refuge described in section 3(a)(1).

(b) INCLUSION IN REFUGE.—Any lands, waters, or interests acquired by the Secretary under this section shall be part of the Refuge.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

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

SEC. 7. DEFINITIONS.

For purposes of this Act:

(1) REFUGE.—The term ''Refuge'' means the Red River National Wildlife Refuge established under section 3.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

The SPEAKER pro tempore (Mr. QUINN). Pursuant to the rule, the gentleman from New Jersey (Mr. SAXTON) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) 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 exclude extraneous material therein on H.R. 4318, as amended.

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

There was no objection.

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

Mr. Speaker, H.R. 4318 was introduced by our colleague, the gentleman from Louisiana (Mr. MCCRERY). It will establish the Red River National Wildlife Refuge in Louisiana.

The Red River Valley is part of a historic migratory corridor that is used by over 350 different species of birds. These species include migratory waterfowl, shorebirds, and neotropical migratory songbirds.

It is part of the Mid-Continent Flyway region that stretches as far north as the Arctic Circle and as far south as Tierra del Fuego, South America.

Under the terms of the bill, the Secretary of Interior is provided with the authority to acquire up to 50,000 acres of land, water and other interests for inclusion in the refuge.

I fully expect that all private land acquired by the Red River Refuge will be purchased from willing sellers.

Mr. Speaker, I compliment the gentleman from Louisiana (Mr. MCCRERY) for his tireless leadership on behalf of this legislation. The gentleman has worked extremely closely with local, State, and Federal officials to make the Red River National Wildlife Refuge a reality. I obviously urge an aye vote on 4318.

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

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, I want to compliment and thank my good friend from New Jersey (Mr. SAXTON) for his management of this legislation.

Mr. Speaker, I am pleased with the cooperation and progress that has been made to improve the provisions of H.R. 4318 since it was ordered reported favorably by the Committee on Resources in July of this year.

It is my understanding, Mr. Speaker, that the final maps depicting the proposed acquisition boundaries for this new refuge have been agreed to by the bill's sponsor, my good friend, the gentleman from Louisiana (Mr. MCCRERY), and by the Fish and Wildlife Service. I support these boundaries; and with this last remaining issue resolved, I am comfortable with moving this bill forward with passage today.

This legislation, Mr. Speaker, will help restore and protect in perpetuity, valuable wetlands and wildlife habitats along the Red River in northern Louisiana. This bill is supported by the administration and has strong bipartisan support on both sides of the aisle on the Committee on Resources.

Mr. Speaker, I urge my colleagues to support this legislation.

Mr. MCCRERY. Mr. Speaker, I would like to express my strong support for H.R. 4318, the Red River National Wildlife Refuge Act. This measure, which I introduced, establishes the Red River National Wildlife Refuge in Caddo, Bossier, Red River, Natchitoches, and DeSoto Parishes in the Fourth Congressional District of Louisiana.

At present, there are 20 national wildlife refuges in the State of Louisiana which host over 1.4 million visitors annually. However, not a single national wildlife refuge exists in Northwest Louisiana to meet a demonstrated environmental need in the Red River Alluvial Valley.

The Red River Alluvial Valley is an internationally significant environmental resource that has been neglected and requires active restoration and management to protect and enhance the value of the region as habitat for fish and wildlife.

The Red River Valley is part of a major continental migration corridor for migratory birds funneling through North America from as far north as the Arctic Circle to as far south as Tierra del Fuego in South America. This valley is of critical environmental importance to over 350 species of birds (including migratory and resident waterfowl, shore birds, and neotropical migratory birds), aquatic life, and a wide array of other species associated with river basin ecosystems.

However, since the 1820s, the Red River Valley has been almost totally cleared of its forest cover, primarily due to agricultural production. The recent completion of the Red River Waterway project in Louisiana and the land-use changes away from agricultural production in the area have enhanced opportunities for environmental restoration and management of fish and wildlife in the Red River Valley.

H.R. 4318 authorizes the acquisition of up to 50,000 acres of land, waters, or interests therein in Caddo, Bossier, Red River, DeSoto, and Natchitoches Parishes for inclusion in the Red River National Wildlife Refuge. The refuge is envisioned to take the form of several large tracts of refuge lands comprising several thousand acres apiece, managed as a system to restore and preserve fish and wildlife habitat.

The Red River National Wildlife Refuge, authorized in this Act, represents the federal share of a unique federal, state, local and private partnership being proposed by local conservationists, including Paul and Skipper Dickson and other members of the Friends of the Red River Refuges, to restore and manage approximately ten percent of the 800,000-acre Red River Alluvial Valley in Louisiana. Funding for land acquisition would come from the Migratory Bird Fund and the Land and Water Conservation Fund.

H.R. 4318 calls for significant local public involvement in the delineation of refuge boundaries and the formulation of a refuge management plan. The bill also encourages public use of refuge lands and environmental outreach programs and facilities, including the authorization of wildlife interpretation and education center associated with the refuge.

I would like to thank House Resources Committee Chairman DON YOUNG, Fisheries Conservation, Wildlife and Oceans Subcommittee Chairman JIM SAXTON, and the other members of the Resources Committee for their support for this proposal. I urge members of the House to vote in favor of this legislation so we may undertake this important conservation and restoration project as soon as possible.

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

Mr. FALEOMAVAEGA. Mr. 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. 4318, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill H.R. 4318, as amended, was passed.

A motion to reconsider was laid on the table.

CORINTH BATTLEFIELD PRESERVATION ACT OF 1999

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1117) to establish the Corinth Unit of Shiloh National Military Park, in the vicinity of the city of Corinth, Mississippi, and in the State of Tennessee, and for other purposes.

The Clerk read as follows:

S. 1117

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 ''Corinth Battlefield Preservation Act of 1999''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) in 1996, Congress authorized the establishment and construction of a center—

(A) to facilitate the interpretation of the Siege and Battle of Corinth and other Civil War actions in the area in and around the city of Corinth, Mississippi; and

(B) to enhance public understanding of the significance of the Corinth campaign and the Civil War relative to the western theater of operations, in cooperation with—

(i) State or local governmental entities;

(ii) private organizations; and

(iii) individuals;

(2) the Corinth Battlefield was ranked as a priority 1 battlefield having critical need for

coordinated nationwide action by the year 2000 by the Civil War Sites Advisory Commission in its report on Civil War Battlefields of the United States;

(3) there is a national interest in protecting and preserving sites of historic significance associated with the Civil War; and

(4) the States of Mississippi and Tennessee and their respective local units of government—

(A) have the authority to prevent or minimize adverse uses of these historic resources; and

(B) can play a significant role in the protection of the historic resources related to the Civil War battles fought in the area in and around the city of Corinth.

(b) PURPOSES.—The purposes of this Act are—

(1) to establish the Corinth Unit of the Shiloh National Military Park—

(A) in the city of Corinth, Mississippi; and

(B) in the State of Tennessee;

(2) to direct the Secretary of the Interior to manage, protect, and interpret the resources associated with the Civil War Siege and the Battle of Corinth that occurred in and around the city of Corinth, in cooperation with—

(A) the State of Mississippi;

(B) the State of Tennessee;

(C) the city of Corinth, Mississippi;

(D) other public entities; and

(E) the private sector; and

(3) to authorize a special resource study to identify other Civil War sites area in and around the city of Corinth that—

(A) are consistent with the themes of the Siege and Battle of Corinth;

(B) meet the criteria for designation as a unit of the National Park System; and

(C) are considered appropriate for inclusion in the Unit.

SEC. 3. DEFINITIONS.

In this Act:

(1) MAP.—The term ''Map'' means the map entitled ''Park Boundary-Corinth Unit'', numbered 304/80,007, and dated October 1998.

(2) PARK.—The term ''Park'' means the Shiloh National Military Park.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(4) UNIT.—The term ''Unit'' means the Corinth Unit of Shiloh National Military Park established under section 4.

SEC. 4. ESTABLISHMENT OF UNIT.

(a) IN GENERAL.—There is established in the States of Mississippi and Tennessee the Corinth Unit of the Shiloh National Military Park.

(b) COMPOSITION OF UNIT.—The Unit shall be comprised of—

(1) the tract consisting of approximately 20 acres generally depicted as ''Battery Robinett Boundary'' on the Map; and

(2) any additional land that the Secretary determines to be suitable for inclusion in the Unit that—

(A) is under the ownership of a public entity or nonprofit organization; and

(B) has been identified by the Siege and Battle of Corinth National Historic Landmark Study, dated January 8, 1991.

(c) AVAILABILITY OF MAP.—The Map shall be on file and available for public inspection in the office of the Director of the National Park Service.

SEC. 5. LAND ACQUISITION.

(a) IN GENERAL.—The Secretary may acquire land and interests in land within the boundary of the Park as depicted on the Map, by—

(1) donation;

(2) purchase with donated or appropriated funds; or

(3) exchange.

(b) EXCEPTION.—Land may be acquired only by donation from—

(1) the State of Mississippi (including a political subdivision of the State);

(2) the State of Tennessee (including a political subdivision of the State); or

(3) the organization known as ''Friends of the Siege and Battle of Corinth''.

SEC. 6. PARK MANAGEMENT AND ADMINISTRATION.

(a) IN GENERAL.—The Secretary shall administer the Unit in accordance with this Act and the laws generally applicable to units of the National Park System, including—

(1) the Act entitled ''An Act to establish a National Park Service, and for other purposes'', approved August 25, 1916 (16 U.S.C. 1 et seq.); and

(2) the Act entitled ''An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes'', approved August 21, 1935 (16 U.S.C. 461 et seq.).

(b) DUTIES.—In accordance with section 602 of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 430f–5), the Secretary shall—

(1) commemorate and interpret, for the benefit of visitors and the general public, the Siege and Battle of Corinth and other Civil War actions in the area in and around the city of Corinth within the larger context of the Civil War and American history, including the significance of the Civil War Siege and Battle of Corinth in 1862 in relation to other operations in the western theater of the Civil War; and

(2) identify and preserve surviving features from the Civil War era in the area in and around the city of Corinth, including both military and civilian themes that include—

(A) the role of railroads in the Civil War;

(B) the story of the Corinth contraband camp; and

(C) the development of field fortifications as a tactic of war.

(c) COOPERATIVE AGREEMENTS.—

(1) IN GENERAL.—To carry this Act, the Secretary may enter into cooperative agreements with entities in the public and private sectors, including—

(A) colleges and universities;

(B) historical societies;

(C) State and local agencies; and

(D) nonprofit organizations.

(2) TECHNICAL ASSISTANCE.—To develop cooperative land use strategies and conduct activities that facilitate the conservation of the historic, cultural, natural, and scenic resources of the Unit, the Secretary may provide technical assistance, to the extent that a recipient of technical assistance is engaged in the protection, interpretation, or commemoration of historically significant Civil War resources in the area in and around the city of Corinth, to—

(A) the State of Mississippi (including a political subdivision of the State);

(B) the State of Tennessee (including a political subdivision of the State);

(C) a governmental entity;

(D) a nonprofit organization; and

(E) a private property owner.

(d) RESOURCES OUTSIDE THE UNIT.—Nothing in subsection (c)(2) authorizes the Secretary to own or manage any resource outside the Unit.

SEC. 7. AUTHORIZATION OF SPECIAL RESOURCE STUDY.

(a) IN GENERAL.—To determine whether certain additional properties are appropriate for inclusion in the Unit, the Secretary shall conduct a special resource study of land in and around the city of Corinth, Mississippi, and nearby areas in the State of Tennessee that—

(1) have a relationship to the Civil War Siege and Battle of Corinth in 1862; and

(2) are under the ownership of—

(A) the State of Mississippi (including a political subdivision of the State);

(B) the State of Tennessee (including a political subdivision of the State);

(C) a nonprofit organization; or

(D) a private person.

(b) CONTENTS OF STUDY.—The study shall—

(1) identify the full range of resources and historic themes associated with the Civil War Siege and Battle of Corinth in 1862, including the relationship of the campaign to other operations in the western theater of the Civil War that occurred in—

(A) the area in and around the city of Corinth; and

(B) the State of Tennessee;

(2) identify alternatives for preserving features from the Civil War era in the area in and around the city of Corinth, including both military and civilian themes involving—

(A) the role of the railroad in the Civil War;

(B) the story of the Corinth contraband camp; and

(C) the development of field fortifications as a tactic of war;

(3) identify potential partners that might support efforts by the Secretary to carry out this Act, including—

(A) State entities and their political subdivisions;

(B) historical societies and commissions;

(C) civic groups; and

(D) nonprofit organizations;

(4) identify alternatives to avoid land use conflicts; and

(5) include cost estimates for any necessary activity associated with the alternatives identified under this subsection, including—

(A) acquisition;

(B) development;

(C) interpretation;

(D) operation; and

(E) maintenance.

(c) REPORT.—Not later than 1 year and 180 days after the date on which funds are made available to carry out this section, the Secretary shall submit a report describing the findings of the study under subsection (a) to—

(1) the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Resources of the House of Representatives.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act, including $3,000,000 for the construction of an interpretive center under section 602(d) of title VI of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 430f–5(d)).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

Mr. Speaker, S. 1117 establishes the Corinth Unit of the Shiloh National Military Park in the vicinity of Corinth, Mississippi, in the State of Tennessee. Companion legislation, H.R. 2249, was introduced by the gentleman from Mississippi (Mr. WICKER). The purpose of S. 1117 is to protect and commemorate areas associated with the Civil War battle of Corinth. The

Corinth Unit consists of approximately 20 acres of land and is the future site of an interpretive center.

The Battle of Shiloh took place in April of 1862 and is considered to be one of the most important battles of the Civil War. Thousands of men died in the 2-day battle with the Union forces; and as a result of the Battle of Shiloh, Confederate troops were forced to withdraw southward.

The Union armies remained intact enough and to continue their southward advancement, eventually taking Vicksburg and Port Hudson in 1863. The Union advance essentially cut the South in half and many knew at this point it was solely a matter of time before the Union would prevail.

The Battle of Corinth played a large part in the overall battle of Shiloh. Because of this, S. 1117 would direct the Secretary of the Interior to manage and protect the resources associated with the Battle of Corinth by establishing the Corinth Unit as part of the Shiloh National Military Park.

This bill also provides for a resource study to be conducted by the Secretary to determine whether certain other additional properties are appropriate for inclusion in the newly established unit.

Mr. Speaker, I urge my colleagues to support S. 1117.

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

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, I thank my good friend, the gentleman from Utah (Mr. HANSEN), the chairman of the Subcommittee on National Parks and Public Lands. I know the gentleman from Puerto Rico (Mr. ROMERO-BARCELO), my colleague and good friend, is on his way.

Mr. Speaker, as the ranking member of the Subcommittee on National Parks and Public Lands, I am just pinch-hitting for the gentleman from Puerto Rico.

Mr. Speaker, the area in and around the city of Corinth, Mississippi, near the Mississippi-Tennessee border, played a significant role in several early chapters of the American Civil War. Corinth was the crossroads of two rail-lines vital to Confederate supply efforts, and the city served as the front line of the western theater of battle.

The battle of Shiloh in April 1862 was launched after 44,000 Confederate troops had withdrawn to Corinth to regroup and to resupply forces.

Several weeks later, Union forces briefly laid siege to the city, finally overtaking Corinth and holding it for the rest of the war. The site of the Battle of Shiloh is a national military park but does not include the city of Corinth. However, in 1996, Congress authorized the establishment of an interpretive center for the Corinth campaign.

Mr. Speaker, S. 1117 offered by the majority leader from the other body, the gentleman from Mississippi, would build on that effort by establishing Corinth as an official unit of the Shiloh National Military Park. The new unit would consist of the 21-acre site selected for that interpretive center, plus any additional land, owned by a public or a nonprofit entity, which the Secretary determines to be suitable.

The legislation contains provisions for management of the new unit, future land acquisition, a special resource study of the area and authorizes an additional $3 million for the construction of that interpretive center.

This legislation has the support of the administration and bipartisan support of both sides of the aisle in this committee.

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

Mr. WICKER. Mr. Speaker, I rise in support of the Corinth Battlefield Preservation Act. This legislation authorizes $3 million for the construction of the Corinth-Civil War Preservation and Interpretive Center and its inclusion into the Shiloh National Military Park. The bill gives Corinth its proper status as one of America's most pivotal and important Civil War sites. I would first like to thank my colleague from Utah, the distinguished Chairman of the Resources Subcommittee on National Parks and Public Lands, Mr. HANSEN, and the Ranking Member, Mr. ROMERO-BARCELO, for holding a hearing on this important legislation in April. The bill before us today is the companion to H.R. 2249, which I introduced.

As legendary Civil War historian Ed Bearss proclaimed, ''The Battle of Corinth was the bloodiest battle in the State of Mississippi. Troops were brought from New Orleans, Mobile, Texas, and Arkansas because Corinth was such an important place. With the fall of Corinth, Perryville, Kentucky, and Antietam, Maryland, the Confederacy was lost.'' We owe it to our ancestors and to future generations to protect Corinth and the abundance of Civil War history in this small town.

Corinth, referred to as the ''Vertebrae of the South,'' was the intersection of the Memphis & Charleston railroad and the Mobile & Ohio railroad which connected the Confederate States of America from the Mississippi River to the Atlantic Ocean and the Gulf of Mexico. Each side recognized its significance. In a telegram to Secretary of War Edwin Stanton in May of 1862, Union General W.H. Halleck expressed the importance of Corinth: ''Richmond and Corinth are now the great strategical points of war, and our success at these points should be insured at all hazards,'' the telegram read.

Mr. Speaker, the Battle of Corinth also involved one of the first uses of ''earthworks'' as part of modern warfare. These trenches, which would later be used extensively in World Wars I and II, are considered to be among the largest and best-preserved fortification groups in the nation but are in danger of being lost forever.

Sites such as the Corinth battlefield are far too important to be known only through history books. We need places where Americans can come and see history right before their eyes. Although the Corinth Battlefield has been designated as a National Historic Landmark, it is still considered a ''Civil War Landmark At Risk'' by the Civil War Site Advisory Commission.

For over one hundred years, the United States Congress has advanced the idea that our national interest is best served by preserving America's historic treasures, not only by ensuring the proper interpretation of important historic events, but also the places and properties where important military milestones occurred.

Mr. Speaker, this outstanding preservation effort would not be possible without the hard work and dedication of Mrs. Rosemary Williams and the Siege and Battle of Corinth Commission, along with the people of Corinth, and Alcorn County, Mississippi. This bipartisan bill is widely supported by local, state, regional, and national preservation organizations. We must take this necessary step to protect our heritage so that generations to come can gain an understanding of the struggles of our great nation. Events such as the Siege and Battle of Corinth have helped shape our American democracy and have transformed our diverse states and citizens into a united and prosperous nation, better prepared to meet the challenges and opportunities of the future.

I urge my colleagues to support the Corinth Battlefield Preservation Act.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (MR. HANSEN) that the House suspend the rules and pass the Senate bill, S. 1117.

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.

BLACK REVOLUTIONARY WAR PATRIOTS MEMORIAL

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4957) to amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the legislative authority for the Black Patriots Foundation to establish a commemorative work.

The Clerk read as follows:

H.R. 4957

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

SECTION 1. BLACK REVOLUTIONARY WAR PATRIOTS MEMORIAL.

Section 506 of the Omnibus Parks and Public Lands Management Act of 1996 (40 U.S.C. 1003 note; 110 Stat. 4155) is amended by striking ''2000'' and inserting ''2005''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

Mr. Speaker, H.R. 4957 extends the legislative authority for the Black Patriots Foundation for another 5 years, to 2005, in order to establish a commemorative work on the Washington, D.C. mall. This commemorative work honors the black patriots who fought for American independence during the Revolutionary War.

In 1998, the Black Patriots Foundation was granted an extension for the authority to design and construct the memorial on the Washington D.C. Mall. When granted, the Black Patriots Foundation believed that the memorial would be finalized in just 2 years. Unfortunately, the foundation has not been successful in raising enough funds and has asked that it be granted an extension 5 more years until 2005.

Mr. Speaker, the Black Patriots Foundation has recently hired an exclusive director with extensive fundraising experience and has recommitted themselves to seeing this memorial to completion. Therefore, I believe it is the best course of action to reauthorize this foundation so that this very important part of our history can be experienced by all of those who will visit this deserving memorial.

Mr. Speaker, I urge my colleagues to support this.

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

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, I thank the gentleman from Utah (Mr. HANSEN), my good friend, the chairman of the Subcommittee on National Parks and Public Lands for his management of this legislation. I want to personally commend the chief author of the sponsor of this legislation, the gentleman from New York, (Mr. RANGEL), my good friend.

Mr. Speaker, the 99th Congress approved legislation reauthorizing the Black Revolutionary War Patriots Foundation to establish a memorial on Federal land in Washington, D.C. The specific purpose of the proposed memorial is to honor the roughly 5,000 slaves and free men who fought against Britain during the American Revolution, although its broader theme is to honor all African Americans who have fought and died while serving in the U.S. military.

Mr. Speaker, the proposed site for the memorial is north of the Reflecting Pool on the Mall, between the Washington and Lincoln Memorials, an area where more than 100,000 people once gathered in that summer of 1963 to hear Dr. Martin Luther King's historic speech, ''I have a Dream.''

Mr. Speaker, from the outset, the project has complied with all aspects of Commemorative Works Act and has received all the approvals necessary to move forward. Unfortunately, the private efforts to raise an estimated $9 million needed for the construction of the memorial have yet to reach their goal, and without congressional action, authorization for the project will expire this month.

Mr. Speaker, H.R. 4957, as I said earlier, which was sponsored by the gentleman from New York (Mr. RANGEL), my good friend, will amend the existing law to extend an authorization for the foundation until the year 2005. While previous extensions have been for 2 years only, it is our hope that this 5-year extension will provide sufficient time for this project to raise the funds necessary to move this project forward.

Again, I urge my colleagues to approve this legislation; and I urge my friends to support this bill.

Mr. WATTS of Oklahoma. Mr. Speaker, I rise in support of H.R. 4957, legislation to extend the authority of the Black Patriots Foundation to establish a commemorative work on the national Mall.

I am delighted to be an original cosponsor of this legislation along with Mr. RANGEL, Mrs. JOHNSON and Mr. PAYNE, all of whom have worked so long and hard—and continue to do so—to make this memorial to the Black patriots of the Revolutionary War a reality.

My colleagues, this House has noticed an absence and therefore a very real need for commemoration in honor of people who helped to birth this Nation, people who actually gave the supreme sacrifice during this Nation's defining moment.

As Harriett Beecher Stowe wrote about the black men and women who served in the Revoluntioinary War, It was not for their own land they fought, nor even for the land which had adopted them, but for a land that had enslaved them and whose laws, even in freedom, more often oppressed than protected. Bravery under such circumstances has a peculiar beauty and merit.

The fact is, Mr. Speaker, men and women of all colors have been involved in every aspect of this country from its founding days. We are full partners in the history, bloodshed and tears that have made this Nation great.

Unfortunately, not all of us know our Nation's history, where we came from and what makes us who we are today. H.R. 4957 and the work of the Black Revoluntionary War Patriots Foundation will move us closer to that goal and to a lasting historical recognition on our national Mall of these brave men and women who fought for our freedoms. I am pleased to support this effort and encourage my colleagues to give this bill their strong support.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in strong support of H.R. 4957, the Black Patriots Foundation Extension, which would extend by five years, until 2005, the authority of the Black Revolutionary War Patriots Foundation to complete a memorial to the black men, women, and children who fought in the Revolutionary War.

It is fitting that the Black Patriots Foundation was created and charged with the responsibility of constructing a memorial on the National Mall to honor the approximately 5,000 known African Americans who fought for America's freedom during the Revolutionary War. Unfortunately, their important work will not have been completed by the expiration of the authority of the initiating legislation. Therefore, it is important that H.R. 4957 be passed by the 106th Congress and signed into law by the president because the original 1986 legislation will expire in October 2000.

Most American school children learn of the bravery of, Crispus Attucks, the first African American man to die in the cause of this country's independence. However, very few school age children or adults in this country know any other names of stories of the thousands of African Americans who fought for this nation's independence at a time when they themselves were slaves. It is reported that many African American soldiers in the Revolutionary Army did not enlist, but were offered for service by their masters so that they themselves would not be required to serve in the cause for their nation's freedom. During the War for Independence if a man was drafted, he was allowed to buy his way out of the army or to send someone in his place, a mercenary. For the wealthy property owner, the cheapest mercenary available to them was a slave.

By the time the first battles of the war occurred at Lexington and Concord, there were ten African American soldiers. One of these brave Americans was named Prince Easterbrooks, who was said to be ''the first to get into the fight.'' Later at the battle of Bunker Hill, Salem Poor, another African American soldier acted with such valor, fourteen officers who observed his actions in battle wrote to the legislature requesting special recognition of Poor for his heroism.

At first Washington was hesitant about enlisting blacks. But when he heard they had fought well at Bunker Hill, he changed his mind. This allowed the creation of the first all-black First Rhode Island Regiment composed of 33 freedmen and 92 slaves who were promised freedom if they served until the end of the war—distinguished itself in the Battle of Newport. Later, most were killed during a British attack.

The heroic actions of African American free citizens and slaves during the American Revolutionary War extend beyond the battlefield. Such is the case of an unnamed African American spy who was a servant to the leader of the British Army, General Cornwallis. This patriot spy provided valuable information to General Marquis de Lafayette, who offered his services to the American Revolutionary Congress and fought with General George Washington at the Battle of Brandywine and at Valley Forge.

In the name of this American Revolutionary spy and the thousands of other unknown African American free persons and slaves who fought during our nation's war for freedom I urge my colleagues to support the passage of this legislation.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 4957.

The question was taken.

Mr. HANSEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further

proceedings on this motion will be postponed.

GOLDEN GATE NATIONAL RECREATION AREA BOUNDARY ADJUSTMENT ACT OF 2000

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3632) to revise the boundaries of the Golden Gate National Recreation Area, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3632

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 ''Golden Gate National Recreation Area Boundary Adjustment Act of 2000''.

SEC. 2. ADDITIONS TO THE GOLDEN GATE NATIONAL RECREATION AREA.

Section 2(a) of the Act entitled ''An Act to establish the Golden Gate National Recreation Area in the State of California, and for other purposes'' (16 U.S.C. 460bb–1(a)) is amended by adding at the end the following: ''The recreation area shall also include the lands generally depicted on the map entitled 'Additions to Golden Gate National Recreation Area', numbered NPS–80,076, and dated July 2000/PWR–PLRPC.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from Puerto Rico (Mr. ROMERO-BARCELO) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

Mr. Speaker, H.R. 3632 expands the boundaries of the Golden Gate National Recreation Area to include 12 parcels of additional land. Most of the parcels are south of San Francisco near the City of Pacifica, California, and total approximately 1,200 acres.

Mr. Speaker, although the introduced legislation included numerous other parcels of land to be included within the boundary expansion, I have worked with my friend, the gentleman from California (Mr. LANTOS) who introduced this measure and agreed that those private property owners who have expressed desire not to be in this legislation are now excluded.

This amended bill reflects this agreement, and we have only included those parcels which wish to be included within the expanded recreation area of the boundaries.

Mr. Speaker, I compliment the gentleman from California (Mr. LANTOS) for the good work he has done on this, and I urge all of my colleagues to support H.R. 3632, as amended.

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

Mr. ROMERO-BARCELO. Mr. Speaker, I yield myself such time as I may consume.

(Mr. ROMERO-BARCELO asked and was given permission to revise and extend his remarks.)

Mr. ROMERO-BARCELO. Mr. Speaker, H.R. 3632 is a bill introduced by the gentleman from California (Mr. LANTOS). As introduced, it would have expanded the boundaries of the Golden Gate National Recreation Area in California by adding 20 parcels of land totalling approximately 1,216 acres.

The Golden Gate National Recreation Area is one of the largest urban parks in the world. The lands proposed for addition to the park have been reviewed through various National Park Service planning processes and have been found to be suitable and desirable additions to the park.

□ 1530

We, along with the administration and the gentleman from California (Mr. LANTOS) have supported H.R. 3632 as introduced.

However, the Committee on Resources adopted an amendment to insert a new boundary map that deletes from the original proposal any parcel where the landowner has not affirmatively agreed to be in the park boundary. We believe this change weakens the legislation. The change made by the committee will preclude the National Park Service from acquiring the deleted parcels, all of which have been found suitable and desirable additions to the park, from their owners if they wish to sell in future. Such a change will necessitate coming back and getting legislative authority in each instance where an affected landowner wishes to sell to the National Park Service. However, we also recognize the lands that would still be added to the park by the amended bill are extremely important addition, and, thus, while we would prefer passage of the bill as introduced, we support H.R. 3632, as amended.

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

Mr. LANTOS. Mr. Speaker, I am here briefly to rise and to thank my friend, the chairman of the Committee on Resources, the gentleman from Alaska (Mr. YOUNG); the ranking member, the gentleman from California (Mr. MILLER); the chairman of the Subcommittee on National Parks and Public Lands subcommittee, the gentleman from Utah (Mr. HANSEN), who have been so enormously helpful and supportive of my legislation; and the ranking member, the gentleman from Puerto Rico (Mr. ROMERO-BARCELO).

The legislation I am here to say a few words about is H.R. 3632, which expands GGNRA in three counties. It will add immeasurably to the value of this most important area, adding approximately 900 acres in San Mateo, San Francisco and Marin Counties to the existing GGNRA park land.

It is supported powerfully by local government. A significant portion of the lands are donated without any cost to the Federal Government. The Department of Interior and the National Park Service strongly support this legislation.

Mr. Speaker, I want to urge all of my colleagues to vote for this and thank them for approving this legislation.

In the interest of time, I ask that the full text of my statement be included in the RECORD at this point.

Mr. Speaker, I want to thank my colleagues on the Resources Committee who have been supportive of my legislation, H.R. 3632 the Golden Gate National Recreation Boundary Adjustment Act—Resources Committee Chairman Mr. YOUNG of Alaska and the Ranking Member of the Resources Committee, my fellow Californian, Mr. MILLER. I also want to thank the Chairman of the National Parks Subcommittee Mr. HANSEN of Utah who has been particularly cooperative in working with me on this legislation. The Ranking Member of the National Parks Subcommittee, Mr. ROMERO-BARCELO of Puerto Rico, has also been most supportive.

I also want to express my thanks to my neighbors and colleagues from California who have a particular interest in this legislation and who have worked closely with me for the passage of this legislation—Congresswoman NANCY PELOSI of San Francisco and Congresswoman LYNN WOOLSEY of Marin County. H.R. 3632 includes areas that are in their Congressional Districts, and I appreciate working together with them on this bill.

The entire bipartisan Bay Area congressional delegation are cosponsors of this legislation, and I thank them all for their support.

I also want to thank Chris Walker of my staff for his excellent efforts on this legislation.

Mr. Speaker, the Golden Gate National Recreation Area (GGNRA) was established in 1972 to protect important natural and cultural resources in the San Francisco Bay area. The park is located in the city of San Francisco and in Marin and San Mateo Counties, and it presently encompasses 76,000 acres of land and water.

The legislation we are considering today—H.R. 3632, the Golden Gate National Recreation Area Boundary Adjustment Act—revises the authorized boundaries of the GGNRA to include approximately 1,000 acres of land in San Mateo and Marin Counties and the City of San Francisco. The approximately 900 acres of lands in San Mateo County which will be added to the park are adjacent to existing GGNRA lands and will connect existing park lands to nearby headlands, beaches and trails along the Pacific Ocean.

Inclusion of these lands will improve public access to existing park areas, trails and beaches. It also will improve access to the historic Portola Expedition Discovery Site, the ''Plymouth Rock of the West,'' which is the site from which San Francisco Bay was first seen by European explorers in the 18th century. H.R. 3632 also authorizes the inclusion of approximately 100 acres of land in Marin County known as ''Marincrest,'' and approximately 2 acres of land in the City of San Francisco.

Mr. Speaker, this legislation has the strong and enthusiastic support of local government leaders in the Bay Area. The Pacifica City Council and the San Mateo County Board of Supervisors have adopted resolutions supporting inclusion of these lands to the GGNRA. The Main County Open Space District adopted a resolution supporting inclusion

of Marincrest into the GGNRA. The San Francisco Board of Supervisors has also adopted a resolution supporting passage of the bill.

The U.S. Department of the Interior and the National Park Service have also expressed their strong support of H.R. 3632. In 1988, a congressionally-authorized boundary study by the National Park Service identified 15 tracts of land totaling 1,057 acres of lands in San Maeto County that would be logical additions to the park. The Park Service study concluded that these additional lands would preserve significant natural, scenic and recreational resources and would establish a park boundary that is more logical, recognizable and easier to manage. The Department of the Interior and the National Park Service officially expressed support for this legislation in a hearing before the National Parks Subcommittee of the Resources Committee.

Mr. Speaker, one element of this legislation that is particularly important is that a substantial portion of the lands to be included in the GGNRA will be donated without cost to the Federal Government by the local community and private land trusts and conservation groups. Major donated parcels in San Mateo County include Cattle Hill (261 acres), San Pedro Point (246 acres) and Milagra Ridge (30 acres). In Marin County, the Trust for Public Lands has agreed to donate half the value of the 96-acre Marincrest property. The two parcels in San Francisco will also be donated.

Mr. Speaker, this legislation will provide permanent protection for these stunning and critical natural areas. Adding this land to the GGNRA will preserve it for future generations and make existing areas of the park more accessible for all. I strongly urge my colleagues to join me in supporting the adoption of H.R. 3632.

Ms. PELOSI. Mr. Speaker, I rise in support of H.R. 3632 to expand the boundaries of the Golden Gate National Recreation Area. I would like to thank my colleagues, Chairman DON YOUNG, Subcommittee Chairman JIM HANSEN, and Ranking Member GEORGE MILLER, for their support of this bill and for ensuring its consideration on the floor today.

As a cosponsor with Representatives LANTOS and WOOLSEY, I would like my colleagues to know that the Golden Gate National Recreation Area is a vital part of the community and culture in the Bay Area. Not only is it the home of the Presidio, Muir Woods, the Marin Headlands and Alcatraz Island, the GGNRA is the largest urban national park in the world hosting over 19 million visitors a year, the largest visitation of any national park. The park offers visitors a variety of activities from hiking, camping, biking to educational and cultural programs.

H.R. 3632 is modeled after recommendations from a study by the National Park Service to evaluate the desirability of adding lands in Pacifica to the GGNRA. In addition, H.R. 3632 would expand the Golden Gate National Recreation Area to include 1,300 acres adjacent to the existing, including three areas in Marin County, one area in San Mateo County, and a coastline area in San Francisco. The boundary expansion will allow visitors better access to the existing areas of the park and will insure more efficient management of the natural resources in the park.

This legislation has gained large support from the local communities in the Bay Area, the State of California, the National Park Service and has the support of the entire Bay Area Congressional delegation.

I urge my colleagues to vote yes on H.R. 3632.

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

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

The SPEAKER pro tempore (Mr. QUINN). The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 3632, as amended.

The question was taken.

Mr. HANSEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

AIR FORCE MEMORIAL FOUNDATION AUTHORIZATION

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4583) to extend the authorization for the Air Force Memorial Foundation to establish a memorial in the District of Columbia or its environs.

The Clerk read as follows:

H.R. 4583

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

SECTION 1. AUTHORITY TO ESTABLISH MEMORIAL EXTENDED.

The Act entitled ''An Act to authorize the Air Force Memorial Foundation to establish a memorial in the District of Columbia or its environs'', approved December 2, 1993 (Public Law 103–163), is amended by adding at the end the following new section:

''SEC. 4. LEGISLATIVE AUTHORITY.

''Notwithstanding section 10(b) of the Commemorative Works Act (40 U.S.C. 1010(b)), the legislative authority for the Air Force Memorial Foundation to establish a memorial under this Act shall expire on December 2, 2005.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

Mr. Speaker, H.R. 4583 extends the authorization for the Air Force Memorial Foundation to establish a memorial in the District of Columbia or its environs.

In December of 1993, authorization was given for the Air Force Memorial Foundation to establish an Air Force memorial to honor the men and women who have served in the United States Air Force. The memorial was to comply with the provisions of the Commemorative Works Act.

Among other things, the Commemorate Works Acts provides that the legislative authority for the commemorative work will expire at the end of the 7-year period beginning on the date of the enactment of such authority, unless a construction permit has been issued. To date, no construction permit has been issued.

Furthermore, due to unforeseen and lengthy lawsuits, all work, including the fund-raising for the memorial, was put on hold for approximately 3 years. The lawsuits have been settled and work is ready to recommence regarding the memorial. However, due to the delay in the 7-year requirement of the Commemorative Works Act, the authorization for the foundation is about to expire. In fact, the authority will expire on December 2 of this year unless Congress passes a time extension.

With considerable work already accomplished and the lawsuit settled, the memorial needs now to be completed. Thus, the bill would extend authority to the Air Force Memorial Foundation to complete the well-deserved memorial. The authority would extend until 2005, giving the foundation the time to fulfill the final construction and dedication of the Air Force memorial.

Mr. Speaker, I urge my colleagues to support this very worthy piece of legislation.

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

Mr. ROMERO-BARCELÓ. Mr. Speaker, I yield myself such time as I may consume.

(Mr. ROMERO-BARCELÓ asked and was given permission to revise and extend his remarks.)

Mr. ROMERO-BARCELÓ. Mr. Speaker, H.R. 4583 introduced by the gentleman from Utah (Mr. HANSEN) would extend the authorization of the Air Force Memorial Foundation to establish an Air Force memorial.

Public Law 103–163 authorized the Air Force Memorial Foundation to establish the Air Force memorial in the District of Columbia or its environs. The foundation has identified a site just across the Potomac River in Arlington, Virginia.

We understand that the Air Force Memorial Foundation has made great strides toward construction of a memorial but has not proceeded to the point of getting a construction permit. Without such a permit, the authority to construct a memorial will expire on December 2, 2000.

Except for its length of 5 years, the extension authorized by H.R. 4583 is consistent with that authorized for other memorials. We hope 5 years is not necessary.

We support passage of H.R. 4583 and look forward to the completion of the memorial.

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

Mr. HANSEN. Mr. Speaker, it is a privilege for me to yield such time as he may consume to the gentleman from Texas (Mr. SAM JOHNSON), a former Air Force officer and a distinguished man with a tremendous and

enviable record in the United States Air Force.

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, I appreciate the comments of the gentleman from Utah.

Mr. Speaker, this bill does extend the authorization for the establishment of an Air Force memorial. It is the only service that does not have one, and I think it is long overdue.

The Air Force Memorial Foundation has worked tirelessly for over 7 years toward that goal, and historically all memorials authorized by Congress have required extensions to their legislation. In fact, this only authorizes 5 additional years for the Air Force memorial, which is going to be built without taxpayer dollars.

It does not reference a specific site, and construction is subject to final approval from the National Capital Planning Commission and the Commission on Fine Arts. I think it is time to properly honor our Air Force Members who fought to keep America free.

Do you remember World War II veterans? I do. Those guys were called America's greatest society, its greatest generation. It is the guys who flew those early airplanes, those P–40s in China, the P–51s in Europe, the B–17s, the B–24s, the B–25s, the B–26s, the Air Force that got us on track after World War II; and it is your Air Force today that did the things in the Middle East and in Kosovo that made America great and has kept it there throughout the years.

Mr. Speaker, I think it is only proper that we honor our Air Force members who fought and have fought and will continue to fight to keep America free. Please vote to give America's pilots the honor they so deserve.

Mr. HANSEN. Mr. Speaker, I yield 4 minutes to the gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. Mr. Speaker, I rise in support of this legislation, and I commend the gentleman from Utah (Chairman HANSEN) for his leadership on this issue.

The bill, of course, as mentioned earlier, authorizes the Air Force Memorial Foundation for an additional 5 years to accomplish its mission. Frankly, it is a mission that is long overdue. I think it has been pointed out, the Air Force is the only branch of America's Armed Forces without a memorial in the Nation's Capital. Could this be? The time has come for this city to dedicate a memorial in honor of the commitment and sacrifice of the men and women of the United States Air Force, and I think it is long overdue.

It will not only honor the millions of patriotic men and women who have distinguished themselves in the United States Air Force, but its predecessors, such as the Army Air Corps, which we should also remember.

The memorial will also salute the vast technological achievements that have been made by the Air Force, which has made it the most formidable air power in the world. This has had a profound impact on the transformation of this entire world over the last century.

From biplanes to the B–2 Stealth Bomber, the Air Force has evolved from a fledgling aeronautical division of the United States Signal Corps to a powerful 21st century expeditionary aerospace force.

So we are beholden to honor the aviation pioneers of yesterday, the technological achievements of today, and the distinguished service of those men and women in blue.

Mr. Speaker, Americans deserve to learn about Captain Eddie Rickenbacker. I do not know if a lot of people know about him today, but he would be recognized, the first U.S. trained ace pilot; Colonel Billy Mitchell, who was posthumously awarded the Medal of Honor for his foresight in aviation; General Hap Arnold, the architect of U.S. air power; Captain Chuck Yeager, the first man to break the sound barrier; the Tuskegee Airmen, African American pilots and personnel of the 332nd Fighter Group, which earned a Distinguished Unit Citation for an escort mission to Berlin in 1945; the Women's Auxiliary Corps in World War II, which included women pilots; and the Air Force's first graduated female pilot class of 1977. These are the things that Americans should know about and that this memorial would point out.

As with other armed service memorials, the Air Force Memorial would not only honor those who have served and those who continue to serve, but I think in the end it would inspire future generations to serve this country with pride.

I urge the adoption of this legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to announce my enthusiastic support for HR 4583, a measure that should have broad bipartisan support. This is one of many legislative initiatives that should be supported by those who honor those who sacrificed so much for their nation.

In December 1993, President Clinton signed legislation (PL 103–165) authorizing the Air Force Memorial to establish an Air Force Memorial in the District of Columbia or its environs. However, under the Commemorative Works Act, legislative authority for a commemorative work expires after seven years if no construction permits have been issued. Due to legal delays, no such permits have been issued, although all pending lawsuits have been resolved and work is ready to commence. We cannot allow this work to be left unfinished.

Mr. Speaker, this bill has a simple purpose. It extends to December 2, 2005, the authorization for the Air Force Memorial Foundation to establish a memorial in the District of Columbia. It simply authorizes the necessary funds to make the memorial a reality—a goal we all share. This is something that all Americans would benefit from as tourists or residents of the remarkable location known as the District of Columbia.

Like some of my colleagues, I have worked to ensure that our veterans are recognized and commended for their contributions. Our veterans deserve our strong support because they have shown honor, humility, and human decency that is unparalleled. That is why I was so honored and excited to sponsor legislation recognizing the efforts and sacrifices of those veterans who either served or fought during World War II.

The joint resolution (H.J. Resolution 98) designates May 25, 2000, as a national Day of Honor to honor minority veterans from World War II. An identical resolution—S.J. Resolution 44—as introduced by my colleague U.S. Senator EDWARD KENNEDY. It was wonderful to see the excitement shared by veterans around the nation when President Clinton signed the legislation into law in the Oval Office in May. The resolution calls upon communities across the nation to participate in celebrations to honor minority veterans on May 25, 2000, and throughout the year 2000.

I have learned that these celebrations have continued all over the country in several cities since the legislation became law. Over one hundred and twenty cities across America have held or are planning to hold a Day of Honor observance. The number increases weekly.

Because this recognition is long overdue, it is appropriate that we honor and celebrate the memories of the veterans who served or fought throughout the year. The Day of Honor celebrations are a part of a number of initiatives to honor our veterans. Today, we have an opportunity to extend our continued appreciation to a large segment of veterans from the Air Force that make us all so proud to be Americans.

Establishing an Air Force Memorial in the District of Columbia is entirely beneficial to the entire nation and needs our strong continued support to make sure that the job is well done. For these reasons, I urge my colleagues to vote for HR 4583. This is the very least we must do for our veterans.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 4583.

The question was taken.

Mr. HANSEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. HANSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 1117, H.R. 4957, H.R. 3632, as amended, and H.R. 4583.

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

There was no objection.

JACKSON MULTI-AGENCY CAMPUS ACT OF 1999

Mr. WALDEN of Oregon. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1374) to authorize the development and maintenance of a multi-agency campus project in the town of Jackson, Wyoming.

The Clerk read as follows:

S. 1374

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 ''Jackson Multi-Agency Campus Act of 1999''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the management of public land and natural resources and the service of the public in the area of Jackson, Wyoming, are responsibilities shared by—

(A) the Department of Agriculture;

(B) the Forest Service;

(C) the Department of the Interior, including—

(i) the National Park Service; and

(ii) the United States Fish and Wildlife Service;

(D) the Game and Fish Commission of the State of Wyoming;

(E) Teton County, Wyoming;

(F) the town of Jackson, Wyoming;

(G) the Jackson Chamber of Commerce; and

(H) the Jackson Hole Historical Society; and

(2) it is desirable to locate the administrative offices of several of the agencies and entities specified in paragraph (1) on 1 site to—

(A) facilitate communication between the agencies and entities;

(B) reduce costs to the Federal, State, and local governments; and

(C) better serve the public.

(b) PURPOSES.—The purposes of this Act are—

(1) to authorize the Federal agencies specified in subsection (a)—

(A) to develop and maintain the Project in Jackson, Wyoming, in cooperation with the other agencies and entities specified in subsection (a); and

(B) to provide resources and enter into such agreements as are necessary for the planning, design, construction, operation, maintenance, and fixture modifications of all elements of the Project;

(2) to direct the Secretary to convey to the town of Jackson, Wyoming, certain parcels of federally owned land located in Teton County, Wyoming, in exchange for construction of facilities for the Bridger-Teton National Forest by the town of Jackson;

(3) to direct the Secretary to convey to the Game and Fish Commission of the State of Wyoming certain parcels of federally owned land in the town of Jackson, Wyoming, in exchange for approximately 1.35 acres of land, also located in the town of Jackson, to be used in the construction of the Project; and

(4) to relinquish certain reversionary interests of the United States in order to facilitate the transactions described in paragraphs (1) through (3).

SEC. 3. DEFINITIONS.

In this Act:

(1) COMMISSION.—The term ''Commission'' means the Game and Fish Commission of the State of Wyoming.

(2) CONSTRUCTION COST.—The term ''construction cost'' means any cost that is—

(A) associated with building improvements to Federal standards and guidelines; and

(B) open to a competitive bidding process approved by the Secretary.

(3) FEDERAL PARCEL.—The term ''Federal parcel'' means—

(A) the parcel of land, and all appurtenances to the land, comprising approximately 15.3 acres, depicted as ''Bridger-Teton National Forest'' on the Map; and

(B) the parcel comprising approximately 80 acres, known as the ''Cache Creek Administrative Site'', located adjacent to the town.

(4) MAP.—The term ''Map'' means the map entitled ''Multi-Agency Campus Project Site'', dated March 31, 1999, and on file in the offices of—

(A) the Bridger-Teton National Forest, in the State of Wyoming; and

(B) the Chief of the Forest Service.

(5) MASTER PLAN.—The term ''master plan'' means the document entitled ''Conceptual Master Plan'', dated July 14, 1998, and on file at the offices of—

(A) the Bridger-Teton National Forest, in the State of Wyoming; and

(B) the Chief of the Forest Service.

(6) PROJECT.—The term ''Project'' means the proposed project for construction of a multi-agency campus, to be carried out by the town of Jackson in cooperation with the other agencies and entities described in section 2(a)(1), to provide, in accordance with the master plan—

(A) administrative facilities for various agencies and entities; and

(B) interpretive, educational, and other facilities for visitors to the greater Yellowstone area.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture (including a designee of the Secretary).

(8) STATE PARCEL.—The term ''State parcel'' means the parcel of land comprising approximately 3 acres, depicted as ''Wyoming Game and Fish'' on the Map.

(9) TOWN.—The term ''town'' means the town of Jackson, Wyoming.

SEC. 4. MULTI-AGENCY CAMPUS PROJECT, JACKSON, WYOMING.

(a) CONSTRUCTION FOR EXCHANGE OF PROPERTY.—

(1) IN GENERAL.—Not later than 5 years after the date of enactment of this Act, the town may construct, as part of the Project, an administrative facility to be owned and operated by the Bridger-Teton National Forest, if—

(A) an offer by the town to construct the administrative facility is accepted by the Secretary under paragraph (2);

(B) a memorandum of understanding between the town and the Secretary outlining the roles and responsibilities of each party involved in the land exchange and construction is executed;

(C) a final building design and construction cost estimate is approved by the Secretary; and

(D) the exchange described in subsection (b)(2) is completed in accordance with that subsection.

(2) ACCEPTANCE AND AUTHORIZATION TO CONSTRUCT.—The Secretary, on receipt of an acceptable offer from the town under paragraph (1), shall authorize the town to construct the administrative facility described in paragraph (1) in accordance with this Act.

(3) CONVEYANCE.—

(A) SECRETARY.—The Secretary shall convey all right, title, and interest in and to the Federal land described in section 5(a)(1) to the town in simultaneous exchange for, and on satisfactory completion of, the administrative facility.

(B) TOWN.—The town shall convey all right, title, and interest in and to the administrative facility constructed under this section in exchange for the land described in 5(a)(1).

(b) OFFER TO CONVEY STATE PARCEL.—

(1) IN GENERAL.—The Commission may offer to convey a portion of the State parcel, depicted on the Map as ''Parcel Three'', to the United States to be used for construction of an administrative facility for the Bridger-Teton National Forest.

(2) CONVEYANCE.—If the offer described in paragraph (1) is made not later than 5 years after the date of enactment of this Act, the Secretary shall convey the Federal land described in section 5(a)(2) to the Commission, in exchange for the portion of the State parcel described in paragraph (1), in accordance with this Act.

SEC. 5. CONVEYANCE OF FEDERAL LAND.

(a) IN GENERAL.—In exchange for the consideration described in section 3, the Secretary shall convey—

(1) to the town, in a manner that equalizes values—

(A) the portion of the Federal parcel, comprising approximately 9.3 acres, depicted on the Map as ''Parcel Two''; and

(B) if an additional conveyance of land is necessary to equalize the values of land exchanged after the conveyance of Parcel Two, an appropriate portion of the portion of the Federal parcel comprising approximately 80 acres, known as the ''Cache Creek Administrative Site'' and located adjacent to the town; and

(2) to the Commission, the portion of the Federal parcel, comprising approximately 3.2 acres, depicted on the Map as ''Parcel One''.

(b) REVERSIONARY INTERESTS.—As additional consideration for acceptance by the United States of any offer described in section 4, the United States shall relinquish all reversionary interests in the State parcel, as set forth in the deed between the United States and the State of Wyoming, dated February 19, 1957, and recorded on October 2, 1967, in Book 14 of Deeds, Page 382, in the records of Teton County, Wyoming.

SEC. 6. EQUAL VALUE OF INTERESTS EXCHANGED.

(a) VALUATION OF LAND TO BE CONVEYED.—

(1) IN GENERAL.—The fair market and improvement values of the land to be exchanged under this Act shall be determined—

(A) by appraisals acceptable to the Secretary, using nationally recognized appraisal standards; and

(B) in accordance with section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716).

(2) APPRAISAL REPORT.—Each appraisal report shall be written to Federal standards, as defined in the Uniform Appraisal Standards for Federal Land Acquisitions developed by the Interagency Land Acquisition Conference.

(3) NO EFFECT ON VALUE OF REVERSIONARY INTERESTS.—An appraisal of the State parcel shall not take into consideration any reversionary interest held by the United States in the State parcel as of the date on which the appraisal is conducted.

(b) VALUE OF FEDERAL LAND GREATER THAN CONSTRUCTION COSTS.—If the value of the Federal land to be conveyed to the town under section 5(a)(1) is greater than the construction costs to be paid by the town for the administrative facility described in section 4(a), the Secretary shall reduce the acreage of the Federal land conveyed so that the value of the Federal land conveyed to the town closely approximates the construction costs.

(c) VALUE OF FEDERAL LAND EQUAL TO VALUE OF STATE PARCEL.—

(1) IN GENERAL.—The value of any Federal land conveyed to the Commission under section 5(a)(2) shall be equal to the value of the

State parcel conveyed to the United States under section 4(b).

(2) BOUNDARIES.—The boundaries of the Federal land and the State parcel may be adjusted to equalize values.

(d) PAYMENT OF CASH EQUALIZATION.—Notwithstanding subsections (b) and (c), the values of Federal land and the State parcel may be equalized by payment of cash to the Secretary, the Commission, or the town, as appropriate, in accordance with section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)), if the values cannot be equalized by adjusting the size of parcels to be conveyed or by conveying additional land, without compromising the design of the Project.

SEC. 7. ADDITIONAL PROVISIONS.

(a) CONSTRUCTION OF FEDERAL FACILITIES.—The construction of facilities on Federal land within the boundaries of the Project shall be—

(1) supervised and managed by the town in accordance with the memorandum of agreement referred to in section 4(a)(1)(A); and

(2) carried out to standards and specifications approved by the Secretary.

(b) ACCESS.—The town (including contractors and subcontractors of the town) shall have access to the Federal land until completion of construction for all purposes related to construction of facilities under this Act.

(c) ADMINISTRATION OF LAND ACQUIRED BY UNITED STATES.—Land acquired by the United States under this Act shall be governed by all laws applicable to the administration of national forest sites.

(d) WETLAND.—

(1) IN GENERAL.—There shall be no construction of any facility after the date of conveyance of Federal land under this Act within any portion of the Federal parcel delineated on the map as ''wetlands''.

(2) DEEDS AND CONVEYANCE DOCUMENTS.—A deed or other conveyance document executed by the Secretary in carrying out this Act shall contain such reservations as are necessary to preclude development of wetland on any portion of the Federal parcel.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon (Mr. WALDEN).

GENERAL LEAVE

Mr. WALDEN of Oregon. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 1374.

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

There was no objection.

Mr. WALDEN of Oregon. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 1374, the Jackson Multi-Agency Campus Act of 1999, provides for an exchange of land for a building. The Forest Service will transfer approximately 12 acres of the Bridger-Teton National Forest to the State of Wyoming and to the town of Jackson, Wyoming in exchange for a building site and construction of a multi-agency office to house Forest Service and other Federal, State and local resource organizations.

S. 1374 provides for a fair market exchange among willing sellers. The agencies gain a modern office location where employees from different organizations will be able to work closely together in partnership, which should lead to better decisions being made on the ground. The public gains a convenient facility for one-stop shopping when doing business with natural resource agencies.

All parties to the agreement, Federal and local officials, as well as the public, are in favor of the bill, and I urge my colleagues to vote in favor of S. 1374.

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

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, I thank my good friend, the gentleman from Oregon (Mr. WALDEN), for management of this legislation, and certainly want to commend the gentlewoman from Wyoming (Mrs. CUBIN), a member of the Committee on Resources, for her strong support of this legislation as introduced by the other body.

Mr. Speaker, Senate bill 1374 authorizes the Secretary of Agriculture to convey up to 90 acres of land in the Bridger-Teton National Forest in Teton County, Wyoming, to the town of Jackson. In exchange for the land, the town will construct an administrative facility for the Forest Service and other Federal, State and local agencies and organizations within 5 years of the exchange. The value of the facility is estimated to be around $7 million.

The bill also provides for the Game and Fish Commission of Wyoming to convey nearly 1.5 acres of land for the future site of the facility in exchange for 3.2 acres of a parcel of Federal land. The bill contains several other contingencies.

□ 1545

While this bill represents a creative public-private partnership, I have some concerns about the precedential and public interest value of relinquishing Federal land in exchange for the construction of an administrative facility. The need for such a facility has not been thoroughly examined in the context of existing maintenance costs. Nevertheless, despite these concerns, the administration does support this legislation, it has bipartisan support, and I thank the chairman of our committee, the gentleman from Alaska (Mr. YOUNG) and the gentleman from California (Mr. MILLER), the ranking member, for their support of this legislation.

Mr. Speaker, I urge my colleagues to support the bill.

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

Mr. WALDEN of Oregon. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Wyoming (Mrs. CUBIN).

Mrs. CUBIN. Mr. Speaker, S. 1374, the Senate companion bill to H.R. 2577 which I introduced to establish a multiagency campus in Jackson, Wyoming, is widely supported by the Clinton administration and by the people of Jackson Hole, Wyoming.

The bill provides for a newly established campus which will afford much-needed office space for the town of Jackson, the Bridger-Teton National Forest employees, the National Elk Refuge employees, the Wyoming Game and Fish Commission, the Jackson Chamber of Commerce, and other State and local entities.

The multiagency campus will provide one-stop shopping, if you will, for those who want to visit Federal, State, and local land and wildlife management agencies, as well as to allow visitors to utilize a number of resources in one central location.

Specifically, the legislation before us today provides a land-for-land exchange between the Wyoming Game and Fish Department and the U.S. Forest Service, a land-for-building exchange between the United States Forest Service and the town of Jackson, which will provide the land for the Chamber of Commerce and historical society museum, as well as for additional parking spaces for the entire campus.

Due to the fact that there are a number of Federal, State, and local government agencies involved, straight land exchanges cannot take place interagency.

What that means is that Federal legislation must be introduced to make this project a reality. Additionally, in the interest of time, I have agreed to move the Senate bill instead of the bill which I introduced so that construction could take place sooner rather than later.

The hard work and the diligence of the people in Jackson who have made this project possible should be commended. A project like this is not easy. It is a private-public partnership. But I am pleased that I have been able to give some assistance in making it a reality.

Again, Mr. Speaker, I thank my colleagues for the this opportunity.

Mr. WALDEN of Oregon. Mr. Speaker, I have no other speakers on this matter, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. QUINN). The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the Senate bill, S. 1374.

The question was taken.

Mr. WALDEN of Oregon. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

DIRECTING SECRETARY OF SENATE TO MAKE TECHNICAL CORRECTIONS IN ENROLLMENT OF S. 1374, JACKSON MULTI-AGENCY CAMPUS ACT OF 1999

Mr. WALDEN of Oregon. Mr. Speaker, I offer a concurrent resolution (H. Con. Res. 394) directing the Secretary of the Senate to make technical corrections in the enrollment of the Senate bill (S. 1327), and I ask unanimous consent for its immediate consideration.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 394

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (S. 1374) to authorize the development and maintenance of a multiagency campus project in the town of Jackson, Wyoming, the Secretary of the Senate shall make the following corrections:

(1) In section 1, strike ''1999'' and insert ''2000''.

(2) In section 5(a), strike ''section 3'' and insert ''section 4''.

(3) In section 7(a)(1), strike ''memorandum of agreement referred to in section 4(a)(1)(A)'' and insert ''memorandum of understanding referred to in section 4(a)(1)(B)''.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR SALES OF ELECTRICITY BY THE BONNEVILLE POWER ADMINISTRATION

Mr. WALDEN of Oregon. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1937) to amend the Pacific Northwest Electric Power Planning and Conservation Act to provide for sales of electricity by the Bonneville Power Administration to joint operating entities.

The Clerk read as follows:

S. 1937

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

SECTION 1. Section 5(b) of the Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839c(b)) is amended by adding at the end the following:

''(7) REQUIRED SALE.—

''(A) DEFINITION OF A JOINT OPERATING ENTITY.—In this section, the term 'joint operating entity' means an entity that is lawfully organized under State law as a public body or cooperative prior to the date of enactment of this paragraph, and is formed by and whose members or participants are two or more public bodies or cooperatives, each of which was a customer of the Bonneville Power Administration on or before January 1, 1999.

''(B) SALE.—Pursuant to paragraph (1), the Administrator shall sell, at wholesale to a joint operating entity, electric power solely for the purpose of meeting the regional firm power consumer loads of regional public bodies and cooperatives that are members of or participants in the joint operating entity.

''(C) NO RESALE.—A public body or cooperative to which a joint operating entity sells electric power under subparagraph (B) shall not resell that power except to retail customers of the public body or cooperative or to another regional member or participant of the same joint operating entity, or except as otherwise permitted by law.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon (Mr. WALDEN).

GENERAL LEAVE

Mr. WALDEN of Oregon. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 1937.

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

There was no objection.

Mr. WALDEN of Oregon. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 1937 was introduced by Senator CRAIG from Idaho. A companion bill, H.R. 4437, was introduced by the gentleman from Washington (Mr. HASTINGS).

This legislation allows consumer-owned utility systems in the Pacific Northwest to aggregate their power contracts from the Bonneville Power Administration into a single contract. The purpose is to provide administrative and operational efficiencies for the power purchasers and for Bonneville.

The bill does not expand any such customers' rights to purchase requirements for power from Bonneville and does not allow resale by the joint operating entity of such power to customers that are not its members or participants.

Mr. Speaker, I include the following letters for the RECORD:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON RESOURCES,
Washington, DC, 24 July 2000.

Hon. TOM BLILEY,
Chairman, Committee on Commerce, Washington, DC.

DEAR MR. CHAIRMAN: On July 19, 2000, the Committee on Resources ordered favorably reported without amendment S. 1937, to amend the Pacific Northwest Electric Power Planning and Conservation Act to provide for sales of electricity by the Bonneville Power Administration to joint operating entities. This bill was referred to the Committee on Resources and additionally to the Committee on Commerce, where the Subcommittee on Energy and Power has marked up and forwarded the bill to the Full Commerce Committee.

Given the rapidly approaching adjournment date for the 106th Congress, and several of our Pacific Northwest Congressional Members' wish to move this bill as quickly as possible, I ask that you allow the Committee on Commerce to be discharged from further consideration of the bill. We can then schedule it for Floor consideration as soon as possible and send it onto the President.

Of course, by allowing this to occur, the Committee on Commerce does not waive its jurisdiction over S. 1937 or any other similar matter. Although I have no reason to believe that the bill would not be passed without amendment and signed into law by the President, if a conference on the bill became necessary, I would support the Committee on Commerce's request to be named to the conference. Finally, this action should not be seen as precedent for any other Senate bill which affects the Committee on Commerce's jurisdiction. I would be pleased to place this letter and your response in the Committee on Resources' report on the bill to document this agreement.

As always, I appreciate your cooperation and that of your staff in moving this bill.

Sincerely,

DON YOUNG,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON COMMERCE,
Washington, DC, July 24, 2000.

Hon. DON YOUNG,
Chairman, Committee on Resources, Washington, DC.

DEAR DON: Thank you for your recent letter regarding your committee's action on S. 1937, a bill to amend the Pacific Northwest Electric Power Planning and Conservation Act to provide for sales of electricity by the Bonneville Power Administration to joint operating entities. As you know, Rule X of the Rules of the House of Representatives grants the Committee on Commerce jurisdiction over the generation and marketing of power and the legislation was additionally referred to the Committee on Commerce. As you also noted, the Subcommittee on Energy and Power approved the bill for consideration by the Full Committee on May 16, 2000.

Because of the importance of this legislation, I recognize your desire to bring it before the House in an expeditious manner, and I will not exercise the Committee's right to further consideration of this legislation. By agreeing to waive its consideration of the bill, however, the Committee on Commerce does not waive its jurisdiction over S. 1937. In addition, the Commerce Committee reserves its authority to seek conferees on any provisions of the bill that are within its jurisdiction during any House-Senate conference that may be convened on this legislation. I appreciate your commitment to support any request by the Commerce Committee for conferees on S. 1937 or similar legislation.

I request that you include this letter and your response in your committee report on the bill and as part of the Record during consideration of the legislation on the House floor.

Thank you for your attention to these matters.

Sincerely,

TOM BLILEY,
Chairman.

Mr. Speaker, I urge passage of the bill, and I reserve the balance of my time.

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, I thank the gentleman from Oregon for his management of this legislation.

Mr. Speaker, I wish that every bill could be passed in such a fashion and with such strong bipartisan support and the spirit of cooperation on both sides of the aisle.

This bill amends the Pacific Northwest Power Planning and Conservation Act to allow the administrator of Bonneville Power Administration to sell electricity at wholesale to Joint Operating Entities, the acronym JOEs. JOEs are comprised of public power bodies or cooperatives that aggregate their power contracts into a single contract for administrative and operational efficiencies. Under the bill, the power is sold solely for the purpose of meeting regional firm power consumer loads of regional public bodies and cooperatives that are members of the JOE. Other Federal power marketing agencies currently make similar aggregate sales. The Bonneville Power Administration, for example, also makes aggregated sales for transmission contracts and nonfirm and surplus power sales.

Mr. Speaker, the bill is narrowly drawn to allow only JOEs that were in existence as of the date of enactment to participate. It does not expand purchasers' rights or ability to resell power other than to their own retail customers or other JOE members, or as otherwise permitted by law.

Mr. Speaker, I urge my colleagues to support this legislation.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the Senate bill, S. 1937.

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.

DESCHUTES RESOURCES CONSERVANCY REAUTHORIZATION ACT OF 1999

Mr. WALDEN of Oregon. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1027) to reauthorize the participation of the Bureau of Reclamation in the Deschutes Resources Conservancy, and for other purposes.

The Clerk read as follows:

S. 1027

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 ''Deschutes Resources Conservancy Reauthorization Act of 1999''.

SEC. 2. EXTENSION OF PARTICIPATION OF BUREAU OF RECLAMATION IN DESCHUTES RESOURCES CONSERVANCY.

Section 301 of the Oregon Resource Conservation Act of 1996 (division B of Public Law 104–208; 110 Stat. 3009–534) is amended—

(1) in subsection (b)(3), by inserting before the period at the end the following: '', and up to a total amount of $2,000,000 during each of fiscal years 2002 through 2006''; and

(2) in subsection (h), by inserting before the period at the end the following: ''and $2,000,000 for each of fiscal years 2002 through 2006''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon (Mr. WALDEN).

GENERAL LEAVE

Mr. WALDEN of Oregon. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 1027.

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

There was no objection.

Mr. WALDEN of Oregon. Mr. Speaker, I yield myself such time as I may consume.

The Deschutes Resources Conservancy was authorized in 1996 as a 5-year pilot project designed to achieve local consensus for projects to improve the ecosystem health in the Deschutes River Basin.

The existing authorization provides up to $1 million through the Bureau of Reclamation each year for projects. Projects funded through the Conservancy demonstration include: piping for irrigation district delivery systems to prevent water loss; securing water rights for instream flows to secure Squaw Creek habitat; providing fencing of riparian areas to project riverbanks; working with private timberland owners to restore riparian and wetland areas; and seeking donated water rights to enhance instream flows in the Deschutes River Basin.

Mr. Speaker, the bill would reauthorize the 5-year pilot project from 2002 to 2006 and increase the authorization ceiling to $2 million annually.

Mr. Speaker, this is an excellent piece of legislation. It is a great group that puts a lot of hard work into these projects, and I would encourage my colleagues to support its reauthorization.

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

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, I thank my good friend, the gentleman from Oregon, for the management of this legislation. I thank the good Senator from Oregon, Senator GORDON SMITH, for his chief sponsorship of this bill. I thank also my good friend, the gentleman from Oregon, for his passage previously of similar legislation.

Mr. Speaker, Senate bill 1027 is to extend participation of the Bureau of Reclamation in the Deschutes Resources Conservancy.

The Deschutes Resources Conservancy was authorized in 1996 as a 5-year pilot project designed to achieve local consensus for projects to improve ecosystem health in the Deschutes River Basin. Mr. Speaker, S. 1027 will reauthorize funding of these activities for another 5 years and increase the authorization ceiling to $2 million annually.

This is a highly successful, inexpensive, and popular program involving the cooperation of irrigators, ranchers, environmentalists and State, local and Federal Government agencies. I urge my colleagues to support the bill.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the Senate bill, S. 1027.

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.

SAN BERNARDINO NATIONAL FOREST LAND CONVEYANCE

Mr. WALDEN of Oregon. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3657) to provide for the conveyance of a small parcel of public domain land in the San Bernardino National Forest in the State of California, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3657

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

SECTION 1. LAND CONVEYANCE AND SETTLEMENT, SAN BERNARDINO NATIONAL FOREST, CALIFORNIA.

(a) CONVEYANCE REQUIRED.—Subject to valid existing rights and settlement of claims as provided in this section, the Secretary of Agriculture shall convey to KATY 101.3 FM (in this section referred to as ''KATY'') all right, title and interest of the United States in and to a parcel of real property consisting of approximately 1.06 acres within the San Bernardino National Forest in Riverside County, California, generally located in the north ½ of section 23, township 5 south, range 2 east, San Bernardino meridian.

(b) LEGAL DESCRIPTION.—The Secretary and KATY shall, by mutual agreement, prepare the legal description of the parcel of real property to be conveyed under subsection (a), which is generally depicted as Exhibit A–2 in an appraisal report of the subject property dated August 26, 1999, by Paul H. Meiling.

(c) CONSIDERATION.—Consideration for the conveyance under subsection (a) shall be equal to the appraised fair market value of the parcel to be conveyed. Any appraisal to determine the fair market value of the parcel shall be prepared in conformity with the Uniform Appraisal Standards for Federal Land Acquisitions and approved by the Secretary.

(d) SETTLEMENT.—In addition to the consideration referred to in subsection (c), upon

the receipt of $16,600 paid by KATY to the Secretary, the Secretary shall release KATY from any and all claims of the United States arising from the occupancy and use of the San Bernardino National Forest by KATY for communication site purposes.

(e) ACCESS REQUIREMENTS.—Notwithstanding section 1323(a) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3210(a)) or any other law, the Secretary is not required to provide access over National Forest System lands to the parcel of real property conveyed under subsection (a).

(f) ADMINISTRATIVE COSTS.—Any costs associated with the creation of a subdivided parcel, recordation of a survey, zoning, and planning approval, and similar expenses with respect to the conveyance under this section, shall be borne by KATY.

(g) ASSUMPTION OF LIABILITY.—By acceptance of the conveyance of the parcel referred to in subsection (a), KATY, and its successors and assigns, will indemnify and hold harmless the United States for any and all liability to General Telephone and Electronics Corporation (also known as ''GTE''), KATY, and any third party that is associated with the parcel, including liability for any buildings or personal property on the parcel belonging to GTE and any other third parties.

(h) TREATMENT OF RECEIPTS.—All funds received pursuant to this section shall be deposited in the fund established under Public Law 90–171 (16 U.S.C. 484a; commonly known as the Sisk Act), and the funds shall remain available to the Secretary, until expended, for the acquisition of lands, waters, and interests in land for the inclusion in the San Bernardino National Forest.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon (Mr. WALDEN).

GENERAL LEAVE

Mr. WALDEN of Oregon. 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. 3657.

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

There was no objection.

Mr. WALDEN of Oregon. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3657 was introduced by the gentlewoman from California (Mrs. BONO). This legislation would convey a little over an acre of Forest Service land to a radio station located in the San Bernardino National Forest in California for fair market value.

During the subcommittee hearing on this bill, the administration requested that the bill be amended to include language that would require the radio station to prove that it had clear title to all existing structures on the site. During the markup, the legislation was amended to include that language. The bill is supported by the administration.

I would urge Members to suspend the rules and pass H.R. 3657, as amended.

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

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, I thank my good friend, the gentleman from Oregon, for management of this legislation. I thank our Chairman of the Committee on Resources, the gentleman from Alaska (Mr. YOUNG), and our ranking member, the gentleman from California (Mr. MILLER), for their sponsorship and support of this bill as well.

Mr. Speaker, this bill resolves an ongoing dispute between the Forest Service and a radio station, KATY, regarding the station's unauthorized use of a Forest Service site. H.R. 3657 would require the Secretary of Agriculture to convey for fair market value 1.06 acres within the San Bernardino National Forest in Riverside County, California to KATY. The bill requires KATY to pay $16,600 (representing rent for 1996–99 without interest) to the Secretary. It also provides that the Forest Service is not required to provide access to the site as it would for an official communications site. I urge my colleagues to support it.

Mrs. BONO. Mr. Speaker, H.R. 3657 would provide for the conveyance at fair market value of a small tract of Forest Service land in the San Bernardino National Forest to a locally-owned radio station that serves mountain communities in my district. I would like to thank Chairman YOUNG and Chairman CHENOWETH-HAGE for their assistance in bringing this bill to the floor.

In 1988, Cliff and Katy Gill began a search for an antenna site that would allow them to obtain an FCC construction permit for a radio station to serve Idyllwild, California, a community of about 3000 residents located at 5200 feet elevation in the San Jacinto Mountains. The community is nestled in mountainous terrain and surrounded by the San Bernardino National Forest and other State and local park land. The Gills discovered that the rugged terrain sharply limited the sites that could host an antenna capable of reaching the residents of Idyllwild, the neighboring mountain communities, and the highway that connects them to the valley below. Wanting to start up their station, the Gills ultimately went on the air in December 1989 from a temporary antenna on a time-share private campground. Mr. Gill named this new radio station, KATY–FM, for his wife Katy.

However, because the original site for the antenna drastically limited KATY's coverage, the Gills kept looking. The Gills first searched for sites on private land. But with the private land constituting only a small island—only a few hundred acres—within the sea of public land, it soon became apparent that the only workable sites would be found on public land. Six years later, they thought they had found the perfect site. GTE had operated a small wooden communications tower in the San Bernardino National Forest for 30 years under a Forest Service special use permit. GTE offered to sublease to KATY space on their tower and in their small equipment shed. In 1995, after seven years of searching for an antenna site, the Gills moved onto the GTE tower and gained the coverage they had long sought for their station.

Unfortunately, they were soon informed by the District Ranger that they must strip their antenna from the GTE tower and vacate the site. Petitions signed by almost half the residents of Idyllwild, its Chamber of Commerce, and others did not budge the agency. The Forest Service maintained that subleasing of tower space could only occur on sites that had been formally designated as communications sites in the forest plans and that this site had not received such a designation in the San Bernardino plan. The agency argued that, even though it had allowed this site to be used as a communications site for three decades and was continuing to permit such use by GTE, KATY was in trespass and GTE had violated its special use authorization. The Forest Service continued to insist that KATY leave even as the station was proving how critically important it is to the communities it serves.

Because of their location in rugged country, Idyllwild and neighboring mountain communities are vulnerable to extreme weather and other adverse natural events. In recognition of this and in its effort to provide the best possible public service, KATY signed an agreement with the local 10-watt emergency broadcast station, WNKI, which has very limited coverage, to broadcast WNKI's emergency bulletins. Shortly thereafter, the Federal Communications Commission and the California State Office of Emergency Services selected KATY as the Local Primary Station to broadcast information in the event of disaster.

KATY's dedication to providing emergency service paid off for the mountain communities in 1996 when the Bee Canyon fire raged through 9000 acres in their vicinity. KATY broadcast the mandatory evacuation orders and the announcement that it was safe to return home. In all, KATY aired nearly 200 announcements that were closely monitored not only by the residents but also by the firefighters and other emergency service personnel. Again, in 1998 KATY broadcast the mandatory order to evacuate the community of Juniper Flats also threatened by fire during severe thunderstorms.

My late husband took up the cause of KATY. In August 1996, he and Chairman YOUNG wrote a letter to the Secretary of Agriculture requesting his assistance in permitting KATY to retain its antenna site. This was followed by letters from the chairman and ranking minority member of the Senate Energy and Natural Resources Committee and the chairman of the Interior subcommittee of the Senate Appropriations Committee. Finally, a House-Senate conference committee added to the Omnibus Parks and Public Lands Management Act of 1996 a provision requiring the Secretary of Agriculture to consider whether maintaining the KATY antenna site was in the public interest and to report his conclusions to Congress.

That report was never delivered to Congress. A draft of the report would have offered a new site for KATY's antenna on a neighboring mountain in the San Bernardino National Forest. When the Forest Service learned from KATY that placing the antenna on that site would be prohibited by three FCC regulations, the agency approached Cliff and Katy Gill and asked if they would entertain purchasing the antenna site. I am happy to say that H.R. 3657 is the product of subsequent amicable negotiations between the Gills and the agency.

I want to assure my colleagues that this purchase will have no discernible impact on the National Forest or the environment. The tract to be purchased is only approximately 1.06 acres in size. It is on the very edge of the National Forest, directly adjacent to a residential development. The station has purchased the neighboring residential lot to assure access to the antenna site. The tower and equipment shed are shielded by tall evergreen trees and large rocks and are not visible above Inspiration Point where the site is located.

The bill would require that KATY pay fair market value for the tract and an additional sum of $16,600 to settle any claims the government might have for the unauthorized occupation of national forest land. That sum represents the rent that the Gills should have paid to the Forest Service for use of the site. Although the Gills paid more than twice that amount in rent to GTE under the sublease, they believe this is a fair resolution. I appreciate the efforts of the Forest Service to design a good solution to a difficult problem.

Cliff Gill passed away last year before he saw enactment of this bill and fulfillment of his dream. We can ensure that his widow, Katy, will be able to continue KATY's service to the community by enacting H.R. 3657. I urge passage of this bill.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, H.R. 3657, 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.

□ 1600

FORT PECK RESERVATION RURAL WATER SYSTEM ACT OF 2000

Mr. WALDEN of Oregon. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 624) to authorize construction of the Fort Peck Reservation Rural Water System in the State of Montana, and for other purposes, as amended.

The Clerk read as follows:

S. 624

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 ''Fort Peck Reservation Rural Water System Act of 2000''.

SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to ensure a safe and adequate municipal, rural, and industrial water supply for the residents of the Fort Peck Indian Reservation in the State of Montana; and

(2) to assist the citizens of Roosevelt, Sheridan, Daniels, and Valley Counties in the State, outside the Fort Peck Indian Reservation, in developing safe and adequate municipal, rural, and industrial water supplies.

SEC. 3. DEFINITIONS.

In this Act:

(1) ASSINIBOINE AND SIOUX RURAL WATER SYSTEM.—The term ''Assiniboine and Sioux Rural Water System'' means the rural water system within the Fort Peck Indian Reservation authorized by section 4.

(2) DRY PRAIRIE RURAL WATER SYSTEM.—The term ''Dry Prairie Rural Water System'' means the rural water system authorized by section 5 in the Roosevelt, Sheridan, Daniels, and Valley Counties of the State.

(3) FORT PECK RESERVATION RURAL WATER SYSTEM.—The term ''Fort Peck Reservation Rural Water System'' means the Assiniboine and Sioux Rural Water System and the Dry Prairie Rural Water System.

(4) FORT PECK TRIBES.—The term ''Fort Peck Tribes'' means the Assiniboine and Sioux Indian Tribes within the Fort Peck Indian Reservation.

(5) PICK-SLOAN.—The term ''Pick-Sloan'' means the Pick-Sloan Missouri River Basin Program (authorized by section 9 of the Act entitled ''An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes'', approved December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 891)).

(6) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(7) STATE.—The term ''State'' means the State of Montana.

SEC. 4. ASSINIBOINE AND SIOUX RURAL WATER SYSTEM.

(a) AUTHORIZATION.—The Secretary shall plan, design, construct, operate, maintain, and replace a municipal, rural, and industrial water system, to be known as the ''Assiniboine and Sioux Rural Water System'', as generally described in the report required by subsection (g)(2).

(b) COMPONENTS.—The Assiniboine and Sioux Rural Water System shall consist of—

(1) pumping and treatment facilities located along the Missouri River within the boundaries of the Fort Peck Indian Reservation;

(2) pipelines extending from the water treatment plant throughout the Fort Peck Indian Reservation;

(3) distribution and treatment facilities to serve the needs of the Fort Peck Indian Reservation, including—

(A) public water systems in existence on the date of enactment of this Act that may be purchased, improved, and repaired in accordance with the cooperative agreement entered into under subsection (c); and

(B) water systems owned by individual tribal members and other residents of the Fort Peck Indian Reservation;

(4) appurtenant buildings and access roads;

(5) all property and property rights necessary for the facilities described in this subsection;

(6) electrical power transmission and distribution facilities necessary for services to Fort Peck Reservation Rural Water System facilities; and

(7) such other pipelines, pumping plants, and facilities as the Secretary determines to be appropriate to meet the water supply, economic, public health, and environmental needs of the Fort Peck Indian Reservation, including water storage tanks, water lines, and other facilities for the Fort Peck Tribes and the villages, towns, and municipalities in the Fort Peck Indian Reservation.

(c) COOPERATIVE AGREEMENT.—

(1) IN GENERAL.—The Secretary shall enter into a cooperative agreement with the Fort Peck Tribal Executive Board for planning, designing, constructing, operating, maintaining, and replacing the Assiniboine and Sioux Rural Water System.

(2) MANDATORY PROVISIONS.—The cooperative agreement under paragraph (1) shall specify, in a manner that is acceptable to the Secretary and the Fort Peck Tribal Executive Board—

(A) the responsibilities of each party to the agreement for—

(i) needs assessment, feasibility, and environmental studies;

(ii) engineering and design;

(iii) construction;

(iv) water conservation measures; and

(v) administration of contracts relating to performance of the activities described in clauses (i) through (iv);

(B) the procedures and requirements for approval and acceptance of the design and construction and for carrying out other activities described in subparagraph (A); and

(C) the rights, responsibilities, and liabilities of each party to the agreement.

(3) OPTIONAL PROVISIONS.—The cooperative agreement under paragraph (1) may include provisions relating to the purchase, improvement, and repair of water systems in existence on the date of enactment of this Act, including systems owned by individual tribal members and other residents of the Fort Peck Indian Reservation.

(4) TERMINATION.—The Secretary may terminate a cooperative agreement under paragraph (1) if the Secretary determines that—

(A) the quality of construction does not meet all standards established for similar facilities constructed by the Secretary; or

(B) the operation and maintenance of the Assiniboine and Sioux Rural Water System does not meet conditions acceptable to the Secretary that are adequate to fulfill the obligations of the United States to the Fort Peck Tribes.

(5) TRANSFER.—On execution of a cooperative agreement under paragraph (1), in accordance with the cooperative agreement, the Secretary may transfer to the Fort Peck Tribes, on a nonreimbursable basis, funds made available for the Assiniboine and Sioux Rural Water System under section 9.

(d) SERVICE AREA.—The service area of the Assiniboine and Sioux Rural Water System shall be the area within the boundaries of the Fort Peck Indian Reservation.

(e) CONSTRUCTION REQUIREMENTS.—The components of the Assiniboine and Sioux Rural Water System shall be planned and constructed to a size that is sufficient to meet the municipal, rural, and industrial water supply requirements of the service area of the Fort Peck Reservation Rural Water System.

(f) TITLE TO ASSINIBOINE AND SIOUX RURAL WATER SYSTEM.—Title to the Assiniboine and Sioux Rural Water System shall be held in trust by the United States for the Fort Peck Tribes and shall not be transferred unless a transfer is authorized by an Act of Congress enacted after the date of enactment of this Act.

(g) LIMITATION ON AVAILABILITY OF CONSTRUCTION FUNDS.—The Secretary shall not obligate funds for construction of the Assiniboine and Sioux Rural Water System until—

(1) the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) are met with respect to the Assiniboine and Sioux Rural Water System;

(2) on or after the date that is 90 days after the date of submission to Congress of a final engineering report approved by the Secretary; and

(3) the Secretary publishes a written finding that the water conservation plan developed under section 7 includes prudent and reasonable water conservation measures for the operation of the Assiniboine and Sioux Rural Water System that have been shown to be economically and financially feasible.

(h) TECHNICAL ASSISTANCE.—The Secretary shall provide such technical assistance as is necessary to enable the Fort Peck Tribes to plan, design, construct, operate, maintain, and replace the Assiniboine and Sioux Rural Water System, including operation and management training.

(i) APPLICATION OF INDIAN SELF-DETERMINATION ACT.—Planning, design, construction, operation, maintenance, and replacement of the Assiniboine and Sioux Rural Water System within the Fort Peck Indian Reservation shall be subject to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

(j) COST SHARING.—

(1) CONSTRUCTION.—The Federal share of the cost of construction of the Assiniboine and Sioux Rural Water System shall be 100 percent, and shall be funded through annual appropriations to the Bureau of Reclamation.

(2) OPERATION AND MAINTENANCE.—The Federal share of the cost of operation and maintenance of the Assiniboine and Sioux Rural Water System shall be 100 percent, and shall be funded through annual appropriations to the Bureau of Indian Affairs.

SEC. 5. DRY PRAIRIE RURAL WATER SYSTEM.

(a) PLANNING AND CONSTRUCTION.—

(1) AUTHORIZATION.—The Secretary shall enter into a cooperative agreement with Dry Prairie Rural Water Association Incorporated (or any successor non-Federal entity) to provide Federal funds for the planning, design, and construction of the Dry Prairie Rural Water System in Roosevelt, Sheridan, Daniels, and Valley Counties, Montana, outside the Fort Peck Indian Reservation.

(2) USE OF FEDERAL FUNDS.—

(A) FEDERAL SHARE.—The Federal share of the cost of planning, design, and construction of the Dry Prairie Rural Water System shall be not more than 76 percent, and shall be funded with amounts appropriated from the reclamation fund. Such amounts shall not be returnable or reimbursable under the Federal reclamation laws.

(B) COOPERATIVE AGREEMENTS.—Federal funds made available to carry out this section may be obligated and expended only through a cooperative agreement entered into under subsection (c).

(b) COMPONENTS.—The components of the Dry Prairie Rural Water System facilities on which Federal funds may be obligated and expended under this section shall include—

(1) storage, pumping, interconnection, and pipeline facilities;

(2) appurtenant buildings and access roads;

(3) all property and property rights necessary for the facilities described in this subsection;

(4) electrical power transmission and distribution facilities necessary for service to Dry Prairie Rural Water System facilities; and

(5) other facilities customary to the development of rural water distribution systems in the State, including supplemental water intake, pumping, and treatment facilities.

(c) COOPERATIVE AGREEMENT.—

(1) IN GENERAL.—The Secretary, with the concurrence of the Assiniboine and Sioux Rural Water System Board, shall enter into a cooperative agreement with Dry Prairie Rural Water Association Incorporated to provide Federal assistance for the planning, design, and construction of the Dry Prairie Rural Water System.

(2) MANDATORY PROVISIONS.—The cooperative agreement under paragraph (1) shall specify, in a manner that is acceptable to the Secretary and Dry Prairie Rural Water Association Incorporated—

(A) the responsibilities of each party to the agreement for—

(i) needs assessment, feasibility, and environmental studies;

(ii) engineering and design;

(iii) construction;

(iv) water conservation measures; and

(v) administration of contracts relating to performance of the activities described in clauses (i) through (iv);

(B) the procedures and requirements for approval and acceptance of the design and construction and for carrying out other activities described in subparagraph (A); and

(C) the rights, responsibilities, and liabilities of each party to the agreement.

(d) SERVICE AREA.—

(1) IN GENERAL.—Except as provided in paragraph (2), the service area of the Dry Prairie Rural Water System shall be the area in the State—

(A) north of the Missouri River;

(B) south of the border between the United States and Canada;

(C) west of the border between the States of North Dakota and Montana; and

(D) east of the western line of range 39 east.

(2) FORT PECK INDIAN RESERVATION.—The service area shall not include the area inside the Fort Peck Indian Reservation.

(e) LIMITATION ON AVAILABILITY OF CONSTRUCTION FUNDS.—The Secretary shall not obligate funds for construction of the Dry Prairie Rural Water System until—

(1) the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) are met with respect to the Dry Prairie Rural Water System;

(2) on or after the date that is 90 days after the date of submission to Congress of a final engineering report approved by the Secretary; and

(3) the Secretary publishes a written finding that the water conservation plan developed under section 7 includes prudent and reasonable water conservation measures for the operation of the Dry Prairie Rural Water System that have been shown to be economically and financially feasible.

(f) INTERCONNECTION OF FACILITIES.—The Secretary shall—

(1) interconnect the Dry Prairie Rural Water System with the Assiniboine and Sioux Rural Water System; and

(2) provide for the delivery of water to the Dry Prairie Rural Water System from the Missouri River through the Assiniboine and Sioux Rural Water System.

(g) LIMITATION ON USE OF FEDERAL FUNDS.—

(1) IN GENERAL.—The operation, maintenance, and replacement expenses associated with water deliveries from the Assiniboine and Sioux Rural Water System to the Dry Prairie Rural Water System shall not be a Federal responsibility and shall be borne by the Dry Prairie Rural Water System.

(2) FEDERAL FUNDS.—The Secretary may not obligate or expend any Federal funds for the operation, maintenance, or replacement of the Dry Prairie Rural Water System.

(h) TITLE TO DRY PRAIRIE RURAL WATER SYSTEM.—Title to the Dry Prairie Rural Water System shall be held by Dry Prairie Rural Water Association, Incorporated.

SEC. 6. USE OF PICK-SLOAN POWER.

(a) IN GENERAL.—From power designated for future irrigation and drainage pumping for the Pick-Sloan Missouri Basin program, the Western Area Power Administration shall make available, at the firm power rate, the capacity and energy required to meet the pumping and incidental operational requirements of the Fort Peck Reservation Rural Water System.

(b) QUALIFICATION TO USE PICK-SLOAN POWER.—For as long as the Fort Peck Reservation rural water supply system operates on a not-for-profit basis, the portions of the water supply project constructed with assistance under this Act shall be eligible to receive firm power from the Pick-Sloan Missouri Basin program established by section 9 of the Act of December 22, 1944 (chapter 665; 58 Stat. 887), popularly known as the Flood Control Act of 1944.

(c) RECOVERY OF EXPENSES.—

(1) ASSINIBOINE AND SIOUX RURAL WATER SYSTEM.—In the case of the Assiniboine and Sioux Rural Water System, the Western Area Power Administration shall recover expenses associated with power purchases under subsection (a) through a separate power charge sufficient to cover such expenses. Such charge shall be paid fully through the annual appropriations to the Bureau of Indian Affairs.

(2) DRY PRAIRIE RURAL WATER SYSTEM.—In the case of the Dry Prairie Rural Water System, the Western Area Power Administration shall recover expenses associated with power purchases under subsection (a) through a separate power charge sufficient to cover expenses. Such charge shall be paid fully by the Dry Prairie Rural Water System.

(d) ADDITIONAL POWER.—If power in addition to that made available under subsection (a) is required to meet the pumping requirements of the Fort Peck Reservation Rural Water System, the Administrator of the Western Area Power Administration may purchase the necessary additional power at the best available rate. The costs of such purchases shall be reimbursed to the Administrator according to the terms identified in subsection (c).

SEC. 7. WATER CONSERVATION PLAN.

(a) IN GENERAL.—The Fort Peck Tribes and Dry Prairie Rural Water Association Incorporated shall develop a water conservation plan containing—

(1) a description of water conservation objectives;

(2) a description of appropriate water conservation measures; and

(3) a time schedule for implementing the measures and this Act to meet the water conservation objectives.

(b) PURPOSE.—The water conservation plan under subsection (a) shall be designed to ensure that users of water from the Assiniboine and Sioux Rural Water System and the Dry Prairie Rural Water System will use the best practicable technology and management techniques to conserve water.

(c) PUBLIC PARTICIPATION.—Section 210(c) of the Reclamation Reform Act of 1982 (43 U.S.C. 390jj(c)) shall apply to an activity authorized under this Act.

SEC. 8. WATER RIGHTS.

(a) IN GENERAL.—This Act does not—

(1) impair the validity of or preempt any provision of State water law or any interstate compact governing water;

(2) alter the right of any State to any appropriated share of the water of any body of surface or ground water, whether determined by any past or future interstate compact or by any past or future legislative or final judicial allocation;

(3) preempt or modify any Federal or State law or interstate compact concerning water quality or disposal;

(4) confer on any non-Federal entity the authority to exercise any Federal right to the water of any stream or to any ground water resource;

(5) affect any right of the Fort Peck Tribes to water, located within or outside the external boundaries of the Fort Peck Indian Reservation, based on a treaty, compact, executive order, agreement, Act of Congress, aboriginal title, the decision in Winters v. United States, 207 U.S. 564 (1908) (commonly known as the ''Winters Doctrine''), or other law; or

(6) validate or invalidate any assertion of the existence, nonexistence, or extinguishment of any water right held or Indian water compact entered into by the Fort Peck Tribes or by any other Indian tribe or individual Indian under Federal or State law.

(b) OFFSET AGAINST CLAIMS.—Any funds received by the Fort Peck Tribes pursuant to this Act shall be used to offset any claims for money damages against the United States by the Fort Peck Tribes, existing on the date of the enactment of this Act, for water rights based on a treaty, compact, executive order, agreement, Act of Congress, aboriginal title, the decision in Winters v. United States, 207 U.S. 564 (1908), or other law.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

(a) ASSINIBOINE AND SIOUX RURAL WATER SYSTEM.—There are authorized to be appropriated—

(1) to the Bureau of Reclamation over a period of 10 fiscal years, $124,000,000 for the planning, design, and construction of the Assiniboine and Sioux Rural Water System; and

(2) to the Bureau of Indian Affairs such sums as are necessary for the operation and maintenance of the Assiniboine and Sioux Rural Water System.

(b) DRY PRAIRIE RURAL WATER SYSTEM.—There is authorized to be appropriated, over a period of 10 fiscal years, $51,000,000 for the planning, design, and construction of the Dry Prairie Rural Water System.

(c) COST INDEXING.—The funds authorized to be appropriated may be increased or decreased by such amounts as are justified by reason of ordinary fluctuations in development costs incurred after October 1, 1998, as indicated by engineering cost indices applicable for the type of construction involved.

The SPEAKER pro tempore (Mr. QUINN). Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon (Mr. WALDEN).

GENERAL LEAVE

Mr. WALDEN of Oregon. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 624, as amended.

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

There was no objection.

Mr. WALDEN of Oregon. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 624 was introduced by Senator BURNS and a companion bill, H.R. 1124, was introduced by the gentleman from Montana (Mr. HILL).

The Fort Peck Reservation is located in northeastern Montana, and suffers from the same problem of inadequate quantity and quality of water supplies as do most areas in the High Plains. The adjacent communities have the same problems, and this legislation contemplates that the reservation water system would be sized to connect to a distribution system for the surrounding communities.

All costs of the reservation system, including operations and maintenance, would be a Federal responsibility. The costs associated with the operation and maintenance of the system for the tribe shall be funded through annual appropriations to the Bureau of Indian Affairs.

Federal costs for the Dry Prairie system shall not exceed 76 percent, and the Federal government may not expend any Federal funds for operations, maintenance, or replacement costs for the Dry Prairie system.

Mr. Speaker, I urge passage of the Senate bill, S. 624, and I reserve the balance of my time.

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, I thank my good friend, the gentleman from Oregon, for the management of this legislation. I do want to compliment and commend the gentleman from Montana, Senator CONRAD BURNS, for his sponsorship of Senate bill 624.

The bill directs the Secretary of the Interior to plan, design, construct, operate, maintain, and replace the Assiniboine and Sioux rural water systems within the Fort Peck Indian Reservation in Montana, and directs the Secretary to enter into a cooperative agreement with the tribe. All costs of the Indian system would be nonreimbursable.

The bill also authorizes the Dry Prairie Rural Water System, a project to serve non-Indian residents in the area, with the Federal Government paying 76 percent of those project costs. The Dry Prairie system would be interconnected with the Fort Peck Reservation system.

I note that S. 624 is opposed by the administration, primarily because the administration believes the costs of non-Indian water supply projects should be fully reimbursed by the project beneficiaries. While I agree we should make every attempt to comply with this policy goal, I believe that in this case some Federal cost-sharing is appropriate.

I urge my colleagues to support this legislation.

Mr. HILL of Montana. Mr. Speaker, I support and urge the passage of S. 624, The Fort Peck Rural Reservation Rural Water System Act. This bill authorizes the construction of a fresh water system for residents on and near the Fort Peck Indian Reservation in northeast Montana. I introduced companion legislation along with Senator BURNS, and a version of his bill has already passed the Senate.

The need for a safe and reliable water source is particularly acute on the Fort Peck Indian Reservation. In one community, sulfate levels in the water are four times the standard for safe drinking water, and in four communities, iron levels are five times the standard. The unemployment rate on the Fort Peck Reservation is near 75 percent, and the reservation has been plagued by health alerts for drinking water, despite the fact that the area is located near one of the largest manmade reservoirs in the United States. Health problems such as heart disease, high blood pressure and diabetes run rampant.

A safe and reliable source of water is necessary to both improve health and stimulate economic development on the reservation and in an area of Montana far remote from any major population centers. Those who live on the Fort Peck Reservation and in nearby communities deserve the peace of mind that comes with a safe supply of water. S. 624 will improve the water systems for at least 24,000 Montanans in this area, and will provide water not only for drinking, but also for agriculture.

I would like to take this opportunity to thank a few of the people without whom this bill would not have been possible. Former Montana Lieutenant Governor Dennis Rehberg brought this issue to the attention of House Leadership while Speaker HASTERT was visiting Montana. Without the renewed momentum due to Mr. Rehberg's efforts and the integrity of the House Leadership, the water safety issues at Fort Peck may have gone unaddressed. I would especially like to thank Chairman DOOLITTLE for his willingness not only to work with all those involved in the bill, but to spearhead efforts to find a solution to this problem.

And certainly not least of all, I would like to thank Senator CONRAD BURNS for being the champion of this project in the Senate. He has put an extraordinary amount of work and effort into improving the lives and health of the people in the Fort Peck area, and the residents there owe him a debt of gratitude for moving this dream to the brink of reality.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the Senate bill, S. 624, as amended.

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

A motion to reconsider was laid on the table.

DETERMINING SIZE AND QUORUM OF LEGISLATURE BY LAWS OF THE VIRGIN ISLANDS

Mr. WALDEN of Oregon. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2296) to amend the Revised Organic Act of the Virgin Islands to provide that the number of members on the legislature of the Virgin Islands and the number of such members constituting a quorum shall be determined by the laws of the Virgin Islands, and for other purposes.

The Clerk read as follows:

H.R. 2296

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

SECTION 1. SIZE AND QUORUM OF LEGISLATURE DETERMINED BY LAWS OF THE VIRGIN ISLANDS.

(a) SIZE OF LEGISLATURE.—Section 5(b) of the Revised Organic Act of the Virgin Islands (48 U.S.C. 1571(b)) is amended—

(1) by striking ''fifteen''; and

(2) by inserting after the first sentence the following: ''The number of such senators shall be determined by the laws of the Virgin Islands.''.

(b) NUMBER CONSTITUTING QUORUM.—The first sentence of section 9(a) of the Revised Organic Act of the Virgin Islands (48 U.S.C. 1575(a)) is amended to read as follows: ''The number of members of the legislature needed to constitute a quorum shall be determined by the laws of the Virgin Islands.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon (Mr. WALDEN).

GENERAL LEAVE

Mr. WALDEN of Oregon. 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. 2296.

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

There was no objection.

Mr. WALDEN of Oregon. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 2296, legislation which would amend the Revised Organic Act of the Virgin Islands to provide that the number of members of the legislature of the Virgin Islands and the number of such members constituting a quorum shall be determined by the laws of the Virgin Islands.

Mr. Speaker, I would ask support for passage of H.R. 2296, and I reserve the balance of my time.

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, again I want to highly commend and compliment the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) for her sponsorship and authorship of this legislation. It certainly has the bipartisan support of both sides of the aisle on this committee.

Mr. Speaker, I find it interesting that the people of the U.S. Virgin Islands still have to come to Congress to reduce the size of their legislature. But that they must do so provides some insight into the structure of the relationships between the United States and its insular areas. For better or worse, each relationship is unique.

In the case of the Virgin Islands, Congress has given the authority to the Government of the Virgin Islands to establish a constitutional form of government under which the people of the Virgin Islands could control such things as the size of their government. This more localized form of government has not been established yet, and in an effort to make the government more efficient, the people of the Virgin Islands wish to reduce the size of their unicameral legislature from 15 members to 9.

This is a request being made by the people of the Virgin Islands, and it comes to Congress from a duly enacted resolution of the local legislature. As it is in keeping with the wishes of the people and their elected local representatives, and is consistent with sound management practices, I support this bill and ask my colleagues to do the same.

Mr. GEORGE MILLER of California. Mr. Speaker, the passage of H.R. 2296 is long overdue. This noncontroversial legislation allows the Virgin Islands Government to free up government revenue by reducing the size of their legislature and thereby redirecting the savings towards education, law enforcement, and other issues confronting their community.

H.R. 2296 was first introduced by our colleague, Ms. CHRISTIAN-CHRISTENSEN, during the 105th Congress and though it passed the Resources Committee unanimously, we were unable to get it scheduled for floor consideration. I am pleased that we are finally taking action on this legislation today and hope that it provides some relief of our fellow Americans in the Virgin Islands who have not experienced the same level of economic prosperity we have enjoyed on the mainland.

I commend the gentlewoman from the Virgin Islands for her work on this matter and urge full support of its passage.

Mr. FALEOMAVAEGO. Mr. Speaker, I yield 2 minutes to the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN).

Mrs. CHRISTENSEN. Mr. Speaker, I rise in support of H.R. 2296, a bill I introduced earlier this year to give my constituents, the people of the U.S. Virgin Islands, a greater degree of self-government by allowing us and not Congress, to determine the size of our local legislature.

I must begin my remarks by also thanking the gentleman from Alaska (Mr. YOUNG), chairman of the Committee on Resources and the gentleman from California (Mr. GEORGE MILLER), ranking member, for their support and hard work in getting this bill to the floor today.

The gentleman from Alaska (Chairman YOUNG), the gentleman from California (Mr. GEORGE MILLER), Ranking Democrat, and I all recognize and acknowledge that H.R. 2296 is only necessary because the Virgin Islands have not yet adopted a local constitution after four attempts.

Although I believe our adopting a constitution would be the preferred process, a constitution convention and adoption of a Virgin Islands constitution may still be a long way off. Therefore, H.R. 2296 was introduced on June 22 of last year in response to a resolution that was passed by the 22nd Legislature of the Virgin Islands to petition Congress to reduce the size of the local legislature from its current 15 members to 9 as a means of saving our cash-starved government badly needed funds. A similar bill to H.R. 2296 was introduced in the 105th Congress and was reported out by the Committee on Resources in August 5 by a voice vote.

The Virgin Islands continues to struggle, Mr. Speaker, with a severe fiscal crisis, and H.R. 2296 is looked at by some Virgin Islanders as a means of saving scarce funds by reducing the size of our legislature. I drafted this bill to cede the authority to restructure the legislature to the Virgin Islands rather than have Congress prescribe a specific number of local senators because, in my estimation, all alternatives that can produce more accountability and reduce budgets ought to be considered, not just the reduction in numbers.

In closing, I want to thank Virgin Islands Senator Adlah Foncie Donastorg for his authorship of the resolution which led to the introduction of the bill before us today. I also want to thank the staff of the Committee on Resources for their work on the bill. I thank my colleagues for supporting it.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, H.R. 2296.

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.

CONFERENCE REPORT ON H.R. 1654, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT OF 2000

Mr. SENSENBRENNER submitted the following conference and statement on the bill (H.R. 1654) to authorize appropriations for the National Aeronautics and Space Administration for the fiscal years 2000, 2001, and 2002.

CONFERENCE REPORT (H. REPT. 106–843)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1654), to authorize appropriations for the National Aeronautics and Space Administration for fiscal years 2000, 2001, and 2002, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''National Aeronautics and Space Administration Authorization Act of 2000''.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Definitions.

TITLE I—AUTHORIZATION OF APPROPRIATIONS

Subtitle A—Authorizations

Sec. 101. Human space flight.
Sec. 102. Science, aeronautics, and technology.
Sec. 103. Mission support.
Sec. 104. Inspector general.
Sec. 105. Total authorization.

Subtitle B—Limitations and Special Authority

Sec. 121. Use of funds for construction.
Sec. 122. Availability of appropriated amounts.
Sec. 123. Reprogramming for construction of facilities.
Sec. 124. Use of funds for scientific consultations or extraordinary expenses.
Sec. 125. Earth science limitation.
Sec. 126. Competitiveness and international cooperation.
Sec. 127. Trans-Hab.
Sec. 128. Consolidated space operations contract.

TITLE II—INTERNATIONAL SPACE STATION

Sec. 201. International Space Station contingency plan.
Sec. 202. Cost limitation for the International Space Station.
Sec. 203. Research on International Space Station.
Sec. 204. Space station commercial development demonstration program.
Sec. 205. Space station.

TITLE III—MISCELLANEOUS

Sec. 301. Requirement for independent cost analysis.
Sec. 302. National Aeronautics and Space Act of 1958 amendments.

Sec. 303. Commercial space goods and services.
Sec. 304. Cost effectiveness calculations.
Sec. 305. Foreign contract limitation.
Sec. 306. Authority to reduce or suspend contract payments based on substantial evidence of fraud.
Sec. 307. Space shuttle upgrade study.
Sec. 308. Aero-space transportation technology integration.
Sec. 309. Definitions of commercial space policy terms.
Sec. 310. External tank opportunities study.
Sec. 311. Notice.
Sec. 312. Unitary Wind Tunnel Plan Act of 1949 amendments.
Sec. 313. Innovative technologies for human space flight.
Sec. 314. Life in the universe.
Sec. 315. Carbon cycle remote sensing applications research.
Sec. 316. Remote sensing for agricultural and resource management.
Sec. 317. 100th Anniversary of Flight educational initiative.
Sec. 318. Internet availability of information.
Sec. 319. Sense of the Congress; requirement regarding notice.
Sec. 320. Anti-drug message on Internet sites.
Sec. 321. Enhancement of science and mathematics programs.
Sec. 322. Space advertising.
Sec. 323. Aeronautical research.
Sec. 324. Insurance, indemnification and cross-waivers.
Sec. 325. Use of abandoned, underutilized, and excess buildings, grounds, and facilities.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) The National Aeronautics and Space Administration should continue to pursue actions and reforms directed at reducing institutional costs, including management restructuring, facility consolidation, procurement reform, and convergence with defense and commercial sector systems, while sustaining safety standards for personnel and hardware.

(2) The United States is on the verge of creating and using new technologies in microsatellites, information processing, and space transportation that could radically alter the manner in which the Federal Government approaches its space mission.

(3) The overwhelming preponderance of the Federal Government's requirements for routine, unmanned space transportation can be met most effectively, efficiently, and economically by a free and competitive market in privately developed and operated space transportation services.

(4) In formulating a national space transportation service policy, the National Aeronautics and Space Administration should aggressively promote the pursuit by commercial providers of development of advanced space transportation technologies including reusable space vehicles and human space systems.

(5) The Federal Government should invest in the types of research and innovative technology in which United States commercial providers do not invest, while avoiding competition with the activities in which United States commercial providers do invest.

(6) International cooperation in space exploration and science activities most effectively serves the United States national interest—

(A) when it—

(i) reduces the cost of undertaking missions the United States Government would pursue unilaterally;

(ii) enables the United States to pursue missions that it could not otherwise afford to pursue unilaterally; or

(iii) enhances United States capabilities to use and develop space for the benefit of United States citizens; and

(B) when it—

(i) is undertaken in a manner that is sensitive to the desire of United States commercial providers to develop or explore space commercially;

(ii) is consistent with the need for Federal agencies to use space to complete their missions; and

(iii) is carried out in a manner consistent with United States export control laws.

(7) The National Aeronautics and Space Administration and the Department of Defense should cooperate more effectively in leveraging the mutual capabilities of these agencies to conduct joint aeronautics and space missions that not only improve United States aeronautics and space capabilities, but also reduce the cost of conducting those missions.

(8) The space shuttle will remain for the foreseeable future the Nation's only means of safe and reliable crewed access to space. As a result, the Congress is committed to funding upgrades designed to improve the shuttle's safety and reliability. The National Aeronautics and Space Administration should continue to provide appropriate levels of funding in its annual budget requests to meet the schedule for completing the high-priority upgrades in a timely manner.

(9) The Deep Space Network will continue to be a critically important part of the Nation's scientific and exploration infrastructure in the coming decades, and the National Aeronautics and Space Administration should ensure that the Network is adequately maintained and that upgrades required to support future missions are undertaken in a timely manner.

(10) The Hubble Space Telescope has proven to be an important national astronomical research facility that is revolutionizing our understanding of the universe and should be kept productive, and its capabilities should be maintained and enhanced as appropriate to serve as a scientific bridge to the next generation of space-based observatories.

(11) The National Aeronautics and Space Administration is to be commended for its successful efforts to transfer mobile robotics technologies to the United States industry through its existing 5-year commitment to the National Robotics Engineering Consortium (NREC). One of the attractive features of this activity has been NREC's ability to attract private sector matching funds for its government-sponsored projects. The National Aeronautics and Space Administration should give strong consideration to a continuation of its commitment to NREC after the current agreement expires.

SEC. 3. DEFINITIONS.

For purposes of this Act—

(1) the term ''Administrator'' means the Administrator of the National Aeronautics and Space Administration;

(2) the term ''commercial provider'' means any person providing space transportation services or other space-related activities, the primary control of which is held by persons other than a Federal, State, local, or foreign government;

(3) the term ''critical path'' means the sequence of events of a schedule of events under which a delay in any event causes a delay in the overall schedule;

(4) the term ''grant agreement'' has the meaning given that term in section 6302(2) of title 31, United States Code;

(5) the term ''institution of higher education'' has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001);

(6) the term ''State'' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other commonwealth, territory, or possession of the United States; and

(7) the term ''United States commercial provider'' means a commercial provider, organized under the laws of the United States or of a State, which is—

(A) more than 50 percent owned by United States nationals; or

(B) a subsidiary of a foreign company and the Secretary of Commerce finds that—

(i) such subsidiary has in the past evidenced a substantial commitment to the United States market through—

(I) investments in the United States in long-term research, development, and manufacturing (including the manufacture of major components and subassemblies); and

(II) significant contributions to employment in the United States; and

(ii) the country or countries in which such foreign company is incorporated or organized, and, if appropriate, in which it principally conducts its business, affords reciprocal treatment to companies described in subparagraph (A) comparable to that afforded to such foreign company's subsidiary in the United States, as evidenced by—

(I) providing comparable opportunities for companies described in subparagraph (A) to participate in Government sponsored research and development similar to that authorized under this Act;

(II) providing no barriers to companies described in subparagraph (A) with respect to local investment opportunities that are not provided to foreign companies in the United States; and

(III) providing adequate and effective protection for the intellectual property rights of companies described in subparagraph (A).

TITLE I—AUTHORIZATION OF APPROPRIATIONS

Subtitle A—Authorizations

SEC. 101. HUMAN SPACE FLIGHT.

(a) FISCAL YEAR 2000.—There are authorized to be appropriated to the National Aeronautics and Space Administration for Human Space Flight for fiscal year 2000, $5,487,900,000.

(b) FISCAL YEARS 2001 AND 2002.—There are authorized to be appropriated to the National Aeronautics and Space Administration for Human Space Flight for fiscal years 2001 and 2002 the following amounts:

(1) For International Space Station—

(A) for fiscal year 2001, $2,114,500,000 of which $455,400,000, notwithstanding section 121(a)—

(i) shall only be for Space Station research or for the purposes described in section 102(b)(2); and

(ii) shall be administered by the Office of Life and Microgravity Sciences and Applications; and

(B) for fiscal year 2002, $1,858,500,000, of which $451,600,000, notwithstanding section 121(a)—

(i) shall only be for Space Station research or for the purposes described in section 102(b)(2); and

(ii) shall be administered by the Office of Life and Microgravity Sciences and Applications.

(2) For Space Shuttle—

(A) for fiscal year 2001, $3,165,700,000, of which $492,900,000 shall be for Safety and Performance Upgrades; and

(B) for fiscal year 2002, $3,307,800,000.

(3) For Payload and ELV Support—

(A) for fiscal year 2001, $90,200,000; and

(B) for fiscal year 2002, $90,300,000.

(4) For Investments and Support—

(A) for fiscal year 2001, $129,500,000, of which $20,000,000 shall be for Technology and Commercialization; and

(B) for fiscal year 2002, $131,000,000, of which $20,000,000 shall be for Technology and Commercialization.

SEC. 102. SCIENCE, AERONAUTICS, AND TECHNOLOGY.

(a) FISCAL YEAR 2000.—There are authorized to be appropriated to the National Aeronautics and Space Administration for Science, Aeronautics, and Technology $5,580,900,000 for fiscal year 2000.

(b) FISCAL YEARS 2001 AND 2002.—There are authorized to be appropriated to the National Aeronautics and Space Administration for Science, Aeronautics, and Technology for fiscal years 2001 and 2002 the following amounts:

(1) For Space Science—

(A) for fiscal year 2001, $2,417,800,000, of which—

(i) $10,500,000 shall be for the Near Earth Object Survey;

(ii) $523,601,000 shall be for the Research Program; and

(iii) $12,000,000 shall be for Space Solar Power technology; and

(B) for fiscal year 2002, $2,630,400,000, of which—

(i) $10,500,000 shall be for the Near Earth Object Survey;

(ii) $566,700,000 shall be for the Research Program;

(iii) $12,000,000 shall be for Space Solar Power technology; and

(iv) $5,000,000 shall be for Space Science Data Buy.

(2) For Life and Microgravity Sciences and Applications—

(A) for fiscal year 2001, $335,200,000, of which $2,000,000 shall be for research and early detection systems for breast and ovarian cancer and other women's health issues, $5,000,000 shall be for sounding rocket vouchers, $2,000,000 shall be made available for immediate clinical trials of islet transplantation in patients with Type I diabetes utilizing immunoisolation technologies derived from NASA space flights, and $70,000,000 may be used for activities associated with International Space Station research; and

(B) for fiscal year 2002, $344,000,000, of which $2,000,000 shall be for research and early detection systems for breast and ovarian cancer and other women's health issues, appropriate funding shall be made available for continuing clinical trials of islet transplantation in patients with Type I diabetes utilizing immunoisolation technologies derived from NASA space flights, and $80,800,000 may be used for activities associated with International Space Station research.

(3) For Earth Science, subject to the limitations set forth in section 125—

(A) for fiscal year 2001, $1,430,800,000; and

(B) for fiscal year 2002, $1,357,500,000.

(4) For Aero-Space Technology—

(A) for fiscal year 2001, $1,224,000,000, of which—

(i) at least $36,000,000 shall be for Quiet Aircraft Technology;

(ii) at least $70,000,000 shall be for the Aviation Safety program; and

(iii) $50,000,000 shall be for ultra-efficient engine technology; and

(iv) $290,000,000 shall be for Second Generation RLV Program; and

(B) for fiscal year 2002, $1,574,900,000, of which—

(i) at least $36,000,000 shall be for Quiet Aircraft Technology;

(ii) at least $70,000,000 shall be for the Aviation Safety program; and

(iii) $50,000,000 shall be for ultra-efficient engine technology; and

(iv) $610,000,000 shall be for Second Generation RLV Program.

(5) For Space Operations—

(A) for fiscal year 2001, $529,400,000; and

(B) for fiscal year 2002, $500,800,000.

(6) For Academic Programs—

(A) for fiscal year 2001, $141,300,000, of which—

(i) $11,800,000 shall be for the Teacher/Faculty Preparation and Enhancement Programs;

(ii) $11,800,000 shall be for the program known as the Experimental Program to Stimulate Competitive Research;

(iii) $54,000,000 shall be for minority university research and education (at institutions such as Hispanic-serving institutions, Alaska Native serving institutions, Native Hawaiian serving institutions, and tribally controlled colleges and universities), including $35,900,000 for Historically Black Colleges and Universities; and

(iv) $28,000,000 shall be for space grant colleges designated under section 208 of the National Space Grant College and Fellowship Act; and

(B) for fiscal year 2002, $141,300,000, of which—

(i) $12,500,000 shall be for the Teacher/Faculty Preparation and Enhancement Programs;

(ii) $12,500,000 shall be for the program known as the Experimental Program to Stimulate Competitive Research;

(iii) $54,000,000 shall be for minority university research and education (at institutions such as Hispanic-serving institutions, Alaska Native serving institutions, Native Hawaiian serving institutions, and tribally controlled colleges and universities), including $35,900,000 for Historically Black Colleges and Universities; and

(iv) $28,000,000 shall be for space grant colleges designated under section 208 of the National Space Grant College and Fellowship Act.

SEC. 103. MISSION SUPPORT.

(a) FISCAL YEAR 2000.—There are authorized to be appropriated to the National Aeronautics and Space Administration for Mission Support for fiscal year 2000 $2,512,000,000.

(b) FISCAL YEARS 2001 AND 2002.—There are authorized to be appropriated to the National Aeronautics and Space Administration for Mission Support for fiscal years 2001 and 2002 the following amounts:

(1) For Safety, Mission Assurance, Engineering, and Advanced Concepts—

(A) for fiscal year 2001, $47,500,000; and

(B) for fiscal year 2002, $51,500,000.

(2) For Construction of Facilities, including land acquisition—

(A) for fiscal year 2001, $245,900,000; and

(B) for fiscal year 2002, $231,000,000.

(3) For Research and Program Management, including personnel and related costs, travel, and research operations support—

(A) for fiscal year 2001, $2,290,600,000; and

(B) for fiscal year 2002, $2,383,700,000.

SEC. 104. INSPECTOR GENERAL.

There are authorized to be appropriated to the National Aeronautics and Space Administration for Inspector General—

(1) for fiscal year 2000, $20,000,000;

(2) for fiscal year 2001, $22,000,000; and

(3) for fiscal year 2002, $22,700,000.

SEC. 105. TOTAL AUTHORIZATION.

Notwithstanding any other provision of this title, the total amount authorized to be appropriated to the National Aeronautics and Space Administration under this Act shall not exceed—

(1) for fiscal year 2001, $14,184,400,000; and

(2) for fiscal year 2002, $14,625,400,000.

Subtitle B—Limitations and Special Authority

SEC. 121. USE OF FUNDS FOR CONSTRUCTION.

(a) AUTHORIZED USES.—Funds appropriated under sections 101, 102, and 103(b)(1) and funds appropriated for research operations support under section 103(b)(3) may, at any location in support of the purposes for which such funds are appropriated, be used for—

(1) the construction of new facilities; and

(2) additions to, repair of, rehabilitation of, or modification of existing facilities (in existence on the date on which such funds are made available by appropriation).

(b) LIMITATION.—

(1) IN GENERAL.—Until the date specified in paragraph (2), no funds may be expended pursuant to subsection (a) for a project, with respect to which the estimated cost to the National Aeronautics and Space Administration, including collateral equipment, exceeds $1,000,000.

(2) DATE.—The date specified in this paragraph is the date that is 30 days after the Administrator notifies the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives of the nature, location, and estimated cost to the National Aeronautics and Space Administration of the project referred to in paragraph (1).

(c) TITLE TO FACILITIES.—

(1) IN GENERAL.—If funds are used pursuant to subsection (a) for grants for the purchase or construction of additional research facilities to institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, title to these facilities shall be vested in the United States.

(2) EXCEPTION.—If the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title to a facility referred to in paragraph (1) in an institution or organization referred to in that paragraph, the title to that facility shall vest in that institution or organization.

(3) CONDITION.—Each grant referred to in paragraph (1) shall be made under such conditions as the Administrator determines to be necessary to ensure that the United States will receive benefits from the grant that are adequate to justify the making of the grant.

SEC. 122. AVAILABILITY OF APPROPRIATED AMOUNTS.

To the extent provided in appropriations Acts, appropriations authorized under subtitle A may remain available without fiscal year limitation.

SEC. 123. REPROGRAMMING FOR CONSTRUCTION OF FACILITIES.

(a) IN GENERAL.—Appropriations authorized for construction of facilities under section 103(b)(2)—

(1) may be varied upward by 10 percent in the discretion of the Administrator; or

(2) may be varied upward by 25 percent, to meet unusual cost variations, after the expiration of 15 days following a report on the circumstances of such action by the Administrator to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

The aggregate amount authorized to be appropriated for construction of facilities under section 103(b)(2) shall not be increased as a result of actions authorized under paragraphs (1) and (2) of this subsection.

(b) SPECIAL RULE.—Where the Administrator determines that new developments in the national program of aeronautical and space activities have occurred; and that such developments require the use of additional funds for the purposes of construction, expansion, or modification of facilities at any location; and that deferral of such action until the enactment of the next National Aeronautics and Space Administration authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities, the Administrator may use up to $10,000,000 of the amounts authorized under section 103(b)(2) for each fiscal year for such purposes. No such funds may be obligated until a period of 30 days has passed after the Administrator has transmitted to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives a written report describing the nature of the construction, its costs, and the reasons therefor.

SEC. 124. USE OF FUNDS FOR SCIENTIFIC CONSULTATIONS OR EXTRAORDINARY EXPENSES.

Not more than $32,500 of the funds appropriated under section 102 may be used for scientific consultations or extraordinary expenses, upon the authority of the Administrator.

SEC. 125. EARTH SCIENCE LIMITATION.

Of the funds authorized to be appropriated for Earth Science under section 102(b)(3) for each of fiscal years 2001 and 2002, $25,000,000 shall be for the Commercial Remote Sensing Program for commercial data purchases, unless the National Aeronautics and Space Administration has integrated data purchases into the procurement process for Earth science research by obligating at least 5 percent of the aggregate amount appropriated for that fiscal year for Earth Observing System and Earth Probes for the purchase of Earth science data from the private sector.

SEC. 126. COMPETITIVENESS AND INTERNATIONAL COOPERATION.

(a) LIMITATION.—(1) As part of the evaluation of the costs and benefits of entering into an obligation to conduct a space mission in which a foreign entity will participate as a supplier of the spacecraft, spacecraft system, or launch system, the Administrator shall solicit comment on the potential impact of such participation through notice published in Commerce Business Daily at least 45 days before entering into such an obligation.

(2) The Administrator shall certify to the Congress at least 15 days in advance of any cooperative agreement with the People's Republic of China, or any company owned by the People's Republic of China or incorporated under the laws of the People's Republic of China, involving spacecraft, spacecraft systems, launch systems, or scientific or technical information that—

(A) the agreement is not detrimental to the United States space launch industry; and

(B) the agreement, including any indirect technical benefit that could be derived from the agreement, will not improve the missile or space launch capabilities of the People's Republic of China.

(3) The Inspector General of the National Aeronautics and Space Administration, in consultation with appropriate agencies, shall conduct an annual audit of the policies and procedures of the National Aeronautics and Space Administration with respect to the export of technologies and the transfer of scientific and technical information, to assess the extent to which the National Aeronautics and Space Administration is carrying out its activities in compliance with Federal export control laws and with paragraph (2).

(b) NATIONAL INTERESTS.—Before entering into an obligation described in subsection (a), the Administrator shall consider the national interests of the United States described in section 2(6).

SEC. 127. TRANS-HAB.

(a) REPLACEMENT STRUCTURE.—No funds authorized by this Act shall be obligated for the definition, design, procurement, or development of an inflatable space structure to replace any International Space Station components scheduled for launch in the Assembly Sequence adopted by the National Aeronautics and Space Administration in June 1999.

(b) EXCEPTION.—Notwithstanding subsection (a), nothing in this Act shall preclude the National Aeronautics and Space Administration from leasing or otherwise using a commercially provided inflatable habitation module, if such module would—

(1) cost the same or less, including any necessary modifications to other hardware or operating expenses, than the remaining cost of completing and attaching the baseline habitation module;

(2) impose no delays to the Space Station Assembly Sequence; and

(3) result in no increased safety risk.

(c) REPORT.—Notwithstanding subsection (a), the National Aeronautics and Space Administration shall report to the Congress by April 1, 2001, on its findings and recommendations on substituting any inflatable habitation module, or other inflatable structures, for one of the elements included in the Space Station Assembly Sequence adopted in June 1999.

SEC. 128. CONSOLIDATED SPACE OPERATIONS CONTRACT.

No funds authorized by this Act shall be used to create a Government-owned corporation to perform the functions that are the subject of the Consolidated Space Operations Contract.

TITLE II—INTERNATIONAL SPACE STATION

SEC. 201. INTERNATIONAL SPACE STATION CONTINGENCY PLAN.

(a) BIMONTHLY REPORTING ON RUSSIAN STATUS.—Not later than the first day of the first month beginning more than 60 days after the date of the enactment of this Act, and not later than the first day of every second month thereafter until October 1, 2006, the Administrator shall report to Congress whether or not the Russians have performed work expected of them and necessary to complete the International Space Station. Each such report shall also include a statement of the Administrator's judgment concerning Russia's ability to perform work anticipated and required to complete the International Space Station before the next report under this subsection.

(b) DECISION ON RUSSIAN CRITICAL PATH ITEMS.—The President shall notify Congress within 90 days after the date of the enactment of this Act of the decision on whether or not to proceed with permanent replacement of any Russian elements in the critical path of the International Space Station or any Russian launch services. Such notification shall include the reasons and justifications for the decision and the costs associated with the decision. Such decision shall include a judgment of when all elements identified in Revision E assembly sequence as of June 1999 will be in orbit and operational. If the President decides to proceed with a permanent replacement for any Russian element in the critical path or any Russian launch services, the President shall notify Congress of the reasons and the justification for the decision to proceed with the permanent replacement and the costs associated with the decision.

(c) ASSURANCES.—The United States shall seek assurances from the Russian Government that it places a higher priority on fulfilling its commitments to the International Space Station than it places on extending the life of the Mir Space Station, including assurances that Russia will not utilize assets allocated by Russia to the International Space Station for other purposes, including extending the life of Mir.

(d) EQUITABLE UTILIZATION.—In the event that any International Partner in the International Space Station Program willfully violates any of its commitments or agreements for the provision of agreed-upon Space Station-related hardware or related goods or services, the Administrator should, in a manner consistent with relevant international agreements, seek a commensurate reduction in the utilization rights of that Partner until such time as the violated commitments or agreements have been fulfilled.

(e) OPERATION COSTS.—The Administrator shall, in a manner consistent with relevant international agreements, seek to reduce the National Aeronautics and Space Administration's share of International Space Station common operating costs, based upon any additional capabilities provided to the International Space Station through the National Aeronautics and Space Administration's Russian Program Assurance activities.

SEC. 202. COST LIMITATION FOR THE INTERNATIONAL SPACE STATION.

(a) LIMITATION OF COSTS.—

(1) IN GENERAL.—Except as provided in subsections (c) and (d), the total amount obligated by the National Aeronautics and Space Administration for—

(A) costs of the International Space Station may not exceed $25,000,000,000; and

(B) space shuttle launch costs in connection with the assembly of the International Space Station may not exceed $17,700,000,000.

(2) CALCULATION OF LAUNCH COSTS.—For purposes of paragraph (1)(B)—

(A) not more than $380,000,000 in costs for any single space shuttle launch shall be taken into account; and

(B) if the space shuttle launch costs taken into account for any single space shuttle launch are less than $380,000,000, then the Administrator shall arrange for a verification, by the General Accounting Office, of the accounting used to determine those costs and shall submit that verification to the Congress within 60 days after the date on which the next budget request is transmitted to the Congress.

(b) COSTS TO WHICH LIMITATION APPLIES.—

(1) DEVELOPMENT COSTS.—The limitation imposed by subsection (a)(1)(A) does not apply to funding for operations, research, or crew return activities subsequent to substantial completion of the International Space Station.

(2) LAUNCH COSTS.—The limitation imposed by subsection (a)(1)(B) does not apply—

(A) to space shuttle launch costs in connection with operations, research, or crew return activities subsequent to substantial completion of the International Space Station;

(B) to space shuttle launch costs in connection with a launch for a mission on which at least 75 percent of the shuttle payload by mass is devoted to research; nor

(C) to any additional costs incurred in ensuring or enhancing the safety and reliability of the space shuttle.

(3) SUBSTANTIAL COMPLETION.—For purposes of this subsection, the International Space Station is considered to be substantially completed when the development costs comprise 5 percent or less of the total International Space Station costs for the fiscal year.

(c) NOTICE OF CHANGES TO SPACE STATION COSTS.—The Administrator shall provide with each annual budget request a written notice and analysis of any changes under subsection (d) to the amounts set forth in subsection (a) to the Senate Committees on Appropriations and on Commerce, Science, and Transportation and to the House of Representatives Committees on Appropriations and on Science. In addition, such notice may be provided at other times, as deemed necessary by the Administrator. The written notice shall include—

(1) an explanation of the basis for the change, including the costs associated with the change and the expected benefit to the program to be derived from the change;

(2) an analysis of the impact on the assembly schedule and annual funding estimates of not receiving the requested increases; and

(3) an explanation of the reasons that such a change was not anticipated in previous program budgets.

(d) FUNDING FOR CONTINGENCIES.—

(1) NOTICE REQUIRED.—If funding in excess of the limitation provided for in subsection (a) is required to address the contingencies described in paragraph (2), then the Administrator shall provide the written notice required by subsection (c). In the case of funding described in paragraph (3)(A), such notice shall be required prior to obligating any of the funding. In the case of funding described in paragraph (3)(B), such notice shall be required within 15 days after making a decision to implement a change that increases the space shuttle launch costs in connection with the assembly of the International Space Station.

(2) CONTINGENCIES.—The contingencies referred to in paragraph (1) are the following:

(A) The lack of performance or the termination of participation of any of the International countries party to the Intergovernmental Agreement.

(B) The loss or failure of a United States-provided element during launch or on-orbit.

(C) On-orbit assembly problems.

(D) New technologies or training to improve safety on the International Space Station.

(E) The need to launch a space shuttle to ensure the safety of the crew or to maintain the integrity of the station.

(3) AMOUNTS.—The total amount obligated by National Aeronautics and Space Administration to address the contingencies described in paragraph (2) is limited to—

(A) $5,000,000,000 for the International Space Station; and

(B) $3,540,000,000 for the space shuttle launch costs in connection with the assembly of the International Space Station.

(e) REPORTING AND REVIEW.—

(1) IDENTIFICATION OF COSTS.—

(A) SPACE SHUTTLE.—As part of the overall space shuttle program budget request for each

fiscal year, the Administrator shall identify separately—

(i) the amounts of the requested funding that are to be used for completion of the assembly of the International Space Station; and

(ii) any shuttle research mission described in subsection (b)(2).

(B) INTERNATIONAL SPACE STATION.—As part of the overall International Space Station budget request for each fiscal year, the Administrator shall identify the amount to be used for development of the International Space Station.

(2) ACCOUNTING FOR COST LIMITATIONS.—As part of the annual budget request to the Congress, the Administrator shall account for the cost limitations imposed by subsection (a).

(3) VERIFICATION OF ACCOUNTING.—The Administrator shall arrange for a verification, by the General Accounting Office, of the accounting submitted to the Congress within 60 days after the date on which the budget request is transmitted to the Congress.

(4) INSPECTOR GENERAL.—Within 60 days after the Administrator provides a notice and analysis to the Congress under subsection (c), the Inspector General of the National Aeronautics and Space Administration shall review the notice and analysis and report the results of the review to the committees to which the notice and analysis were provided.

SEC. 203. RESEARCH ON INTERNATIONAL SPACE STATION.

(a) STUDY.—The Administrator shall enter into a contract with the National Research Council and the National Academy of Public Administration to jointly conduct a study of the status of life and microgravity research as it relates to the International Space Station. The study shall include—

(1) an assessment of the United States scientific community's readiness to use the International Space Station for life and microgravity research;

(2) an assessment of the current and projected factors limiting the United States scientific community's ability to maximize the research potential of the International Space Station, including, but not limited to, the past and present availability of resources in the life and microgravity research accounts within the Office of Human Spaceflight and the Office of Life and Microgravity Sciences and Applications and the past, present, and projected access to space of the scientific community; and

(3) recommendations for improving the United States scientific community's ability to maximize the research potential of the International Space Station, including an assessment of the relative costs and benefits of—

(A) dedicating an annual mission of the Space Shuttle to life and microgravity research during assembly of the International Space Station; and

(B) maintaining the schedule for assembly in place at the time of the enactment.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Administrator shall transmit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study conducted under this section.

SEC. 204. SPACE STATION COMMERCIAL DEVELOPMENT DEMONSTRATION PROGRAM.

Section 434 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000 is amended by striking ''2004,'' each place it appears and inserting ''2002,''.

SEC. 205. SPACE STATION RESEARCH UTILIZATION AND COMMERCIALIZATION MANAGEMENT.

(a) RESEARCH UTILIZATION AND COMMERCIALIZATION MANAGEMENT ACTIVITIES.—The Administrator of the National Aeronautics and Space Administration shall enter into an agreement with a non-government organization to conduct research utilization and commercialization management activities of the International Space Station subsequent to substantial completion as defined in section 202(b)(3). The agreement may not take effect less than 120 days after the implementation plan for the agreement is submitted to the Congress under subsection (b).

(b) IMPLEMENTATION PLAN.—Not later than September 30, 2001, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives an implementation plan to incorporate the use of a non-government organization for the International Space Station. The implementation plan shall include—

(1) a description of the respective roles and responsibilities of the Administration and the non-government organization;

(2) a proposed structure for the non-government organization;

(3) a statement of the resources required;

(4) a schedule for the transition of responsibilities; and

(5) a statement of the duration of the agreement.

TITLE III—MISCELLANEOUS

SEC. 301. REQUIREMENT FOR INDEPENDENT COST ANALYSIS.

(a) REQUIREMENT.—Before any funds may be obligated for Phase B of a project that is projected to cost more than $150,000,000 in total project costs, the Chief Financial Officer for the National Aeronautics and Space Administration shall conduct an independent life-cycle cost analysis of such project and shall report the results to Congress. In developing cost accounting and reporting standards for carrying out this section, the Chief Financial Officer shall, to the extent practicable and consistent with other laws, solicit the advice of expertise outside of the National Aeronautics and Space Administration.

(b) DEFINITION.—For purposes of this section, the term ''Phase B'' means the latter stages of project formulation, during which the final definition of a project is carried out and before project implementation (which includes the Design, Development, and Operations Phases) begins.

SEC. 302. NATIONAL AERONAUTICS AND SPACE ACT OF 1958 AMENDMENTS.

(a) DECLARATION OF POLICY AND PURPOSE.—Section 102 of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2451) is amended—

(1) by striking subsection (f) and redesignating subsections (g) and (h) as subsections (f) and (g), respectively; and

(2) in subsection (g), as so redesignated by paragraph (1) of this subsection, by striking ''(f), and (g)'' and inserting in lieu thereof ''and (f)''.

(b) REPORTS TO THE CONGRESS.—Section 206(a) of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2476(a)) is amended—

(1) by striking ''January'' and inserting in lieu thereof ''May''; and

(2) by striking ''calendar'' and inserting in lieu thereof ''fiscal''.

SEC. 303. COMMERCIAL SPACE GOODS AND SERVICES.

It is the sense of Congress that the National Aeronautics and Space Administration shall purchase commercially available space goods and services to the fullest extent feasible and shall not conduct activities with commercial applications that preclude or deter commercial space activities except for reasons of national security or public safety. A space good or service shall be deemed commercially available if it is offered by a commercial provider, or if it could be supplied by a commercial provider in response to a Government procurement request. For purposes of this section, a purchase is feasible if it meets mission requirements in a cost-effective manner.

SEC. 304. COST EFFECTIVENESS CALCULATIONS.

Except as otherwise required by law, in calculating the cost effectiveness of the cost of the National Aeronautics and Space Administration engaging in an activity as compared to a commercial provider, the Administrator shall compare the cost of the National Aeronautics and Space Administration engaging in the activity using full cost accounting principles with the price the commercial provider will charge for such activity.

SEC. 305. FOREIGN CONTRACT LIMITATION.

The National Aeronautics and Space Administration shall not enter into any agreement or contract with a foreign government that grants the foreign government the right to recover profit in the event that the agreement or contract is terminated.

SEC. 306. AUTHORITY TO REDUCE OR SUSPEND CONTRACT PAYMENTS BASED ON SUBSTANTIAL EVIDENCE OF FRAUD.

Section 2307(i)(8) of title 10, United States Code, is amended by striking ''and (4)'' and inserting in lieu thereof ''(4), and (6)''.

SEC. 307. SPACE SHUTTLE UPGRADE STUDY.

(a) STUDY.—The Administrator shall enter into appropriate arrangements for the conduct of an independent study to reassess the priority of all Space Shuttle upgrades which are under consideration by the National Aeronautics and Space Administration but for which substantial development costs have not been incurred.

(b) PRIORITIES.—The study described in subsection (a) shall establish relative priorities of the upgrades within each of the following categories:

(1) Upgrades that are safety related.

(2) Upgrades that may have functional or technological applicability to reusable launch vehicles.

(3) Upgrades that have a payback period within the next 12 years.

(c) COMPLETION DATE.—The results of the study described in subsection (a) shall be transmitted to the Congress not later than 180 days after the date of the enactment of this Act.

SEC. 308. AERO-SPACE TRANSPORTATION TECHNOLOGY INTEGRATION.

(a) INTEGRATION PLAN.—The Administrator shall develop a plan for the integration of research, development, and experimental demonstration activities in the aeronautics transportation technology and space transportation technology areas where appropriate. The plan shall ensure that integration is accomplished without losing unique capabilities which support the National Aeronautics and Space Administration's defined missions. The plan shall also include appropriate strategies for using aeronautics centers in integration efforts.

(b) REPORTS TO CONGRESS.—Not later than 90 days after the date of the enactment of this Act, the Administrator shall transmit to the Congress a report containing the plan developed under subsection (a). The Administrator shall transmit to the Congress annually thereafter for 5 years a report on progress in achieving such plan, to be transmitted with the annual budget request.

SEC. 309. DEFINITIONS OF COMMERCIAL SPACE POLICY TERMS.

It is the sense of the Congress that the Administrator should ensure, to the extent practicable, that the usage of terminology in National Aeronautics and Space Administration policies and programs with respect to space activities is consistent with the following definitions:

(1) The term ''commercialization'' means actions or policies which promote or facilitate the private creation or expansion of commercial markets for privately developed and privately provided space goods and services, including privatized space activities.

(2) The term ''commercial purchase'' means a purchase by the Federal Government of space goods and services at a market price from a private entity which has invested private resources to meet commercial requirements.

(3) The term ''commercial use of Federal assets'' means the use of Federal assets by a private entity to deliver services to commercial customers, with or without putting private capital at risk.

(4) The term ''contract consolidation'' means the combining of two or more Government service contracts for related space activities into one larger Government service contract.

(5) The term ''privatization'' means the process of transferring—

(A) control and ownership of Federal space-related assets, along with the responsibility for operating, maintaining, and upgrading those assets, to the private sector; or

(B) control and responsibility for space-related functions from the Federal Government to the private sector.

SEC. 310. EXTERNAL TANK OPPORTUNITIES STUDY.

(a) APPLICATIONS.—The Administrator shall enter into appropriate arrangements for an independent study to identify, and evaluate the potential benefits and costs of, the broadest possible range of commercial and scientific applications which are enabled by the launch of Space Shuttle external tanks into Earth orbit and retention in space, including—

(1) the use of privately owned external tanks as a venue for commercial advertising on the ground, during ascent, and in Earth orbit, except that such study shall not consider advertising that while in orbit is observable from the ground with the unaided human eye;

(2) the use of external tanks to achieve scientific or technology demonstration missions in Earth orbit, on the Moon, or elsewhere in space; and

(3) the use of external tanks as low-cost infrastructure in Earth orbit or on the Moon, including as an augmentation to the International Space Station.

A final report on the results of such study shall be delivered to the Congress not later than 90 days after the date of the enactment of this Act. Such report shall include recommendations as to Government and industry-funded improvements to the external tank which would maximize its cost-effectiveness for the scientific and commercial applications identified.

(b) REQUIRED IMPROVEMENTS.—The Administrator shall conduct an internal agency study, based on the conclusions of the study required by subsection (a), of what—

(1) improvements to the current Space Shuttle external tank; and

(2) other in-space transportation or infrastructure capability developments,

would be required for the safe and economical use of the Space Shuttle external tank for any or all of the applications identified by the study required by subsection (a), a report on which shall be delivered to Congress not later than 45 days after receipt of the final report required by subsection (a).

(c) CHANGES IN LAW OR POLICY.—Upon receipt of the final report required by subsection (a), the Administrator shall solicit comment from industry on what, if any, changes in law or policy would be required to achieve the applications identified in that final report. Not later than 90 days after receipt of such final report, the Administrator shall transmit to the Congress the comments received along with the recommendations of the Administrator as to changes in law or policy that may be required for those purposes.

SEC. 311. NOTICE.

(a) NOTICE OF REPROGRAMMING.—If any funds authorized by this Act are subject to a reprogramming action that requires notice to be provided to the Appropriations Committees of the House of Representatives and the Senate, notice of such action shall concurrently be provided to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(b) NOTICE OF REORGANIZATION.—The Administrator shall provide notice to the Committees on Science and Appropriations of the House of Representatives, and the Committees on Commerce, Science, and Transportation and Appropriations of the Senate, not later than 30 days before any major reorganization of any program, project, or activity of the National Aeronautics and Space Administration.

SEC. 312. UNITARY WIND TUNNEL PLAN ACT OF 1949 AMENDMENTS.

The Unitary Wind Tunnel Plan Act of 1949 is amended—

(1) in section 101 (50 U.S.C. 511) by striking ''transsonic and supersonic'' and inserting ''transsonic, supersonic, and hypersonic''; and

(2) in section 103 (50 U.S.C. 513)—

(A) by striking ''laboratories'' in subsection (a) and inserting ''laboratories and centers'';

(B) by striking ''supersonic'' in subsection (a) and inserting ''transsonic, supersonic, and hypersonic''; and

(C) by striking ''laboratory'' in subsection (c) and inserting ''facility''.

SEC. 313. INNOVATIVE TECHNOLOGIES FOR HUMAN SPACE FLIGHT.

(a) ESTABLISHMENT OF PROGRAM.—In order to promote a ''faster, cheaper, better'' approach to the human exploration and development of space, the Administrator shall establish a Human Space Flight Innovative Technologies program of ground-based and space-based research and development in innovative technologies. The program shall be part of the Technology and Commercialization program.

(b) AWARDS.—At least 75 percent of the amount appropriated for Technology and Commercialization under section 101(b)(4) for any fiscal year shall be awarded through broadly distributed announcements of opportunity that solicit proposals from educational institutions, industry, nonprofit institutions, National Aeronautics and Space Administration Centers, the Jet Propulsion Laboratory, other Federal agencies, and other interested organizations, and that allow partnerships among any combination of those entities, with evaluation, prioritization, and recommendations made by external peer review panels.

(c) PLAN.—The Administrator shall provide to the Committee on Science of the House of Representatives and to the Committee on Commerce, Science, and Transportation of the Senate, not later than December 1, 2000, a plan to implement the program established under subsection (a).

SEC. 314. LIFE IN THE UNIVERSE.

(a) REVIEW.—The Administrator shall enter into appropriate arrangements with the National Academy of Sciences for the conduct of a review of—

(1) international efforts to determine the extent of life in the universe; and

(2) enhancements that can be made to the National Aeronautics and Space Administration's efforts to determine the extent of life in the universe.

(b) ELEMENTS.—The review required by subsection (a) shall include—

(1) an assessment of the direction of the National Aeronautics and Space Administration's astrobiology initiatives within the Origins program;

(2) an assessment of the direction of other initiatives carried out by entities other than the National Aeronautics and Space Administration to determine the extent of life in the universe, including other Federal agencies, foreign space agencies, and private groups such as the Search for Extraterrestrial Intelligence Institute;

(3) recommendations about scientific and technological enhancements that could be made to the National Aeronautics and Space Administration's astrobiology initiatives to effectively utilize the initiatives of the scientific and technical communities; and

(4) recommendations for possible coordination or integration of National Aeronautics and Space Administration initiatives with initiatives of other entities described in paragraph (2).

(c) REPORT TO CONGRESS.—Not later than 20 months after the date of the enactment of this Act, the Administrator shall transmit to the Congress a report on the results of the review carried out under this section.

SEC. 315. CARBON CYCLE REMOTE SENSING APPLICATIONS RESEARCH.

(a) CARBON CYCLE REMOTE SENSING APPLICATIONS RESEARCH PROGRAM.—

(1) IN GENERAL.—The Administrator shall develop a carbon cycle remote sensing applications research program—

(A) to provide a comprehensive view of vegetation conditions;

(B) to assess and model agricultural carbon sequestration; and

(C) to encourage the development of commercial products, as appropriate.

(2) USE OF CENTERS.—The Administrator of the National Aeronautics and Space Administration shall use regional earth science application centers to conduct applications research under this section.

(3) RESEARCHED AREAS.—The areas that shall be the subjects of research conducted under this section include—

(A) the mapping of carbon-sequestering land use and land cover;

(B) the monitoring of changes in land cover and management;

(C) new approaches for the remote sensing of soil carbon; and

(D) region-scale carbon sequestration estimation.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 of funds authorized by section 102 for fiscal years 2001 through 2002.

SEC. 316. REMOTE SENSING FOR AGRICULTURAL AND RESOURCE MANAGEMENT.

(a) INFORMATION DEVELOPMENT.—The Administrator shall—

(1) consult with the Secretary of Agriculture to determine data product types that are of use to farmers which can be remotely sensed from air or space;

(2) consider useful commercial data products related to agriculture as identified by the focused research program between the National Aeronautics and Space Administration's Stennis Space Center and the Department of Agriculture; and

(3) examine other data sources, including commercial sources, LightSAR, RADARSAT I, and RADARSAT II, which can provide domestic and international agricultural information relating to crop conditions, fertilization and irrigation needs, pest infiltration, soil conditions, projected food, feed, and fiber production, and other related subjects.

(b) PLAN.—After performing the activities described in subsection (a) the Administrator shall, in consultation with the Secretary of Agriculture, develop a plan to inform farmers and other prospective users about the use and availability of remote sensing products that may assist with agricultural and forestry applications identified in subsection (a). The Administrator shall transmit such plan to the Congress not later than 180 days after the date of the enactment of this Act.

(c) IMPLEMENTATION.—Not later than 90 days after the plan has been transmitted under subsection (b), the Administrator shall implement the plan.

SEC. 317. 100TH ANNIVERSARY OF FLIGHT EDUCATIONAL INITIATIVE.

(a) EDUCATIONAL INITIATIVE.—In recognition of the 100th anniversary of the first powered flight, the Administrator, in coordination with the Secretary of Education, shall develop and provide for the distribution, for use in the 2001–2002 academic year and thereafter, of age-appropriate educational materials, for use at the kindergarten, elementary, and secondary levels,

on the history of flight, the contribution of flight to global development in the 20th century, the practical benefits of aeronautics and space flight to society, the scientific and mathematical principles used in flight, and any other related topics the Administrator considers appropriate. The Administrator shall integrate into the educational materials plans for the development and flight of the Mars plane.

(b) REPORT TO CONGRESS.—Not later than December 1, 2000, the Administrator shall transmit a report to the Congress on activities undertaken pursuant to this section.

SEC. 318. INTERNET AVAILABILITY OF INFORMATION.

Upon the conclusion of the research under a research grant or award of $50,000 or more made with funds authorized by this Act, the Administrator shall make available through the Internet home page of the National Aeronautics and Space Administration a brief summary of the results and importance of such research grant or award. Nothing in this section shall be construed to require or permit the release of any information prohibited by law or regulation from being released to the public.

SEC. 319. SENSE OF THE CONGRESS; REQUIREMENT REGARDING NOTICE.

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

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Administrator shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

SEC. 320. ANTI-DRUG MESSAGE ON INTERNET SITES.

Not later than 90 days after the date of the enactment of this Act, the Administrator, in consultation with the Director of the Office of National Drug Control Policy, shall place anti-drug messages on Internet sites controlled by the National Aeronautics and Space Administration.

SEC. 321. ENHANCEMENT OF SCIENCE AND MATHEMATICS PROGRAMS.

(a) DEFINITIONS.—In this section:

(1) EDUCATIONALLY USEFUL FEDERAL EQUIPMENT.—The term ''educationally useful Federal equipment'' means computers and related peripheral tools and research equipment that is appropriate for use in schools.

(2) SCHOOL.—The term ''school'' means a public or private educational institution that serves any of the grades of kindergarten through grade 12.

(b) SENSE OF CONGRESS.—

(1) IN GENERAL.—It is the sense of Congress that the Administrator should, to the greatest extent practicable and in a manner consistent with applicable Federal law (including Executive Order No. 12999), donate educationally useful Federal equipment to schools in order to enhance the science and mathematics programs of those schools.

(2) REPORTS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Administrator shall prepare and submit to Congress a report describing any donations of educationally useful Federal equipment to schools made during the period covered by the report.

SEC. 322. SPACE ADVERTISING.

(a) DEFINITION.—Section 70102 of title 49, United States Code, is amended—

(1) by redesignating paragraphs (8) through (16) as paragraphs (9) through (17), respectively; and

(2) by inserting after paragraph (7) the following:

''(8) 'obtrusive space advertising' means advertising in outer space that is capable of being recognized by a human being on the surface of the Earth without the aid of a telescope or other technological device.''.

(b) PROHIBITION.—Chapter 701 of title 49, United States Code, is amended by inserting after section 70109 the following new section:

''§ 70109a. Space advertising

''(a) LICENSING.—Notwithstanding the provisions of this chapter or any other provision of law, the Secretary may not, for the launch of a payload containing any material to be used for the purposes of obtrusive space advertising—

''(1) issue or transfer a license under this chapter; or

''(2) waive the license requirements of this chapter.

''(b) LAUNCHING.—No holder of a license under this chapter may launch a payload containing any material to be used for purposes of obtrusive space advertising.

''(c) COMMERCIAL SPACE ADVERTISING.—Nothing in this section shall apply to nonobtrusive commercial space advertising, including advertising on—

''(1) commercial space transportation vehicles;

''(2) space infrastructure payloads;

''(3) space launch facilities; and

''(4) launch support facilities.''.

(c) NEGOTIATION WITH FOREIGN LAUNCHING NATIONS.—(1) The President is requested to negotiate with foreign launching nations for the purpose of reaching 1 or more agreements that prohibit the use of outer space for obtrusive space advertising purposes.

(2) It is the sense of Congress that the President should take such action as is appropriate and feasible to enforce the terms of any agreement to prohibit the use of outer space for obtrusive space advertising purposes.

(3) As used in this subsection, the term ''foreign launching nation'' means a nation—

(A) that launches, or procures the launching of, a payload into outer space; or

(B) from the territory or facility of which a payload is launched into outer space.

(d) CLERICAL AMENDMENT.—The table of sections for chapter 701 is amended by inserting after the item relating to section 70109 the following:

''70109a. Space advertising.''.

SEC. 323. AERONAUTICAL RESEARCH.

(a) FLIGHT RESEARCH STUDY.—

(1) IN GENERAL.—Within 6 months after the date of the enactment of this Act, the Administrator shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives the results of an engineering study of the modifications necessary for the more effective use of the WB–57 flight research plan.

(2) CONTENTS OF STUDY.—The engineering study provided by the Administrator under paragraph (1) shall address at least the following issues:

(A) Replacement of autopilot.

(B) Replacement of landing gear or improved brake system.

(C) Upgrade of avionics.

(D) Upgrade of engines for higher flight regimes.

(E) Installation of winglets on aircraft wings.

(F) Research benefits to be derived from modifications of plane.

(G) Associated costs of each of the modifications.

(b) AIRCRAFT ICING RESEARCH PLAN.—

(1) IN GENERAL.—Within 90 days after the date of the enactment of this Act, the Administrator shall submit a plan to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives for aircraft icing research to be conducted over the 5-year period commencing on October 1, 2000.

(2) CONTENTS OF THE PLAN.—The aircraft icing research plan submitted by the Administrator under paragraph (1) shall include at least the following items:

(A) Research goals and objectives.

(B) Funding levels for each of the 5 fiscal years.

(C) Anticipated extent and nature of involvement in the research program by agencies, organizations, and companies, both domestic and foreign, other than the National Aeronautics and Space Administration.

(D) Anticipated resource requirements and locations of aircraft icing tunnel research and flight research for each of the 5 fiscal years.

SEC. 324. INSURANCE, INDEMNIFICATION, AND CROSS-WAIVERS.

(a) TECHNICAL AMENDMENT.—Title III of the National Aeronautics and Space Act of 1958 is amended—

(1) by redesignating sections 309 through 311 as sections 310 through 312, respectively; and

(2) by inserting ''SEC. 309.'' before ''(a) IN GENERAL.—'' in the undesignated section added by section 435 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000.

(b) AMENDMENTS.—Section 309 of the National Aeronautics and Space Act of 1958 (as so designated by subsection (a)(2) of this section) is amended—

(1) in subsection (c)(1), by striking ''departments, agencies, and related entities'' and inserting ''departments, agencies, and instrumentalities'';

(2) in subsection (c)(2), by adding at the end the following new subparagraph:

''(D) WILLFUL MISCONDUCT.—A reciprocal waiver under paragraph (1) may not relieve the United States, the developer, the cooperating party, or the related entities of the developer or cooperating party, of liability for damage or loss resulting from willful misconduct.''; and

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

''(f) TERMINATION.—

''(1) IN GENERAL.—The provisions of this section shall terminate on December 31, 2002, except that the Administrator may extend the termination date to a date not later than September 30, 2005, if the Administrator determines that such extension is in the interests of the United States.

''(2) EFFECT OF TERMINATION ON AGREEMENT.—The termination of this section shall not terminate or otherwise affect any cross-waiver agreement, insurance agreement, indemnification agreement, or other agreement entered into under this section, except as may be provided in that agreement.''.

SEC. 325. USE OF ABANDONED, UNDERUTILIZED, AND EXCESS BUILDINGS, GROUNDS, AND FACILITIES.

(a) IN GENERAL.—In any case in which the Administrator considers the purchase, lease, or expansion of a facility to meet requirements of the National Aeronautics and Space Administration, the Administrator shall consider whether those requirements could be met by the use of one of the following:

(1) Abandoned or underutilized buildings, grounds, and facilities in depressed communities that can be converted to National Aeronautics and Space Administration usage at a reasonable cost, as determined by the Administrator.

(2) Any military installation that is closed or being closed, or any facility at such an installation.

(3) Any other facility or part of a facility that the Administrator determines to be—

(A) owned or leased by the United States for the use of another agency of the Federal Government; and

(B) considered by the head of the agency involved—

(i) to be excess to the needs of that agency; or

(ii) to be underutilized by that agency.

(b) DEFINITION.—For the purposes of this section, the term ''depressed communities'' means

rural and urban communities that are relatively depressed, in terms of age of housing, extent of poverty, growth of per capita income, extent of unemployment, job lag, or surplus labor.

And the Senate agree to the same.

F. JAMES SENSENBRENNER, Jr.,
DANA ROHRABACHER,
DAVE WELDON,
RALPH M. HALL,
BART GORDON,
Managers on the Part of the House.

JOHN MCCAIN,
TED STEVENS,
BILL FRIST,
FRITZ HOLLINGS,
JOHN BREAUX,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1654), to authorize appropriations for the National Aeronautics and Space Administration for fiscal years 2000, 2001, and 2002, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The Senate amendment struck all of the House bill after the enacting clause and inserted a substitute text.

The House recedes from its disagreement to the amendment of the Senate with an amendment that is a substitute for the House bill and the Senate amendment. The differences between the House bill, the Senate amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clerical changes.

The House and Senate authorization bills were passed in 1999 and based on the fiscal year (FY) 2000 budget request. Both bills authorized funding for FY 2000 through FY 2002 based on the budget runouts provided with the President's FY 2000 request for NASA funding. However, conference discussions were still underway when the President unveiled his FY 2001 budget request. The FY 2001 budget request differed significantly from that projected in FY 2000. The FY 2001 budget contained significant increases in Space Science and Aerospace Technology and minor reductions in Human Spaceflight and Earth Science, reflecting that the International Space Station (ISS) and the first phase of the EOS program had passed the peak of their development costs. Consequently, the conferees adjusted the conference text to reflect the new information contained in the FY 2001 request.

TITLE I. AUTHORIZATION OF APPROPRIATIONS

(Subtitle A)

Human Spaceflight. The President requested $5,499,900,000 for Human Spaceflight in FY 2001. Conferees agreed to $5,499,900,000 for Human Spaceflight in FY 2001. The conferees provided funding for International Space Station, the Space Shuttle, Payload/ELV Support and Investments and Support at the level of the President's request. Concerned about past Administration cuts to the International Space Station research activities, the conferees adopted a House provision setting aside $455,400,000 of the amount authorized for Space Station research and assigning the Office of Life and Microgravity Sciences and Applications responsibility for administering those funds.

The Senate-passed authorization bill excluded $200 million in funding in the Space Station funding account for the Propulsion Module due to lack of specific plans. Conferees continue to be concerned given the recent significant cost increase of at least $150 million and schedule slippages of 18 months for the module. These cost increases and delays are even more alarming given the project is still in its early developmental stages. The conferees are also concerned about the lack of specific future plans for the Propulsion Module at this point.

The President requested $5,387,600,000 for Human Spaceflight in FY 2002. Conferees agreed to authorize $5,387,600,000 for Human Spaceflight in FY 2002. The conferees provided funding for International Space Station, the Space Shuttle, Payload/ELV Support and Investments and Support at the level of the President's request. Concerned about past Administration cuts to the International Space Station research activities, the conferees adopted a House provision setting aside $451,600,000 of the amount authorized for Space Station research and assigning the Office of Life and Microgravity Sciences and Applications responsibility for administering those funds. The conferees also agreed to authorize $20,000,000 for Technology and Commercialization in FY 2001 and FY 2002.

Science, Aeronautics, and Technology. The President requested $2,398,800,000 for space science in FY 2001. Conferees agreed to authorize $2,417,800,000 for Space Science in FY 2001, $19,000,000 more than the President requested and $225,015,000 more than the FY 2000 appropriated level. The President requested $2,606,400,000 for space science in FY 2002. Conferees agreed to authorize $2,630,400,000 in FY 2002, $24,000,000 more than the Presidential request. Conferees also agreed to: House language stating that of the total authorized for Space Science $10,500,000 shall be for the Near Earth Object Survey in FY 2001 and FY 2002; $523,601,000 shall be for the Research Program in FY 2001 and $566,700,000 shall be for the Research Program in FY 2002; $12,000,000 shall be for Space Solar Power technology in FY 2001 and FY 2002; and $5,000,000 shall be for Space Science Data Buys in FY 2002. Despite the loss of both Mars 1998 missions, the conferees remain committed to exploring Mars and support the President's decision to increase the Mars program's baseline funding by $347,400,000 over the period FY 2001 through FY 2005 in his FY 2001 budget request. Moreover, the conferees continue to endorse NASA's faster, better, cheaper concept and believe that a greater number of small missions will do more to advance certain scientific goals than large missions launched just once every decade. Nevertheless, better definition of the concept is needed for proper and effective implementation.

The President requested $302,400,000 for Life and Microgravity Science in FY 2001 and $300,300,000 for FY 2002. The conferees are concerned that past cuts to Life and Microgravity research are impeding scientific progress and undermining the future readiness of the scientific community to fully utilize the ISS. The conferees agreed to authorize $335,200,000 and $344,000,000 for Life and Microgravity research in FY 2001 and FY 2002, respectively. Together, these represent an increase of $76,500,000, nearly 13% over the President's request for both years. Given NASA's development of non-invasive diagnostic capabilities in the life sciences, conferees adopted House language setting aside $2,000,000 of the amount authorized for FY 2001 and FY 2002 for research and early detection systems for breast and ovarian cancer. Conferees also adopted Senate language setting aside $2,000,000 of the amount authorized for FY 2001 and FY 2002 for clinical trials of islet transplantation technology for Type I diabetes patients developed as a result of past space flight activities. Finally, conferees adopted House language signaling that $70,000,000 of funds authorized for FY 2001 and $80,800,000 of funds authorized for FY 2002 may be used for research associated with the ISS. These amounts signify continuing Congressional commitment to restoring past cuts to the Life and Microgravity research budget and a desire to improve the role of the Life and Microgravity research community in planning Space Station research activities.

For Earth Science, the President requested $1,405,800,000 in FY 2001 and $1,332,500,000 in FY 2002. The House authorized $1,413,300,000 and the Senate authorized $1,502,873,000 for Earth Science in FY 2001. The House authorized $1,365,300,000 and the Senate authorized $1,547,959,000 for Earth Science in FY 2002. Conferees agreed to authorize $1,430,800,000 and $1,357,500,000 for earth science in FY 2001 and FY 2002 respectively. The House-passed bill terminated the Triana spacecraft. The Senate did not eliminate the program; the House receded to the Senate.

In Aerospace Technology, the President requested $1,193,000,000 in FY 2001 and $1,548,900,000 in FY 2002. Conferees agreed to authorize $1,224,000,000 in FY 2001, $31,000,000 more than the President requested, and $1,574,900,000 in FY 2002, $26,000,000 more than the President requested. In aeronautics, the conferees are concerned about the continuing decline in funding for aeronautics research over the last several years and agreed to authorize funding of $36,000,000 in FY 2001 and FY 2002 for NASA's Quiet Aircraft Technology programs, $70,000,000 in FY 2001 and FY 2002 for its Aviation Safety programs, and $50,000,000 in FY 2001 and FY 2002 for its ultra-efficient engine technology program. The conferees reaffirm Congress' commitment to a strong NASA aeronautical R&D program, and believe that it will be necessary to make appropriate investments in the modernization of NASA'a aeronautical research facilities to keep pace with the full range of current and emerging aeronautical R&D challenges. Conferees provided full funding for the Space Launch Initiative, singling out the Second Generation RLV Program for funding. Moreover, the conferees endorse the general approach and plan to preserve competition among technological concepts within the SLI as laid out by NASA in briefings and presentations to the respective authorizing committees. The investigation of multiple technological concepts could include examination of such concepts as Two-Stage-to-Orbit, Single-Stage-to-Orbit, Vertical-Takeoff-Vertical-Landing (for which potential military applications are envisioned by some observers), and air-launched systems, among others. The conferees further note that NASA's plan for ''Alternative Access'' to the International Space Station is contained within the Space Launch Initiative budget profile and commend NASA for seeking means of reducing our dependence on the Space Shuttle and Russian Soyuz and Progress vehicles for access to ISS. The conferees believe it will be necessary to make appropriate investments in the modernization of NASA's rocket engine testing facilities to keep pace with the development of the Second Generation RLV program, particularly given NASA's plan to develop some air-breathing engine technologies.

The President requested $100,000,000 for Academic Programs in FY 2001 and FY 2002, a $41,300,000 reduction from the FY 2000 funding appropriated by Congress. The House passed bill provided $128,600,000 in FY 2001 and $130,600,000 in FY 2002. The Senate bill

provided $133,900,000 and $137,917,000 in FY 2001 and FY 2002 respectively. Conferees recommended authorizing $141,300,000 for FY 2001 and $141,300,000 for FY 2002. Within those authorizations, $11,800,000 in FY 2001 shall be for Teacher/Faculty Preparation and Enhancement Programs and $11,800,000 in FY 2001 shall be for the Experimental Program to Stimulate Competitive Research. Conferees authorized both programs at the level of $12,500,000 in FY 2002. The conferees also agreed that $28,000,000 of the funds authorized shall be for Space Grant Colleges in both FY 2001 and FY 2002. Finally, the Conferees agreed that $54,000,000 in both FY 2001 and FY 2002 shall be for minority university research and education, including $35,900,000 for Historically Black Colleges and Universities.

Mission Support, NASA Inspector General, & Total Authorization. In Mission Support, the conferees recommended funding the President's request of $2,584,000,000 in FY 2001 and $2,666,200,000 in FY 2002. Conferees also agreed to authorize $20,000,000 for the NASA Inspector General in FY 2000, $22,000,000 in FY 2001 and $22,700,000 in FY 2002 as requested by the President.

The conferees authorized $13,600,800,000 for NASA in FY 2000, reflecting the FY 2000 appropriations and including $5,487,900,000 for Human Spaceflight, $5,580,900,000 for Science, Aeronautics and Technology, $2,512,000,000 for Mission Support, and $20,000,000 for the NASA Inspector General. The total amount of funding authorized for NASA is $14,184,400,000 in FY 2001, which is $149,100,000 more than the President requested. The total amount authorized for FY 2002 is $14,625,400,000, which is $160,000,000 more than the President's outyear budget projections.

The conferees have been concerned about the need to ensure that NASA's personnel and facilities will be able to support a robust and safe space and aeronautics program over the next decade and beyond. In particular, the conferees note the high portion of NASA personnel that are at, or near, the age for retirement eligibility. In addition, the conferees note the importance of ensuring the continued safety of workers and property at NASA's facilities. Therefore, the conferees expect the Administrator to report to Congress by April 1, 2001 on NASA's plans and anticipated resource requirements for (1) ensuring that critical technical and managerial skills are maintained throughout the space agency, including plans for hiring new personnel as appropriate; and (2) plans for investing in the maintenance and upgrading of facilities and equipment to ensure the safety of both workers and property.

Policy provisions (Subtitle B)

The House bill contained Section 125, authorizing $50,000,000 in FY 2001 and FY 2002 for Earth Science data purchases. The House sought to create a mechanism by which scientists could exploit for scientific purposes the hundreds of millions of dollars in private investment in remote sensing capabilities. Believing that a market is the most efficient way of allocating limited resources, the House sought to create competition among data providers to meet scientist's needs, thereby creating pressures that would result in falling prices and increased quality in the long term. Moreover, by directly authorizing scientists to procure data, the House intended to place greater decision-making authority directly in the hands of principal investigators studying the Earth system. The Senate bill contained no data purchase program, so the conferees agreed to split the difference by authorizing a $25 million program. In order to fund that activity in a manner that does not disrupt the ongoing Earth Science programs, the conferees have augmented the funding for Earth Science by an equivalent amount in both FY 2001 and FY 2002. The conferees expect the Administrator to report to the Congress by April 1, 2001 on NASA's long-term plan to promote scientific applications of U.S. commercial remote sensing capabilities through the purchase of data, development of applications, and collaboration with industry, research universities, and other government agencies.

Section 126 was modified during House consideration of H.R. 1654. The amendment, patterned after language adopted in the FY 2000 defense authorization bill, is intended to ensure that cooperative agreements between NASA and the People's Republic of China will not benefit, directly or indirectly, the People's Republic of China in its efforts to develop new space launch and ballistic missile capabilities. Subparagraph (a)(3) requires the NASA Inspector General to review NASA's compliance with existing export control obligations in consultation with the appropriate agencies of the federal government. For the purposes of this section, ''appropriate agencies'' refers generally to the U.S. national security, intelligence, export control, and counter-intelligence/law enforcement communities, including the Central Intelligence Agency, the Defense Intelligence Agency, and the Departments of State, Defense, Justice, and Commerce. The Senate bill contained no such provision. After adopting some clarifying language, the Senate receded to the House position.

Section 127 was contained in the House bill as introduced. The measure prohibits NASA from obligating funds to define, design, procure, or develop an inflatable space structure to replace any baseline ISS module. House conferees are particularly concerned about the potential for further perturbations to the baseline ISS design, which are likely to increase cost, technical risk, and schedule slips. Indeed, NASA was pursuing Transhab as an inflatable replacement for the already-built habitation module's pressure vessel at a time when early cost projections indicated Transhab would cost several tens of millions more to complete. The Senate bill contained no such provision. After some discussion, the conferees agreed to modify the language to enable NASA to lease a privately defined, designed, and developed Transhab, provided that such a structure would not expose the U.S. government or the International Space Station to greater cost or schedule risks. It should be noted that the leasing option still precludes NASA from obligating funds for NASA to design, define (beyond the specification of requirements to be met by the commercially provided structure), or develop an inflatable structure to replace any baselined ISS module and that any lease payments may not total more than the remaining cost of the habitation module. Conferees gave NASA until April 1, 2001 to assess its options and report its recommendations on Transhab to the Congress. Such a report should include a cost-benefit analysis of the fiscal, programmatic, schedule, and technical risks of three options: (1) sticking with the baseline ISS design; (2) replacing the baselined habitation module with a commercially-developed and owned inflatable structure; or (3) looking to inflatable structures as potential enhancements to the ISS after assembly complete. The April 1 report should contain NASA's recommendation on whether or not to pursue a Transhab option.

TITLE II. INTERNATIONAL SPACE STATION

The Senate-passed bill contained a Title regarding the ISS which included sections for dealing with Russian contingencies and a total program funding cap. The House receded to the Senate position. The Senate-passed language was modified where appropriate and adopted.

Section 201. International Space Station contingency plan

Section 201 seeks to address concerns over the International Space Station created by Russia's difficulties in meeting its commitments to the International Space Station (ISS) partnership. The section requires a bimonthly status report on Russia's progress in meeting its obligations and a notification requirement in the event of a decision to replace any Russian elements in the critical path of the International Space Station or Russian launch services.

Conferees also adopted language directing the United States government to seek assurances from the Russian government that the latter places a higher priority on ISS than on its aging Mir space station and that ISS-dedicated resources will not be used to extend further Mir's orbital life. The conferees are especially concerned that earlier this year Russia diverted a Soyuz vehicle and two Progress vehicles that were originally intended to support ISS to instead service the Mir. Although the conferees applaud the successful launching of the Russian Service Module and note Russia's assurances that the diverted vehicles will be replaced, they want to stress the importance that Congress attaches to the need for Russia to fulfill all of its remaining commitments to the ISS.

The Intergovernmental Agreement (IGA), voluntarily signed by each participating country, delineates the roles and responsibilities of all ISS partners. The conferees maintain that in the event that any International Partner willfully violates any of its commitments or agreements for the provision of agreed-upon Space Station hardware or related goods or services, the NASA Administrator should, in a manner consistent with relevant international agreements, seek a commensurate reduction in the utilization rights of that partner until such time as the violated commitments or agreements have been fulfilled. It is important to the conferees that the IGA remain equitable.

Finally, the conferees adopted language directing the Administrator to seek, in a manner consistent with relevant international agreements, to reduce NASA's share of ISS common operating costs as a result of any additional capabilities added to the ISS through NASA's Russian Program Assurance activities.

Section 202. Cost limitations for the International Space Station

Conferees have adopted language that would place a cost limitation on the International Space Station. The limitation would establish a limit of $25 billion for the development of ISS and $17.7 billion for the use of the Space Shuttle for the assembly of the Station until the point of substantial completion. Substantial completion has been defined as the point when development costs comprise 5 percent or less of the total ISS costs for the fiscal year. Conferees feel that at this point in the program, the majority of the activities are truly beyond the development phase of the project. The charge against the limitation of using the Shuttle shall not exceed $380 million per launch. If the actual costs are less, verification and reporting requirements have been established. The Administrator of NASA is required to provide written notice and analysis of any changes to the limitations set forth on the Station and the Shuttle program.

Furthermore, an additional 20 percent ($5 billion for ISS and $3.54 billion for the Shuttle program) has been authorized to address contingencies identified within the cost limitation. Within the contingencies, the conferees have given NASA additional flexibility to address, through additional shuttle launches, urgent threats to crew safety or

the integrity of the ISS. It is expected that these contingencies would provide NASA the necessary resources to address any urgent situation on the Station. The conferees want to emphasize the importance they attach to the safety of the Space Shuttle and ISS programs. Annual reporting and review requirements have also been identified and are to be included as part of the budget request for each fiscal year.

Section 203. Research on International Space Station

The conferees note with growing concern that the gaps between space-based life and microgravity research opportunities are growing. Consequently, the scientific disciplines associated with this research risk stagnating, creating the possibility that the scientific community will not be prepared to fully exploit the scientific potential of the space stations. To address these concerns, Congress has, for several years, provided funding for a dedicated research flight aboard the Space Shuttle. As adopted in the House, H.R. 1654 contained language calling for a joint study by the National Research Council and the National Academy of Public Administration to review the readiness of the U.S. scientific community to use the space station, identify obstacles, and make recommendations to ensure that the U.S. scientific community is able to fully exploit the space station.

Section 205. Space Station Research utilization and commercialization management

The conferees further note that as the International Space Station approaches full assembly, NASA must begin to focus on establishing an organization infrastructure capable of ensuring that the International Space Station is fully and effectively utilized for scientific and engineering research. The conferees commend NASA for initiating a review of management structures by the National Research Council's Space Studies Board and Aeronautics and Space Engineering Board. The National Research Council recommended that ''a consortium led by a research institution or group of institutions, governed by an independent board of directors, managed by a strong scientific director, and guided by an advisory process that is broadly representative of the research community'' be charged with managing scientific activities aboard ISS. The conferees further note that NASA has had success with utilizing non-government organizations for the operation of major scientific research programs, such as the Hubble Space Telescope. Conferees are also concerned about commercialization opportunities aboard the Space Station. The non-government organization should ensure that equitable opportunities exist for industry to participate in activities. NASA should work with the Department of Commerce's Office of Space Commercialization to ensure that the selected non-government organization has adequate expertise in this area. The conferees therefore direct NASA to enter into an agreement with a non-government organization that will manage the research utilization and commercialization aspects of the International Space Station. The non-government organization should be selected competitively.

TITLE III. MISCELLANEOUS

The House-passed bill contained language that conferees adopted as Section 304, Cost Effectiveness Calculations. The provision is intended to improve the information available to policymakers by directing NASA to compare the price a private company would charge to provide a good or service with the total cost (using full-cost accounting principles) to NASA of performing the same function when performing cost-effectiveness calculations. The measure will help discourage the current practice of disguising a program's true cost to the American taxpayer by discounting the overhead and personnel costs associated with the program or mission and enable NASA to make rational decisions about out-sourcing certain activities. The conferees note that cost-effectiveness is not the only appropriate measure or factor to be considered when deciding whether to outsource certain activities. NASA's need to maintain a skilled workforce and its experience with certain kinds of technologies often will make it better-suited to perform a program or mission than a lower-cost contractor. In addition, the need to meet mission requirements and to avoid the assumption of unacceptable program risk also need to be weighed as part of the decision to outsource or not. Section 304 merely directs NASA to perform cost-effectiveness calculations in a certain way; it does not mandate that any decision be made based on that calculation.

Section 308 directs the Administrator to develop a plan for the integration of NASA's aeronautics and space transportation research and development activities. NASA has already administratively moved the two activities under one roof in reorganizing Code R. The conferees remain concerned that NASA's aeronautics activities have suffered from a lack of strategic direction and adequate funding in recent years. They note, however, that NASA's traditional aeronautics research activities have much to offer its space transportation activities and vice versa. NASA's Hyper-X vehicle, for example, has the potential to develop considerable information on high-speed flight through the atmosphere, while NASA's advanced cockpit development activities will have applications in the development of crewed space launch vehicles. It is hoped that the technology integration plan will lead NASA to determine the best means of fully exploiting the Space Launch Initiative funding wedge against those areas of research and development that will benefit both aeronautics and space transportation. Certainly, bringing the skills and knowledge resident in NASA's centers focused on aeronautics (Glenn Research Center, Langley Research Center, and the Dryden Flight Research Center) to bear on space transportation problems will benefit the Space Launch Initiative. As important, NASA will be better positioned to bring the lessons learned from the SLI investment into its aeronautics research programs. The conferees expect an integration plan to lay the groundwork for strengthening aeronautics research in the United States over the coming decade.

The Senate bill contained a section prohibiting obtrusive space advertising. The House bill contained no such provision and the House recedes to the Senate. In adopting this measure, which is section 322 in the conference report, the conferees are seeking to preserve a view of the sky that humanity has enjoyed since the beginning of human existence. Moreover, this section will help prevent new sources of interference with astronomy. The conferees note that obtrusive space advertising is defined as ''advertising in outer space that is capable of being recognized by a human being on the surface of the Earth without the aid of a telescope or other technological device,'' i.e., that which is recognizable to the human eye. The provision does not apply to commercial space advertising practices that are common today, such as the placement of logos on commercial space launch vehicles and payloads, since these symbols are not visible to a terrestrial human eye without the aid of a camera or some other viewing mechanism once the vehicles or facilities are in orbit.

The Senate-passed bill included two provisions related to indemnification, insurance, and cross-waivers of liability. Senate Section 203 provided for cross-waivers of liability for U.S. ISS contractors, and Senate Section 313 expanded the experimental aerospace vehicle indemnification regime to include vehicles under development on or before July 31, 1999. Subsequent to Senate passage of H.R. 1654, the Congress combined these regimes under Section 431 of Public Law 106–74, which establishes broad authority for NASA to enter into cross-waivers of liability as part of a cooperative agreement and to indemnify the developers of experimental aerospace vehicles for catastrophic losses. This regime is similar to the liability regime established for operational commercial launch vehicles under Title 49. However, the authority for operational vehicles periodically expires. The conferees agreed to a provision (Section 324) which sunsets NASA's broad authority on December 31, 2002. The Administration is permitted to extend the termination date to September 30, 2005 if the Administrator determines that such an extension is in the national interest.

F. JAMES SENSENBRENNER, Jr.,
DANA ROHRABACHER,
DAVE WELDON,
RALPH M. HALL,
BART GORDON,
Managers on the Part of the House.

JOHN MCCAIN,
TED STEVENS,
BILL FRIST,
FRITZ HOLLINGS,
JOHN BREAUX,
Managers on the Part of the Senate.

DECREASING REQUISITE BLOOD QUANTUM REQUIRED FOR MEMBERSHIP IN THE YSLETA DEL SUR PUEBLO TRIBE

Mr. WALDEN of Oregon. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1460) to amend the Ysleta del Sur Pueblo and Alabama and Coushatta Indian Tribes of Texas Restoration Act to decrease the requisite blood quantum required for membership in the Ysleta del Sur Pueblo tribe.

The Clerk read as follows:

H.R. 1460

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

SECTION 1. BLOOD QUANTUM REQUIRED FOR TRIBAL MEMBERSHIP DECREASED.

Section 108(a)(2)(i) of the Ysleta del Sur Pueblo and Alabama and Coushatta Indian Tribes of Texas Restoration Act (25 U.S.C. 1300g–7) is amended by striking ''⅛'' and inserting ''1/16''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon (Mr. WALDEN).

GENERAL LEAVE

Mr. WALDEN of Oregon. 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. 1460.

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

There was no objection.

Mr. WALDEN of Oregon. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1460 would amend the Ysleta del Sur Pueblo and the Alabama and Coushatta Indian Tribes of Texas Restoration Act to decrease the requisite blood quantum required for the membership in the Ysleta del Sur Pueblo tribe.

The 1987 Act, which restored recognition to the Ysleta del Sur Pueblo tribe, requires that this tribe's members have a blood quantum of at least one-eighth in order to qualify for tribal membership.

H.R. 1460 would amend the Ysleta Tribe's blood quantum requirement from one-eighth to one-sixteenth at the request of the tribe. There are currently 1,252 members of the Ysleta del Sur Pueblo Tribe.

This is an important bill to the Ysleta Tribe and I ask Members for their support.

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

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, I thank the gentleman from Oregon. I want to compliment the chief supporter of this legislation, the gentleman from Texas (Mr. REYES).

Mr. Speaker, H.R. 1460 is important legislation in that it provides assistance to the Ysleta del Sur Pueblo Tribe in Texas.

Mr. Speaker, I rise in support of H.R. 1460, which will reduce the blood quantum required for membership in the Ysleta del Sur Pueblo tribe from one-eight to one-sixteenth.

Congress has long recognized that inherent in the power of any tribal government is the power to set membership criteria and thereby determine who its members are. Absent some gross abuse of this power, I see no reason to interfere in this important area.

With regard to the Ysleta del Sur Pueblo tribe, as I understand it, the tribe has asked that the blood quantum requirement be set in public law. And while I personally am opposed to blood quantum requirements, and believe better criteria exist, this change is well within the tribe's authority, and I support their request.

It is my understanding that the tribe has about 1,200 members. Presumably with tribal members marrying non-tribal members, and the older tribal members passing away, the tribal council believes it won't be long before there won't be much of a tribe left. I am pleased to see that the tribal council is addressing this issue now rather than wait until there is a crisis, or run the risk of losing their identity as a tribe.

I support this bill and urge my colleagues to vote aye.

Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. REYES).

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

Mr. REYES. Mr. Speaker, I want to thank both gentlemen for helping with this very important bill for the Tiqua Tribe in El Paso. It is an issue of fairness. It is one that I would urge all my colleagues to support. It is vitally important to be able to sustain the tribe in the coming years.

Mr. Speaker, I rise in strong support of H.R. 1460. As I walked over from my office a few minutes ago, I thought of a number of things that I wanted to tell you about how important this bill is to the members of the Tiqua tribe. I thought that I might tell you about the proud tradition and the remarkable history of the Ysleta del Sur tribe that dates back to prehistoric times. I thought that I might tell you about a unique group of individuals that will be reduced to a mere handful of members within a few generations if we fail to pass this bill, and I thought I might tell you about the disappointment and sorrow that the parents and members of the tribe have when a child is born, and because of the current blood quantum requirements, that child is excluded from tribal membership. I thought about talking about all of these things to you but decided that I would instead talk about fairness, about doing what is right and doing what is honorable.

This bill is not about money or power or politics. Its about the long-term existence of the Ysleta del Sur Pueblo, commonly known as the Tiqua Indian Tribe. The current statute requires that a person have a blood quantum of at least 1/8th in order to qualify for tribal membership. This bill would reduce the blood quantum requirement to at least 1/16th. There are currently only 1,252 members with the requisite blood quantum of 1/8th or more. When we pass this bill, another 500 members will be included in the tribal membership. This increase in numbers under the lowered blood quantum requirements would help to ensure that the offspring of tribal members who fall within those requirements would also qualify for tribal membership.

This is not rocket science. I don't have any charts and pictures to show you. All I have to offer is a profound sense of how important it is for individuals born to this tribe to belong to a family a culture and a people with a distinct place and tradition in America.

I urge you to support this bill and vote to reduce the blood quantum requirement for the Tiqua Indian tribe.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, H.R. 1460.

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.

GUAM WAR RESTITUTION ACT

Mr. WALDEN of Oregon. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 755) to amend the Organic Act of Guam to provide restitution to the people of Guam who suffered atrocities such as personal injury, forced labor, forced marches, internment, and death during the occupation of Guam in World War II, and for other purposes, as amended.

The Clerk read as follows:

H.R. 755

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 ''Guam War Claims Review Commission Act''.

SEC. 2. ESTABLISHMENT OF COMMISSION.

(a) ESTABLISHMENT.—There is hereby established a commission to be known as the ''Guam War Claims Review Commission'' (hereinafter referred to as the ''Commission'').

(b) MEMBERS.—The Commission shall be composed of 5 members who by virtue of their background and experience are particularly suited to contribute to the achievement of the purposes of the Commission. The members shall be appointed by the Secretary of the Interior not later than 60 days after funds are made available for this Act. Two of the members shall be selected as follows:

(1) One member appointed from a list of three names submitted by the Governor of Guam.

(2) One member appointed from a list of three names submitted by the Guam Delegate to the United States House of Representatives.

(c) CHAIRPERSON.—The Commission shall select a Chairman from among its members. The term of office shall be for the life of the Commission.

(d) COMPENSATION.—Members of the Commission shall not be paid for their service as members, but in the performance of their duties, shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(e) VACANCY.—Any vacancy in the Commission shall be filled in the same manner as the original appointment.

SEC. 3. STAFF.

The Commission may appoint and fix the pay of an executive director and other staff as it may require. The executive director and other staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter II of chapter 53 of such title, relating to the classification and General Schedule pay rates, except that the compensation of any employees of the Commission may not exceed a rate equivalent to the minimum rate of basic pay payable for GS–15 of the General Schedule under section 5332(a) of such title.

SEC. 4. ADMINISTRATIVE.

The Secretary of the Interior shall provide the Commission, on a reimbursable basis, such administrative support services as the Commission may request.

SEC. 5. DUTIES OF COMMISSION.

The Commission shall—

(1) review the facts and circumstances surrounding the implementation and administration of the Guam Meritorious Claims Act and the effectiveness of such Act in addressing the war claims of American nationals residing on Guam between December 8, 1941, and July 21, 1944;

(2) review all relevant Federal and Guam territorial laws, records of oral testimony previously taken, and documents in Guam and the Archives of the Federal Government regarding Federal payments of war claims in Guam;

(3) receive oral testimony of persons who personally experienced the taking and occupation of Guam by Japanese military forces, noting especially the effects of infliction of death, personal injury, forced labor, forced march, and internment;

(4) determine whether there was parity of war claims paid to the residents of Guam under the Guam Meritorious Claims Act with war claims paid to United States citizens or nationals who lived in or had holdings in foreign countries and other possessions of the United States occupied by the Japanese during World War II;

(5) estimate the total amount necessary to compensate the people of Guam for death, personal injury, forced labor, forced march, and internment; and

(6) not later than 9 months after the Commission is established submit a report, including any comments or recommendations for action, to the Secretary of the Interior, the Committee on Resources and the Committee on the Judiciary of the House of Representatives and the Committee on Energy and Natural Resources and the Committee on the Judiciary of the Senate.

SEC. 6. POWERS OF THE COMMISSION.

Subject to general policies that the Commission may adopt, the Chairman of the Commission—

(1) shall exercise the executive and administrative powers of the Commission; and

(2) may delegate such powers to the staff of the Commission.

SEC. 7. TERMINATION OF COMMISSION.

The Commission shall terminate 30 days after submission of its report.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated $500,000 to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentleman from Guam (Mr. UNDERWOOD) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon (Mr. WALDEN).

GENERAL LEAVE

Mr. WALDEN of Oregon. 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. 755, as amended.

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

There was no objection.

Mr. WALDEN of Oregon. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 755, the Guam War Restitution Act.

H.R. 755 will establish a temporary commission to review an important matter for the people of Guam that has been unresolved since World War II. An American territory, Guam, was invaded and occupied by Japan during the Second World War, and the U.S. nationals of Guam suffered immensely because of their loyalty to the United States.

Although there was an intention to provide restitution to the people of Guam for loss of life and property due to the war, post-war restitution acts by Congress inadvertently excluded the U.S. nationals of Guam.

H.R. 755 would create a temporary Federal commission lasting no more than 10 months and costing no more than half a million dollars. The commission would estimate the amount appropriate to compensate the people of Guam for their deaths, permanent injury, forward labor, forced marches, and internment during World War II.

The administration supports H.R. 755, and I ask my colleagues to vote in support of this very important piece of legislation.

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

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

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

Mr. UNDERWOOD. Mr. Speaker, today is a momentous occasion for the people of Guam. With the passage of this legislation, the Guam War Claims Review Commission, the people of Guam will move one step closer to being healed from the brutalities of enemy occupation during World War II.

For nearly 3 years the people of Guam were subjected to horrendous acts inflicted by an enemy occupier. Many were executed by firing squads or beheadings. The entire island was in fact an internment camp, and families whose lives were once consumed with farming and subsistence living were now forced to labor to the needs of its occupiers.

But the will of the people of Guam was much stronger than the infliction cast upon them by the Japanese. They concealed the presence of U.S. military men who remained on the island by moving them from house to house. They composed songs, such as ''Uncle Sam, please come back to Guam,'' and made makeshift American flags from tattered rags as a reminder that America would soon return.

Some even organized small militia units, often only teenaged boys, to bedevil Japan soldiers, hoping to ease the matter for the return of U.S. military forces, and America did. In July of 1944, U.S. naval forces began the liberation of Guam. For days they bombarded the island to draw out the enemy, and paved the way for America's invasion. Marines stormed the beaches of Guam's capital, Hagatna, and the southern villages of Asan, Sumay, and Agat. The liberation of Guam was achieved on July 21, 1944.

Soon after, the acting Secretary of the Navy, H. Strive Hensel, recommended to Congress that legislation be enacted to provide relief to the people of Guam through the settlement of meritorious claims. Congress responded by enacting the 1945 Guam Meritorious Claims Act, and authorized the Navy to adjudicate claims for property resulting from Japanese occupation. Claims in excess of $5,000 or for personal injury or death were to be forwarded to Congress for settlement.

Several years later, there was a civilian commission appointed by the Secretary of the Navy, referred to as the Hopkins Commission, to study and make recommendations on the naval administration of Guam. The Commission reported that the settlements and payments for war damage claims on property, personal injury, and death had proceeded slowly, and that immediate steps should be taken to hasten this process and to resolve unfair and unsound distinctions in the allowance for claims.

It was clear at this time that the Guam Meritorious Claims Act, as acknowledged even in 1947, was falling short of what the original intent was.

The Commission went on to report that because claims exceeding $5,000 needed to be forwarded to Congress, locals were more inclined to reduce their claim in order to receive financial help immediately.

Their final recommendation was that review in Washington of claims between $5,000 and $10,000 did not seem to serve any useful purpose, and that sufficient reliance and trust should be placed with naval authorities in Guam to safeguard the national interests.

Congress failed to act on the Commission's recommendation, and that is why we are here today. H.R. 755 establishes a Federal Commission to review the historical records of claims made by the people of Guam in the wake of World War II. The Commission will make its recommendation to Congress as to how we can finally resolve the issue of war claims for Guam.

For more than two decades, this issue has been aggressively pursued by the leaders of Guam. Locally, a Commission had been established to establish a record of claims that merited awards.

On the Federal level, each one of my predecessors has introduced legislation to address this issue. Their combind efforts have helped bring us to the point we are at today, the closest we have been. I am hopeful that once the work of the Commission is completed, we can finally heal this very painful memory and bring justice to the World War II generation in Guam.

I want to especially thank the chairman of the Committee on Resources, the gentleman from Alaska (Mr. YOUNG), for his assistance in bringing this matter to the floor, and our senior Democrat, the gentleman from California (Mr. GEORGE MILLER), for his steadfast support and cosponsorship of this measure, as well as the chairman, the gentleman from Illinois (Mr. HYDE), who has been very supportive of this endeavor.

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It has been with their help that we have been able to address past concerns on this issue and move forward legislation that brings us a step closer to justice.

Mr. Speaker, I yield 4 minutes to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

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

Mr. FALEOMAVAEGA. Mr. Speaker, I thank the gentleman from Guam (Mr. UNDERWOOD), the chief sponsor and author of this legislation for yielding me this time.

Mr. Speaker, as has been so eloquently stated by the gentleman from Guam (Mr. UNDERWOOD) and others before me, reparations to the people of Guam, who were subjected to death, personal injury, forced labor, forced march and internment during World War II is long, long overdue.

Mr. Speaker, before the military occupation of Guam, for some reason, it escapes me, at least this Member, the United States Territory of Guam was in existence. I have always asked the question why was it that these loyal Americans were not evacuated, properly evacuated before the occupation forces of Japan took over this island. Why was it that only U.S. citizens were evacuated? This bugs the heck out of me, Mr. Speaker.

As has been noted, Guam was the only land under the jurisdiction of the United States to be occupied by Japanese military forces during World War II. The people of Guam could have, I suppose, greeted this new force with open arms, and perhaps spared themselves some of the misery they suffered during 3 years of brutal occupation by military forces of the Japanese government. But these loyal Americans did not. They were proud Americans before the occupation, during the occupation, and after the occupation.

In response to their loyalty, Mr. Speaker, 55 years later, we are still debating whether we should establish a commission to study whether the people of Guam who suffered from such atrocities during this occupation period should receive proper reparations.

Mr. Speaker, it has been 55 years. Even the Navy supported reparations decades ago, and direct action on the part of this Congress is still long overdue.

Mr. Speaker, it is my understanding that legislation has been introduced for how many years now. I support this legislation but still feel compelled to speak out that we should be doing more. This bill was introduced 19 months ago. Today, with 19 legislative days left in the Congress, we are finally getting around to passing a bill which still has to go to the Senate.

Mr. Speaker, we can and we should do better than this. I urge my colleagues to support this bill.

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

Mr. Speaker, I thank the gentleman from American Samoa (Mr. FALEOMAVAEGA) for those very kind comments. Just on a personal note, I think this is a very emotional piece of legislation for the people of Guam in terms of my own family. My parents endured the occupation. I am the only member of my family that was born after World War II. I think the imprint of the war experience on our lives as a people and our lives as family members are very strong.

This will bring a justice and sense of fairness to a long struggle for the people of Guam and for all of the families of Guam.

Mr. GEORGE MILLER of California. Mr. Speaker, I rise in support of H.R. 755—the Guam War Claims Review Commission Act. I thank Mr. UNDERWOOD for his work on this substitute version of H.R. 755 which addresses concerns that have been raised in previous Congresses. This legislation has been, in one form or another, offered by every delegate from Guam to Congress since the people of Guam began electing delegates to Congress in the 1970's.

In my years of service on the Resources Committee, I have had the privilege of meeting many from Guam who traveled a great distance to share their wartime memories of Japanese occupation. Their stories are compelling and regrettable. Their experiences often sounded unbelievable but they were very real. I recall an elder woman who came to testify before our Committee—Mrs. Beatrice Elmsley. She bore a scar along her neck. A permanent reminder of her attempted beheading at the hands of Japanese soldiers.

To the American public, Guam's story is not widely well-known. The island's loyalty to the United States before, during, and after World War II has never been questioned. Our fellow citizens are proud and patriotic Americans and if they were not fully made whole from the atrocities they faced from Japanese occupation, then we should make a good faith effort to correct those errors.

That we have been able to overcome concerns raised in the past over this legislation, while still recognizing the validity of reexamining war claim awards made to the people of Guam in the wake of World War II, is truly a milestone. We would not have reached this point if it weren't for the patience, diligence, and tenacity of Mr. UNDERWOOD. I congratulate him for his persistence and ask my colleagues to give this measure their full support.

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

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

The SPEAKER pro tempore (Mr. STEARNS). The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, H.R. 755, 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.

The title of the bill was amended so as to read:

A bill to establish the Guam War Claims Review Commission.

A motion to reconsider was laid on the table.

FSC REPEAL AND EXTRA-TERRITORIAL INCOME EXCLUSION ACT OF 2000

Mr. ARCHER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4986) to amend the Internal Revenue Code of 1986 to repeal the provisions relating to foreign sales corporations (FSCs) and to exclude extraterritorial income from gross income, as amended.

The Clerk read as follows:

H.R. 4986

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

SECTION 1. SHORT TITLE.

(a) SHORT TITLE.—This Act may be cited as the ''FSC Repeal and Extraterritorial Income Exclusion Act of 2000''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

SEC. 2. REPEAL OF FOREIGN SALES CORPORATION RULES.

Subpart C of part III of subchapter N of chapter 1 (relating to taxation of foreign sales corporations) is hereby repealed.

SEC. 3. TREATMENT OF EXTRATERRITORIAL INCOME.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 (relating to items specifically excluded from gross income) is amended by inserting before section 115 the following new section:

''SEC. 114. EXTRATERRITORIAL INCOME.

''(a) EXCLUSION.—Gross income does not include extraterritorial income.

''(b) EXCEPTION.—Subsection (a) shall not apply to extraterritorial income which is not qualifying foreign trade income as determined under subpart E of part III of subchapter N.

''(c) DISALLOWANCE OF DEDUCTIONS.—

''(1) IN GENERAL.—Any deduction of a taxpayer allocated under paragraph (2) to extraterritorial income of the taxpayer excluded from gross income under subsection (a) shall not be allowed.

''(2) ALLOCATION.—Any deduction of the taxpayer properly apportioned and allocated to the extraterritorial income derived by the taxpayer from any transaction shall be allocated on a proportionate basis between—

''(A) the extraterritorial income derived from such transaction which is excluded from gross income under subsection (a), and

''(B) the extraterritorial income derived from such transaction which is not so excluded.

''(d) DENIAL OF CREDITS FOR CERTAIN FOREIGN TAXES.—Notwithstanding any other provision of this chapter, no credit shall be allowed under this chapter for any income, war profits, and excess profits taxes paid or accrued to any foreign country or possession of the United States with respect to extraterritorial income which is excluded from gross income under subsection (a).

''(e) EXTRATERRITORIAL INCOME.—For purposes of this section, the term 'extraterritorial income' means the gross income of the taxpayer attributable to foreign trading gross receipts (as defined in section 942) of the taxpayer.''

(b) QUALIFYING FOREIGN TRADE INCOME.—Part III of subchapter N of chapter 1 is amended by inserting after subpart D the following new subpart:

''Subpart E—Qualifying Foreign Trade Income

''Sec. 941. Qualifying foreign trade income.

''Sec. 942. Foreign trading gross receipts.

''Sec. 943. Other definitions and special rules.

''SEC. 941. QUALIFYING FOREIGN TRADE INCOME.

''(a) QUALIFYING FOREIGN TRADE INCOME.—For purposes of this subpart and section 114—

''(1) IN GENERAL.—The term 'qualifying foreign trade income' means, with respect to any transaction, the amount of gross income which, if excluded, will result in a reduction of the taxable income of the taxpayer from such transaction equal to the greatest of—

''(A) 30 percent of the foreign sale and leasing income derived by the taxpayer from such transaction,

''(B) 1.2 percent of the foreign trading gross receipts derived by the taxpayer from the transaction, or

''(C) 15 percent of the foreign trade income derived by the taxpayer from the transaction.

In no event shall the amount determined under subparagraph (B) exceed 200 percent of the amount determined under subparagraph (C).

''(2) ALTERNATIVE COMPUTATION.—A taxpayer may compute its qualifying foreign trade income under a subparagraph of paragraph (1) other than the subparagraph which results in the greatest amount of such income.

''(3) LIMITATION ON USE OF FOREIGN TRADING GROSS RECEIPTS METHOD.—If any person computes its qualifying foreign trade income from any transaction with respect to any property under paragraph (1)(B), the qualifying foreign trade income of such person (or any related person) with respect to any other transaction involving such property shall be zero.

''(4) RULES FOR MARGINAL COSTING.—The Secretary shall prescribe regulations setting forth rules for the allocation of expenditures in computing foreign trade income under paragraph (1)(C) in those cases where a taxpayer is seeking to establish or maintain a market for qualifying foreign trade property.

''(5) PARTICIPATION IN INTERNATIONAL BOYCOTTS, ETC.—Under regulations prescribed by the Secretary, the qualifying foreign trade income of a taxpayer for any taxable year shall be reduced (but not below zero) by the sum of—

''(A) an amount equal to such income multiplied by the international boycott factor determined under section 999, and

''(B) any illegal bribe, kickback, or other payment (within the meaning of section 162(c)) paid by or on behalf of the taxpayer directly or indirectly to an official, employee, or agent in fact of a government.

''(b) FOREIGN TRADE INCOME.—For purposes of this subpart—

''(1) IN GENERAL.—The term 'foreign trade income' means the taxable income of the taxpayer attributable to foreign trading gross receipts of the taxpayer.

''(2) SPECIAL RULE FOR COOPERATIVES.—In any case in which an organization to which part I of subchapter T applies which is engaged in the marketing of agricultural or horticultural products sells qualifying foreign trade property, in computing the taxable income of such cooperative, there shall not be taken into account any deduction allowable under subsection (b) or (c) of section 1382 (relating to patronage dividends, per-unit retain allocations, and nonpatronage distributions).

''(c) FOREIGN SALE AND LEASING INCOME.—For purposes of this section—

''(1) IN GENERAL.—The term 'foreign sale and leasing income' means, with respect to any transaction—

''(A) foreign trade income properly allocable to activities which—

''(i) are described in paragraph (2)(A)(i) or (3) of section 942(b), and

''(ii) are performed by the taxpayer (or any person acting under a contract with such taxpayer) outside the United States, or

''(B) foreign trade income derived by the taxpayer in connection with the lease or rental of qualifying foreign trade property for use by the lessee outside the United States.

''(2) SPECIAL RULES FOR LEASED PROPERTY.—

''(A) SALES INCOME.—The term 'foreign sale and leasing income' includes any foreign trade income derived by the taxpayer from the sale of property described in paragraph (1)(B).

''(B) LIMITATION IN CERTAIN CASES.—Except as provided in regulations, in the case of property which—

''(i) was manufactured, produced, grown, or extracted by the taxpayer, or

''(ii) was acquired by the taxpayer from a related person for a price which was not determined in accordance with the rules of section 482,

the amount of foreign trade income which may be treated as foreign sale and leasing income under paragraph (1)(B) or subparagraph (A) of this paragraph with respect to any transaction involving such property shall not exceed the amount which would have been determined if the taxpayer had acquired such property for the price determined in accordance with the rules of section 482.

''(3) SPECIAL RULES.—

''(A) EXCLUDED PROPERTY.—Foreign sale and leasing income shall not include any income properly allocable to excluded property described in subparagraph (B) of section 943(a)(3) (relating to intangibles).

''(B) ONLY DIRECT EXPENSES TAKEN INTO ACCOUNT.—For purposes of this subsection, any expense other than a directly allocable expense shall not be taken into account in computing foreign trade income.

''SEC. 942. FOREIGN TRADING GROSS RECEIPTS.

''(a) FOREIGN TRADING GROSS RECEIPTS.—

''(1) IN GENERAL.—Except as otherwise provided in this section, for purposes of this subpart, the term 'foreign trading gross receipts' means the gross receipts of the taxpayer which are—

''(A) from the sale, exchange, or other disposition of qualifying foreign trade property,

''(B) from the lease or rental of qualifying foreign trade property for use by the lessee outside the United States,

''(C) for services which are related and subsidiary to—

''(i) any sale, exchange, or other disposition of qualifying foreign trade property by such taxpayer, or

''(ii) any lease or rental of qualifying foreign trade property described in subparagraph (B) by such taxpayer,

''(D) for engineering or architectural services for construction projects located (or proposed for location) outside the United States, or

''(E) for the performance of managerial services for a person other than a related person in furtherance of the production of foreign trading gross receipts described in subparagraph (A), (B), or (C).

Subparagraph (E) shall not apply to a taxpayer for any taxable year unless at least 50 percent of its foreign trading gross receipts (determined without regard to this sentence) for such taxable year is derived from activities described in subparagraph (A), (B), or (C).

''(2) CERTAIN RECEIPTS EXCLUDED ON BASIS OF USE; SUBSIDIZED RECEIPTS EXCLUDED.—The term 'foreign trading gross receipts' shall not include receipts of a taxpayer from a transaction if—

''(A) the qualifying foreign trade property or services—

''(i) are for ultimate use in the United States, or

''(ii) are for use by the United States or any instrumentality thereof and such use of qualifying foreign trade property or services is required by law or regulation, or

''(B) such transaction is accomplished by a subsidy granted by the government (or any instrumentality thereof) of the country or possession in which the property is manufactured, produced, grown, or extracted.

''(3) ELECTION TO EXCLUDE CERTAIN RECEIPTS.—The term 'foreign trading gross receipts' shall not include gross receipts of a taxpayer from a transaction if the taxpayer elects not to have such receipts taken into account for purposes of this subpart.

''(b) FOREIGN ECONOMIC PROCESS REQUIREMENTS.—

''(1) IN GENERAL.—Except as provided in subsection (c), a taxpayer shall be treated as having foreign trading gross receipts from any transaction only if economic processes with respect to such transaction take place outside the United States as required by paragraph (2).

''(2) REQUIREMENT.—

''(A) IN GENERAL.—The requirements of this paragraph are met with respect to the gross receipts of a taxpayer derived from any transaction if—

''(i) such taxpayer (or any person acting under a contract with such taxpayer) has participated outside the United States in the solicitation (other than advertising), the negotiation, or the making of the contract relating to such transaction, and

''(ii) the foreign direct costs incurred by the taxpayer attributable to the transaction equal or exceed 50 percent of the total direct costs attributable to the transaction.

''(B) ALTERNATIVE 85-PERCENT TEST.—A taxpayer shall be treated as satisfying the requirements of subparagraph (A)(ii) with respect to any transaction if, with respect to each of at least 2 subparagraphs of paragraph (3), the foreign direct costs incurred by such taxpayer attributable to activities described in such subparagraph equal or exceed 85 percent of the total direct costs attributable to activities described in such subparagraph.

''(C) DEFINITIONS.—For purposes of this paragraph—

''(i) TOTAL DIRECT COSTS.—The term 'total direct costs' means, with respect to any transaction, the total direct costs incurred by the taxpayer attributable to activities described in paragraph (3) performed at any location by the taxpayer or any person acting under a contract with such taxpayer.

''(ii) FOREIGN DIRECT COSTS.—The term 'foreign direct costs' means, with respect to any transaction, the portion of the total direct costs which are attributable to activities performed outside the United States.

''(3) ACTIVITIES RELATING TO QUALIFYING FOREIGN TRADE PROPERTY.—The activities described in this paragraph are any of the following with respect to qualifying foreign trade property—

''(A) advertising and sales promotion,

''(B) the processing of customer orders and the arranging for delivery,

''(C) transportation outside the United States in connection with delivery to the customer,

''(D) the determination and transmittal of a final invoice or statement of account or the receipt of payment, and

''(E) the assumption of credit risk.

''(4) ECONOMIC PROCESSES PERFORMED BY RELATED PERSONS.—A taxpayer shall be treated as meeting the requirements of this subsection with respect to any sales transaction involving any property if any related person has met such requirements in such transaction or any other sales transaction involving such property.

''(c) EXCEPTION FROM FOREIGN ECONOMIC PROCESS REQUIREMENT.—

''(1) IN GENERAL.—The requirements of subsection (b) shall be treated as met for any taxable year if the foreign trading gross receipts of the taxpayer for such year do not exceed $5,000,000.

''(2) RECEIPTS OF RELATED PERSONS AGGREGATED.—All related persons shall be treated as one person for purposes of paragraph (1), and the limitation under paragraph (1) shall be allocated among such persons in a manner provided in regulations prescribed by the Secretary.

''(3) SPECIAL RULE FOR PASS-THRU ENTITIES.—In the case of a partnership, S corporation, or other pass-thru entity, the limitation under paragraph (1) shall apply with respect to the partnership, S corporation, or entity and with respect to each partner, shareholder, or other owner.

''SEC. 943. OTHER DEFINITIONS AND SPECIAL RULES.

''(a) QUALIFYING FOREIGN TRADE PROPERTY.—For purposes of this subpart—

''(1) IN GENERAL.—The term 'qualifying foreign trade property' means property—

''(A) manufactured, produced, grown, or extracted within or outside the United States,

''(B) held primarily for sale, lease, or rental, in the ordinary course of trade or business for direct use, consumption, or disposition outside the United States, and

''(C) not more than 50 percent of the fair market value of which is attributable to—

''(i) articles manufactured, produced, grown, or extracted outside the United States, and

''(ii) direct costs for labor (determined under the principles of section 263A) performed outside the United States.

For purposes of subparagraph (C), the fair market value of any article imported into the United States shall be its appraised value, as determined by the Secretary under section 402 of the Tariff Act of 1930 (19 U.S.C. 1401a) in connection with its importation, and the direct costs for labor under clause (ii) do not include costs that would be treated under the principles of section 263A as direct labor costs attributable to articles described in clause (i).

''(2) U.S. TAXATION TO ENSURE CONSISTENT TREATMENT.—Property which (without regard to this paragraph) is qualifying foreign trade property and which is manufactured, produced, grown, or extracted outside the United States shall be treated as qualifying foreign trade property only if it is manufactured, produced, grown, or extracted by—

''(A) a domestic corporation,

''(B) an individual who is a citizen or resident of the United States,

''(C) a foreign corporation with respect to which an election under subsection (e) (relating to foreign corporations electing to be subject to United States taxation) is in effect, or

''(D) a partnership or other pass-thru entity all of the partners or owners of which are described in subparagraph (A), (B), or (C).

Except as otherwise provided by the Secretary, tiered partnerships or pass-thru entities shall be treated as described in subparagraph (D) if each of the partnerships or entities is directly or indirectly wholly owned by persons described in subparagraph (A), (B), or (C).

''(3) EXCLUDED PROPERTY.—The term 'qualifying foreign trade property' shall not include—

''(A) property leased or rented by the taxpayer for use by any related person,

''(B) patents, inventions, models, designs, formulas, or processes whether or not patented, copyrights (other than films, tapes, records, or similar reproductions, and other than computer software (whether or not patented), for commercial or home use), goodwill, trademarks, trade brands, franchises, or other like property,

''(C) oil or gas (or any primary product thereof),

''(D) products the transfer of which is prohibited or curtailed to effectuate the policy set forth in paragraph (2)(C) of section 3 of Public Law 96–72, or

''(E) any unprocessed timber which is a softwood.

For purposes of subparagraph (E), the term 'unprocessed timber' means any log, cant, or similar form of timber.

''(4) PROPERTY IN SHORT SUPPLY.—If the President determines that the supply of any property described in paragraph (1) is insufficient to meet the requirements of the domestic economy, the President may by Executive order designate the property as in short supply. Any property so designated shall not be treated as qualifying foreign trade property during the period beginning with the date specified in the Executive order and ending with the date specified in an Executive order setting forth the President's determination that the property is no longer in short supply.

''(b) OTHER DEFINITIONS AND RULES.—For purposes of this subpart—

''(1) TRANSACTION.—

''(A) IN GENERAL.—The term 'transaction' means—

''(i) any sale, exchange, or other disposition,

''(ii) any lease or rental, and

''(iii) any furnishing of services.

''(B) GROUPING OF TRANSACTIONS.—To the extent provided in regulations, any provision of this subpart which, but for this subparagraph, would be applied on a transaction-by-transaction basis may be applied by the taxpayer on the basis of groups of transactions based on product lines or recognized industry or trade usage. Such regulations may permit different groupings for different purposes.

''(2) UNITED STATES DEFINED.—The term 'United States' includes the Commonwealth of Puerto Rico. The preceding sentence shall not apply for purposes of determining whether a corporation is a domestic corporation.

''(3) RELATED PERSON.—A person shall be related to another person if such persons are treated as a single employer under subsection (a) or (b) of section 52 or subsection (m) or (o) of section 414, except that determinations under subsections (a) and (b) of section 52 shall be made without regard to section 1563(b).

''(4) GROSS AND TAXABLE INCOME.—Section 114 shall not be taken into account in determining the amount of gross income or foreign trade income from any transaction.

''(c) SOURCE RULE.—Under regulations, in the case of qualifying foreign trade property manufactured, produced, grown, or extracted within the United States, the amount of income of a taxpayer from any sales transaction with respect to such property which is treated as from sources without the United States shall not exceed—

''(1) in the case of a taxpayer computing its qualifying foreign trade income under section 941(a)(1)(B), the amount of the taxpayer's foreign trade income which would (but for this subsection) be treated as from sources without the United States if the foreign trade income were reduced by an amount equal to 4 percent of the foreign trading gross receipts with respect to the transaction, and

''(2) in the case of a taxpayer computing its qualifying foreign trade income under section 941(a)(1)(C), 50 percent of the amount of the taxpayer's foreign trade income which would (but for this subsection) be treated as from sources without the United States.

''(d) TREATMENT OF WITHHOLDING TAXES.—

''(1) IN GENERAL.—For purposes of section 114(d), any withholding tax shall not be treated as paid or accrued with respect to extraterritorial income which is excluded from gross income under section 114(a). For purposes of this paragraph, the term 'withholding tax' means any tax which is imposed on a basis other than residence and for which credit is allowable under section 901 or 903.

''(2) EXCEPTION.—Paragraph (1) shall not apply to any taxpayer with respect to extraterritorial income from any transaction if the taxpayer computes its qualifying foreign trade income with respect to the transaction under section 941(a)(1)(A).

''(e) ELECTION TO BE TREATED AS DOMESTIC CORPORATION.—

''(1) IN GENERAL.—An applicable foreign corporation may elect to be treated as a domestic corporation for all purposes of this title if such corporation waives all benefits to such corporation granted by the United States under any treaty. No election under section 1362(a) may be made with respect to such corporation.

''(2) APPLICABLE FOREIGN CORPORATION.—For purposes of paragraph (1), the term 'applicable foreign corporation' means any foreign corporation if—

''(A) such corporation manufactures, produces, grows, or extracts property in the ordinary course of such corporation's trade or business, or

''(B) substantially all of the gross receipts of such corporation may reasonably be expected to be foreign trading gross receipts.

''(3) PERIOD OF ELECTION.—

''(A) IN GENERAL.—Except as otherwise provided in this paragraph, an election under paragraph (1) shall apply to the taxable year for which made and all subsequent taxable years unless revoked by the taxpayer. Any revocation of such election shall apply to taxable years beginning after such revocation.

''(B) TERMINATION.—If a corporation which made an election under paragraph (1) for any taxable year fails to meet the requirements of subparagraph (A) or (B) of paragraph (2) for any subsequent taxable year, such election shall not apply to any taxable year beginning after such subsequent taxable year.

''(C) EFFECT OF REVOCATION OR TERMINATION.—If a corporation which made an election under paragraph (1) revokes such election or such election is terminated under subparagraph (B), such corporation (and any successor corporation) may not make such election for any of the 5 taxable years beginning with the first taxable year for which such election is not in effect as a result of such revocation or termination.

''(4) SPECIAL RULES.—

''(A) REQUIREMENTS.—This subsection shall not apply to an applicable foreign corporation if such corporation fails to meet the requirements (if any) which the Secretary may prescribe to ensure that the taxes imposed by this chapter on such corporation are paid.

''(B) EFFECT OF ELECTION, REVOCATION, AND TERMINATION.—

''(i) ELECTION.—For purposes of section 367, a foreign corporation making an election under this subsection shall be treated as transferring (as of the first day of the first taxable year to which the election applies) all of its assets to a domestic corporation in connection with an exchange to which section 354 applies.

''(ii) REVOCATION AND TERMINATION.—For purposes of section 367, if—

''(I) an election is made by a corporation under paragraph (1) for any taxable year, and

''(II) such election ceases to apply for any subsequent taxable year,

such corporation shall be treated as a domestic corporation transferring (as of the 1st day of the first such subsequent taxable year

to which such election ceases to apply) all of its property to a foreign corporation in connection with an exchange to which section 354 applies.

''(C) ELIGIBILITY FOR ELECTION.—The Secretary may by regulation designate one or more classes of corporations which may not make the election under this subsection.

''(f) RULES RELATING TO ALLOCATIONS OF QUALIFYING FOREIGN TRADE INCOME FROM SHARED PARTNERSHIPS.—

''(1) IN GENERAL.—If—

''(A) a partnership maintains a separate account for transactions (to which this subpart applies) with each partner,

''(B) distributions to each partner with respect to such transactions are based on the amounts in the separate account maintained with respect to such partner, and

''(C) such partnership meets such other requirements as the Secretary may by regulations prescribe,

then such partnership shall allocate to each partner items of income, gain, loss, and deduction (including qualifying foreign trade income) from any transaction to which this subpart applies on the basis of such separate account.

''(2) SPECIAL RULES.—For purposes of this subpart, in the case of a partnership to which paragraph (1) applies—

''(A) any partner's interest in the partnership shall not be taken into account in determining whether such partner is a related person with respect to any other partner, and

''(B) the election under section 942(a)(3) shall be made separately by each partner with respect to any transaction for which the partnership maintains separate accounts for each partner.

''(g) EXCLUSION FOR PATRONS OF AGRICULTURAL AND HORTICULTURAL COOPERATIVES.—Any amount described in paragraph (1) or (3) of section 1385(a)—

''(1) which is received by a person from an organization to which part I of subchapter T applies which is engaged in the marketing of agricultural or horticultural products, and

''(2) which is designated by the organization as allocable to qualifying foreign trade income in a written notice mailed to its patrons during the payment period described in section 1382(d),

shall be treated as qualifying foreign trade income of such person for purposes of section 114. The taxable income of the organization shall not be reduced under section 1382 by reason of any amount to which the preceding sentence applies.''

SEC. 4. TECHNICAL AND CONFORMING AMENDMENTS.

(1) The second sentence of section 56(g)(4)(B)(i) is amended by inserting before the period ''or under section 114''.

(2) Section 245 is amended by adding at the end the following new subsection:

''(d) CERTAIN DIVIDENDS ALLOCABLE TO QUALIFYING FOREIGN TRADE INCOME.—In the case of a domestic corporation which is a United States shareholder (as defined in section 951(b)) of a controlled foreign corporation (as defined in section 957), there shall be allowed as a deduction an amount equal to 100 percent of any dividend received from such controlled foreign corporation which is distributed out of earnings and profits attributable to qualifying foreign trade income (as defined in section 941(a)).''

(3) Section 275(a) is amended—

(A) by striking ''or'' at the end of paragraph (4)(A), by striking the period at the end of paragraph (4)(B) and inserting '', or'', and by adding at the end of paragraph (4) the following new subparagraph:

''(C) such taxes are paid or accrued with respect to qualifying foreign trade income (as defined in section 941).'', and

(B) by adding at the end the following the following new sentence: ''A rule similar to the rule of section 943(d) shall apply for purposes of paragraph (4)(C).''

(4) Paragraph (3) of section 864(e) is amended—

(A) by striking ''For purposes of'' and inserting:

''(A) IN GENERAL.—For purposes of'', and

(B) by adding at the end the following new subparagraph:

''(B) ASSETS PRODUCING EXEMPT EXTRATERRITORIAL INCOME.—For purposes of allocating and apportioning any interest expense, there shall not be taken into account any qualifying foreign trade property (as defined in section 943(a)) which is held by the taxpayer for lease or rental in the ordinary course of trade or business for use by the lessee outside the United States (as defined in section 943(b)(2)).''

(5) Section 903 is amended by striking ''164(a)'' and inserting ''114, 164(a),''.

(6) Section 999(c)(1) is amended by inserting ''941(a)(5),'' after ''908(a),''.

(7) The table of sections for part III of subchapter B of chapter 1 is amended by inserting before the item relating to section 115 the following new item:

''Sec. 114. Extraterritorial income.''

(8) The table of subparts for part III of subchapter N of chapter 1 is amended by striking the item relating to subpart E and inserting the following new item:

''Subpart E. Qualifying foreign trade income.''

(9) The table of subparts for part III of subchapter N of chapter 1 is amended by striking the item relating to subpart C.

SEC. 5. EFFECTIVE DATE.

(a) IN GENERAL.—The amendments made by this Act shall apply to transactions after September 30, 2000.

(b) NO NEW FSCS; TERMINATION OF INACTIVE FSCS.—

(1) NO NEW FSCS.—No corporation may elect after September 30, 2000, to be a FSC (as defined in section 922 of the Internal Revenue Code of 1986, as in effect before the amendments made by this Act).

(2) TERMINATION OF INACTIVE FSCS.—If a FSC has no foreign trade income (as defined in section 923(b) of such Code, as so in effect) for any period of 5 consecutive taxable years beginning after December 31, 2001, such FSC shall cease to be treated as a FSC for purposes of such Code for any taxable year beginning after such period.

(c) TRANSITION PERIOD FOR EXISTING FOREIGN SALES CORPORATIONS.—

(1) IN GENERAL.—In the case of a FSC (as so defined) in existence on September 30, 2000, and at all times thereafter, the amendments made by this Act shall not apply to any transaction in the ordinary course of trade or business involving a FSC which occurs—

(A) before January 1, 2002, or

(B) after December 31, 2001, pursuant to a binding contract—

(i) which is between the FSC (or any related person) and any person which is not a related person, and

(ii) which is in effect on September 30, 2000, and at all times thereafter.

For purposes of this paragraph, a binding contract shall include a purchase option, renewal option, or replacement option which is included in such contract and which is enforceable against the seller or lessor.

(2) ELECTION TO HAVE AMENDMENTS APPLY EARLIER.—A taxpayer may elect to have the amendments made by this Act apply to any transaction by a FSC or any related person to which such amendments would apply but for the application of paragraph (1). Such election shall be effective for the taxable year for which made and all subsequent taxable years, and, once made, may be revoked only with the consent of the Secretary of the Treasury.

(3) RELATED PERSON.—For purposes of this subsection, the term ''related person'' has the meaning given to such term by section 943(b)(3) of such Code, as added by this Act.

(d) SPECIAL RULES RELATING TO LEASING TRANSACTIONS.—

(1) SALES INCOME.—If foreign trade income in connection with the lease or rental of property described in section 927(a)(1)(B) of such Code (as in effect before the amendments made by this Act) is treated as exempt foreign trade income for purposes of section 921(a) of such Code (as so in effect), such property shall be treated as property described in section 941(c)(1)(B) of such Code (as added by this Act) for purposes of applying section 941(c)(2) of such Code (as so added) to any subsequent transaction involving such property to which the amendments made by this Act apply.

(2) LIMITATION ON USE OF GROSS RECEIPTS METHOD.—If any person computed its foreign trade income from any transaction with respect to any property on the basis of a transfer price determined under the method described in section 925(a)(1) of such Code (as in effect before the amendments made by this Act), then the qualifying foreign trade income (as defined in section 941(a) of such Code, as in effect after such amendments) of such person (or any related person) with respect to any other transaction involving such property (and to which the amendments made by this Act apply) shall be zero.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. ARCHER) and the gentleman from New York (Mr. RANGEL) each will control 20 minutes.

Mr. STARK. Mr. Speaker, I oppose the bill, and I would like to claim the time in opposition.

The SPEAKER pro tempore. Is the gentleman from New York (Mr. RANGEL) opposed to the motion?

Mr. RANGEL. No, I am not, Mr. Speaker. I support the bill.

The SPEAKER pro tempore. The gentleman from New York (Mr. RANGEL) is not opposed to the motion. Therefore, the gentleman from California (Mr. STARK) may claim the 20 minutes of debate reserved for opposition to the motion under clause 1(c) of Rule XV.

Mr. RANGEL. Mr. Speaker, I ask whether the gentleman from California (Mr. STARK) would yield 10 minutes of his time for those of us on the committee that support the motion.

Mr. STARK. I am not prepared at this point, Mr. Speaker, to yield any time.

The SPEAKER pro tempore. Under the rule, the gentleman from Texas (Mr. ARCHER) and the gentleman from California (Mr. STARK) each will control 20 minutes.

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

GENERAL LEAVE

Mr. ARCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4986.

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

There was no objection.

Mr. ARCHER. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. RANGEL).

Mr. RANGEL. Mr. Speaker, I thank the gentleman from Texas (Chairman ARCHER) for yielding me this time and for this opportunity in working with him on this very important issue that has affected our Foreign Sale Corporation legislation.

As most everyone knows, the World Trade Organization has required the administration and, indeed, this Congress to work together to replace a tax treatment consistent with our trade agreements.

I would like to commend the Republicans and Democrats on this committee, the leadership, as well as the administration, to commend Treasury Undersecretary Stuart Eizenstat and Assistant Secretary John Talisman in the way they approached this very sensitive situation, which, of course, the World Trade Organization has made such an issue.

We in Congress could have ignored the WTO ruling down in April much as the European Union has ignored many of the issues and beef hormones and other disputes. But we have sought to work it out diplomatically. When that has failed, we have now come with a legislative resolution.

It is a very sensitive situation, and I thank the gentleman from Texas (Chairman ARCHER) so much for giving me the opportunity to support the overwhelming majority of the people on the committee as well as this leadership on this issue.

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

Mr. Speaker, whether or not one agrees that tobacco, pharmaceutical, and military industries should be exempt from receiving this subsidy, which is referred to as the foreign sales credit, everyone should be opposed to the bill before us today.

Whether or not one agrees that the new tax scheme is, in fact, an export subsidy, which most of us feel it is, as does the World Trade Organization, in a form of egregious corporate welfare, one should be opposed to the bill.

This bill spends $5 billion of taxpayers' money every year in perpetuity, and our leadership is allowing a mere 40 minutes of debate and not allowing amendments.

I can understand why the administration and my colleagues want to rush this legislation through, and I understand they want as little debate as possible to avoid public disclosure that will aid the European Union in their case before the World Trade Organization.

However, our commitment first and foremost should be to our constituents. Our first commitment should be to the health and welfare of our seniors and children. Does not every taxpayer have a right to know how their hard-earned taxpayer dollars are being spent? Of course they do.

The new FSC has a new name and a new face, but it is the same old subsidy. If it quacks like a subsidy and walks like a subsidy, it still is a subsidy. The new scheme essentially leaves the export benefit in place, but now the Treasury will forego an additional $300 million a year to subsidy our exporters. The Treasury will give more than $5 billion a year to help Boeing, R.J. Reynolds and Monsato peddle their products overseas. The exporters will receive lower tax rate on income from export sales than they do from domestic sales. Clearly this is prohibited under the WTO Agreement on Subsidies and Countervailing Measures.

Proponents of the FSC claim that it is needed to compete with Europe's value-added tax. That is simply nonsense.

International trade allows rebates on consumption taxes such as the VAP and U.S. excise and State sales tax. That is a level playing field.

Europe's corporate income tax is comparable to ours and in fact investors often criticize Europe for imposing too high a corporate income tax.

The FSC replacement is an export subsidy that will help industry such as the pharmaceutical, tobacco, and military weapons industries capitalize on the generosity of the Congress and on taxpayers.

Let us start, for example, with the pharmaceutical industry. Is there anyone who says that we should encourage the U.S. pharmaceutical companies to sell cheaper drugs to foreigners while selling them at higher prices here at home to our uninsured and our seniors? That is exactly what we will be doing if we vote for H.R. 4986.

□ 1630

The pharmaceutical company does not need another corporate subsidy at the expense of the American taxpayer. This offers incentives for the pharmaceutical companies to sell their products in other developed countries for less than they sell them here at home. Drug companies already reap huge tax benefits that lower their average effective rate 40 percent below other U.S. industries in America.

The richest drug company had greater profits than the entire airline industry and more than twice the profits of the entire engineering and construction industry. Yet, studies show that American seniors without drug coverage often pay twice as much as people in Canada and Mexico.

Last week, the Committee on Ways and Means rejected my amendment, which would have prohibited pharmaceutical companies from receiving this FSC subsidy if they charged American consumers 5 percent more than what they charge foreign consumers. That amendment made sense. Why should our seniors who go without their prescription drugs further have to subsidize the pharmaceutical companies who sell them abroad? It is an insult to American seniors and all taxpayers.

I urge my colleagues to vote to help the seniors obtain affordable prescription drugs and to do away with this egregious corporate welfare.

Without an option to offer or an amendment, no amendments are allowed under today's rules, the American public will be forced to help a pharmaceutical industry that cares nothing about the well-being of American citizens. The tobacco industry indeed will get subsidized exporting their poison to help kill and addict millions of children around the world.

The weapons industry, who does nothing to encourage the sale of their weapons of destruction because those sales are made for them by the Department of Defense and by the U.S. State Department, why should they get a subsidy to sell nuclear materials or tanks or weapons of destruction when that is arranged for them? Why should we subsidize this arms race?

The answer is we should not. We should not go through this, and when we want to promote world law, we should not be here with a second-rate subterfuge trying to call a subsidy something it is not. We should give up. We should recognize that the World Trade Organization is correct. We should allow our American industry to compete as they can on quality and on ingenuity and not have to subsidize these large manufacturers as a mere give-away just before election.

Mr. Speaker, as the only member of the Ways and Means to vote against H.R. 4986, the FSC Repeal and Extraterritorial Income Exclusion Act of 2000, I must explain the reasons for my vote.

I believe that this bill will not suffice under the scrutiny of the World Trade Organization. H.R. 4986 is as much of a subsidy as the current FSC. The entire process was undemocratic, constituting backroom consultations with private industry and select members of Congress. Finally, the bill is expanded and additional taxpayer dollars will be lost under the new scheme. It is not right that we ask U.S. taxpayers to pay for an export subsidy for large pharmaceutical corporations when the U.S. pharmaceutical industry is charging less in wealthy foreign markets for the same prescription drugs that our seniors are unable to afford here.

PROCESS

Select members of the House Ways and Means Committee and Senate Finance Committee were consulted on revising the Foreign Sales Corporation (FSC) prior to the World Trade Organization's October 2000 deadline. In addition, those who will benefit from the new subsidy were also consulted—private industry. However, there were many members of the Ways and Means Committee who were not consulted on the details of the new proposal. This hardly reflects the democratic process under which this legislative body is supposed to operate.

I was one of the members who was not consulted on repealing and replacing the current FSC for a new plan, yet

I was one of the members who was here to vote in 1984 to repeal the Domestic International Sales Corporation and replace it with the Foreign Sales Corporation.

BENEFITS TO MILITARY WEAPONS EXPORTERS

In 1976, I led Congress in voting to decrease the benefit to weapons dealers. Therefore, I was dismayed to see that the new FSC benefit will actually be expanded to increase the benefit of the subsidy to military weapons exporters.

The U.S. already spends about $8 billion annually to subsidize U.S. weapons manufacturers. These subsidies include taxpayer-backed loans, grants, and government promotional activities that assist U.S. weapons makers to sell their products to foreign customers. Under the current Foreign Sales Corporation scheme, weapons exporters may qualify for up to 50 percent of the FSC benefit. Under the new scheme, arms dealers will be able to reap the full benefit of the subsidy. It is incomprehensible that we would allow an industry that already receives more than its fair share of pork barrel spending to receive increased subsidies through the new FSC plan.

BENEFITS TO PHARMACEUTICAL INDUSTRY

The pharmaceutical industry is another branch of corporate America that clearly does not need an export subsidy at the expense of the American taxpayer. H.R. 4986 offers export incentives to pharmaceutical companies who sell their products to other developed countries for less than the U.S. consumer can purchase the exact same drugs.

Drug companies already reap huge benefits that lowered their average effective tax rates nearly 40 percent relative to the other major U.S. industries from 1990 to 1996. Fortune magazine again rated the pharmaceutical industry the most profitable industry in 1999. Merck, the richest drug company, had greater profits than the entire airline industry and more than twice the profits of the engineering-construction industry. Drug spending increased more than 15 percent in 1998, 18 percent in 1999 and is expected to continue to increase at phenomenal rates in the future. Yet, studies have shown that American seniors without drug coverage often pay about twice as much as people in Canada and Mexico.

The Ways and Means Committee rejected my amendment which would have prohibited pharmaceutical companies from receiving the full FSC benefit if they discounted more than 5 percent to foreign consumers relative to U.S. consumers. This amendment simply makes sense. It is only fair to the millions of U.S. seniors who go without their much needed prescription drugs. Why subsidize an industry already receiving huge corporate tax credits? We should have exempted pharmaceutical companies. The members of the Ways and Means Committee chose otherwise. This is an insult not only to American seniors, but to all U.S. taxpayers.

EXPORT SUBSIDY

Finally, H.R. 4986 does not address the concerns of the WTO dispute panel. The new scheme attempts to allay the European Unions' concerns by allowing some foreign operations to also receive the subsidy. The new scheme eliminates the requirement on a firm to sell its exports through a separately chartered foreign corporation in order to receive the benefit. The only portion that is eliminated is the paper subsidiary. Instead of creating a tax haven, U.S. exporters will be able to receive the benefit outright. The new scheme doesn't prevent arms exporters or any other industry from receiving the entire benefit of the subsidy.

The new scheme essentially leaves the export benefit in place but now the U.S. Treasury will forego an additional $300 million per year to subsidize U.S. exporters. The U.S. Treasury will forego more than $3 billion per year to help companies like Boeing and R.J. Reynolds peddle their products. Exporters will continue to receive a lower tax rate on income from export sales than from domestic sales. This is clearly prohibited under the WTO Agreement on Subsidies and Countervailing Measures.

It is a sad commentary on the Ways and Means Committee that is willing to fight a WTO ruling all in the name of corporate profits but ignores environmental, human rights and labor interests.

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

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

Mr. Speaker, the one thing this bill is not is corporate welfare. The one thing this bill is not is a subsidy to corporations.

Almost every one of our foreign competitors singly taxes the earnings of their corporations overseas. We double tax in an ill-advised, antiquated system the earnings of our corporations overseas and place them at a gigantic disadvantage against their foreign competitors.

The FSC program simply mollifies to a small degree this giant disadvantage to our corporations, a disadvantage which is so great that it is causing one by one major corporations to move overseas instead of having their headquarters in the U.S., signified recently by Chrysler having to become a German corporation.

The gentleman from California (Mr. STARK) can speak his rhetoric, but he is ill-advised when he calls this a subsidy or corporate welfare.

This bill is critical for continued U.S. competitiveness in the global marketplace. It is critical for our economy. And most important, it is critical to preserve as many as five million jobs for American workers and their families. That is right, approximately 4.8 million American jobs are directly related to the manufacture of products benefiting from the Foreign Sales Corporation provisions in the Tax Code.

So while this is a complex issue, we must succeed for the most basic reasons.

This bill enables the U.S. to comply with a decision of the World Trade Organization, which last year held that our FSC provisions of the Internal Revenue Code violated certain provisions of the WTO rules which prohibit export subsidies. The Clinton administration and the Congress strongly disagreed with this decision and the case was appealed. Unfortunately, the appeal was not granted.

Unless Congress changes the law to comply with the decision, U.S. consumers and businesses face the possibility of retaliation by the European Union on or after October 1. This would negate the ability of our domestically produced goods to enter the European market in an amount of anywhere from 4 to $40 billion a year with devastation on the workers in those industries in this country.

I believe the approach in this legislation is the best way to comply with the decision, continue to honor our trade agreements consistent with the obligations they impart, and maintain our global competitiveness.

This legislation enjoys strong bipartisan support in both Houses of Congress and is strongly supported by the administration.

Deputy Treasury Secretary Eizenstat has been involved in the construction of this legislation from the very beginning, as well as Members and staff from both the majority and the minority.

I also mention the extraordinary work of the Joint Committee on Taxation to develop this product in a short period of time. This bill is the product of extensive deliberations of a bipartisan, bicameral, and administration working group which consulted with both tax and trade experts on how best to fashion a measure to allow the U.S. to comply with the WTO decision.

This bill is also supported by U.S. companies and their workers who would be most negatively impacted by the WTO ruling.

I also hope that this legislation ends the longstanding challenge by the EU to our tax system. It is an important step in making our tax system not only compliant with our obligations under the WTO rules but in also making our system relevant to the global marketplace in which our citizens and businesses must compete.

I look forward to continuing to work in a bipartisan fashion to see this bill signed into law to help preserve American jobs, businesses, and our economy in the next century.

Starting this week, America's Olympic athletes will compete against the world's best in Sydney, Australia, and all competitors will play by the rules.

In the far fiercer global economic competition of the 21st century, we must work hard to give U.S. workers and companies that same opportunity. That is exactly what this bill is designed to do.

I urge all Members to support this vital legislation.

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

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

Mr. WAXMAN. Mr. Speaker, I rise in opposition to H.R. 4986.

While I believe that we must promote U.S. competitiveness in global markets, I strongly object to forcing American taxpayers to support the export of tobacco and tobacco addiction.

The most recent IRS statistics reveal that tobacco companies have used the FSC for a tax break of more than $100 million a year. Under the new system unveiled in this bill, they will benefit even more. This is wrong.

The dangers of nicotine are well known, and these dangers do not stop at our borders. Smoking causes more than 3.5 million deaths each year throughout the world. That number is expected to rise to 10 million people within 20 years, with 70 percent of all smoking-related deaths projected to occur in developing countries that are the newest targets of the tobacco industry.

This Congress has done nothing to address the tobacco epidemic that rages both here and abroad. Tragically, this bill only helps big tobacco promote it. We could easily address this problem by allowing for consideration of the Doggett amendment to exempt manufacture of tobacco from the bill. Instead, the bill was added to the suspension calendar, which allows no amendments and very limited debate.

Mr. Speaker, we have FSC exemption for national security. We have exemptions to protect certain domestic industries. It is long overdue to have an exemption for public health.

The American taxpayers should not be a partner in the export of death and disease. We should not be enabling big tobacco to escape public health restrictions in our market by peddling cigarettes to children around the globe.

I urge my colleagues to oppose this bill because the procedure does not allow us to engage in a meaningful debate on this issue or to vote on the Doggett amendment.

Mr. ARCHER. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. THOMAS), a respected member of the Committee on Ways and Means.

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

Mr. THOMAS. Mr. Speaker, I thank the chairman very much for yielding me the time.

Mr. Speaker, first of all, I want to compliment the chairman and the ranking member. There has been an unprecedented degree of cooperation not only between the Democrats and the Republicans in the House, but between the House and the Senate and the administration in responding to what is clearly a crisis in our international responsibilities.

Very often adults are prone in dealing with children to in essence say, Do as I say, not as I do. And today we are seeing an example of this country telling the rest of the world, Do as we do, not as we say.

In stark contrast, for example, to the Europeans and their abject failure to respond to adverse decisions in the World Trade Organization, continuing to drag their feet when the international community says they are wrong, what we have here is an example of the United States moving with clear rapidity to make fundamental changes to bring us into compliance. Do not just take my word for it.

Mr. Speaker, I include for the RECORD the following text of a letter from Deputy Secretary Eizenstat to the European Union Commissioner for Trade:

DEP SEC. EIZENSTAT FSC LETTER,
DATE: AUGUST 11, 2000-INSIDE US TRADE,
July 28, 2000.

Mr. PASCAL LAMY,
Commissioner for Trade, Rue du la Loi 200, B–1049, Brussels, Belgium.

DEAR PASCAL: Following passage yesterday by the House Ways and Means Committee of legislation to repeal the FSC, I am writing to you to enclose a copy of the proposal and briefly explain the details of this new proposal.

The new proposal embodied in the Chairman's mark represents a major departure from the FSC and, furthermore, a significant evolution from the proposal I discussed with you in May. This proposal directly addresses the issues raised by the WTO Appellate Body. Further, it addresses additional concerns raised by the EU, as expressed in our meeting on May 2, in your letter to me of May 26, and in our telephone call of July 14.

In compliance with the Appellate Body decision, the FSC provisions are to be repealed from the Internal Revenue Code. The new tax provisions embodied in the Chairman's mark have the following key elements.

The Chairman's work provides an exclusion of tax on certain extraterritorial income. Because this would be our general rule, there is no foregone revenue that is otherwise due and thus no subsidy.

Further, because it treats foreign sales alike, whether the goods were manufactured in the U.S. or abroad, it is not export-contingent. Thus, a company would receive the same tax treatment on foreign sales regardless of whether it exports.

The Chairman's mark excludes qualifying foreign trade income directly at the level of the entity that produces the relevant good or produces the qualifying service. It does not require foreign sales transactions to be routed through separate offshore companies. Thus it eliminates the Administrative Pricing Rules for transfer pricing between affiliated companies, which the EU alleged violated the arms length provision of the Subsidies Agreement, Further, it eliminates the dividends received deduction.

Likewise, this approach address EU concerns about alleged incentives to use low or no-tax jurisdictions since a separated affiliate would not be necessary for this exclusion.

The Chairman's mark is the product of an unprecedented bipartisan effort in which Congress and the Administration worked together both to develop a proposal that is WTO compliant and to act quickly in an effort to comply with the October 1 deadline set by the WTO.

The House Ways and Means Committee voted 34-to-1 yesterday to support this legislation that meets our WTO obligations. Our key Congressional tax and trade committees understand that we have left the door open to further consultation with the EU as this legislation moves forward. We remain prepared to negotiate a solution on the basis of this proposal.

I hope that we can work together to avoid an escalation of this conflict. It would not be in the interest of either the U.S. or Europe to engage in a major trade war over this issue. Both U.S. and European businesses would needlessly suffer the consequences.

The legislation I am attaching herewith represents a serious effort on the part of the U.S. to comply with the Appellate Body's decision before its October 1st deadline. As we move to pass this legislation before that deadline, I hope that we can have a dialogue to resolve this conflict on the basis of this new proposal.

For your review I'm attaching three documents: (1) A copy of the statement I delivered at the Committee mark up, (2) the joint Tax Committee's description of the bill, and (3) the text of the legislation as reported by the Ways and Means Committee; please note that the formal bill is not yet available.

I look forward to talking with you again about these matters.

Yours Very Truly,
STEVE E. EIZENSTAT.

Mr. Speaker, a portion of that letter states: ''The Chairman's mark is the product of an unprecedented bipartisan effort in which Congress and the administration worked together both to develop a proposal that is WTO compliant and to act quickly in an effort to comply with the October 1 deadline set by the WTO.''

He goes on to quote, ''The House Ways and Means Committee voted 34–1 to support this legislation.''

I believe what we are seeing worked out on the floor is the result of that 34–1 vote.

Let me say also to everyone in this country that when we are dealing on an international basis, one of the things we need to do is to show bipartisanship.

I want to compliment the ranking member from New York who has done that. I want to compliment the chairman.

For those friends of ours who are listening and not part of our system, I do want to refer to a section of the Constitution. It is in Article I, section VI. To a degree, what is occurring here today is going to be covered, thankfully, for some of the participants by that portion of section VI, which says: ''And for any speech or debate in either House, they shall not be questioned in any other place.''

That is, on the floor of the House, we are allowed to say certain things for which we can never be questioned anywhere else.

As we discuss this bill and statements are made, keep in mind the speech-and-debate clause, which allows some folks to say what they are saying.

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

□ 1645

Mr. DEFAZIO. Mr. Speaker, this is an extraordinary debate, a $5 billion per year perpetual tax break to the largest, most profitable corporations in the world; forty minutes of debate and that is it. No amendments are allowed.

This bill was secretly negotiated, this bipartisan group, very secret and small group, revealed to members of the committee on the same day that the secret negotiations were concluded; perfunctory markup was held and now it is being rushed through.

We cannot agree on marriage penalty relief. We cannot agree on small business relief. We cannot agree on inheritance tax relief but, by God, the administration, the Republican leadership, they can put this one together behind closed doors because it benefits the largest, most profitable corporations in this country.

Over the last decade, almost $2 billion of these proceeds went to two companies, Boeing and General Electric, mostly for arms manufacturers. Now, we need to help our arms manufacturers. They already dominate the world market, but we need to give them another leg up because not 100 percent of the arms being bought out there by our enemies and our allies are U.S. made yet. We have to give them a leg up.

The pharmaceutical manufacturers, well, they need an incentive to export because overseas they sell drugs cheaper than they sell them to the Americans who subsidize their manufacture here. So we have to give them a little tax break to export those cheap drugs to foreigners but not provide affordable drugs here at home.

The tobacco companies, of course we want to export tobacco. Maybe that will hurt the productivity of our competitors around the world as they become sick and die from this product that is being promoted through this tax break.

This is outrageous. We are taking $5 billion of hard-earned taxpayers' money and shifting it to some of the largest, most profitable corporations in this country under the dubious assumption that somehow this is countering unfair things the Europeans are doing. If they are doing unfair and illegal things, you people wanted this rules-based trade agreement, you wanted a WTO with a secret, deliberative body that would adjudicate these complaints. I did not. I voted against it.

Well then file a complaint against the Europeans. Do not extend an unfair subsidy that does not even meet the laugh test. This does not comply with the last ruling. The Europeans will still get to penalize U.S. industries if this goes into effect, and they may well not penalize with tariffs the industries that are getting the tax break. Other U.S. manufacturers might be hurt.

You are doing this country a double disservice today with this legislation. It is extraordinary that this would be rushed through in this manner while there is virtually nobody in this Chamber; virtually half the Members are probably not even in town yet. They are still enjoying the hospitality of some of our airlines.

If it is an Endangered Species Act provision, by God, we have to comply. If it is a Clean Air Act provision, by God, the U.S. has to comply. If we can make the Europeans eat beef that has been treated with bovine growth hormone, which they have protested against because of health concerns, by God, they have to comply. But when it comes to corporate tax breaks, we will not comply.

This is the highest and best use of trade policy. That is what it is all about. Trade policy was written for, by, and about the largest corporations in this country; and we will do anything behind closed doors or even here on the floor of the House under very restrictive conditions to defend those tax breaks in the name of free trade.

If you have a problem with the European tax system, file a complaint. Answer that one. Why not file a complaint against OPEC? They are violating the WTO. It is awfully strange that we will not use this rules-based organization. Well, we are told we had a gentleman's agreement on taxes, gentleman's agreement.

I voted against entering into the WTO. I never heard any discussion on the floor about gentleman's agreements that were binding as part of this that went to the Tax Code. Pretty strange way to have an enforceable rules-based trade agreement with gentlemen's agreements that no one knows about.

If you have a problem with the Europeans, file a complaint. Do not use the tax dollars of American taxpayers to continue this outrageous subsidy, double the subsidy to arms manufacturers, extend it to pharmaceuticals and tobacco. It is outrageous.

Mr. ARCHER. Mr. Speaker, I yield myself such time as I may consume to briefly respond to the gentleman from Oregon (Mr. DEFAZIO).

The gentleman speaks passionately but he does not speak the facts, and passion is no substitute for the facts. The facts are that the current law already gives incentives to overcome the double taxation that our corporations face competing overseas, and this replaces that in the code. It does not cost $5 billion. He knows that.

If there is such opposition to the existing incentives that are in the code or the reduction of the barriers that are in the code, why were they not out front a long time ago? Why are there not amendments offered over and over again in committee? And they were not.

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

Mr. ARCHER. I do not have the time, as the gentleman knows.

Mr. DEFAZIO. I did introduce legislation to repeal these provisions of law.

The SPEAKER pro tempore (Mr. STEARNS). The gentleman is not recognized.

Mr. ARCHER. Mr. Speaker, they come forward now, claim secret clandestine negotiations, when we had a full, open markup in the Committee on Ways and Means, as a matter of public record. As my colleague from California said, the Constitution protects whatever one wants to say on the floor of the House.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. SAM JOHNSON), a respected colleague and member of the Committee on Ways and Means.

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, listen, it is wrong, wrong, wrong to say secret or totally Republican. This was a measured response to an injustice by the WTO and it was a measured response from the President, from the Trade Commission, from the Democrats and from the Republicans.

This thing was not done in secret, and it is for all businesses in this country that are legal. We should not question that. It is for America.

Know what? This bill replaces the FSC in its entirety. It changes it. In its place, it adopts key features of the certain European tax systems moving the United States closer to a territorial system. It eliminates administrative pricing rules which the European Union objected to. Most importantly, this legislation is not export contingent.

I sincerely hope that this legislation will end our dispute with the European Union. They must understand they cannot use the WTO to impose a permanent tax advantage over United States companies. We are doing this for America, for the people of America, for the businesses in America. God bless America.

Mr. STARK. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. DOGGETT) to discuss a bill which is not yet complete and which nobody in this room has read.

Mr. DOGGETT. Mr. Speaker, God bless America and God bless the democracy that involves public participation—a concept at the core of what our American government is all about. Such public participation was not very evident in the process that produced this bill.

This bill was conceived behind closed doors with no public participation, no public hearings, no public involvement. It was designed to continue what is, in essence, a legal scheme of tax avoidance for the world's largest corporations by channeling some of their profits through foreign tax havens.

This bill is basically a product of meetings between the Treasury Department and those who benefit from the tax subsidy. The lobbyists have met with the Treasury Department, but the Treasury Department official responsible for the bill was unwilling to answer questions in public from even the members of the Committee on Ways and Means.

I voted for this bill in committee. I am committed to promoting international trade, but it was a very contrived circumstance that produced this bill, and the arrogance and the deception associated with this bill as well as the additional information that I now have about this bill cause me today to reconsider my position and to oppose strongly H.R. 4986.

This bill is not actually the bill that our committee considered. Rather this is a bill that the lobby has massaged for another few weeks after the initial bill was approved in the Committee on Ways and Means. This particular version has never had a hearing or a vote. There are not three Members on this floor today that can say they have even read the particular bill that is before us today.

The cost of this bill, however, is $4 million to $6 million, according to the best estimates we can get: every year that has to be made up by other American taxpayers. With this bill, the Congress would be saying basically that local stores that sell groceries or clothes to people on any Main Street or at any mall in America, those businesses would have to pay higher taxes so that multinational corporations that sell tobacco and cigarettes and machine guns abroad can pay lower taxes.

Even then, an independent analysis of this bill by the Congressional Research Service says that it has ''a negligible effect on the trade balance.'' That its overall impact in creating trade is practically nil.

Now, it was suggested that only some ill-informed people here on the floor were condemning this bill as corporate welfare. Well, perhaps the gentleman is unfamiliar with the recommendation of his own Republican Congressional Budget Office, I think for about 3 years in a row, suggesting that the Foreign Sales Corporation Act be repealed just as the gentleman from Oregon (Mr. DEFAZIO) has proposed in his own separate legislation. Perhaps he did not listen to Senator JOHN MCCAIN on ABC's This Week when in February he said he was opposed to the Foreign Sales Corporation Act.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The gentleman from Texas (Mr. DOGGETT) will refrain from characterizing positions of individual Senators.

The gentleman may proceed.

Mr. DOGGETT. A distinguished Arizona citizen commenting on ABC's This Week program made very clear his opposition to foreign sales corporations, as did the Washington Times which referred to the bipartisan involvement, called it ''an almost unanimous blunder.'' Let us be very clear about what this bill does.

An eligible product need have little or no U.S. manufactured content in order to qualify for this special new tax treatment. If one has a pair of Levis and it is made entirely outside the United States but one slaps on a label that says ''Levis,'' under this bill's supporters are unable to say that this foreign manufactured product will not qualify for special tax relief.

If one has a Marlboro cigarette that does not have one percentage point of tobacco from American tobacco farmers in it but one slaps ''Marlboro'' on it, and that gives it more than 50 percent value, it qualifies for a tax break. If one has a zocor tablet that is manufactured outside the United States but one puts ''zocor'' on it and adds 50 percent of the value, it qualifies for a tax break.

Every one of those under this bill is going to receive a special tax subsidy, and that is not going to help American workers, and it certainly is unfair to American consumers who have to pay the highest pharmaceutical costs in the entire world; to pay a higher cost here and then to add insult to injury by being forced to provide a tax subsidy on top of that for the pharmaceutical company to sell it to someone else at a lesser price in another country.

It is particularly outrageous that this bill would be taken up on the floor of the Congress on the very day that a new study is announced showing that tobacco is even more addictive for children than we ever knew previously. Only a couple of weeks of contact with cigarettes can addict children to a life of nicotine, posing the resulting threat of death and disease, very painful disease.

This bill allows Phillip Morris to continue marketing to children around the world and addicting them as a part of what is becoming a pandemic that will kill 10 million people every year in this world as a result of our promotion of tobacco. Today the American people are asked to be an unwilling accomplice, to give $100 million a year to Phillip Morris and the other big tobacco companies that are in the addiction business to go around the world promoting their tobacco to other people's kids. Well, those other children of the world have value, too, and we ought to be concerned about their health and their lives. We certainly ought not to encourage these tobacco companies with $100 million per year in tax subsidy to cause death and disease for children around this world.

Mr. ARCHER. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. RANGEL), the minority leader of the Committee on Ways and Means, and I ask unanimous consent that he be able to yield the time as he sees fit.

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

There was no objection.

□ 1700

Mr. RANGEL. Mr. Speaker, I yield such time as she may consume to the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN).

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

Mrs. CHRISTENSEN. Mr. Speaker, I rise to express my views on the adverse effect that the loss of FSC will have to my district, but I am in support of H.R. 4986.

Mr. RANGEL. Mr. Speaker, I yield 2½ minutes to the gentleman from Michigan (Mr. LEVIN), the ranking Democrat on the Subcommittee on Trade.

Mr. ARCHER. Mr. Speaker, I yield 30 seconds to the gentleman from Michigan.

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

Mr. LEVIN. Mr. Speaker, let me try quickly to put this in perspective. The U.S. has a worldwide taxation system; we tax income on earnings wherever earned. The Europeans have a territorial system, and I will not go into a lot of detail. In essence, what that does is to favor exports over other transactions, especially domestic transactions, so they have a system that nurtures exports.

We responded by creating a system, a DISC system that was an effort to put our producers of goods, manufacturing goods and agricultural goods, on a level playing field with Europe. It went into effect, and it lasted for a couple of decades; and then it was decided by the European community, I think, partly tactically to challenge it, and the WTO said it was an illegal subsidy. So what we are faced with is an October 1 deadline; and it is being faced by producers of goods, manufacturing goods and agricultural goods.

We have been striving to find a replacement, and now we have one here facing the October 1 deadline. I want to make it clear this bill does not provide an incentive for U.S. producers to move their operations overseas. No more, under this provision, than 50 percent of the fair market value of such property can consist of a non-U.S. component plus non-U.S. direct labor.

This provision has been carefully reviewed by Democrats, by Republicans, by the Treasury Department, and by outside groups. Let me be clear, if we fail to enact this bill by October 1, and that is the constraint we are under, there is a serious risk that the EU will go back to the WTO and seek authority to retaliate by raising tariffs on potentially billions of dollars of goods made in the U.S. and exported from the U.S., causing great harm to the U.S., both businesses, workers and farmers.

Look, there are other issues, tobacco issues, pharmaceutical issues. They cannot be considered within this context. If we need to amend U.S. laws, we can do so later on. We have a constraint, October 1; and if we fail to act by that date, we are going to hurt American businesses and the workers who work for them; and we are simply going to help European competitors, nothing to do with tobacco, nothing to do with pharmaceuticals, nothing at all.

If we want to help European producers, vote against this. If we want to help American workers, businesses, manufacturing goods, we are not talking about services, vote in favor of this bill; and then we will go on to these other issues at some other point.

Mr. RANGEL. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I think it is great that we in the Congress can take issue with

our domestic policy, our foreign policy, our trade policy. That is what makes America such a great country, and we should always be able to challenge the procedure in which legislation is brought to the House, but I know that sometimes when I have series problems with my country's foreign policy, one place I do not have a problem with it, and that is in foreign countries. This is not a question of liberals against conservatives, Republicans against Democrats, or the Congress against the administration. It is the European Union that has challenged us, and we can bet our life, they are not concerned with our economic health.

They are not concerned with pharmaceuticals. They are not concerned with arms. They are concerned in having a better-than-an-equal chance to compete against the United States of America.

We had plenty of opportunity to work out our differences. We had approaches that we have taken to them, and this is one time that we came behind the administration and said try to work this out and avoid an economic crisis. And it has been rejected.

What the administration has asked those of us on the Committee on Ways and Means to do is to come together with a piece of legislation, to say that we stand behind the United States of America in trying to resolve the differences we have with the European Union and the World Trade Organization.

If we do nothing, if we debate among ourselves, if we say let us see what is going to happen, then sanctions come against us; and there is no other body for us to take this to. I think it is a great country. We have internal differences, political differences, and they should be worked out; but it just seems to me that when other countries are challenging our country, whether they are challenging our foreign policy or whether they are challenging our trade policy, when that flag goes up with the United States of America, that the President should be supported by the administration, and this Congress should support the administration.

We are a long way from resolving this issue; but if we do nothing and find that our corporations are unable to effectively compete, we will not have the opportunity to say but we had concerns about the policy. I hope nobody in this Chamber ever is completely satisfied with any policy of any administration, but there has to come a time when we do come together to say America first, America first with exports for the jobs that are provided and America when that flag goes up.

Mr. STARK. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. TIERNEY).

Mr. TIERNEY. Mr. Speaker, I thank the gentleman from California (Mr. STARK) for yielding time to me, and I want to say that today this is supposedly an effort on the part of the United States to comply with the ruling by the WTO in an effort to expedite this action is actually an effort that purports to repeal the corporate tax subsidy called the Foreign Sales Corporation.

Unfortunately, what happens when we turn around we are going to actually increase this subsidy. There has been little dispute and far-ranging agreement that existing FSCs have long been a tax windfall to companies like Boeing, General Motors, Big Tobacco, many in the pharmaceutical industry and other corporate giants. As they export, those companies need only set up offshore paper companies and subsidiaries, and they receive the benefit. And that has been a pretty substantial benefit, the single loophole that cost taxpayers more than $10 billion, with $8 billion of that flowing to the very largest corporations all for simply funneling it through an offshore office.

Adding insult to injury, the publication Inside U.S. Trade recently reported that supporters of this bill have admitted that companies could qualify for the tax preference now even if little or no physical production actually occurs outside the United States. For example, a bluejean company could relocate its operations and American jobs abroad, produce an entirely foreign-manufactured product and still receive this subsidy financed by American taxes simply by slapping its American brand name on the tag.

Since this tax break was originally written with the expressed purpose of keeping jobs here in the United States, such an expansion of the provision would appear to be the product of corporation pandering at its very worst.

Congress is proposing to expand it by another $1.5 billion over the next 5 years, on top of the $15.6 billion the loophole has already cost taxpayers. As the gentleman from Texas (Mr. DOGGETT), my colleague, pointed out, this bill amounts to a $100 million subsidy to the tobacco industry to market their products to children around the world, a practice that they are rightfully forbidden from doing here in the United States.

And as the gentleman from California (Mr. STARK), my colleague, argues correctly, this bill actually subsidizes pharmaceutical companies to charge less for prescription drugs.

With all due respect, this is not an argument about us against them, it is an argument about the workers in this country and setting things straight and not pandering to corporate interests.

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

Mr. Speaker, I include for the RECORD my dissenting views on the bill.

Mr. Speaker, today, in an effort to comply—unsuccessfully, it appears—with a February ruling by the WTO, the majority is suspending its usual rules to expedite a vote on H.R. 4986, a bill that purports to repeal a corporate tax subsidy called the ''Foreign Sales Corporation'' (FSC).

Wide ranging agreement exists that FSCs have long been a tax windfall to companies like Boeing, GM, Big Tobacco, many in the pharmaceutical industry, and other corporate giants, as exporting companies need only set up an offshore paper subsidiary to receive the tax benefit. And what a benefit it is: in the 1990's alone, this single loophole cost taxpayers more than $10 billion, with $8 billion of that flowing to the very largest corporations, all for simply funneling sales through an offshore office.

In an effort to comply with the WTO ruling last February deeming FSCs to be an illegal export subsidy, H.R. 4986 would replace FSCs with an even worse tax boondoggle, this time without the paper subsidiary.

Adding insult to injury, the publication ''Inside U.S. Trade'' recently reported that supporters of the bill have admitted that companies could qualify for the tax preference even if little or no physical production actually occurs in the U.S. For example, a blue-jean company could relocate its operations—and American jobs—abroad, produce a entirely foreign-manufactured product, and still receive this subsidy financed by American taxpayers, simply by slapping its American brand-name on the tag. Since this tax break was originally written with the express purpose of keeping jobs here in the United States, such an expansion of the provision would appear to be the product of corporate pandering at its very worst.

Now Congress is proposing to expand it by another $1.5 billion over the next five years, on top of $15.6 billion the loophole already will cost taxpayers.

As my colleague from Texas, Mr. DOGGETT has argued, this bill also amounts to a $100 million subsidy to the Tobacco Industry to market their products to children around the world, a practice they are rightfully forbidden to do here in the U.S. And, as my colleague from California, Mr. STARK correctly argues, this bill actually subsidizes pharmaceutical companies to charge less for prescription drugs overseas than they do here in the U.S., where such drugs prices have skyrocketed out of the range of what many Americans seniors can afford.

As the EU rejected the terms of H.R. 4986 last month (with the WTO likely soon to follow), it sends the wrong message to WTO, implying that we do not wish to seriously negotiate terms of compliance. It subsidizes corporations that do not need subsidizing. It subsidizes corporations that should not be subsidized. And perhaps more importantly, were Congress to approve this bill, it would represent exactly the sort of behavior which so often leaves voters cynical with regard to political process, further giving evidence to the argument that it is corporations, not the people, whose interests Congress represents.

Second, while exports are, indeed, increased, such a subsidy actually triggers international exchange-rate adjustments, which has the effect of increasing U.S. imports as well, leaving the impact on the trade deficit negligible at best, as witnessed by the recent news that the trade deficit had hit an all-time high.

Lastly, the entire legislative process regarding H.R. 4986 has been the worst sort of backroom dealing with industry virtually writing the bill and many House Members of the committee of jurisdiction, Ways and Means, shut

out of the process. Additionally, leadership in both parties, with the blessing of the Administration, hoped to expedite the process by shuttling the bill through Congress with limited debate and no amendments.

While the U.S. should conform to WTO guidelines by the October 2000 date the organization has set, this corporate welfare bill is certainly not the right approach, substantively or tactically.

Not only is the argument that FSCs are not a subsidy not credible, but the arguments that VATs are, verges on laughable. VATs are equivalent to an added sales tax that European countries rebate to companies when such goods are exported. Since the U.S. doesn't apply a sales tax to exports in the first place, the argument is effectively moot.

The rationale behind tax policy such as FSC is that it encourages other countries to buy our exports by bringing prices down (for foreigners) and thus reduces the trade deficit. But here, too, its defenders' argument is not supported by the facts. In the first place, to the extent that export prices actually fall, this is a transfer of benefits from U.S. taxpayers to foreign consumers.

Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. DOGGETT).

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

Mr. DOGGETT. Mr. Speaker, I include for the RECORD additional views that I offered individually to the Committee on Ways and Means report on H.R. 4986 and the additional views that I offered on behalf of myself, the gentleman from Georgia (Mr. LEWIS), and the gentleman from California (Mr. STARK) to the same report.

Mr. Speaker, I also include for the RECORD a copy of the story in today's Washington Post entitled ''Tobacco Exports Get Aid in Bill Set for House Vote.''

ADDITIONAL VIEWS BY MR. DOGGETT

In what is hardly a model of the way the democratic process should operate, this legislation has involved no public participation, no hearings, and no involvement of any but a handful of Committee members. This bill is basically a product of meetings between the Treasury Department and groups that will benefit from preferential tax treatment. The Chairman even went so far as to attempt to preclude the Committee members from making comments or offering amendments. The members were even denied the right to question Secretary Eizenstat, the principal Administration official responsible for this bill.

The cost of this legislation to the Treasury, which must be paid for by American taxpayers, is between $4 billion and $6 billion per year, and growing. In response to the European community's criticism that tax advantages to American businesses are illegal, this legislation seeks to generously increase those advantages by $300 million a year.

With this legislation, the Committee has basically made a public policy statement that local stores, which sell groceries or clothing to customers within our country, should pay higher taxes than multinational corporations, which sell cigarettes or machine guns abroad. Contrary to proponents' arguments that small and medium sized businesses share significantly in this tax break, the Internal Revenue Service Statistics of Income Division reports that 78% of FSC tax benefits go to companies with assets exceeding $1 billion. Another study based on a sample of corporate financial statements published in Tax Notes, August 14, 2000, indicates that, ''the top 20% of FSC beneficiaries (ranked by size of reported FSC benefit in 1998) obtained 87% of the FSC benefits.''

Moreover, there is substantial question as to the benefits that Americans truly will receive from this legislation. The Congressional Research Service summarized the most recent Treasury analysis of the Foreign Sales Corporation tax benefit by concluding that ''[r]epealing this provision would have a negligible effect on the trade balance.'' Treasury determined that such a repeal would reduce U.S. exports by 3/10 of one percent and U.S. imports by 2/10 of one percent.

ENCOURAGING FOREIGN ARMAMENTS SALES

Because the benefits to ordinary Americans of this costly tax advantage are at best remote, every aspect of this law deserves the type of scrutiny that was wholly lacking during committee consideration. One glaring example of both what is wrong with this legislation and what is wrong with the process that produced it is the generosity shown to arms manufacturers. Their tax savings are doubled by this bill. The supposed justification for such largesse to those who promote arms sales abroad was previously rejected by the Treasury Department in August 1999:

We have seen no evidence that granting full FSC benefits would significantly affect the level of defense exports, and indeed, we are given to understand that other factors, such as the quality of the product and the quality and level of support services, tend to dominate a buyer's decision whether to buy a U.S. defense product.

Ironically, in 1997, the Congressional Budget Office, whose director was appointed by Republican leaders had reached a similar conclusion:

U.S. defense industries have significant advantages over their foreign competitors and thus should not need additional subsidies to attract sales. Because the U.S. defense procurement budget is nearly twice that of all Western European countries combined, U.S. industries can realize economics of scale not available to other competitors. The U.S. defense research and development budget is five times that of all Western European countries combined, which ensures that U.S. weapon systems are and will remain technologically superior to those of other suppliers.

Even the Department of Defense conceded the same in 1994:

The forecasts support a continuing strong defense trade performance for U.S. defense products through the end of the decade and beyond. In a large number of cases, the U.S. is clearly the preferred provider, and there is little meaningful competition with suppliers from other countries. An increase in the level of support the U.S. government currently supplies is unlikely to shift the U.S. export market share outside a range of 53 to 59 percent of worldwide arms trade.

In 1999, without the bonanza provided by this bill, US defense contractors sold almost $11.8 billion in weapons overseas—more than a third of the world's total and more than all European countries combined.

A paper prepared for the Cato Institute in August 1999 by William D. Hartung, President's Fellow at the World Policy Institute, highlights the bad judgment shown here: ''If the government wanted to level the playing field between the weapons industry and other sectors, it would have to reduce weapons subsidies, not increase them.'' (These subsidies include thousands of federal employees at the Pentagon and other agencies whose very purpose is to increase arms sales.) He continued, ''Considering those massive subsidies to weapon manufacturers, granting additional tax breaks to an industry that is being so pampered by the U.S. government makes no sense.''

With no evidence to warrant its action, the Committee rejected fiscal responsibility in favor of wholly unjustified preferential tax treatment that means millions in savings to defense contractors. This costly decision is also bad for our country's true security interests. Instead of subsidizing arms promotion, our nation should be encouraging arms control. American armaments too often contribute to one arms race after another around the globe.

Doubling this subsidy only encourages the sales of more arms overseas and creates more challenges to the maintenance of our own ''military superiority''—and, of course, more pressure for additional costly increases in the defense budget. As Lawrence Korb, President Reagan's Assistant Secretary for Defense for Manpower, Reserve Affairs, Installations and Logistics, has said:

It has become a money game: an absurd spiral in which we export arms only to have to develop more sophisticated ones to counter those spread out all over the world . . . It is very hard for us to tell other people—the Russians, the Chinese, the French—not to sell arms, when we are out there peddling and fighting to control the market.

Former Costa Rican President and 1987 Nobel Peace Prize winner, Oscar Arias offers another reason for rejecting the Committee's decision to increase the arms subsidy:

By selling advanced weaponry throughout the world, wealthy military contractors not only weaken national security and squeeze taxpayers at home but also strengthen dictators and human misery abroad.

ADDITIONAL VIEWS BY MESSRS. DOGGETT, LEWIS AND STARK

PROMOTING TOBACCO RELATED DISEASE AND DEATH

The way in which this legislation was rushed through the Committee avoided any explanation as to why American taxpayers should continue to subsidize the tobacco industry, whose product actually kills one-third of the people who use it. The Committee ignored the pleas of the American Medical Association, the American Cancer Society, the American Heart Association, Campaign for Tobacco-Free Kids, and other public health groups that tobacco should be denied a tax benefit. It also rejected the written request of 97 Members of Congress that tobacco be excluded.

Nicotine addiction represents a public health crisis. Within 20 years, almost 10 million people are expected to die annually from tobacco-related illnesses. Seventy percent of these deaths will occur in the developing countries that are being targeted by big tobacco's continued addiction to making money at the expense of human lives. In fact, tobacco will soon become the leading cause of disease and premature death worldwide—bypassing communicable diseases such as AIDS, malaria and tuberculosis.

Instead of being accountable for its deadly products, the tobacco industry has responded by conspiring to undermine the efforts of the World Health Organization to cope with this global pandemic. During recent litigation, Philip Morris was forced to produce documents, which can be found at the Minnesota Tobacco Document Depository, stating that the company sought to ''discredit key individuals'' and ''allocate the resources to stop [WHO] in their tracks.'' An August 2000 WHO report entitled, Tobacco Company Strategies to Undermine Tobacco Control Activities at the World Health Organization states:

The [industry] documents also show that tobacco company strategies to undermine

WHO relied heavily on international and scientific experts with hidden financial ties to the industry. Perhaps most disturbing, the documents show that tobacco companies quietly influenced other U.N. agencies and representatives of developing countries to resist WHO's tobacco control initiatives.

Geoffrey C. Bible, Chairman of Philip Morris, a company that has often hidden its malicious tobacco influence through its holdings in Kraft Foods, even wrote in 1988 of the ''need to think through how we can use our food companies [to help governments] with their food problems and give us a more balanced profile with the government than we now have against WHO's powerful influence.''

The tobacco industry certainly cannot justify the public subsidy offered through this proposed legislation. Philip Morris, R.J. Reynolds, and Brown and Williamson have acquired tremendous marketing expertise from decades of success in targeting American children. This offers them tremendous advantage over foreign competitors in addicting children around the world; they hardly need help from the American taxpayer in order to spread death and disease to children in developing countries.

Philip Morris spends millions in American television advertising to contend that it no longer markets to youth. It finally claims to have abandoned tobacco company billboards, transit ads, cartoon characters, cigarette-branded apparel and merchandise, paid placement of its products in movies and television shows, and most brand sponsorship of team sports and entertainment events. But, it has steadfastly declined to apply these modest safeguards in its international operations; indeed, it relies heavily on these and other tactics to target the world's children.

Both petroleum and unprocessed timber are excluded from this legislation. Yet tobacco, the single largest public health menace, will continue to be subsidized at a cost to American taxpayers of about $100 million per year. This legislation constitutes just another way of forcing American taxpayers to be partners in this export of death and disease. Little wonder that there was so much eagerness to silence discussion of this disgrace.

[From the Washington Post, Sept. 12, 2000]

TOBACCO EXPORTS GET AID IN BILL SET FOR HOUSE VOTE

(By Marc Kaufman)

The Clinton administration has never been shy about trying to cut smoking in the United States. But in a move that has confounded its usual allies, the administration is backing an export subsidy bill this year that would give American tobacco companies about $100 million in tax breaks yearly for tobacco products they sell abroad.

The bill, which is scheduled for a full House vote today, would continue subsidies for many American industries at a cost of between $4 and $6 billion annually. While these tax incentives have generally sparked little opposition in Congress, the willingness to continue export subsidies for tobacco has sparked criticism from public health advocates and other industry critics.

''I think it's a very difficult position for the administration to explain,'' said Rep. Lloyd Doggett (D-Tex.), who tried unsuccessfully to deny the subsidy to tobacco companies in the Ways and Means Committee. ''What we're doing here is promoting and subsidizing the sale of cigarettes to people abroad, and I find it unacceptable for that to be American policy.''

Doggett said that during the White House lobbying for the China trade bill earlier this year, President Clinton had told him that he generally supported the amendment to remove tobacco from the export subsidy list.

But a House Democratic aide familiar with the matter said White House officials did not attempt to dismantle the program's tobacco subsidy for fear of jeopardizing bipartisan accord on the legislation. ''The administration is caught a little bit between a rock and a hard place,'' the aide said.

A senior administration official said yesterday that Doggett's amendment was ''consistent with our tobacco policy'' but said the administration went along with House Ways and Means Committee Chairman Bill Archer (R-Tex.) in the position ''that no amendments be added to the legislation to ensure it be passed on a timely basis.''

Trent Duffy, spokesman for Archer, said Democrats and Republicans alike agreed to preserve the general subsidy program to compensate for European countries' favorable tax treatment of their companies' activities abroad. Duffy said the provisions in the bill ''are the only way we can stay competitive with our competitors overseas. . . . Once you start changing who receives the benefit of this regime, then you get into rewriting United States tax law, and that's not what this is about.''

The export bill deals with a long-standing trade dispute with the European Union. The Europeans have complained that the corporate tax breaks now offered to American exporters constitute an illegal export subsidy, and the World Trade Organization agreed with this position. The bill before the House today would address those concerns, though EU officials say little has changed.

When the bill came before the Ways and Means Committee in July, the American Medical Association, the Campaign for Tobacco-Free Kids and other public health organizations lobbied to remove tobacco from the subsidy list, but the bill passed unchanged with little public debate.

Democratic Ways and Means Committee members Doggett, John Lewis (Ga.) and Fortney ''Pete'' Stark (Calif.) published a sharp critique of the bill's handling as part of the committee report on the legislation. They pointed out that both petroleum and unprocessed timber do not qualify for the export tax incentives although tobacco does.

''This legislation constitutes just another way of forcing American taxpayers to be partners in this export of death and disease,'' they wrote. Critics of the subsidies said they would try to remove them when the bill comes up for consideration in the Senate.

Sales of cigarettes have been stable or declining in the U.S. market for some time, but rose dramatically abroad until last year. Tobacco is now a $6 billion export industry.

Today's administration support of the export bill with tobacco subsidies contrasts sharply with earlier efforts to reduce government support for tobacco sales abroad. The administration sent cables to all American embassies last year directing them not to promote cigarette sales because of public health concerns.

Doggett plans to denounce the tobacco subsidy in today's House debate, and said he may vote against the entire export subsidy bill because of its inclusion. His earlier amendment eliminating the tobacco subsidy had won the support of 96 other representatives, mostly Democrats.

But Democrats are unlikely to have a chance to change the bill once it reaches the House floor. It is slated to be brought up under suspension of the rules, which requires a two-thirds vote for approval with no amendments allowed.

Mr. STARK. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. DOGGETT), noting that it is now the 1-hour anniversary since this bill was printed, at 4:09 this afternoon, to celebrate that momentous occasion to close debate on this in opposition.

Mr. DOGGETT. Mr. Speaker, to those who say it is not significant, nor should it be debated today that the American taxpayers will be asked to be unwilling accomplices to the tobacco industry at a cost of $100 million per year; that the pharmaceutical industry will get about $123 million per year as a reward for selling pharmaceuticals at lower prices abroad than they do here at home; that military contractors will get a doubling of their tax subsidy under this bill as they sell machine guns and land mines and other armaments around the world to fuel the world's arms races; that all of these things should be ignored, because in order to protect American jobs, we have to beat the clock before October 1, one wonders why it is that we do not even have this bill presented until 4:09 in the afternoon on September 12, if we, indeed, face such a crisis. In fact, we do not face such a crisis.

The United States has never asked the Europeans for an extension of this deadline in order to explore other alternatives, and our country has every right to make that request. An opinion article in an authority no more extreme than Business Week on September 4 correctly said ''it's time to call a halt to such waste by both sides . . . the administration should drop its plan to expand FSC, get back to the negotiating table, and start proposing some real solutions such as eliminating export subsidies.''

Mr. ARCHER. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. ENGLISH).

Mr. ENGLISH. Mr. Speaker, I rise in strong support of this legislation.

Mr. Speaker, the international playing field is titled against our employers and their workers.

Without the Foreign Sales Corporation rule in our tax code, the situation will only be made worse—to the point of being intolerable.

With the World Trade Organization's ruling disallowing FSC, we face a double edge sword.

By refusing to repeal the FSC, the United States will be inviting massive retaliation against U.S. export trade but if we repeal FSC without adopting alternative legislation, our exporters and their employees will be left high and dry.

I urge my colleagues to support the Foreign Sales Corporations Extraterritorial Income Exclusion Act of 2000, which corrects the problems that the WTO had with FSC while protecting American workers.

This legislation grandfathers transactions begun prior to Oct. 1 and allows for manufacturing and/or a binding contract to continue under current FSC law until the end of next year.

FSC was made necessary only because the U.S. maintains an archaic worldwide tax system which taxes foreign-source income and because the U.S. taxes export income.

Allowing FSC to stand or abolishing it will make an already tough global market next to

impossible to compete in for U.S. employers. We must act now to avoid putting American workers onto a playing field for which they are not equipped.

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

Mr. Speaker, there has been a great deal of rhetoric today on the floor, but let us try to cut through all of it. If this bill does not pass, the FSC provisions that have been railed against by the opponents will continue to be in the law. None of that will change.

What they call a subsidy, which is actually a reduction of the impediment of double taxation on our companies, will still be in the law. Nothing will change. They act like suddenly everything will change, but what will happen is this: American products will have sanctions put against them between $4 billion and $40 billion a year by the Europeans, all justified by the WTO. And who will then be hit?

Will it be the big corporations? The first sanction will be on agriculture. Our farmers will be hit. Then they will put sanctions on man-made staple fibers. Our textile industry will be hit. Then they will put sanctions on cotton and yarns and woven fabrics. Then they will put sanctions on fruits and vegetables and likely our wine, which competes with the French wine.

They will pick the sensitive spots to apply these sanctions, but the FSC provisions that have been railed against will still be in the code. This is our only opportunity to protect American workers so that we can continue to export, even in those areas which do not currently get FSC treatment, the injury to the U.S. and the potential beginning of the mother of all trade wars is something to be avoided and avoided by this bill. It is the only option before us, vote yes.

Mrs. CHRISTENSEN, Mr. Speaker, I rise to speak on H.R. 4986, the Foreign Sales Corporation Repeal and Extraterritorial Income Act of 2000 because of the effect it will have on my district, the U.S. Virgin Islands.

Mr. Speaker, almost from the inception of the Foreign Sales Corporation Act of 1984, the U.S. Virgin Islands positioned itself to act as the premiere location where U.S. companies that were exporting U.S.-made goods could locate to reduce their tax liability. Approximately 3,900 of a total 7,000 FSC's are located in the U.S. Virgin Islands where they provide approximately 40 direct jobs to Virgin Islands residents and indirect employment in the thousands, through 12 law and management firms that serve them. They provide similar benefits on our sister territory of Guam—both of us being a part of this country.

FSC companies in the Virgin Islands generate about $7 to $10 million dollars annually and they have contributed almost $70 million to the cash-strapped treasury of the Government of the Virgin Islands since 1983. Through no fault of our own, and despite our working with the relevant agencies to mitigate the adverse effects, with passage of this bill, we will lose an important tool of our economy at a time when we can least afford it—when the government of the Virgin Islands is facing a severe financial crisis. Our accumulated budget deficit, as of January of last year was estimated to be in excess of $250 million and the Government's debt obligations has reached an unimaginable $1.12 billion.

While Virgin Islands Governor Turnbull has made strides in addressing this problem, the loss of revenues generated by FSC's to our Territory will be a major blow.

I am therefore looking forward to working with Chairman ARCHER and Ranking Member RANGEL to find a way to assist us in replacing the loss of revenue that this bill will mean to the Virgin Islands. I hope for the support of all my colleagues in this effort.

Mr. PAUL. Mr. Speaker, H.R. 4986, brought up under suspension, deserves serious consideration by all Members.

There are three reasons to consider voting against this bill. First, it perpetuates an international trade war. Second, this bill is brought to the floor as a consequence of a WTO ruling against the United States. Number three, this bill gives more authority to the President to issue Executive Orders.

Although this legislation deals with taxes and technically actually lower taxes, the reason the bill has been brought up has little to do with taxes per se. To the best of my knowledge there has been no American citizen making any request that this legislation be brought to the floor. It was requested by the President to keep us in good standing with the WTO.

We are now witnessing trade war protectionism being administered by the World (Government) Trade Organization—the WTO. For two years now we have been involved in an ongoing trade war with Europe and this is just one more step in that fight. With this legislation the U.S. Congress capitulates to the demands of the WTO. The actual reason for this legislation is to answer back to the retaliation of the Europeans for having had a ruling against them in favor of the United States on meat and banana products. The WTO obviously spends more time managing trade wars than it does promoting free trade. This type of legislation demonstrates clearly the WTO is in charge of our trade policy.

The Wall Street Journal reported on 9/5/00, ''After a breakdown of talks last week, a multi billion-dollar trade war is now about certain to erupt between the European union and the U.S. over export tax breaks for U.S. companies, and the first shot will likely be fired just weeks before the U.S. election.''

Already, the European Trade Commissioner, Pascal Lamy, has rejected what we're attempting to do here today. What is expected is that the Europeans will quickly file a new suit with the WTO as soon as this legislation is passed. They will seek to retaliate against United States companies and they have already started to draw up a list of those products on which they plan to place punitive tariffs.

The Europeans are expected to file suit against the United States in the WTO within 30 days of this legislation going in to effect.

This legislation will perpetuate the trade war and certainly support the policies that have created the chaos of the international trade negotiations as was witnessed in Seattle, Washington.

The trade war started two years ago when the United States obtained a favorable WTO ruling and complained that the Europeans refused to import American beef and bananas from American owned companies.

The WTO then, in its administration of the trade war, permitted the United States to put on punitive tariffs on over $300 million worth of products coming in to the United States from Europe. This only generated more European anger who then objected by filing against the United States claiming the Foreign Sales Corporation tax benefit of four billion dollars to our corporations was ''a subsidy''.

On this issue the WTO ruled against the United States both initially and on appeal. We have been given till October 1st to accommodate our laws to the demands of the WTO.

That's the sole reason by this legislation is on the floor today.

H.R. 4986 will only anger the European Union and accelerate the trade war. Most likely within two months the WTO will give permission for the Europeans to place punitive tariffs on hundreds of millions of dollars of U.S. exports. These trade problems will only worsen if the world slips into a recession when protectionist sentiments are strongest. Also, since currency fluctuations by their very nature stimulate trade wars, this problem will continue with the very significant weakness of the EURO.

The United States is now rotating the goods that are to receive the 100 to 200 percent tariff in order to spread the pain throughout the various corporations in Europe in an effort to get them to put pressure on their governments to capitulate to allow American beef and bananas to enter their markets. So far the products that we have placed high tariffs on have not caused Europeans to cave in. The threat of putting high tariffs on cashmere wool is something that the British now are certainly unhappy with.

The Europeans are already well on their way to getting their own list ready to ''scare'' the American exporters once they get their permission in November.

In addition to the danger of a recession and a continual problem with currency fluctuation, there are also other problems that will surely aggravate this growing trade war. The Europeans have already complained and have threatened to file suit in the WTO against the Americans for selling software products over the Internet. Europeans tax their Internet sales and are able to get their products much cheaper when bought from the United States thus penalizing European countries. Since the goal is to manage things in a so-called equitable manner the WTO very likely could rule against the United States and force a tax on our international Internet sales.

Congress has also been anxious to block the Voice Stream Communications planned purchase by Deutch Telekom, a German government-owned phone monopoly. We have not yet heard the last of this international trade fight.

The British also have refused to allow any additional American flights into London. In the old days the British decided these problems, under the WTO the United States will surely file suit and try to get a favorable ruling in this area thus ratchening up the trade war.

Americans are especially unhappy with the French who have refused to eliminate their farm subsidies—like we don't have any in this country.

The one group of Americans that seem to get little attention are those importers whose businesses depend on imports and thus get hit by huge tariffs. When 100 to 200 percent

tariffs are placed on an imported product, this virtually puts these corporations out of business.

The one thing for certain is this process is not free trade; this is international managed trade by an international governmental body. The odds of coming up with fair trade or free trade under WTO are zero. Unfortunately, even in the language most commonly used in the Congress in promoting ''free trade'' it usually involves not only international government managed trade but subsidies as well, such as those obtained through the Import/Export Bank and the Overseas Private Investment Corporation and various other methods such as the Foreign Aid and our military budget.

Free trade should be our goal. We should trade with as many nations as possible. We should keep our tariffs as low as possible since tariffs are taxes and it is true that the people we trade with we are less likely to fight with. There are many good sound, economic and moral reasons why we should be engaged in free trade. But managed trade by the WTO does not qualify for that definition.

U.S., EU RISK TRADE WAR OVER EXPORT TAX SHELTERS—EUROPE IS LIKELY TO SEEK THE WTO'S PERMISSION TO LEVY PUNITIVE TARIFFS

(By Geoff Winestock of the Wall Street Journal)

BRUSSELS.—After a breakdown of talks last week, a multibillion-dollar trade war is now almost certain to erupt between the European Union and the U.S. over export tax breaks for U.S. companies, and the first shot will likely be fired just weeks before the U.S. elections.

European Trade Commissioner Pascal Lamy rejected on Thursday the latest U.S. proposal for resolving a dispute over a $4 billion-a-year tax shelter for U.S. exporters that the World Trade Organization ruled illegal in February.

With chances now slim for an agreement on how to bring the U.S. tax code into line with WTO rules, the EU will likely file a new suit with the WTO in October. And this time, the EU will seek permission to retaliate against U.S. companies with trade sanctions. At a minimum, EU officials say, they will ask for punitive tariffs on $4 billion of U.S. goods.

The U.S. Congress is considering a bill designed to bring U.S. tax law into line with WTO rules. But hopes that this would yield a quick solution disappeared last week when Mr. Lamy sent a letter criticizing the bill to Deputy Treasury Secretary Stuart Eizenstat. Mr. Lamy said the proposal for amending the U.S. tax code ''failed to render it compatible with international trade rules,'' according to an EU briefing note. Indeed, EU officials say, the bill was marginally worse than a White House proposal that the EU rejected in May.

Describing the EU letter as ''disappointing'' and ''unconstructive,'' a senior U.S. official says the EU's attitude could sour trans-Atlantic trade ties. ''What we're trying to do is avert a trade war,'' the official says. ''We're doing everything we can to avoid it. If there's to be one, it will be in their hands, not in ours.''

The official says that the White House would continue to support the bill, which he says would be fully WTO-compliant. Unless the U.S. makes some change to the tax program by the WTO's Oct. 1 deadline, the official says, the U.S. will have no chance of avoiding a confrontation with the EU or winning its case in the WTO. The EU will have 30 days after Oct. 1 to lodge a complaint with the WTO, which will then take a few months to rule on what, if any, retaliation can be taken.

At the core of the dispute is a tax-law provision that allows U.S. companies to channel overseas sales of domestically produced goods through so-called foreign sales corporations—offshore subsidiaries, usually in tax havens, whose profits on those exports are subject to lower federal income taxes than are other profits. The FSC shelter saved U.S. companies about $4 billion last year. Boeing Corp., which used the shelter to save $230 million last year, included a warning about the trade dispute in its annual financial reports.

The U.S. says the congressional bill would replace the WTO-illegal tax breaks with a much broader exemption for all foreign-source income, both from exports and from goods manufactured abroad. The U.S. official says this is comparable with tax exemptions offered by EU countries, including the Netherlands and France.

But EU officials and some U.S. analysts say the analogy is inaccurate and that the proposed revision simply repackages the FSC program, retaining its preference for exports over domestic sales. ''U.S. industries which are benefiting from FSCs are being very stubborn,'' says Peter Morici, a senior fellow at the Economic Strategy Institute, a Washington, D.C. think tank. ''They do not want to make a real fundamental change in the law.''

Mr. DEFAZIO. Mr. Speaker, let's briefly review why we find ourselves here today to debate replacing a rather arcane section of the tax code that allows corporations to avoid a portion of their tax bill by establishing largely paper entities in a filing cabinet in a tax haven like Barbados with the equally arcane tax provisions of H.R. 4986, the FSC Repeal and Extraterritorial Income Exclusion Act of 2000.

Creating this new, expanded loophole to assist corporations in escaping their fair share of the tax burden in the U.S. makes a mockery of pleas by my colleagues to simplify the tax code and improve fairness.

For nearly two decades, beginning with the Revenue Act of 1971 (P.L. 92–178), the U.S. provided tax incentives for exports. However, our trading partners complained that these incentives violated our commitments under the General Agreement on Tariffs and Trade (GATT). While not conceding the violation, in 1984, Congress scrapped the Domestic International Sales Corporation (DISC) provisions and created the Foreign Sales Corporation (FSC) provisions. The differences are highly technical and probably only understood by international tax bureaucrats.

Under the FSC provision, corporations can exempt between 15 and 30 percent of their export income from taxation by routing a portion of their exports through a FSC. Our trading partners, specifically the European Union (EU), were not satisfied with the somewhat cosmetic changes made to the U.S. tax code.

Going back on a verbal gentleman's agreement not to challenge our respective tax codes under global trading rules, the EU filed a complaint with the World Trade Organization (WTO), successor to GATT, essentially arguing the same thing that was argued about DISCs. Namely that export subsidies were illegal under global trading rules by conferring an unfair advantage on recipient companies.

A secretive WTO tribunal ruled against the U.S. Dutifully, the U.S. appealed the decision. Earlier this year, the WTO appeals panel upheld the earlier decision and ordered the U.S. to repeal the FSC provision or risk substantial retaliatory measures.

Specifically, the WTO appeals panel wrote, ''By entering into the WTO Agreement, each Member of the WTO has imposed on itself an obligation to comply with all terms of that Agreement. This is a ruling that the FSC measure does not comply with all those terms. The FSC measure creates a 'subsidy' because it creates a 'benefit' by means of a 'financial contribution', in that government revenue is foregone that is 'otherwise due.' This 'subsidy' is a 'prohibited export subsidy' under the SCM Agreement [Agreement on Subsidies and Countervailing Measures] because it is contingent on export performance. It is also an export subsidy that is inconsistent with the Agreement on Agriculture. Therefore, the FSC measure is not consistent with the WTO obligations of the United States.''

In other words, it is unfair and illegal under global trade rules for the U.S. tax code to provide welfare for corporations by allowing them to escape taxes that would otherwise be due.

At this point, one would expect that my colleagues who, on most occasions eloquently defend the need for ''rules based trade'' and ''free markets'', to adhere to the WTO directive and repeal FSC. Because I assumed my colleagues would want to be intellectually consistent, I introduced legislation shortly after the WTO ruling to repeal FSC.

After all, precedent proved the U.S. was more than willing to bend to the will of the WTO. When the WTO ruled against a provision of the 1990 Clean Air Act, the Environmental Protection Agency gutted its clean air regulations in order to allow dirtier gasoline from Venezuela to be sold in the U.S.

Similarly, when Mexico threatened a WTO enforcement action on a 1991 GATT case it had won that eviscerated the Dolphin Protection Act, the U.S. went along to get along. In fact, the Clinton Administration sent a letter to Mexican President Ernesto Zedillo declaring that weakening the standard by which tuna must be caught in ''dolphin-safe'' nets ''is a top priority for my administration and me personally.''

The WTO also ruled against the Endangered Species Act provisions that required U.S. and foreign shrimpers to equip their nets with inexpensive turtle excluder devices if they wanted to sell shrimp in the U.S. market. The goal was to protect endangered sea turtles. The Clinton Administration agreed to comply with the ruling.

Given this record of acquiescing to the WTO, one could be forgiven for assuming the Clinton Administration and Congress would behave in a similar manner when losing a case on tax breaks for corporations.

Of course, sea turtles and dolphins don't make massive campaign contributions, or any campaign contributions for that matter. But, the large corporations who would be impacted by the WTO decision against FSCs do.

Apparently not bothered by the hypocrisy, immediately after the ruling by the WTO appeals panel, the Clinton Administration, a few Members of Congress, and the business community openly declared the need to maintain the subsidy in some form and began meeting in secret to work out the details on how to circumvent the WTO ruling and maintain these valuable, multi-billion dollar tax incentives.

Now, it is well-known that I am not a big fan of the WTO. It is an unaccountable, secretive, undemocratic bureaucracy that looks out solely for the interests of multinational corporations

and investors at the expense of human rights, labor standards, national sovereignty, and the environment.

But, by pointing out that export subsidies like FSCs are corporate welfare, however, the WTO has done U.S. taxpayers a favor. Unfortunately, this legislation before us today only does wealthy corporations a favor.

I have several problems with H.R. 4986 besides the intellectual inconsistency. I will touch on each of these now.

First, and perhaps most importantly, there is little or no economic rationale for export subsidies like FSCs or the provisions of H.R. 4986. In its April 1999 Maintaining Budgetary Discipline report, the Congressional Budget Office (CBO) noted ''Export subsidies, such as FSCs, reduce global economic welfare and may even reduce the welfare of the country granting the subsidy, even though domestic export-producing industries may benefit.''

Similarly, in August 1996, CBO wrote ''Export subsidies do not increase the overall level of domestic investment and domestic employment . . . In the long run, export subsidies increase imports as much as exports. As a result, investment and employment in import-competing industries in the United States would decline about as much as they increased in the export industries.''

Need further evidence? The Congressional Research Service (CRS) has written ''Economic analysis suggests that FSC does increase exports, but likely triggers exchange rate adjustments that also result in an increase in U.S. imports; the long run impact on the trade balance is probably nil. Economic theory also suggests that FSC probably reduces aggregate U.S. economic welfare.''

Of course, protests will be heard from supporters of H.R. 4986 that it gets rid of the export requirement. In testimony before the Ways and Means Committee, Deputy Secretary Eizenstat said the Chairman's mark is ''not export-contingent.'' Of course, that claim is absurd. If a company sells products solely in the U.S., they don't qualify for the tax subsidy. That is, by definition, an export subsidy. Therefore, the criticisms of export subsidies previously mentioned would apply to this new legislation as well.

President Nixon originally prosed export subsidies, which became the DISC and then FSC, because he was alarmed at the size of the U.S. trade deficit, which was $1.4 billion in 1971, a number that seems almost quaint by today's standards. As Paul Magnusson noted in the September 4, 2000, Business Week FSC ''produced some hefty tax savings for big U.S. exporters, but it never did actually do much to narrow the trade deficit, which hit a record $339 billion last year.'' And which, I should add, has continued to set new records virtually every month this year.

I can't understand why it makes sense to subsidize U.S. exporters to the tune of $5 billion or more when the economic impact is ''probably nil'' or worse.

The economic rationale further deteriorates when one realizes, as the previous quotes suggest, that export subsidies discriminate against mom-and-pop stores who don't have the resources to export and against U.S. industries that must compete with imports. This means that export subsidies distort markets by pre-ordaining winners and losers. The winners? Large exporters and foreign consumers who get to enjoy lower priced U.S. products subsidized by U.S. taxpayers. The losers? Small businesses, U.S. taxpayers, and import-competing industries.

I find it interesting while Treasury has spent a great deal of time figuring out how to combat corporate tax shelters that have no economic rationale, as discussed in a July 1999 report, that they would push this corporate welfare, which also has no economic rationale.

So, who specifically benefits? The journal Tax Notes conducted a revealing study of FSCs in its August 14, 2000, edition. The article profiled the 250 companies that reported $1.2 billion in FSC tax savings in 1998. The top 20 percent of the companies in the sample claimed 87 percent of the benefits. The two largest FSC beneficiaries were the General Electric Company and Boeing, which saw their tax bills reduced by $750 million and $686 million, respectively from 1991–1998.

What are some of the other top FSC corporate welfare queens? Motorola, Caterpillar, Allied-Signal, Cisco Systems, Monsanto, Archer Daniels Midland, Oracle, Raytheon, RJR Nabisco, International Paper, and ConAgra. The list reads like a who's who of extraordinarily profitable multinational corporations. Hardly companies that should need to feed from the taxpayer trough.

Furthermore, American subsidiaries of European firms take advantage of U.S. taxpayers through export subsidies. British Petroleum, Unilever, BASF, Daimler Benz, Hoescht, and Rhone-Poulenc are all FSC beneficiaries. The fact that foreign companies can also claim export benefits pokes a large hole in the argument that these tax benefits are needed to ensure the competitiveness of U.S. businesses.

Simiarly, isn't it a bit odd that economist and U.S. policymakers like to lecture European nation's about their high tax burdens, but now, suddenly their tax burden is too low and, therefore, U.S. companies need subsidies in order to compete?

Let's be clear, this legislation is not about the competitiveness of large, wealthy, multinational corporations based in the United States. It is about wealthy campaign contributors wanting to keep and expand their $5 billion-plus tax subsidies and elected officials willing to do their bidding.

Not only does H.R. 4986 allow these companies to continue receiving billions in tax breaks, but it actually expands them. This legislation will cost U.S. taxpayers another $300 million a year or more.

It is also unfortunate that this legislation subsidizes a number of industries—such as defense contractors, tobacco companies, and pharmaceutical firms—that have no business receiving any more taxpayer hand-outs.

Take the defense industry, for example. Under the current FSC regime, defense contractors can only claim 50 percent of the tax available to other industries. The legislation before us today allows the defense industry to claim the full benefit available to others.

Leaving aside the fact that U.S. taxpayers are already overly generous to defense contractors, which no doubt they are, expanding this corporate welfare will have no discernible impact on overseas sales. The Treasury Department noted in August 1999, ''We have seen no evidence that granting full FSC benefits would significantly affect the level of defense exports.''

In 1997, the CBO made a similar point, ''U.S. defense industries have significant advantages over their foreign competitors and thus should not need additional subsidies to attract sales.''

Even the Pentagon has acknowledged this fact by concluding in 1994, ''In a large number of cases, the U.S. is clearly the preferred provider, and there is little meaningful competition with suppliers from other countries. An increase in the level of support the U.S. government currently supplies is unlikely to shift the U.S. export market share outside a range of 53 to 59 percent of worldwide arms trade.''

As Ways and Means Committee Member, Representative DOGGETT, noted in his dissenting views on H.R. 4986, ''In 1999, without the bonanza provided by this bill, U.S. defense contractors sold almost $11.8 billion in weapons overseas—more than a third of the world's total and more than all European countries combined.''

The U.S. should stop the proliferation of weapons and war, not expand it as this bill intends.

The pharmaceutical industry is another industry that does not need or deserve additional subsidies from U.S. taxpayers. The industry already receives substantial research and development tax credits as well as the benefits flowing from discoveries by government scientists. As Representative STARK noted in his dissenting views, drug companies lowered their effective tax rate by nearly 40 percent relative to other industries from 1990 to 1996 and were named the most profitable industry in 1999 by Fortune Magazine.

The industry sells prescription drugs at far cheaper prices abroad than here in the U.S. For example, seniors in the U.S. pay twice as much for prescriptions as those in Canada or Mexico. It is an affront to U.S. taxpayers to force them to further subsidize an industry that is already gouging them at the pharmacy as this bill would do.

In direct contradiction of various federal policies to combat tobacco related disease and death in the U.S., this legislation would force U.S. taxpayers to subsidize the spread of big tobacco's coffin nails to foreign countries. This violates the American taxpayers' sense of decency and respect. Their money should not be used to push a product onto foreign countries that kills one-third of the people who use it as intended.

By placing H.R. 4986 on the suspension calendar, debate is prematurely cut off and amendments to reduce support for drug companies, the defense industry or tobacco companies can not be considered. But, I guess that's just par for the course for a process that has taken place in relative secrecy between a few Members of Congress, the Administration, and the industries that stand to benefit from this legislation.

You may not hear this in the debate much, but it is important to point out that the EU has already put the U.S. on notice that H.R. 4986 does not satisfy its demands. According to the EU, H.R. 4986 still provides an export subsidy, maintains a requirement that a portion of a product contain U.S.-made components, and does not repeal FSCs by the October 1st deadline. Therefore, it is likely the EU will ask the WTO to rule on the legality of the U.S. reforms. Most independent analysts agree with the EU critique of H.R. 4986.

So, it is reasonable to assume the WTO will again rule against the U.S. and allow the EU to impose retaliatory sanctions against U.S.

products. According to some press accounts, the EU would be able to impose 100 percent tariffs on around $4 billion worth of U.S. goods. These would be the largest sanctions ever imposed in a trade dispute. In other words, this inadequate reform of export subsidies will open up the U.S. to retaliatory action by the EU, which will harm exports as much or more than any perceived benefit that would be provided by H.R. 4986. Of course, the exporters that will be hurt by retaliatory sanctions probably won't be the same businesses that will enjoy the tax windfall provided by this legislation.

Mr. Speaker, ADM is not suffering. Cisco Systems is not suffering. Raytheon is not suffering. Microsoft is not struggling mightily to keep its head above water. But, the American people are. Schools are crumbling, 45 million Americans have no health insurance, individuals are working longer hours for less money with the predictable stress on families, millions of seniors do not have access to affordable prescription drugs, and poverty remains stubbornly high, particularly among children.

Rather than debating how to preserve billions in tax subsidies for some of our largest corporations, we should be figuring out how to address some of these issues. How many times over are we going to spend projected, and I stress projected, surpluses, if we want to pay down the national debt, provide prescription drugs, shore up Social Security and Medicare, and increase funding for education, Congress cannot keep showering wealthy corporations with unjustifiable tax subsidies.

I will end with a quote from a newspaper I'm not normally inclined to agree with editorially, the Washington Times. In an editorial on September 5, 2000, the Washington Times wrote, ''The Ways and Means Committee boasts that support for its revised FSC bill was bipartisan and near unanimous. It remains a bipartisan and near unanimous blunder.''

I urge my colleagues to vote against H.R. 4986.

Mr. UNDERWOOD. Mr. Speaker, I rise to express my concern about the impact of H.R. 4986, The FSC Repeal and Extraterritorial Income Exclusion Act of 2000, on the U.S. territories, particularly the U.S. Virgin Islands and Guam.

Since the WTO decision last fall on Foreign Sales Corporations (FSCs), I know that the Administration has worked closely with House Ways and Means Committee Chairman ARCHER and Representative RANGEL, the ranking member, to ensure that the United States passes legislation to meet the October 1, 2000, deadline set by the WTO to comply with its ruling.

As many of you know, the WTO panel issued a ruling last fall that subsidies for Foreign Sales Corporations under U.S. tax laws violated the WTO Subsidies Agreement. U.S. negotiators have since worked in good faith on a proposal to retain many of the tax benefits of the FSC structure, while establishing a new structure which would be responsive to the European Union's challenge.

However, I simply want to express my concern over the impact that H.R. 4986 would have on the U.S. territories. Under the current FSC system, U.S. territories have been able to benefit through tax exemptions for U.S. exporting industries. With the repeal of the FSC system, we will no longer be able to offer this incentive although I understand that current contracts will be honored.

In Guam, there are around 211 FSC licensees, generating around $170,000 to the Government of Guam. However, license fees are only some of the direct benefits from FSCs. Other direct benefits include compensation for Guam attorneys and other professionals, bank deposits, and funds generated through the hotel and restaurant industries that host FSC corporate meetings. Indirect benefits would be the cumulative effect that FSCs and other tax incentives have on attracting U.S. businesses to Guam.

Be it as it may, the writing is on the wall for FSCs as we now know it. Therefore, I am appealing to the Clinton Administration, particularly the Treasury Department, to offset the economic impact of today's legislation with the means necessary to allow the U.S. territories to promote economic self-sufficiency during any negotiations with the Congress on any final omnibus budget or tax package.

Apart from H.R. 3247, which would provide empowerment zones for the U.S. territories, I have worked closely with my colleagues to enact legislation that I authored which would level the playing field for foreign investors in Guam through the passage of the Guam Foreign Direct Investment Equity Act (H.R. 2462/S. 2983).

My legislation would provide Guam with the same tax rates as the fifty states under international tax treaties. Since the U.S. cannot unilaterally amend treaties to include Guam in its definition of united States, my bill amends Guam's Organic Act, which has an entire tax section that ''mirrors'' the U.S. Internal Revenue Code.

As background, under the U.S. Code, there is a 30% withholding tax rate for foreign investors in the United States. Since Guam's tax law ''mirrors'' the rate established under the U.S. Code, the standard rate for foreign investors in Guam is 30%.

The Guam Foreign Direct Investment Equity Act provides the Government of Guam with the authority to tax foreign investors at the same rates as states under U.S. tax treaties with foreign countries since Guam cannot change the withholding tax rate on its own under current law. Under U.S. tax treaties, it is a common feature for countries to negotiate lower withholding rates on investment returns. Unfortunately, while there are different definitions for the term ''United States'' under these treaties, Guam is not included. Such an omission has adversely impacted Guam since 75% of Guam's commercial development is funded by foreign investors. As an example, with Japan, the U.S. rate for foreign investors is 10%. That means while Japanese investors are taxed at a 10% withholding tax rate on their investments in the fifty states, those same investors are taxed at a 30% withholding rate on Guam.

While the long term solution is for U.S. negotiators to include Guam in the definition of the term ''United States'' for all future tax treaties, the immediate solution is to amend the Organic Act of Guam and authorize the Government of Guam to tax foreign investors at the same rates as the fifty states. Other territories under U.S. jurisdiction have already remedied this problem through delinkage, their unique covenant agreements with the federal government, or through federal statute. Guam, therefore, is the only state or territory in the United States which is unable to take advantage of this tax benefit.

Section 3 of H.R. 2462, which I introduced last year, and has bi-partisan support, passed the House on July 25, 2000. Senators AKAKA and INOUYE introduced a companion measure, S. 2983, on July 27, 2000.

As we consider today's measure on the repeal of FSCs, I simply ask that my colleagues support my legislation on equal tax treaty rates for Guam and I implore the Clinton Administration to also support such economic relief for the people of Guam. Please include equitable tax treatment for foreign investors in Guam during any final omnibus budget or tax package.

□ 1715

The SPEAKER pro tempore (Mr. STEARNS). All time has expired.

The question is on the motion offered by the gentleman from Texas (Mr. ARCHER) that the House suspend the rules and pass the bill, H.R. 4986, as amended.

The question was taken.

Mr. STARK. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed until tomorrow.

EXPRESSING SORROW OF THE HOUSE AT THE DEATH OF THE HONORABLE HERBERT H. BATEMAN, MEMBER OF CONGRESS FROM THE COMMONWEALTH OF VIRGINIA

Mr. BLILEY. Mr. Speaker, I offer a privileged resolution (H. Res. 573) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 573

Resolved, That the House has heard with profound sorrow of the death of the Honorable Herbert H. Bateman, a Representative from the Commonwealth of Virginia.

Resolved, That a committee of such Members of the House as the Speaker may designate, together with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of applicable accounts of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That when the House adjourns today, it adjourn as a further mark of respect to the memory of the deceased.

The SPEAKER pro tempore. The gentleman from Virginia (Mr. BLILEY) is recognized for 1 hour.

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

Mr. Speaker, it is with great sadness we are here today to honor our late colleague, Representative Herb Bateman of Newport News, Virginia. Herb represented the First District of Virginia, better known, as he used to say, as ''America's First District,'' because

of the important role it has played in our Nation's history.

Herb lived to serve his country and fellow citizens. After receiving his bachelor of arts from the College of William and Mary in 1949, he taught at Hampton High School from 1949 to 1951.

Herb answered the call of duty by enlisting in the United States Air Force during the Korean War, eventually earning the rank of first lieutenant, and was discharged in 1953.

Herb attended law school and earned a law degree from Georgetown University Law Center in 1956. After a clerkship with the United States Court of Appeals in Washington, Herb joined a Newport News law firm, where he practiced for 25 years.

Prior to coming to Congress, Herb served 15 years in the Virginia Senate, where he gained a solid reputation for leadership and committee work on such diverse subjects as agriculture, energy, education, and the budget.

Herb will be remembered for the lifetime of service he gave to his country and his constituents. Herb dedicated his life in defense of our national security, because he realized America was the only true world superpower. He recognized America had global responsibilities, and he took America's responsibilities seriously because he worked tirelessly to ensure the naval superiority of the United States.

Herb's tireless efforts during his 18-year career in Congress helped preserve America's greatness, in which we all saw communism defeated and America stand as the last superpower. Herb's efforts behind the scenes helped to sustain his constituents working at Newport News Shipbuilding and the local military community.

Herb's long Congressional record included fighting for the authorization and construction of several aircraft carriers and submarines, including the U.S.S. *Ronald Reagan*, the U.S.S. *John C. Stennis*, the U.S.S. *Harry S. Truman*, and the Navy's next generation of aircraft carriers, 12 Los Angeles Class attack submarines and the new Virginia class submarines.

Herb's loss is truly a national loss. We mourn his loss as a House and as a Nation. I mourn his loss as a friend.

For Herb's family, we feel the loss his wife, Laura, and his two children, Bert and Laura, and his three grandchildren are enduring today.

A Nation is indebted to the unselfish work of Herb Bateman. You are in our prayers, and may God bless you and your family.

Mr. BLILEY. Mr. Speaker, I yield 2 minutes to the gentleman from the Fourth District of Virginia (Mr. SISISKY), a colleague of Herb's on the Committee on Armed Services.

Mr. SISISKY. Mr. Speaker, I have known Herb Bateman for many, many years. I served 9 years in the Virginia General Assembly with him, and, of course, 18 years in Congress. He was a great friend and a great leader for Virginia.

We will miss his leadership on the House Committee on Armed Services. He was a staunch advocate for the readiness of our Armed Forces, and he was a strong supporter of the shipbuilding industry, not only in Virginia, but throughout the United States.

One of the greatest reasons for his success and achievements was his bipartisanship. Make no mistake, Herb was a man of his party, but, even more than that, he was a great patriot, who first and foremost stood for this country.

He believed in a strong military and a strong Navy. He always understood the need for adequate training before sending our forces into harm's way. He was relentless in the pursuit of military excellence, and he could work with anybody on any side of an issue. He worked with the Depot Caucus and was fair and evenhanded with private and public employees. Most importantly, when meeting the challenges faced by this great country, party really made no difference.

So we, personally, and this country will miss Herb Bateman. He had such a precise and logical way of thinking that sometimes listening to him was like hearing someone dictate a legal brief. But, most important, his sense of humor and the warmth of his friendship are things for which I will always be grateful.

He was a close friend of mine and, of course, my wife; and we extend heartfelt condolences to Laura and their family.

Mr. BLILEY. Mr. Speaker, I yield 2 minutes to the gentleman from the Tenth District of Northern Virginia, (Mr. WOLF).

Mr. WOLF. Mr. Speaker, I join the fellow members of the Virginia delegation in remembering Herb Bateman, a true gentleman and a dedicated public servant.

I had been planning to come to the floor later this month to pay tribute to Herb, to talk about his long and distinguished record of service to Virginia and the Nation, and to wish him Godspeed as he retired from the Congress at the end of the session. His untimely passing yesterday reminds us all of our own mortality and how important it is to live our lives with honor and integrity and to make the most of every opportunity we have to serve our fellow men.

Herb Bateman lived his life that way. It was a privilege to serve with him the entire 18 years he was in Congress.

While we grieve today that Herb is no longer with us, we can find comfort in knowing that at the end of his days, he could hear the voice of God saying, ''Well done, good and faithful servant.''

Herb loved being a Member of Congress. He was a decent, hard-working, and likeable man who reached across the aisle to work together for the best interests of America. He loved representing the people of Virginia's First Congressional District, and beamed with pride in calling his district ''America's First District.''

He worked tirelessly for his district. As Chairman of the Committee on Armed Services Subcommittee on Military Readiness, he was a diligent champion for the defense interests, not only of the Tidewater area of Virginia, which he represented, but for a strong defense for our Nation.

He was a protector of our national defense, and he initiated the practice of listening to the field commanders of our Armed Forces, the captains, the colonels, the majors, and not solely relying on the Pentagon brass to get the real picture of the Nation's defense. He worked to protect the welfare of the men and women in uniform and their families, and those who have retired from the service and their country.

Herb was deeply concerned about the deterioration of our military readiness; and if we can do anything to honor his memory, it would be to heed the warnings he gave about the need to invest in improving and maintaining our nation's defense readiness.

Herb worked for the commuters in the First District. Through a seat on the Committee on Transportation and Infrastructure, he focused on improving highways and bridges in Tidewater and in protecting the Chesapeake Bay.

This Congress, the Commonwealth of Virginia, and this Nation have lost a faithful servant and wonderful man, but our lives are forever enriched for having had Herb Bateman as our friend and colleague.

In closing, our deepest sympathies are extended to Congressman Bateman's family: his wife, Laura Yacobi Bateman; his daughter, Laura Margaret Bateman; his son, Herbert H. ''Bert'' Bateman, Jr., and his wife, Mary, and their three children, Emmy, Hank, and Sam; and also to his Congressional family, his staff here on Capitol Hill and in his district offices. We all share in your loss.

Mr. BLILEY. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Newport News, Virginia (Mr. SCOTT), a member of the Virginia delegation who has had a long association with Congressman Bateman, who succeeded Congressman Bateman in the Virginia State Senate, and who now is with us in the House.

Mr. SCOTT. Mr. Speaker, I rise to join my colleagues in the Virginia delegation and the House in support of the resolution and to praise Herb Bateman for his hard work and dedication to the constituents of the First Congressional District of Virginia, which he always referred to as ''America's First District.''

Herb and I served neighboring districts in the House, and during my service in the Virginia Legislature, he was either my State senator or my congressman, so we had many opportunities to work together to represent the interests of the residents of the Hampton Roads, Virginia area.

Having worked side-by-side, I can tell you that Herb Bateman was a decent, hard-working, and effective legislator.

During his many years of public service, he conscientiously promoted the needs of a district with a strong military and Federal presence.

As a Member of the Committee on Armed Services, he made military readiness and concerns of military families his highest priorities. Because of his total dedication, America enjoys a strong military, and school districts with a large military presence receive additional Federal funding through Impact Aid.

In the Hampton Roads area, we have been particularly grateful for Herb's leadership because we continue to build aircraft carriers and submarines. NASA budgets reflect a higher priority for the aeronautics research proudly done at NASA Langley Research Center, and the Thomas Jefferson National Accelerator Facility continues to excel.

The Virginia delegation is particularly saddened by Herb's passing. He was well thought of and highly respected by all of us. The delegation has always worked cooperatively and in a bipartisan fashion on issues affecting Virginia, and Herb steadfastly contributed to that spirit.

I want to extend my deepest sympathies to his wife Laura; his children, Laura and Bert; and his grandchildren, as well as to his staff in the Washington, D.C. and Newport News offices.

America's First District and the United States House of Representatives have lost a friend.

Mr. BLILEY. Mr. Speaker, I yield 1 minute to the gentleman from Rocky Mount, Virginia (Mr. GOODE).

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

Mr. GOODE. Mr. Speaker, I rise tonight to pay tribute to a valued friend, a patriot, a veteran Member of this body, a distinguished Virginian, and a devoted husband, father, and grandfather.

When someone dies, floods of thoughts and recollections about that individual come to mind. Such it was yesterday morning when I learned of Herb Bateman's passing. I remember vividly how Herb helped me over the years. When I was elected to the State Senate of Virginia, Herb gave me valuable insights into how the Senate worked and how I might work within the Senate to help my district. Four years ago when I came to this body, Herb was one of the first to extend his knowledge and guidance to help me on my way.

Herb Bateman loved this country. He enlisted in the Air Force during the Korean War and was discharged as a lieutenant. In the Senate of Virginia and the House of Representatives, Herb represented areas that have significant military installations. He worked tirelessly on behalf of a strong military and the needs of America's service men and women.

In the Senate of Virginia and in this the Congress of the United States, Herb always worked for fiscal restraint, making the best use of money available.

It was he who sponsored legislation in the Senate of Virginia to establish J–LARC—the Joint, Legislative, Audit and Review Commission. This commission has served over the years to eliminate waste and abuse in Virginia government and to uncover overlapping in the work of agencies. J–LARC is the model upon which other states have created their own similar commissions.

Throughout his years of public service, Herb has been supported faithfully by his wife, Laura, and their union was blessed by two children, both of whom are grown and leading successful lives. And, the children have given Herb and Laura three grandchildren, who were the apples of Herb's eyes.

Herb, we will miss you. I will miss you. Be assured that the light of your legacy will continue to shine through your family and the many people whose lives you touched and guided.

□ 1730

Mr. BLILEY. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. SKELTON).

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

Mr. Speaker, this is a sad moment for me. I know it is a sad moment for Virginians, and it is a sad moment for Americans who serve in the Armed Forces of our country. Herb Bateman was a friend. He was a colleague. We served on the Committee on Armed Services together, and I saw him through the years apply his considerable knowledge and his considerable efforts in the pursuit of maintaining a strong national security. He was the chairman of the Subcommittee on Military Readiness and took that position quite seriously. We have, as a result, considerably more readiness; and the men and women of our uniformed services are all the better for his work.

Herb was a man of integrity, a man of knowledge, a man of ability who gave his country his best. We have enjoyed serving with him here in the Congress of the United States. We have enjoyed being his friend. My wife, Suzie, and I join with Members today in extending our sincere sympathy to his wife, Laura, and to his family, and to that very, very fine staff that he has, especially those who are across the hall from my office in the Rayburn Building. Our sympathy and condolences go out to them.

Mr. BLILEY. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. COBLE).

Mr. COBLE. Mr. Speaker, I thank the gentleman from Virginia, my friend, for yielding me this time.

Just last week, Mr. Speaker, back on the back rail, I said to Herb, you will be missed, in response to his announced intention to retire from this body. He said, oh, I will be back. This tells us, Mr. Speaker, how fragile, how indefinite, how uncertain life can be.

As has been said by other speakers, Herb's congressional legacy will be formidable and impressive. One of his most salient contributions was his steadfast advocacy for a strong national defense. His district, after all, is home to one of the nerve centers of our defense community. I say to the gentleman from Richmond, Virginia (Mr. BLILEY), my friend, I fondly recall an occasion when I delivered the OCS graduation address at the Coast Guard Reserve Training Center in Yorktown, which is in Herb's district. After the ceremony, Herb came to me and said, I so much enjoy coming to this place. It is beautifully located on the banks of the York River, and Herb expressed such pride in that Coast Guard installation; but he was equally proud of all of the military installations in his district; and as has been indicated by the other speakers, they are numerous.

Herb was, indeed, proud of our defense family. He was proud of his district. He was proud of his State. I am not sure the gentleman from Virginia (Mr. BLILEY) mentioned this, but he was, in fact, born in North Carolina. He may have said that early on. He was proud of this House, the people's House. Herb often referred to it in those words, the people's House, the Chamber closest to the people.

Finally, he was proud of his family. I know that my colleagues will join me in extending to Laura and Herb's children our expressions of sympathy during this time of their bereavement. I again thank the gentleman from Virginia (Mr. BLILEY) for having taken this time out in honor of Herb.

Mr. BLILEY. Mr. Speaker, I yield 2 minutes to the gentleman from Alexandria, Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, I want to thank the very distinguished gentleman from Virginia (Mr. BLILEY) for bringing forth this resolution to pay tribute to our friend and colleague, Herb Bateman.

Mr. Speaker, Herb was a quintessential Virginia gentleman. He was unfailingly polite and gracious to the people around him. He always had a kind word for Members and staff, and he was easy to approach on any issue that one needed to speak with him about. Herb embodied the spirit of civility and bipartisanship that we strive for but too seldom achieve. These personal qualities help to explain why Herb Bateman was so well liked on both sides of the aisle.

Beyond his simple decency, Herb was a very effective Member of Congress. He was particularly a champion for the Navy, for its shipbuilding program, for the men and women who serve in all of our Armed Forces. As a ranking member of the old House Merchant Marine and Fisheries Committee, Herb was a forceful advocate for a strong U.S. merchant fleet and its role in our national security and economic livelihood. Generations of Virginians will long appreciate his work to promote economic development throughout our State, both as a Member of Congress and as a member of the Virginia State Senate.

I happened to host the congressional luncheon we had for the congressional delegation last week, last Thursday. Herb was the first one there. Every Member that came in, he greeted them warmly; he was fully cognizant of all of the issues that each of us was concerned about in our own districts. He was just a warm and terrific guy. He will be sorely missed, and we extend our condolences to Herb's wife, Laura, their children, and their many friends.

Mr. BLILEY. Mr. Speaker, I yield such time as he may consume to the gentleman from South Carolina (Mr. SPENCE), the chairman of the Committee on Armed Services, a committee on which Herb served so faithfully.

Mr. SPENCE. Mr. Speaker, it saddens me deeply to speak of the passing of our good friend and colleague, Herb Bateman. I have known him for a long time, he and his wife, Laura. We have traveled to many places together, experienced many things together. He meant a lot to me personally and to this Nation. Our Nation has lost a respected legislator and a stalwart defender of the men and women of our Armed Forces.

During Herb's time in the Congress, he devoted his full time and energy to addressing the needs of the United States military. Without exception, his actions always reflected his sense of duty to the United States and to our Armed Forces.

When I became Chairman of the Committee on Armed Services, one of the first acts on my part was to ask Herb to chair the Subcommittee on Military Readiness, and also a panel concerning our sea power. Under his leadership, the Subcommittee on Military Readiness has addressed countless difficult issues, including the declining state of the United States military readiness. One of his most enduring efforts as chairman of that subcommittee was a series of field hearings he held throughout the world on military readiness that he chaired in an effort to personally evaluate readiness problems throughout the force.

He went to the source of our problems and got it firsthand and brought it back to us and to our military and the Pentagon. Thanks largely to his efforts, the administration and the senior Pentagon leadership finally admitted to significant readiness problems in 1998. We owe a lot to Herb for doing that. As a Nation, we owe him thanks for his role in exposing the truth about our Nation's military.

As his friends and colleagues, we will miss him and mourn the passing of Herb Bateman. He touched the lives of thousands in his quest to improve our Nation's Armed Forces. Our country has lost a true patriot; our Congress and our committee will miss his counsel, and I have lost a good friend.

Mr. BLILEY. Mr. Speaker, I yield 2 minutes to the gentleman from Roanoke, Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Speaker, I thank the chairman of our Virginia delegation for yielding me this time and for bringing forth this resolution to pay tribute to my friend, Herb Bateman, who I have known for 20 years.

I first met Herb when he was a member of the Virginia Senate and campaigned for the Office of Lieutenant Governor of our State, and I remember meeting him in Roanoke 20 years ago and being impressed then with the conviction of his beliefs and his dedication to public service. Herb did not win that nomination for lieutenant governor; but shortly thereafter, with the election of Paul Tribble to the U.S. Senate, Herb ran for and won the election to the first congressional district seat. He was so honored to represent the people of that district, which he called not Virginia's First Congressional District, but because it included Jamestown and Williamsburg and Yorktown, he called it America's First Congressional District.

He was a man of great courage and convictions. I serve on the whip team here in the House, and Herb was one of the individuals that I would go to before every major vote to find out how he planned to vote and Herb always had a well-founded reason why he was voting for whatever it was that he was going to vote on, and an independent spirit and streak that made him more than happy to stand up and disagree with the majority on an issue if he felt it was straying from the principle that he felt should be adhered to. He was one that I was proud to go to for advice on many occasions, and he always took a deep interest in whatever it was that I was doing or other Members of the House were doing, and always tried to be helpful.

So I am going to miss my good friend, and I know everyone else here will as well, someone who stood up for our Nation's defenses, was a strong supporter of our space program, and a good friend to all of us.

Mr. BLILEY. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. BURTON), the chairman of the Committee on Government Reform.

(Mr. BURTON of Indiana asked and was given permission to revise and extend his remarks.)

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman from Virginia (Mr. BLILEY) for bringing forth this resolution for our good friend, Herb Bateman.

Herb and I were elected to the Congress together back in 1982, and I can remember right down the hall the night that we had dinner with the leadership, the candlelight dinner with the Marine Violin Corps playing for us, and all of us who were elected, 26 Republicans at that time, how touched we were by being Members of the United States Congress for the first time in our lives. I remember Herb and Laura were really touched by the way we were received by the leadership and what a thrill it was for all of us to be Members of the 98th Congress of the United States.

Herb was very well aware of history, as has been mentioned by my colleagues. He was so proud that he represented the ''First District of America'' where Washington and Monroe and others came from and who later became President of the United States. He was a man of integrity. He was a man who, if he gave his word on anything, you could take it to the bank. Herb was not one of those guys that played both sides of the fence. He was a man of integrity, impeccable integrity, and one that all of us respected. He really had a grasp for the law; and when he came down here to speak in the well, we knew that he knew what he was talking about because he researched it very, very well and spoke from the heart.

□ 1745

He spoke from the heart. He was always patriotic and concerned about what was best for America first.

One of the things about Herb that I liked was he loved the game of golf. He was not the best golfer in the world, but he sure did like it.

As a matter of fact, he and Laura and I were together the day before yesterday down at Leesburg playing golf, and we had a great time together and had dinner together. He was in good spirits. He went over to the hotel where we were going to stay for the night, and I can recall vividly as we checked in, I said, ''Herb, we have to be up early tomorrow morning because the gentleman from California (Mr. PACKARD) is having an event and we have to be there at 8 o'clock.'' He said, ''I will see you then. I will see you tomorrow.'' But unfortunately, he was not with us the next morning.

So all I can say in closing is that we have lost not only a great friend but a great American, a man who was above reproach, a man we all respected.

I would like to say to his wife and his family, to Laura and his family, we send our deepest sympathy to her, and we are going to miss Herb.

Mr. BLILEY. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. GILMAN), the chairman of the Committee on International Relations.

Mr. GILMAN. Mr. Speaker, I thank the gentleman from Virginia (Chairman BLILEY) for arranging this opportunity for us to pay our respects to our good friend, Herb Bateman.

It is with a great deal of sadness that I join my colleagues this evening in mourning the passing of a dear friend and a dedicated Member of the Congress, the gentleman from Virginia, Herb Bateman. Herb was first elected to Congress in 1982, but very quickly became known to all of us for his expertise in the field of military expenditures, and often reminded many of us of the need to do much more in that direction.

Representing the defense-dependent Tidewater region of Virginia, Herb's knowledge of the budgetary needs of

the Pentagon made significant invaluable contributions as chairman of the Committee on Armed Services' Subcommittee on Military Readiness.

It was Herb Bateman who began the practice of having field commanders testify directly before House committees, in addition to their Pentagon superiors, which has had a direct and lasting impact on the manner in which this body conducts its business.

Herb Bateman was also a senior member of the Committee on Transportation and Infrastructure, where he accomplished a great deal to make certain that the future of our Nation's commercial waterways was going to be attended to. As an Air Force veteran of the Korean War, Herb was well positioned to assume a leadership role in the field of military preparedness.

As a graduate of William and Mary College in his own region in Virginia, and as a graduate of Georgetown University Law School, Herb brought with him an extensive, impressive background with which to grapple the issues facing the Congress and our Nation.

Upon his discharge from the Air Force at the conclusion of the Korean War, Herb worked both as a practicing attorney and as a teacher, instilling in him both a love for the legal traditions and an appreciation of the importance of a strong education for our young people.

Herb brought with him to the Congress 15 years of experience in the Virginia State Senate. Legislative experience is an important aspect of congressional life today, as we all know. We are fortunate that Herb Bateman brought with him that kind of an insight into the legislative process.

My spouse, Georgia, joins with me in extending our heartfelt condolences to Herb's widow, Laura, with whom we traveled, both Herb and Laura, on many trips; to their daughter, Laura; to their son, Herb, Junior; to their daughter-in-law, Mary; and to the grandchildren, Emmy, Hank, and Sam. The Bateman family can console itself with the knowledge that many of us here in the House share their sense of loss, and that Herb Bateman was a true gentleman, an outstanding public servant who is going to long be missed.

Mr. BLILEY. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. Mr. Speaker, we rise here today to say good-bye to Congressman Herb Bateman, and to extend the depths of our condolences to Mrs. Bateman and to his family.

Mr. Bateman was known around here, the House floor, simply as Herb. He was a quiet statesman. I served on the Subcommittee on Water Resources and Environment with Herb, and also on the Committee on Transportation and Infrastructure, and I can tell the Members that Herb was very generous with his opinions. In fact, I can tell the Members that there are few people who are more pleasantly opinionated than Herb Bateman, and we endured and enjoyed each other's company through the legislative process.

But Herb was also generous with something else. This is what I will always remember him by. That is, his smile and his greeting on the House floor. When we came up to Herb, he would smile, put his hand on our shoulder, and say good morning, and then use our name. Then we would say good morning back.

Herb was, and will always be, a quiet statesman who has done great things for America.

Mr. BLILEY. Mr. Speaker, I yield 3 minutes to the gentleman from Fairfax County, Virginia (Mr. DAVIS).

Mr. DAVIS of Virginia. Mr. Speaker, I rise today to pay tribute to a great friend, statesman, and colleague from Virginia, Herb Bateman, who served this body with dignity, honor, and dedication since his election in 1982.

I first met Herb Bateman in the 1970s when he was a Democratic State Senator from Newport News and I was a young legislative aide in Richmond. I met him at a meeting where I was on staff and we were revising the Juvenile Code of Virginia.

I will never forget the first meeting. He said, ''I don't know anything about this subject. They put me on it.'' Everybody else was instant experts in the room. At the end of the study, Herb Bateman wrote most of the revisions of the Code. He was a doer. He was a detailed legislator. He wanted to understand all the ramifications of what happened.

Many times when we would have tough votes here on the floor and we would go to Herb, he would talk about how things were being implemented, how the bill would affect different people, how it would play out, how it would work. Never did I hear him say, what are the politics of this? This was a man who rose above the politics of the moment. This body could use a few more people like him, who never engaged in the harsh partisanship that sometimes characterizes this body, particularly now that it is so closely divided.

Herb was a gentleman always, a great patriot. I will never forget his kind and valuable tutelage when I first came here to the House, his leadership on the Committee on Transportation and Infrastructure, and of course, his leadership on military affairs, something many of my colleagues have spoken about here, and his undying support for the Newport News shipyard, where he was just a staunch defender here in the House of Representatives, and the teamwork with Senator WARNER I think has saved that institution and made it much of what it is today, through some very trying times.

On a political and ideological level there was much to learn from Herb: his fiscal conservatism, his commitment to restraining big government and protecting the taxpayers' interests. I will never forget, one year the national taxpayer groups came out with a rating of what Member of Congress, not just in their votes but in the bills that they cosponsored, what was the total cost, and Herb Bateman was the frugalest of all of the Members.

Never one for fanfare, to put his name on a bill to get him votes here and there, he was always conscious this was the people's money, not his own money to spend. His record bore that out. It did in subtle ways, never with a big press release, but the groups that came in and examined this could confirm Herb's commitment to the taxpayer.

His unwavering support of a strong military and the men and women who dedicate their lives to protecting our Nation seemed to be a part of everything he did here. He was very concerned about what has happened to our military over the last decade. Always first and foremost in his mind is what can we do for defense.

There was his dedication to cleaning up the Chesapeake Bay, his leadership on these issues, and so much more.

I mourn his loss as a friend and colleague, but in truth, the loss of Herb Bateman is a loss to the national landscape. This body could use more legislators like Herb Bateman. More than just a Member of Congress, he will be remembered as a father, a husband, a teacher, an attorney, an Air Force lieutenant, defender of freedom around the world.

I want to extend my deepest sympathies to his wife, Laura, and their children. One of his sons is a Newport News city councilman today. I cannot tell the Members how very much I will miss this great man.

Mr. BLILEY. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. RILEY).

Mr. RILEY. Mr. Speaker, I thank the gentleman for yielding time to me, and for organizing this.

Mr. Speaker, when I first heard of Herb Bateman's death, it reminded me again never to put off things that we need to do today.

I have had the privilege of serving on Herb Bateman's subcommittee for the last 4 years. The one thing that I wanted to do before his retirement was have the opportunity to take Herb to lunch and thank him for all he has meant to me personally over the last 4 years.

Herb is one of those really unique people that I have met in life that I really think made me a better person, and I know made me a better Congressman. Herb had a way about him on our subcommittee. He had a way of working with new Members to make us feel comfortable, but to also teach us about dedication, teach us about patriotism.

Herb has been a great influence on my life and on the lives of so many other Congressmen here. I only wish that I had had the opportunity to take Herb and specifically tell him how much he has meant to me in my 4 years here.

I will miss Herb Bateman. Virginia has lost a great son. America has lost

a great patriot. I have lost a great friend. I want to tell Laura and the children and all of his family that we will continue to remember them in our prayers, and we thank them for the opportunity of knowing him.

Mr. BLILEY. Mr. Speaker, I yield 3 minutes to the gentlewoman from Jacksonville, Florida (Mrs. FOWLER).

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

Mr. Speaker, I rise today with a heavy heart to join my colleagues in paying tribute to an accomplished legislator, a genuine patriot, a true gentleman, and a valued friend. Representative Herb Bateman of Virginia departed this world yesterday, but his legacy will endure for many years to come.

Herb's life was one of distinguished public service. Upon graduation from the College of William and Mary, he enlisted in the Air Force and served during the Korean War. He went on to receive a law degree from Georgetown University, and served as a clerk with the United States Court of Appeals.

After returning to his hometown of Newport News, Virginia, to practice law, he ran for and secured a seat in the Virginia Senate, where he served for 15 years, and subsequently he ran for this great U.S. House of Representatives, serving for 9 successive terms.

During that time, Herb emerged as a leading supporter of our men and women in uniform, and a staunch defender of America's national security interests. As chairman of the Subcommittee on Military Readiness of the Committee on Armed Services, on which I served, his judicious approach, his gentlemanly demeanor, his careful attention to detail, and his strong hand helped that subcommittee navigate often rocky shoals.

His chairmanship of the subcommittee in the Committee on Transportation and Infrastructure was marked by a similar focus and dedication. Herb's unshakable commitment to our Nation's servicemen and women, ensuring their readiness, enhancing their working conditions, and improving their quality of life, was a lodestar for our committee.

Much public discussion of late has focused on the readiness challenges facing our military personnel, and this Congress has been moved to augment the resources available to our military to address those woes. Much of the credit for that belongs to Herb Bateman.

As one who served with Herb on both the Committee on Armed Services and the Committee on Transportation and Infrastructure, and who was fortunate to get to travel with Herb and his wife, Laura, on several occasions and get to know them really well personally, I am truly going to miss him deeply.

Our Nation, the commonwealth of Virginia, and his constituents in the First District have lost a true statesman and a strong champion. I extend my most heartfelt sympathies to Laura, to his children, Herbert Junior, and to Laura, and his beloved grandchildren, whom I know he cherished most of all.

Herb, we will truly miss you.

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Mr. BLILEY. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. PICKETT).

Mr. PICKETT. Mr. Speaker, it is with sadness and grief that I rise in this Chamber today. Herb Bateman was a long-time friend, and someone I enjoyed working with. We began working together when he was in the State Senate and I was in the House of Delegates in the General Assembly of Virginia. I also had the occasion to work with him in the practice of law.

Herb was a talented, thoughtful person who believed that the public's business should be conducted in an open and an objective forum with dignity and respect, both for the process and the individuals participating in it.

He was a thoughtful and articulate man who presented his views with eloquence in a logical, persuasive, and convincing way. But he was not only a knowledgeable and effective advocate, he loved his family and was generous and firm in his support.

He and his wife, Laura, were an entertaining and engaging couple. They were great companions and loved to travel and played golf. They were both genteel and understanding in their friendship and in their willingness to support and help others in times of adversity.

Herb Bateman was a man of character and stature who earned our respect and left a record of hard work and accomplishment. He will be missed by his friends, but he will also be missed by his community, his State, and his Nation.

Herb was a man of ideas and vision. For more than 25 years it was my pleasure to work with him on legislative issues in the General Assembly of Virginia and in the House of Representatives of the United States. I will miss his comfortable friendship, his wise counsel, and his dedicated leadership.

I extend my profound sympathies and condolences to his family with the knowledge that God's grace will see them through this difficult period.

Mr. BLILEY. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. BLUNT), the Chief Deputy Whip.

Mr. BLUNT. Mr. Speaker, I thank the gentleman from Virginia for yielding to me and for taking time to recognize the great service today of our friend, Herb Bateman. Herb, in so many ways, served our country so well, as a Member of the General Assembly, as a Member of the Congress, as a serviceman during the Korean War, and felt so strongly about our country and felt so strongly about his State and felt so strongly about our institutions.

When Herb Bateman talked about the First District, he did not like to talk about Virginia's First District, he liked to talk about America's First District, as he really enjoyed the tremendous heritage of Newport News and Williamsburg and the great foundation building of our country.

I was able to work with Herb as we worked hard to make some arrangements that helped preserve the original, the boyhood home of George Washington, Ferry Farm, in his district.

Recently we were talking about what we could do to more appropriately honor the memory of James Monroe whose law office was in Fredricksburg in his district.

I had a chance to be part of the delegation to the NATO Parliament with Herb Bateman, a group that is headed by the gentleman from Virginia (Chairman BLILEY) as the president of that group. Herb's support of our country was always so strong and so well presented in those forums where people from other countries came together. He was a man of gentle persuasion, but a man of strong feelings; and he was a man who enjoyed life.

As we talk at my house about our good friends, Herb Bateman and Laura Bateman, we always talk about the superlatives he was able to use to describe almost every event or every day or every happening or every friendship. I do not know that I was ever around anybody who would more frequently use words like magnificent and fantastic and splendid to describe what we have as Americans or to describe his opportunities.

I am glad to be able to join with those here today who remember him as we will continue to work for civil aviation and research and the military in his memory in the remainder of this Congress and the years ahead.

Mr. BLILEY. Mr. Speaker, I yield 1 minute to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Speaker, I thank the gentleman from Virginia (Mr. BLILEY) for yielding me the time and for introducing a resolution on a very special man.

Herb Bateman represented the First District of Virginia. Well, he is first in the hearts of the people of this Congress and the people of his district and the people of his Nation.

Herb served for 30 years in elective office and then very reluctantly, because of his health, said this would be his last term. Little did he realize it would be his last opportunity to be with his family, with his wonderful wife, Laura, and all of his family and friends, to just relax and not worry about schedules.

He was, in the truest sense, a gentleman who was a patriot. He served in the military. He, in Congress, paid attention to those issues. He was also a gentleman in terms of how he treated others. He was always very fair and compassionate with a sense of humor, the kind of thing that we need, as Lincoln said, to bring out the better angels of our nature; and Herb Bateman did that.

We will all miss him. I hope that we will all look to him as a role model, particularly when we deliberate issues and recognize that there are issues that really require us to all come together.

So to Laura and to his family, he will live on in love. We will miss him.

Mr. BLILEY. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. PACKARD).

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

Mr. Speaker, I did not come here to the floor with the intention of speaking, but I could not help but participate in this discussion to honor Herb Bateman and his wife and family. They came to Congress with me. We were classmates together. We quickly became very close friends. My wife, Jean, and Laura Bateman became close friends quickly. I have been into his district many, many times, at least once a year, and saw the love and the appreciation that his constituency had for him and the work that he was doing.

But he was one of those who I would consider one of the real gentleman of the Congress. He got along with both sides of the aisle. He worked with all people. He was gentle in his approach. He was my kind of a gentleman in the Congress. He was a statesman. I learned to love him a great deal and appreciate the work he has done and his commitment and loyalty to America and the principles that we stand for. He will be sorely missed.

I was shocked yesterday to find that he was scheduled to be involved in an event that I was sponsoring only to find that he was taken to the hospital and later died. I want to pay tribute to him as a gentleman, a man of conviction, as a great American, and one that I love dearly.

Mr. BLILEY. Mr. Speaker, I yield 1 minute to the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Mr. Speaker, while it deeply saddens me to stand in the well here to pay tribute to my dear friend and former colleague, Mr. Bateman, I can do so with fond memories, as I pass the love and thoughts and prayers from Joni and my family to Laura and Herb's family.

It is individuals like Herb Bateman that give the American system of government, indeed this legislative body, honor, dignity and respect. His character embodied by faith, hard work, discipline and commitment serve as an example to us all.

He distinguished himself with a sense of justice and sound judgment. He was known for his superior knowledge, ethics, and both physical and moral courage. Above else, he was a man of integrity.

As a Member of Congress, he possessed the political prowess and saviness that is necessary in the legislative process. But he did it to help ensure this Nation's military readiness was the best in the world.

As a young veteran in Korea, in the war, he demonstrated the unselfish commitment and sacrifice, like many of our great forefathers that have come before us.

As a colleague, he was a mentor and confidant and a true inspiration as I served with him, junior, on the Committee on Armed Services. Most importantly, though, he was a friend; and he will be missed.

Many of us shared Herb's values and beliefs of duty, honor, and courage; commitments to God, country, and family and our fellow man. He will be greatly missed but his legacy will live on.

Mr. BLILEY. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. ORTIZ).

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

Mr. ORTIZ. Mr. Speaker, with a heavy heart, I rise and support this resolution before the House today to commemorate the life and service of our colleague, Herb Bateman and, at this time, would like to offer my condolences to his lovely wife, Laura; his children; and his grandchildren.

I will never forget the special memories I made with Herb when we were in Europe just a few weeks ago. We were of the legislative delegation visiting our troops in Scotland, Italy, and Germany. As always, Herb was investigating whether the people in the field were getting the equipment which we had paid for.

In Herb's service, one of the things that always impressed me was the attitude towards the soldier in the field.

This institution can be rightly proud that the Chairman of our Committee on Armed Services Subcommittee on Military Readiness, of which I was his ranking man, was led by a man so completely immersed in the needs of the everyday soldier and sailor in the military.

He was an effective advocate for the interests of his district, to be sure, but that quiet advocacy was always applied to seeing to the basic needs of those who wear our military's uniform.

Herb was a real gentleman. Again, to his friends and family, Laura, I offer my condolences.

Herb was a real gentleman, and he treated people with great respect—from presidents to generals to Capitol Hill staffers to new recruits in the field.

While he was a Republican and I am a Democrat, our partisan affiliations never affected how we went about our work.

One of the things that I loved most about Herb was the way he conducted his business without partisan rife.

When the defense authorization bill was in conference, he was always careful to tend to the needs of individual members on the committee—which I appreciated very much.

We did business the same way that way—the national defense of the United States is not a partisan endeavor.

Neither of us are strident partisans, and working toward a larger purpose on our national defense was our common goal.

When we were in the field, he was dogged about seeing that the taxpayer's money was well spent.

Tonight, I am thinking about my friend, Herb Bateman, but my sympathies are with his beautiful family, particularly his lovely wife Laura.

Laura always traveled with Herb and I got to know them as a couple, away from the rigors of Capitol Hill and the legislative grind we face each day.

There will be one legacy that should be forever associated with Herb Bateman—his passion and his commitment to keeping the troops who wear the uniform of the United States ready for war.

Together, we tackled a host of issues that affected the readiness of the U.S. military.

I hope that in Herb's memory, this chamber can celebrate the non-partisan patriotism that his example brought to us.

Mr. BLILEY. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. BEREUTER) who leads our delegation to the North Atlantic Assembly, with whom Herb traveled frequently.

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

Mr. BEREUTER. Mr. Speaker, when the gentleman from Virginia (Mr. BLILEY) called my office yesterday to inform me of the passing from this life of our colleague Herbert Bateman, my wife Louise and I were shocked and profoundly saddened by his departure from this life, and we want to convey to Laura Bateman and to the family of the Batemans and their close friends our most sincere condolences.

Herbert Bateman is one of those colleagues that I had great pleasure to serve with. He was, in the modern sense of the word, a patriot. He took great pride in representing the people of the First Congressional District of Virginia. So much profound historical importance, so many important personalities came from that part of Virginia that our friend Herb never tired of citing the examples for us to live up to as a result of the heritage of the District that he represented.

It is true, as mentioned by the gentleman from Virginia (Mr. BLILEY) that, in fact, Herbert Bateman was a very active, a very involved Member of the delegation that met with the North Atlantic Assembly, now called the NATO Parliamentary Assembly. He represented the House very well in that capacity, as I am sure he did in all of his activities, especially the Committee on Armed Services, which was very important to Herb, very important to his District.

I admired Herb Bateman for many, many reasons, but among them is the fact that he would, after examining an issue, be true to his commitments. Herb could be the only person voting for an issue if he felt that was the right way to vote.

When one says integrity, when one says conviction, with respect to Herb Bateman, that is not an exaggeration. He provided great service to his District. He provided an example for all of

us to live up to in the course of our service here in the U.S. House of Representatives.

We will miss greatly Herb Bateman. I wish he had had a chance to enjoy his retirement which was upcoming. I know he thought he spent his time well here, and so did all of us.

Mr. BLILEY. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS. Mr. Speaker, when they write the book on the model congressman, I think Herb Bateman should be chapter one. Here is a gentleman who, although soft spoken most of the time, when he saw a wrong-headed position being taken or he saw the Nation's interest being flaunted, there could be no more forceful speaker than Herb Bateman. We have all seen him in our caucus and on this very floor. He would take the floor infrequently, but when he did, we knew something was on his mind, and he spoke it very, very well; and he was forceful.

He was a man, a Representative who I think, in the truest sense of that word, represented his people extremely well here in this body. He paid attention to the needs of his people back home. He knew their problems. He worked their problems. He tended to his people's business here in a most efficient way. He truly was a representative of his people.

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Then on national issues, Herb was one of the House's experts on military matters, of course a very forceful advocate for a strong national defense in the Committee on Armed Services and on the floor of this body, and indeed, as the gentleman from Nebraska (Mr. BEREUTER) has said, in places like the NATO Council and the international bodies that he attended overseas, representing this House and representing our country in a most effective and heartfelt way.

There is no more reasonable person than Herb Bateman. There can also be a Herb Bateman that could let you know exactly how he felt from the tip of his toes all the way up. This body will miss this great statesman. We will miss this personal friend. We wish for Laura and the family all the very best.

Mr. BLILEY. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. HASTINGS).

(Mr. HASTINGS of Florida asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Florida. Mr. Speaker, I thank the chairman for yielding me the time.

Mr. Speaker, when I came to Congress in 1992, among the first committees that I had the pleasure of serving on was the Merchant Marine Committee; and at that time Herb Bateman was the ranking member.

I knew very little about the process, and it may come as a surprise to some that a person like Herb would take time to walk me through a number of the issues that were critical both to Virginia and the State of Florida.

I join our colleagues in offering condolences to his family. I got to know him in the way that he is, a quietly effective person who, obviously, is a tremendous patriot and statesman and will be missed by all of us here in this Congress.

I am grateful that I had the pleasure of getting to know such a distinguished gentleman as Herbert Bateman.

Mr. BLILEY. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. REYES).

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

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

Mr. Speaker, during these difficult times where we truly understand the relationship that we have with each other, whether or not we agree politically, whether or not we sit on the same side of the aisle, I had the opportunity to learn from Herb Bateman, an individual who served this country in so many different ways.

Earlier when I found out that he was in fact going to be retiring at the end of this term, I asked him, I said, Herb, how do you know when it is time to retire? He said, ''Every individual knows individually when it is time to go. For me, I want to go home and I want to spend time with my family and with Laura.''

This evening, as we pay tribute to Herb, I want Laura and his two children and his grandchildren to know that Herb was a man that we all deeply respected, a man that we loved, and that, although at times we might have disagreed with him politically, we are truly all in this together, and we feel your loss every bit as much as you do.

Mr. BLILEY. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. WELDON), a member of the Committee on Armed Services.

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Speaker, I thank my colleague for yielding me the time.

Mr. Speaker, I rise in shock and disbelief. I never would have imagined last Wednesday and Thursday as we sat on the conference committee between the House and the Senate working out the differences between our two bills on defense sitting next to Herb Bateman, where Herb was aggressively vocal on issues that were important to our military personnel, important to the readiness of our troops, that we would be eulogizing today Herb on the floor.

Just 6 short weeks ago, Herb and Laura were guests of ours in Philadelphia at the convention where we entertained 100 Members of Congress for the entire week at our former military base. Herb was in great spirits and looking forward to his retirement so he could spend more time with his family. He was planning the kinds of things that he was going to do when he no longer had the pressures that are obvious here in this body.

Unfortunately, today we have to acknowledge Herb's leadership and his passing and he never got to enjoy that retirement with his wife and his family. But what a legacy Herb left for all of us.

He was the ultimate in terms of what a Member of Congress should be. He had integrity. He was hard working. There was not a dishonest bone in his body. He was dedicated both to his Virginia district, but he also was dedicated to the people of America who serve in uniform. He was always looking for the right way to make sure that our troops who were serving around the world were properly prepared and trained and protected to represent this great Nation.

Herb was the consummate Member of Congress. When he got into an issue, you knew that Herb would stay with that issue because he believed it to be the right issue and the right side of that position whether or not our party was for it or against it. Herb had conviction.

Herb was someone you could always count on to be presenting the right thing in terms of our military but for other groups. He was a strong supporter of our fire and EMS community, looking for ways to help support the volunteers and the paid firefighters down in Virginia and around the country. He was someone who all of us could use as a role model, as I did for the years that I have served in this body, having first met Herb as a junior member of both the Merchant Marine Committee and the Committee on Armed Services.

He will be sadly missed. And to Laura and his family, we say, Laura, our thoughts and our prayers are with you. Herb has done a great deed, and he truly is a statesman.

Mr. BLILEY. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. TANNER).

Mr. TANNER. Mr. Speaker, when Betty Ann and I came to Congress in 1989, Herb and Laura were some of the first people we met. I was on the Committee on Armed Services at the time. And he was a good and decent man. More than that, he was a gentleman and a friend to me, he and Laura to Betty Ann and I.

We traveled many times on CODELs to the NATO meetings with I see the gentleman from Nebraska (Chairman BEREUTER) over there and the gentleman from Virginia (Chairman BLILEY). And I could just simply go on and on.

I am going to say this about Herb Bateman: he looked for the best in others, and he gave us the best he had. He always put his constituents and his country first. And if there were more Members of Congress like Herb Bateman, this place would be a better place

and our country would be the better for it.

Mr. BLILEY. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. EHLERS).

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

Mr. EHLERS. Mr. Speaker, it is an honor to speak about Herb Bateman, although, there is little I can add to all that has been said already.

I am a junior Member of this body and have not worked with him for long. But I have been with him on the Committee on Transportation and the Infrastructure and always appreciated his forthrightness, his capability, and the attitude with which he attacked the work, particularly that work dealing with the military.

But, in addition to that, I do have to say that Herb was the consummate Virginia gentleman. I always found him to be extremely gentlemanly, very helpful, very thoughtful, very thorough.

My best knowledge of him comes from the trips we have taken to Europe as part of the NATO parliamentary assembly that has been ably led by the gentleman from Nebraska (Mr. BEREUTER). Herb was a regular on those trips, along with his wife Laura; and he always had a major contribution to make.

He was much more diplomatic than I am, because I tend to ask very direct questions and hope for direct answers; but Herb was at his best in dealing with individuals from foreign countries. He would ask those same questions and, hidden underneath the way he asked it, it was still a very direct question; but asked in a very diplomatic and very statesman-like way. In his behavior, in his actions, and particularly in his interaction and questioning with leaders from foreign countries.

I will never forget the lessons that I have learned from him. I deeply appreciated Herb in all aspects of his life that I dealt with him. It is with great sorrow that I learned about his demise this past week.

I certainly wish his family, and especially Laura, God's blessings and comfort at this sad time; and I can only say that Herb was a wonderful man and you can be proud of him as a husband, father, and grandfather.

Mr. TRAFICANT. Mr. Speaker, the House of Representatives suffered an enormous loss yesterday with the death of our colleague Herb Bateman. Herb was the consummate gentleman and a fine American. I had the honor to serve with him for the past fifteen years and have never known a more caring and capable Member.

Herb's list of accomplishments is seemingly never ending. Here are just a few examples of Herb's contribution to this body and this country. As a member of the Military Readiness Subcommittee and the House Merchant Marine Panel, Herb was a leader in helping America make the right decisions in regard to commercial and defense related maritime issues. He was instrumental in the clean-up of the Chesapeake Bay, bringing more than $200 million from the federal government to preserve the Bay. Finally, Herb always held steadfast in his fiscal discipline and I have long admired his work on behalf of the nation's taxpayers.

America also lost one of its cherished veterans yesterday. Herb enlisted in the Air Force during the Korean War and for his service, we owe him a debt of gratitude.

My heart and my prayers go out today to Herb's wife Laura, his two children and his extended family. My thoughts also go out to the citizens of the First District of Virginia, to which Herb affectionately referred as ''America's First District.'' They will sorely miss his outstanding leadership.

Mr. YOUNG of Alaska. Mr. Speaker, I was saddened yesterday to hear of the death of my longtime colleague, Herb Bateman. I had the pleasure of serving with Herb on the former Merchant Marine and Fisheries Committee from the beginning of his first term in Congress in 1983 until the Committee was dissolved in 1995, and since that time on the Transportation and Infrastructure Committee. Having seen his work firsthand on these Committees, I can tell you that the United States maritime and shipbuilding industries have had no greater friend. He not only received the Propeller Club of the United States Maritime Industry Salute to Congress Award in 1995, but after announcing his retirement earlier this year, he was awarded the first ever Herbert H. Bateman Award by the American Shipbuilding Association and the Helen Delich Bentley Award by the Propeller Club of the Port of Washington. In his own district, he worked hard to see that the port of Hampton Roads remained competitive, and introduced legislation, which ultimately became law, to deepen the channels there to 55 feet.

During his tenure on the Merchant Marine and Fisheries Committee, he served as the Ranking Member of the Oceanography and Merchant Marine Subcommittees. On the Oceanography Subcommittee, he successfully shepherded through legislation that created the National Oceanographic and Atmospheric Administration's (NOAA) Chesapeake Bay Office, and authorized the Sea Grant oyster disease research program. That research has led to the first small steps that are now being taken to restore oyster populations in the Chesapeake Bay. Much of that work is being done at the Virginia Institute of Marine Science at Gloucester Point. On the Merchant Marine Subcommittee, he authored legislation that established the National Shipbuilding Initiative.

During his freshman term, he served on the Science Committee where he worked to support the interests of the space and aeronautical programs at the National Aeronautics and Space Administration's Langley Research Center in Hampton, Virginia. His wife of 46 years, Laura Yacobi Bateman, worked at Langley before their marriage. He also used those two years to assure that the Department of Energy's Continuous Electron Beam Accelerator Facility would be located in Newport News, Virginia. He was successful in that effort, and the completed facility is now conducting cutting edge research that will help us understand the most basic structure of the physical world. He also led the efforts to rename the facility for his personal political hero, and it is now the Thomas Jefferson National Laboratory.

For the last 16 years, he served on the Armed Services Committee. On that Committee, he served as the ranking member of the Military Personnel Subcommittee for three terms, and later as the Chairman of the Military Readiness Subcommittee. He also chaired the Armed Services Committee panels on Morale, Welfare and Recreation and the Merchant Marine. In addition to working to assure that U.S. troops were treated fairly, and that the readiness of U.S. forces was maintained, Herb fought to secure construction of new nuclear aircraft carriers and new attack submarines. The construction of these vessels not only meant jobs for the largest employer in his district, Newport News Shipbuilding and Drydock Company, but more importantly assured our ability to project force throughout the world, when needed, and to protect our shores from attack.

While he served on the Committee, two attack submarines were named for the two largest cities in his district, Hampton and Newport News. He was very proud that Laura served as the sponsor of the U.S.S. *Hampton,* which was named for her hometown. In keeping with maritime tradition, she conferred luck on the vessel by christening it on the first swing of the champagne bottle. The U.S.S. *Newport News* was named after Herb's hometown, where he had moved to as a child.

Herb also worked to protect the numerous other military facilities in his district, and was proud that none were closed during the base closing process. The facilities in his district included the Army Training and Doctrine Command at Fort Monroe, the Army Transportation Command at Fort Eustis, the Naval Weapons Center at Dahlgren, the Aegis Training Center at Wallops Island, on Army training facility at Fort A.P. Hill, and Langley Air Force Base in Hampton. Not only did he support military facilities when in Congress, but he also served in the Armed Forces as an Air Force intelligence officer.

Herb was proud to represent Virginia's First Congressional District, which he liked to call ''America's First District''. The district included not only Jamestown, where American representative government was founded, but also Williamsburg where America's democratic tradition was nurtured and matured, and Yorktown where our country's freedom was finally won. During his first term, a resolution that he sponsored was adopted to commemorate the signing of the Treaty of Paris that formally ended the Revolutionary War. In fact, Herb was honored to represent the U.S. Congress when he joined the Speaker of the British House of Commons, the Honorable Betty Boothroyd, in 1994 to celebrate the 375th Anniversary of the first meeting of an elected representative body in North America, the Virginia House of Burgesses. The House of Burgesses was the predecessor of the Virginia State Senate where Herb served from 1968 until he came to Congress.

At different times, his district also included the James River plantations, the birthplaces of both George Washington and Robert E. Lee, and many Civil War battlefields. These include sites of the two Peninsula campaigns, Chancellorsville, the Wilderness, and the battle of Fredricksburg. He was successful in gaining Federal assistance for the privately-owned George Washington childhood home

site, and funds to acquire additional historic property that was threatened by inappropriate development at the Fredricksburg and Spotsylvania National Battlefield Parks, and adjacent to the Colonial National Parkway.

In addition to the founding of Jamestown, and the defeat of Cornwallis at Yorktown, another major historic event occurred in the waters just off the Virginia Peninsula, the battle of the Monitor and Merrimac, or as the confederates called it, the Virginia. This one-day battle changed the course of Naval warfare forever. Unfortunately, the Monitor was lost soon afterward off the coast of North Carolina. The Monitor was located in 1972, and became the first United States National Marine Sanctuary. The Sanctuary headquarters is located at the Mariners' Museum only a few blocks from Herb and Laura's Newport News home. At Herb's request, Congress required the National Oceanic and Atmospheric Administration (NOAA) to prepare a report on the long-term conservation of the MONITOR. As a result of that study, a multi-year project is underway to stabilize the wreck, and recover, conserve, and display historically significant portions of the vessel. I am sure Herb will be pleased to know that these important historic artifacts will be protected and displayed so near his home.

Also near his home is the Monitor-Merrimac Memorial Bridge Tunnel. He helped secure the funds and permits for this important transportation project as well as the widening of the Coleman Bridge and I–95 improvements in the rapidly growing northern part of the district.

In addition to its military, historic and scientific research facilities, Herb's district includes important natural features. He represented most of Virginia adjacent to the Chesapeake Bay, including much of the James, York, Rappahannock and Potomac Rivers. His district also includes the last significant chain of underdeveloped barrier islands which run along the Atlantic Coast from Chincoteague to Cape Charles. These islands lie off the Eastern Shore of Virginia, a rural area of great natural beauty that Herb was particularly proud to serve. In addition to supporting funding for the federal Chesapeake Bay Program, he also authored legislation that was adopted by Congress to create the Eastern Shore of Virginia National Wildlife Refuge, supported the creation of the Rappahannock National Wildlife Refuge, and successfully sought funds to expand the Chincoteague National Wildlife Refuge. This year, Congress is expected to approve funds he sought to begin construction of a new education and administrative center on Chincoteague, one of the most frequently visited refuges in the country. Herb also authored legislation to ban the use of highly toxic tributyltin paints in shallow waters. That ban has now been in effect for over a decade.

Herb was educated and worked in the historic areas he was so proud to represent. After attending Newport News High School, he, like Thomas Jefferson, graduated from the College of William and Mary. While in the Air Force, he completed a law degree at Georgetown University Law School at night. After leaving the Service, he joined the Newport News, Virginia, law firm of Jones, Blechman, Woltz and Kelly. He retired from the firm as a partner when he was elected to Congress. After coming to Congress, he received an honorary doctorate from his alma mater in 1997. He also received an honorary degree from Christopher Newport College in 1992 and Mary Washington College in 1999.

This is not a comprehensive list of Herb's work and achievements during his time in Congress, but it shows you how his life and work were intertwined with the parts of tidewater Virginia that he so ably represented for 18 years. I know his constituents will miss him, and it saddens me to think that he will not be able to enjoy the retirement that he planned to begin in January. My sympathy goes out to Laura, his children Bert and Laura, Bert's wife Mary, and Herb's beloved grandchildren, Emmy, Hank and Sam.

Mr. SHUSTER. Mr. Speaker, Herb Bateman was more than an outstanding Congressman. He was an outstanding American and a fine gentleman. We contributed mightily to his District, his state and the nation. He served together on the Transportation and Infrastructure committee where his wise advice was sought and followed. We travelled together on several Delegation trips around the world, and he and his wife, Laura, were a delight to be with.

America is less bright today because of the passing of my friend and colleague, Herb Bateman. But America is better today because of his life. May he rest in peace.

Mr. JENKINS. Mr. Speaker, it is with great sadness and a heavy heart that I come to the floor to pay tribute to our colleague, Congressman Herb Bateman of Virginia.

Herb was a great gentleman and an excellent Congressman. Herb spent much of his life dedicated to the career of public service, serving his country in the United States Air Force during the Korean War, representing the people of Virginia in the Virginia State Senate for 15 years, and representing the First Congressional District of Virginia in the United States Congress for 18 years.

Herb was a man of honor and integrity who was respected by colleagues on both sides of the aisle. He fought for the principles of the people he represented, and he never wavered in those efforts. I am honored to have had the opportunity to work with Herb Bateman over the past four years. He was a good friend and a great Congressman. The United States House of Representatives was a better place with the service of Herb Bateman. I know that I share the entire sentiment of the Congress in offering the condolences of the Congress to Herb's family and friends. He will be sorely missed by all of us.

GENERAL LEAVE

Mr. BLILEY. 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 House Resolution 573.

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

There was no objection.

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

The previous question was ordered.

The resolution was agreed to.

A motion to recommit was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 8, rule XX, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed in the order in which that motion was entertained.

Votes will be taken in the following order:

H.R. 2090, by the yeas and nays;
H.R. 4957, by the yeas and nays;
H.R. 3632, by the yeas and nays;
H.R. 4583, by the yeas and nays; and
S. 1374, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

EXPLORATION OF THE SEAS ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2090, as amended.

The Clerk read the title of the bill.

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. 2090, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 390, nays 8, not voting 35, as follows:

[Roll No. 460]

YEAS—390

Abercrombie	Cardin	Everett
Aderholt	Carson	Ewing
Allen	Castle	Farr
Andrews	Chambliss	Fattah
Archer	Clayton	Fletcher
Armey	Clement	Foley
Baca	Clyburn	Forbes
Bachus	Coble	Ford
Baird	Coburn	Fossella
Baker	Collins	Fowler
Baldacci	Combest	Frank (MA)
Baldwin	Condit	Frelinghuysen
Ballenger	Cook	Frost
Barcia	Cooksey	Gallegly
Barrett (NE)	Costello	Ganske
Barrett (WI)	Cox	Gejdenson
Bartlett	Coyne	Gekas
Barton	Cramer	Gephardt
Bass	Crane	Gibbons
Bentsen	Cubin	Gilchrest
Bereuter	Cummings	Gillmor
Berkley	Cunningham	Gilman
Berman	Danner	Gonzalez
Berry	Davis (FL)	Goode
Biggert	Davis (IL)	Goodlatte
Bilbray	Davis (VA)	Goodling
Bilirakis	Deal	Gordon
Bishop	DeFazio	Goss
Blagojevich	DeGette	Graham
Bliley	Delahunt	Granger
Blumenauer	DeLauro	Green (TX)
Blunt	DeLay	Green (WI)
Boehner	DeMint	Greenwood
Bonior	Deutsch	Gutierrez
Bono	Diaz-Balart	Gutknecht
Boswell	Dickey	Hall (OH)
Boucher	Dicks	Hall (TX)
Boyd	Dingell	Hansen
Brady (PA)	Dixon	Hastings (FL)
Brady (TX)	Doggett	Hastings (WA)
Brown (FL)	Dooley	Hayes
Brown (OH)	Doolittle	Hayworth
Bryant	Doyle	Hefley
Burr	Dreier	Herger
Burton	Duncan	Hill (IN)
Buyer	Dunn	Hill (MT)
Callahan	Edwards	Hilleary
Calvert	Ehlers	Hilliard
Camp	Ehrlich	Hinchey
Canady	Emerson	Hinojosa
Cannon	English	Hobson
Capps	Etheridge	Hoeffel
Capuano	Evans	Hoekstra

Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Traficant
Turner
Udall (NM)
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—8

Barr
Chabot
Chenoweth-Hage
Hostettler
Paul
Royce
Sanford
Sensenbrenner

NOT VOTING—35

Ackerman
Becerra
Boehlert
Bonilla
Borski
Campbell
Clay
Conyers
Crowley
Engel
Eshoo
Filner
Franks (NJ)
Johnson, E.B.
Klink
Lazio
Lofgren
Maloney (CT)
McCollum
McIntosh
Meeks (NY)
Owens
Rothman
Schaffer
Serrano
Souder
Sweeney
Towns
Udall (CO)
Velazquez
Vento
Watkins
Weiner
Weygand
Wise

□ 1848

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

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SHAW). Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on the additional motions to suspend the rules on which the Chair has postponed further proceedings.

BLACK REVOLUTIONARY WAR PATRIOTS MEMORIAL

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 4957.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 4957, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 398, nays 0, not voting 35, as follows:

[Roll No. 461]

YEAS—398

Abercrombie
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehner
Bonior
Bono
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Traficant
Turner
Udall (NM)
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—35

Ackerman
Becerra
Boehlert
Bonilla
Borski
Campbell
Chenoweth-Hage
Clay
Conyers
Crowley
Engel
Eshoo
Filner
Franks (NJ)
Johnson, E. B.
Klink
Lazio
Lofgren
Maloney (CT)
McCollum
McIntosh

Meeks (NY)
Owens
Schaffer
Serrano
Souder
Sweeney
Towns
Udall (CO)
Velazquez
Vento
Watkins
Weiner
Weygand
Wise

□ 1857

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GOLDEN GATE NATIONAL RECREATION AREA BOUNDARY ADJUSTMENT ACT OF 2000

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3632, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 3632, as amended, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 333, nays 68, not voting 32, as follows:

[Roll No. 462]

YEAS—333

Abercrombie
Aderholt
Allen
Andrews
Archer
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Bonior
Bono
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Burr
Burton
Buyer
Callahan
Calvert
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chambliss
Clayton
Clement
Clyburn
Collins
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Edwards
Ehlers
English
Etheridge
Evans
Everett
Farr
Fattah
Fletcher
Foley
Forbes
Ford
Fossella
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodling
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Ney
Northup
Oberstar
Obey
Olver
Ortiz
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pickett
Pitts
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Spence
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Traficant
Turner
Udall (NM)
Upton
Visclosky
Vitter
Walden
Walsh
Waters
Watt (NC)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—68

Armey
Barr
Bartlett
Blunt
Boehner
Bryant
Camp
Chabot
Chenoweth-Hage
Coble
Coburn
Combest
Crane
Cubin
DeLay
DeMint
Doolittle
Duncan
Dunn
Ehrlich
Emerson
Ewing
Fowler
Goode
Goodlatte
Graham
Gutknecht
Hayes
Herger
Hilleary
Hostettler
Jenkins
Kingston
Largent
Latham
Linder
Manzullo
Metcalf
Miller, Gary
Moran (KS)
Nethercutt
Norwood
Nussle
Ose
Paul
Pease
Petri
Pombo
Rohrabacher
Royce
Ryun (KS)
Sanford
Sensenbrenner
Sessions
Shadegg
Simpson
Smith (MI)
Stearns
Stump
Sununu
Tancredo
Taylor (NC)
Thornberry
Tiahrt
Toomey
Wamp
Watts (OK)
Wicker

NOT VOTING—32

Ackerman
Becerra
Boehlert
Bonilla
Borski
Campbell
Clay
Engel
Eshoo
Filner
Franks (NJ)
Johnson, E. B.
Klink
Lazio
Lofgren
Maloney (CT)
McCollum
McIntosh
Meeks (NY)
Owens
Schaffer
Serrano
Souder
Sweeney
Towns
Udall (CO)
Velazquez
Vento
Watkins
Weiner
Weygand
Wise

□ 1906

Messrs. CAMP, SIMPSON and GRAHAM changed their vote from ''yea'' to ''nay.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. MALONEY of Connecticut. Mr. Speaker, I was unavoidably detained during rollcall vote No. 460. Had I been present I would have voted ''yes.''

Mr. Speaker, I was unavoidably detained during rollcall vote No. 461. Had I been present I would have voted ''yes.''

Mr. Speaker, I was unavoidably detained during rollcall vote No. 462. Had I been present I would have voted ''yes.''

AIR FORCE MEMORIAL FOUNDATION AUTHORIZATION

The SPEAKER pro tempore (Mr. SHAW). The pending business is the question of suspending the rules and passing the bill, H.R. 4583.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 4583, on which the yeas and nays are ordered.

This will be a 5 minute vote.

The vote was taken by electronic device, and there were—yeas 398, nays 0, not voting 35, as follows:

[Roll No. 463]

YEAS—398

Abercrombie
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bentsen
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehner
Bonior
Bono
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
English
Etheridge
Evans
Everett
Farr
Fattah
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen

Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Young (AK)
Young (FL)

NOT VOTING—35

Ackerman
Becerra
Bereuter
Boehlert
Bonilla
Borski
Campbell
Clay
Ehlers
Engel
Eshoo
Ewing
Filner
Franks (NJ)
Johnson, E. B.
Klink
Lazio
Lofgren
McCollum
McIntosh
Meeks (NY)
Owens
Roukema
Rush
Serrano
Souder
Sweeney
Towns
Velazquez
Vento
Watkins
Weiner
Weygand
Wise
Wynn

□ 1914

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. EHLERS. Mr. Speaker, on rollcall No. 463 I stepped out of the Chamber for a discussion and did not return in time to record my vote. Had I been present, I would have voted "yes."

JACKSON MULTI-AGENCY CAMPUS ACT OF 1999

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the Senate bill, S. 1374.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the Senate bill, S. 1374, on which the yeas and nays are ordered.

This will be a 5 minute vote.

The vote was taken by electronic device, and there were—yeas 400, nays 0, not voting 33, as follows:

[Roll No. 464]

YEAS—400

Abercrombie
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehner
Bonior
Bono
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chenoweth-Hage
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—33

Ackerman
Becerra
Boehlert
Bonilla
Borski
Campbell
Chambliss
Clay
Engel
Eshoo
Filner
Franks (NJ)
Gutierrez
Johnson, E. B.
Klink

Lazio	Roukema	Vento
Lofgren	Serrano	Watkins
McCollum	Souder	Weiner
McIntosh	Sweeney	Weldon (FL)
Meeks (NY)	Towns	Weygand
Owens	Velazquez	Wise

□ 1921

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NOTICE OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 4205, FLOYD D. SPENCE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

Mr. CONYERS. Mr. Speaker, pursuant to clause 7c of rule XXII, I hereby announce my intention to offer a motion to instruct conferees on H.R. 4205 tomorrow. The form of the motion is as follows:

I move that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4205 be instructed to agree to the provisions contained in title 15 of the Senate amendment.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ISAKSON). Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on the remaining motions 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 tomorrow.

RECOGNITION FOR SLAVE LABORERS WHO WORKED ON CONSTRUCTION OF UNITED STATES CAPITOL

Mr. THOMAS. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 368) establishing a special task force to recommend an appropriate recognition for the slave laborers who worked on the construction of the United States Capitol.

The Clerk read as follows:

H. CON. RES. 368

Whereas the United States Capitol stands as a symbol of democracy, equality, and freedom to the entire world;

Whereas the year 2000 marks the 200th anniversary of the opening of this historic structure for the first session of Congress to be held in the new Capital City;

Whereas slavery was not prohibited throughout the United States until the ratification of the 13th amendment to the Constitution in 1865;

Whereas previous to that date, African American slave labor was both legal and common in the District of Columbia and the adjoining States of Maryland and Virginia;

Whereas public records attest to the fact that African American slave labor was used in the construction of the United States Capitol;

Whereas public records further attest to the fact that the five-dollar-per-month payment for that African American slave labor was made directly to slave owners and not to the laborer; and

Whereas African Americans made significant contributions and fought bravely for freedom during the American Revolutionary War: Now, therefore, be it

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

(1) the Speaker of the House of Representatives and the President pro tempore of the Senate shall establish a special task force to study the history and contributions of these slave laborers in the construction of the United States Capitol; and

(2) such special task force shall recommend to the Speaker of the House of Representatives and the President pro tempore of the Senate an appropriate recognition for these slave laborers which could be displayed in a prominent location in the United States Capitol.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. THOMAS) and the gentleman from Maryland (Mr. HOYER) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. THOMAS).

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

Mr. Speaker, first of all, I want to compliment and congratulate the gentleman from Oklahoma (Mr. WATTS), my friend and my conference chairman; and the gentleman from Georgia (Mr. LEWIS), my friend and colleague on the Committee on Ways and Means; one, for the way in which this legislation has been put together; and, two, the time in which we have moved.

It has now become better known that several months ago a local television reporter unearthed some United States Treasury Department pay slips that, strange as it may seem, allows us to have a better understanding of what went on in the early stages of the building of our Capitol. One would think that we would have as complete a documentation as any people could have.

And yet what we found out was that those pay slips showed that there were slave owners who were paid for work in the building of the United States Capitol. Pretty obviously, the labor was not done by the slave owners. In fact, it was slaves that did the work, more than 400, which gives us an even more appropriate reason for recognizing the importance of this particular building, and a continued understanding of the true and honest history of the United States.

The resolution would create a task force to study the history and contributions of those slave laborers. There has been some concern that the legislation is not real specific about the way in which this task force would be appointed, other than, according to the resolution, to have the Speaker of the House and the President pro tempore of the Senate make the appointments. I would hope everyone understands that this is not to be a political task force. It is not to be some kind of political endeavor to make sure one is politically correct.

The reason we wanted to have the task force was to reach out to those very appropriate professionals who would have knowledge and understanding to assist us in creating whatever the appropriate recognition might be, and we do not want to prejudge what will be presented to us, so that in a prominent location in the Capitol we can, one, give proper credit; two, recognize the fact that it occurred but, more importantly, understand better this particular building and the very human involvement in now yet another dimension not fully appreciated in the creation of our country.

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

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

It is an appropriate and, at the same time, regrettable fact that I rise today in support of this resolution. It is appropriate because I am proud to join my colleagues in an attempt to recognize a terrible wrong, to shed light on a dark chapter in our Nation's history. Sad, because it is a shame that this resolution is even necessary. However, it is necessary; and I commend the gentleman from Georgia (Mr. LEWIS) and the gentleman from Oklahoma (Mr. WATTS), my colleagues, for their hard work in bringing this resolution to the floor.

This resolution, as the chairman has pointed out, will establish a task force to recommend an appropriate recognition of the slave laborers who built the United States Capitol. Not all of the workers were slaves. There were free men that worked by their side; but there were slaves who, as the chairman has pointed out, were not paid for their work; their owners were paid for their work. And their work helped build this Capitol.

That sentence should shock all of our sensibilities. Yes, this temple of liberty was built, in part, on the backs of slave laborers.

□ 1930

That is a tragedy, and was a denial of the statement we made to all the world that we believed that all men were created equal and endowed by their Creator with certain unalienable rights.

Notwithstanding the fact that we published that to the world, we continued slavery in America. Yes, we used slaves in part to build this Capitol. Those workers toiled in the hot D.C. summers to build this monument to freedom, the people's House, the freedom they did not have. Yet, they did not share in the promise of America. There was compensation, as has been pointed out: $5 a month to the owners.

This tragic piece of our Nation's history needs to be explored and exposed.

We often forget the proud history of slaves in the United States. The government denied them their freedom, but nobody could take away their dignity. They fought bravely in the Revolutionary War to secure our Nation's freedom, yet they were not free. After that noble effort, they worked to build a tribute to this Nation's ideals, this Capitol building, but they were denied the very freedom it symbolized.

As a recent article in the Washington Post explains, little is known about the slaves. We know that for a time Phillip Reid, the only slave that we know the last name of, served as superintendent of the project, but the other slaves are known only by first names jotted in dusty ledgers.

I hope this task force is able to uncover more details about these men who did backbreaking work for a nation that denied them their fundamental rights. We need to know more about George, Thomas, Harry, and Jerry, and all the others who built this temple to democracy and freedom. Without knowing more about their history, Mr. Speaker, our collective history, our Nation's history, will be forever incomplete.

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

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

My colleague, the gentleman from Maryland (Mr. HOYER), mentioned that we do know for sure one of the slave's names, a fellow by the name of Phillip Reed. Talk about irony upon irony, he, given his professional capabilities, helped cast the bronze statue atop our Capitol that was recently refurbished, and of course we know that as the Statue of Freedom.

Mr. Speaker, I ask unanimous consent that the rest of the time be controlled by my friend and colleague, the gentleman from Oklahoma (Mr. WATTS), chairman of the Republican Conference.

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

There was no objection.

Mr. WATTS of Oklahoma. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to support House Concurrent Resolution 368, legislation that I introduced earlier this year and that I believed to be long overdue in highlighting a disturbing but important fact about the history of this magnificent building and symbol of freedom, the United States Capitol.

I want to especially thank my distinguished colleague, the gentleman from Georgia (Mr. LEWIS), for joining in this effort as the bill's original cosponsor, and I want to thank the chairman of the committee on House Administration, the gentleman from California (Mr. THOMAS), and the ranking member, the gentleman from Maryland (Mr. HOYER), for their support of this critically important recognition of the slave laborers who built this extraordinary structure that houses the deliberations of the oldest democracy on Earth.

Mr. Speaker, every day we are here in session our debates and legislative activities underscore that this is a living building that embodies America's greatest principles of democracy and liberty. However, one significant historical fact about this building is often forgotten. That fact is that much of the construction of this Capitol in the 18th and 19th centuries was done by slave labor.

As we all know, slavery was not eliminated across the United States until the ratification of the Thirteenth Amendment in 1865. Before that date, slave labor was both legal and common throughout the South, including the District of Columbia, Maryland, and Virginia.

Public records attest to the historical fact that African-American slave labor was used in the construction of the United States Capitol, both here on this site and further south, in the Virginia quarries that provided the marble for this very building.

It is time we recognize the contributions of these slave laborers. I am proud we will have the opportunity today to do so by passing this resolution to establish a special congressional task force which will study the history of this period and recommend an appropriate memorial to the labors of these great Americans to be displayed prominently here in our Nation's Capitol.

Mr. Speaker, this year we celebrate the 200th anniversary of the first session of Congress to be held here in this historic building. I think that is a long enough time to go without a public and visible acknowledgment of the incongruous but important historical fact that the blood, sweat, and tears of African-American slave laborers built this House for us all.

Let us reach back today through the thin veil of time and unshackle their hands so we can shake them and say, thank you, ever so belatedly, to these great Americans who built this great monument to freedom.

Mr. HOYER. Mr. Speaker, it is my real honor to yield 3 minutes to the gentleman from Georgia (Mr. LEWIS), a distinguished civil rights leader, Member of Congress, humanitarian, and the cosponsor of this legislation. A gentleman who has been a giant in bringing the reality of the words that I intoned earlier that are included in our Declaration of Independence, and the promises incorporated in our Constitution, to reality for all Americans.

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank the gentleman from California (Chairman THOMAS) and the ranking member, the gentleman from Maryland (Mr. HOYER), for bringing this legislation before us today.

I want to thank my friend and my colleague, the gentleman from Oklahoma (Mr. WATTS), for being the chief sponsor of this legislation.

Mr. Speaker, when we walk through the halls of this building, we do not see anything that tells the story that African-American slaves helped build this magnificent building: no drawings, no murals, no paintings, no statues, nothing. Slavery is part of our Nation's history of which we are not proud. However, we should not run away or hide from it. The history of the Capitol, like the history of our Nation, should be complete.

As the gentleman from Oklahoma (Mr. WATTS) pointed out, it was not until this year, 200 years after the opening of the Capitol for the first session of Congress, that records were uncovered which prove what many of us have already known or maybe some of us assumed, that African-American slave labor was used in the building of the United States Capitol.

These men, these slaves, laid the very foundation of our democracy. Yet, they were denied the right to participate in our democracy. Indeed, generations of their offspring were denied the right to vote.

Mr. Speaker, with this resolution, H.R. 368, we will honor the slaves who helped build the Capitol. We will study the history and contributions of the African-Americans who helped construct one of the greatest symbols of democracy in the world, this building, the United States Capitol.

Mr. Speaker, we will have a fitting and lasting tribute to these men, black men, slaves, in a permanent place here in the United States Capitol.

I urge all of my colleagues to vote for the passage of House Concurrent Resolution 368.

Mr. WATTS of Oklahoma. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. OSE).

Mr. OSE. Mr. Speaker, I thank the gentleman from Oklahoma for yielding time to me.

Mr. Speaker, I rise today in support of this resolution. It is interesting, the first day I was here I stood over by the painting of Lafayette. This room was empty, and I was there with a radio reporter from my town. Unbeknownst to myself, I was violating the rules of the House when I conversed and they were recording the tape.

But the point of that conversation was that if one was quiet enough in this Chamber, one could hear the voices of the people who have come before us, and yes, those who built this place came before us, the slaves that the gentleman from Georgia (Mr. LEWIS) talked about, those who have built this country that we have not to date given satisfactory recognition to.

This resolution is a first step. I thank the gentleman for bringing it. I am grateful for the opportunity to support it.

Mr. HOYER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I also want to commend and congratulate the gentleman from Georgia (Mr. LEWIS) and the gentleman from Oklahoma (Mr. WATTS) for their introduction to a very important piece of legislation.

As a matter of fact, it is my hope and my understanding, as well as my desire, that passage of this legislation will help shed additional light on an extreme dark period in the history of this Nation, because as we look back to better understand where we came from, it helps us to recognize how we got to where we are, and then helps propel us into the future in relationship to where we need to be going.

Carter G. Woodson, the founder of Black History Month, African-American History Month, once said that while we should not underestimate the achievements of our Nation's greatest architects, builders, and industrialists, we should give credit to those slaves who so largely supplied the demand for labor.

This resolution will do just that, and I would hope that as historians write, that in the near future we will see in the history books in every classroom throughout this great Nation the contributions of those whose sweat, whose hard labor, whose intense drive helped to produce not only a magnificent edifice, but helped to provide an opportunity for democracy to grow and flourish.

Mr. WATTS of Oklahoma. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. ROHRABACHER).

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

Mr. Speaker, I rise in strong support of this proposal. Americans understand that our black brothers and sisters in this country have been given a raw deal over our country's history, but most Americans do not know exactly what a raw deal it has been and was.

The fact is that black Americans and their achievements quite often have been written out of the history books. I love to read history, and I have seen that in so many cases where black Americans, they pop up here and there, but the average American has no idea that they have done such tremendous things. Just like today, we are giving credit for people who have built this altar of liberty, this altar of freedom for all America to see, and there were black Americans, and to this point very few people knew there were black Americans.

Let us remember that one of the first Americans to be killed during the American Revolution, a man killed during the Boston Massacre which sparked the whole American Revolution, was a black American.

In the last 4 or 5 years I fought a fight for patent reform here in the United States, and I had to study the issue of inventors and people who actually invented great things in our country.

Certainly every American knows about Booker T. Washington. But as I studied the history of our patent system and the inventors in our country, I was personally surprised to see how many great inventions were invented by black Americans, because patent rights as a property right, even during a time of great discrimination against our fellow Americans, the patent rights were actually provided to black Americans. They excelled in creativity, in creating new machines and new technologies throughout our history.

□ 1945

Not many people know that. Not many people know of the great many American heroes, not only during the Civil War, but other conflicts.

But today we have the opportunity to congratulate those Americans who, again, not many of us heard of before, but did a great service to their country and to the cause of freedom in building this great edifice. So I support the legislation and thank the gentleman from Oklahoma (Mr. WATTS) very much for letting me participate in this debate.

Mr. HOYER. Mr. Chairman, I yield 4 minutes to the gentlewoman from the District of Columbia (Ms. NORTON), the very distinguished Representative in which this Capitol is located. I am sure the irony is not lost on her that there are residents of this capital of freedom that do not have full voting participation in this Capitol.

Ms. NORTON. Mr. Speaker, I very much thank the gentleman from Maryland for yielding me this time.

Mr. Speaker, I appreciate enormously the work of the gentleman from California (Chairman THOMAS) and the gentleman from Maryland (Mr. HOYER), ranking member, in working together to bring this matter forward. I am enormously grateful, of course, to the gentleman from Oklahoma (Mr. WATTS) and the gentleman from Georgia (Mr. LEWIS), my long-time friend and colleague from the civil rights movement, for their leadership in bringing forward the bill that brings us to the floor today.

I want to recognize the work of a local reporter for Channel 4 News here, Edward Hotaling, who brought this matter to public attention and was responsible for our bringing it, therefore, today to public light, for what we are doing this evening is opening the eyes of America to an important discovery for most in American history.

We know the cliche because we have said it over and over, the slaves helped build America. But there are seldom any specifics to that. What slaves? What part of America? It turns out that the oldest and most treasured parts of America, the most hallowed places are what we are talking about; the White House, yes, and this very place where we meet.

What is true here is probably true for every historic public building south of the Mason-Dixon line. We celebrate the slaves who built the Capitol and the White House, but the same could be said throughout the American South and much of the American North if the building is old enough.

It is a matter of public record that slaves and free blacks built these two buildings. But it is also true that much of the District of Columbia was built by slaves and free blacks.

My own great grandfather, Richard Holmes, was one such slave. Richard Holmes walked away from slavery in Virginia, got hired before the Civil War to work in the streets of the District of Columbia, got discovered by his white owner who was refused ownership when my great grandfather did not answer to his name when he was discovered and the white foreman refused to allow his return to the owner who had discovered him. I have no information that Richard Holmes worked on the White House or the Capitol, but we do have information that has been lost to history that many black men and free blacks did, in fact, work on these and other places in the District of Columbia. We know them by their works.

We also know that slaves did every job imaginable, including the most highly skilled jobs. We know their owners were compensated. We know that neither they nor their descendants were.

Let me lay to rest whether anybody feels any confusion about whether to be proud or ashamed that our most revered structures were built by slave labor. Let us not be like the Soviets who revise or deny history. Let us, with this bill, put those questions for these purposes aside, put these emotions aside because on one question there can be no disagreement.

We often have recognized what the slaves achieved and the tributes over and over again to these great buildings, and to the 25 million visitors who come every year to the District of Columbia to see this building among others. It is time finally to recognize the men who helped achieve the place where we work, the place that we love.

I thank my colleagues very much for all they have done on this bill.

Mr. WATTS of Oklahoma. Mr. Speaker, I do not have any more speakers on my side, so I reserve the balance of my time.

Mr. HOYER. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. CONYERS), one of the most distinguished leaders in our House, one of the senior Members of the House and an American who perhaps was most responsible for ensuring that this Nation recognized the contribution of one of its greatest citizens of the world, Martin Luther King, Jr.

Mr. CONYERS. Mr. Speaker, I thank the gentleman from Maryland (Mr. HOYER) and the gentlemen who have participated in bringing this measure forward.

I was very moved by the remarks of the gentlewoman from the District of Columbia (Ms. NORTON). This plays right into the book recently written by Randall Robinson called The Debt in which he, touring the Capitol with his

wife, found this tremendous sculpture about everybody that had contributed, but there were no depictions of slaves and their contribution.

So all of the dialogue tonight has been very, very important in beginning to recognize and bring forward, as scholars are, as forums are going on in our universities, in which we are bringing up the records of the slaves, of their travels across the waters, the insurance records, and a lot of other factual materials.

So it seems to me that we are moving inextricably into the question of how we recognize and study the question of reparations as may affect them. I could not imagine this conversation just going on tonight without us examining what we do in the preparation of a commission to study the history of slaves and their descendants in terms of their contributions and where we might fit into the picture presently.

So I see this as a tapestry, a very important part of it. I see the hate crimes bill shortly being very important in which we take the subject of the lynching, the hate crimes started back in the 1920s when the civil rights movement, the NAACP began the great rush to federalize the lynching of African Americans. Then, after Dr. King's assassination in 1968, we got the first hate crimes bill; and we have another pending in this body now.

So much of our legislation is moving together. This resolution giving recognition to the contribution of people of color, both free and enslaved, is a very important step forward. I commend all who have contributed toward it.

I thank the gentleman from Maryland (Mr. HOYER) for yielding me this time.

The SPEAKER pro tempore (Mr. ISAKSON). The gentleman from Oklahoma (Mr. WATTS) has reserved the balance of his time and has the right to close.

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

Mr. Speaker, I have no additional requests for time. But I know that, on both sides of the aisle, if they were on the floor, all Members would want to rise in support of this resolution. Every Member would want to recognize the importance of the principle involved in the adoption of this resolution, the recognition of those who have been ignored, forgotten, hidden, in part, perhaps, because of the shame that a society shared for on the one hand saying it believed in freedom and on the other hand enslaving a people because of the color of their skin.

This resolution is important in my opinion, Mr. Speaker, not only to recognize those who participated and labored and who helped build this Capitol, but it is also important, it seems to me, because it reminds us of the contradictions between our principles and our performance.

It heightens our awareness, Mr. Speaker, of the gulf that sometimes exists between our promises and our practice. I introduced, Mr. Speaker, the gentleman from Michigan (Mr. CONYERS). I remember standing with him on the front of this Capitol and supporting him in his leadership of the necessity to recognize the contributions made by Martin Luther King, Jr. who, in 1963, stood just some thousands of yards from where we stand right now and reminded the Nation in a compelling address that we ought to live out the dream and make reality the promises that we had made.

Our Nation responded. This Congress responded. We passed legislation to try to make reality the promises of the 13th Amendment passed 100 years before. Whether it was in employment or housing or public accommodations, we said that America was not a land in which we ought to discriminate against individuals based upon such arbitrary distinction as color of skin or national origin or religion.

In fact, we are still arguing today about artificial distinctions we make between human beings and whether they ought to be discriminated against, not on what they do to us or laws that they break, but on what they may be that is different from us.

Mr. Speaker, that is why this resolution is important, not only as the gentleman from Oklahoma (Mr. WATTS) and the gentleman from Georgia (Mr. LEWIS) have so eloquently pointed out, to recognize the contribution of the individuals who helped build this Capitol and, as the gentlewoman from the District of Columbia (Ms. NORTON) has pointed out, built so many others, including the White House, Monticello, and Mount Vernon. I can go on in listing the dwellings that we know are dwellings in which democracy saw its genesis and its growth.

This resolution is significant because it also teaches us to be aware daily of the necessity of applying our principles in practice.

Mr. WATTS of Oklahoma. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in closing, again, this bill recognizes the long-ignored role of African American slaves in building the United States Capitol. Again, in closing, I thank the gentleman from Georgia (Mr. LEWIS), I thank the gentleman from California (Chairman THOMAS), the gentleman from Maryland (Mr. HOYER), ranking member, I thank them for their efforts on behalf of this resolution.

Again, this year we celebrate the bicentennial of the United States Government's arrival here in Washington. Proper recognition for these laborers is long past due.

□ 2000

We often, as Members of Congress, get to drive into the grounds or drive onto these grounds; and at night especially driving onto these grounds we see our Nation's dome, the Nation's Capitol and remind ourselves that this building that we stand in today is recognized as the symbol of freedom for all the world. This resolution today again recognizes the contribution that slave labor played in building the symbol of freedom.

Mr. Speaker, I remind us that, on the Senate side, the Senate version of this bill is sponsored by Senator ABRAHAM from Michigan and Senator LINCOLN from Arkansas. So, on the Senate side, this bill will be known as the Abraham/Lincoln bill. Very fitting.

Again, thanks to my colleagues for this bipartisan support that we have seen in bringing this effort forward and making it happen here this evening.

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

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

Mr. Speaker, I just wanted to respond in part to my friend and colleague, the gentleman from Maryland (Mr. HOYER), in terms of his supposition that perhaps it was out of shame.

I think I will just tell the gentleman that it was far more fundamental than that, and it was that common physical labor is not a high achievement and that we never, even to this day, recognize the fact that without it we would not have what we have today.

The thing I like most about this, given the discussion, the participants, and the reflection on history, is that one of the fundamentals of democracy is in the inherent belief that an individual is worth something simply because they are alive and that what we are doing here is celebrating the obvious acknowledgment of our shared humanity in the best way we can in reaching back and telling those people, thank you, thank you very much for that basic physical labor that produced the opportunity, as Mr. DAVIS so eloquently indicated, the gentlewoman from the District of Columbia (Ms. HOLMES) indicated, we forget about.

So it is in the shared humanity of our recognition that I think we can all share and appreciate.

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

The SPEAKER pro tempore (Mr. ISAKSON). The question is on the motion offered by the gentleman from Oklahoma (Mr. WATTS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 368.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. THOMAS. 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. 368.

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

There was no objection.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 1654, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT OF 2000

Mr. REYNOLDS (during debate on H. Con. Res. 368) from the Committee on Rules, submitted a privileged report (Rept. No. 106–844) on the resolution (H. Res. 574) waiving points of order against the conference report to accompany the bill (H.R. 1654) to authorize appropriations for the National Aeronautics and Space Administration for fiscal years 2000, 2001, and 2002, and for other purposes, which was referred to the House Calendar and ordered to be printed.

SCOUTING FOR ALL ACT

Mr. HUTCHINSON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4892) to repeal the Federal charter of the Boy Scouts of America.

The Clerk read as follows:

H.R. 4892

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 ''Scouting for All Act''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) Federal charters are prestigious distinctions awarded to organizations with a patriotic, charitable, or educational purpose.

(2) Although intended as an honorific title, a Federal charter implies Government support for such organizations.

(3) In 1916, the Federal Government granted a Federal charter to the Boy Scouts of America.

(4) Although the Boy Scouts of America promotes the social and civic development of young boys through mentoring, it also sets an example of intolerance through its discriminatory policy regarding sexual orientation.

(5) Federal support for the Boy Scouts of America indirectly supports the organization's policy to exclude homosexuals.

(6) A policy of excluding homosexuals is contradictory to the Federal Government's support for diversity and tolerance and should not be condoned as patriotic, charitable, or educational.

SEC. 3. REPEAL OF FEDERAL CHARTER OF BOY SCOUTS OF AMERICA.

(a) REPEAL.—Chapter 309 of title 36, United States Code, which grants a Federal charter to the Boy Scouts of America, is repealed.

(b) CLERICAL AMENDMENT.—The analysis at the beginning of subtitle II of title 36, United States Code, is amended by striking the item relating to chapter 309.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arkansas (Mr. HUTCHINSON) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes.

The Chair recognizes the gentleman from Arkansas (Mr. HUTCHINSON).

GENERAL LEAVE

Mr. HUTCHINSON. 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. 4892.

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

There was no objection.

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

Mr. Speaker, while I do not support this bill, I do believe it is appropriate that it be brought up for consideration at this time. I rise in opposition to H.R. 4892.

This legislation that has been offered by the gentlewoman from California (Ms. WOOLSEY) is a bill to revoke the 80-year-old Federal charter of the Boy Scouts of America.

Tonight, scouts and scout leaders all across this great country are watching these proceedings. They are watching with amazement that the Congress of the United States is debating a bill to revoke their charter.

Now, why is this bill being offered? Why should it be considered to revoke the charter of the Boy Scouts? It is hard to figure.

First of all, there are no appropriated Federal funds that are used to support the Boy Scouts of America. It is simply a Federal charter that is granted to other patriotic-type organizations that allow them to protect the emblems and symbols that they have.

The Boy Scouts have worked for over 80 years with the youth of our Nation, building leadership and molding character. The charter of the Boy Scouts, granted by this Congress, states that they will promote patriotism, courage, self-reliance, and kindred virtues, virtues that we desperately need in this country.

Millions of scouts are trained under the leadership of this great organization. They provide over 3 million boys and young adults the opportunity to participate in educational programs. In 1998, the Boy Scouts contributed over 52 million community service hours to our Nation and is committed to providing an additional 1 million service hours to preserving the environment at our national parks.

Another reason that this bill is ill-advised is that the Supreme Court of the United States affirmed the first amendment freedom of the Boy Scouts to exclude scout masters who do not support the values of the Boy Scouts of America. We should adhere to the opinion of the United States Supreme Court.

Finally, the Attorney General of this country has given an opinion that the use by Federal lands of the Boy Scouts does not convene even in any executive order of this administration.

Mr. Speaker, the Boy Scouts of America today are under attack by this legislation and by others in America. I believe an organization that supports our values and our freedoms and builds leadership among young people should be supported and we should defend the Boy Scouts of America.

This legislation that is being offered is punitive in nature to revoke their charter, it is ill-advised, and should be defeated.

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

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

Mr. Speaker, I rise today under some very confusing circumstances. I would like to refer to the manager of the bill, the gentleman from Arkansas (Mr. HUTCHINSON). I thought I heard him say that he was moving to suspend the rules and pass a bill that he is now saying that he is opposed to.

I thought he was the one that caused this bill to be brought to the floor and that it was him that is urging its passage.

Did I hear him correctly?

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

Mr. CONYERS. I yield to the gentleman from Arkansas.

Mr. HUTCHINSON. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, this legislation being offered by Members on their side is being brought under the Suspension Calendar, and in order to debate it and provide the sponsors of the legislation an opportunity to explain their reasons why the Boy Scouts charter should be revoked, is being brought up. And so I procedurally asked that the rules be suspended for its consideration.

Mr. CONYERS. Mr. Speaker, reclaiming my time, I see. I thank the gentleman for that information.

Now, we are both on the Committee on the Judiciary. Did this bill go through the committee?

I continue to yield to the ranking member on the Republican side.

Mr. HUTCHINSON. Mr. Speaker, I thank the gentleman for yielding.

The legislation has not been reported by the Committee on the Judiciary.

Mr. CONYERS. Mr. Speaker, I thank you.

Mr. Speaker, I ask the gentleman, have there been any hearings in the Committee on the Judiciary?

Mr. HUTCHINSON. Mr. Speaker, as the ranking member, I think the gentleman is fully aware that we have not conducted any hearings on this legislation.

Mr. CONYERS. Mr. Speaker, I thank the gentleman again for his comments. And so you are against this bill, have not had any hearings, there have been no votes in committee, and you are urging that we rush it through this process when it has never been through the committee.

If that is the case, sir, then I would ask unanimous consent to have this suspension bill removed from the calendar.

The SPEAKER pro tempore. Does the gentleman from Arkansas (Mr. HUTCHINSON) yield for that request?

Mr. HUTCHINSON. Mr. Speaker, I certainly object to the request. I would ask the gentleman to yield for a response.

The SPEAKER pro tempore. The gentleman objects. The unanimous consent is not ordered.

Mr. CONYERS. Mr. Speaker, would the gentleman be willing to have hearings on the bill before the measure is passed which he is apparently very sincerely opposed to?

Mr. HUTCHINSON. Mr. Speaker, if the gentleman would continue to yield, I think the reason, and this is somewhat of an unusual circumstance, well, actually it is not unusual that it is being brought up on suspension. We do that all the time to bring up a bill on suspension without going through the committee. The gentleman well knows that. But I believe in this circumstance, when the administration has suggested that the Boy Scouts of America should not use Federal land under current executive order that they need a statement that their charter is in good standing. And I think that legislation revokes the charter.

We are saying, hopefully, by defeating that, that we stand with the Boy Scouts of America and we believe that their charter should not be revoked and that would put an end to the matter, I would hope.

Mr. CONYERS. Mr. Speaker, I thank the gentleman. He is not confusing me more, but we have increasing numbers of ambiguity.

Let me turn, then, to the offer of this proposal, the gentlewoman from California (Ms. WOOLSEY). And if I could ask her, and we have not talked about this, has she requested that this bill be placed on the floor for disposition?

Mr. Speaker, I yield to the gentlewoman.

Ms. WOOLSEY. Mr. Speaker, no, I have not made that request at this time. I was hoping for hearings and a markup and to bring this issue that is important to full light to this Congress with a full debate.

Mr. CONYERS. Mr. Speaker, I thank the gentlewoman for her comments.

I ask the gentlewoman, has she had any response from the Committee on the Judiciary about the disposition of the matter? She wanted hearings. She did not request that we come to the floor today.

Ms. WOOLSEY. Mr. Speaker, I did not. As a matter of fact, I was surprised. We heard about this suspension at 6 o'clock last night D.C. time when I was in California. And the idea that we would bring a controversial, important issue like this onto the Suspension Calendar was a total surprise to me, because I think of suspensions as noncontroversial issues, such as naming a post office.

Mr. CONYERS. Mr. Speaker, I want to ask the gentlewoman, the author of the amendment, would she find that hearings and markups in the regular process would be helpful in developing an understanding around her motive and purpose for introducing this bill?

Ms. WOOLSEY. Mr. Speaker, absolutely. A hearing was necessary. A markup is necessary to bring an issue of this importance to our Nation in the dark of night instead of in the light of day is a mistake.

To suggest that it is noncontroversial and could pass with a two-thirds vote is very short-sighted.

Mr. CONYERS. Well, that is the understanding I have heard from my good friend, the gentleman from Arkansas (Mr. HUTCHINSON), is that he considers this apparently a noncontroversial bill to which he is opposed to which hearings have never been heard.

Well, now, if there has ever been a parallel like this ever in the history of this Congress, it has not been since I have been here.

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

Mr. HUTCHINSON. Mr. Speaker, I yield 2 minutes to the great gentleman from Indiana (Mr. BUYER).

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

Mr. Speaker, I think what is obvious, if they know they are going to lose on the substance of a bill, then they argue process. If they are ashamed of having authored a particular bill, then do not submit it.

I have authored legislation. I would be eager as soon as I drop it for it to come to vote. I would be eager for that. I would be proud of the legislation that I actually drafted.

I rise in opposition to this legislation.

Mr. Speaker, I rise today in strong opposition to H.R. 4892, the Scouting for All Act. On June 28, the Supreme Court ruled in Dale vs. Boy Scouts of America, that private organizations have the right to set their own standards for membership and leadership. This allows the Scouts to continue developing young men of strong moral character without imposing standards on them that they find incompatible with their beliefs.

In response to the Supreme Court ruling, the Boy Scouts have faced an onslaught of criticism, intimidation and extortion from those who seek to inflict their beliefs on an organization that promotes moral character and personal responsibility.

Protests were organized in twenty-one states including my district in Indiana, urging businesses to revoke their sponsorship of the Scouts. Last month, the Interior Department attempted to bully and harass the Boy Scouts over access to public lands. In Los Angeles, some delegates to the Democratic national convention booed a group of Scouts as they stood on the stage of the Staples Center.

Now, in an attempt to punish the Boy Scouts for refusing to toe the line, proponents of H.R. 4892 seek to revoke the Boy Scouts' federal charter, originally granted by Congress in 1916.

This bill claims to be acting in the name of tolerance and inclusion. In reality, it is this bill, not the Boy Scouts, that promotes intolerance. The Boy Scouts respect others' rights to hold differing opinions than its own. All the Scouts ask is that others respect its beliefs. The sponsors of this bill believe just the opposite.

□ 2015

They believe if one does not subscribe to their view of the world then they must be humiliated, silenced, and reformed in the name of tolerance. They are in error, and I suppose now today ashamed of the bill that they have dropped. Tolerance does not require a moral equivalency. One can be tolerant of one's beliefs of others while being intolerant of their behavior and actions.

Today, millions of boys from every ethnic, religious, and economic background, including those with disabilities and special needs, participate in Scouting programs across America. The Boy Scouts are a model for inclusiveness. Our youth today face a daily onslaught from some parts of our culture that promote self-gratification and alternative lifestyles. As one of the few counters to this, the Boy Scouts keep such, I guess, out-of-fashion values as duty to God and country, honor, respect, self-sacrifice, and community service.

I believe we should commend, not punish, an organization that attempts to foster a sense of personal responsibility and strong character in our boys and young men. I urge all of my colleagues, 50 percent of whom were Boy Scouts, to side with the vast majority of Americans and vote no against this ill-advised bill.

Mr. HUTCHINSON. Mr. Speaker, I yield 2¼ minutes to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Speaker, as the Republican co-chairman of the Congressional Scouting Caucus, as a proud Eagle Scout and as a supporter, an unapologetic supporter of Scouting in America, I stand here tonight to commend the Boy Scouts of America for what they have done over these last 90 years in strengthening the American character, developing good citizenship, and enhancing both the mental and physical fitness among America's youth.

Instead of attacking the Boy Scouts, we should be celebrating the fact that the Supreme Court has upheld the sanctity of our First Amendment; and we should applaud the Scouts for standing strong under pressure to compromise their own principles. H.R. 4892 proposes to revoke the Federal charter of the Boy Scouts of America because they have maintained a moral standard, rejected by America's liberal left. But the Scouts, like everyone else, have rights to set their own standards, and not to be targeted for doing so. That is what freedom of association is all about. That is what the Supreme Court confirmed in its decision.

In recent months, we have witnessed the despicable booing of Boy Scouts by Democrat delegates during their convention; a 55,000 signature petition delivered to the Boy Scouts headquarters demanding that they scrap requirements for Scout masters, and in my own county in Orange County, California, where the ACLU and others have tried to force the Scouts to take

God out of their Scout oath; and we have also witnessed a malicious and reprehensible effort by the part of some corporations and even the United Way in some areas to choke off funding for the Scouts in an attempt to force them into submission.

Everyone is free to choose their own life-style and I would stand up for anyone's right to have their own privacy and their own life-style, as the Scouts stand up for that; but the Scouts, too, have their rights and we should be applauding them for standing up for their own principles and their own beliefs rather than trying to attack them now and to destroy the freedom of association guaranteed by our Constitution.

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

Mr. Speaker, this is a Republican theme tonight, how dare we bring up this bill that they bring up. The gentleman from Arkansas (Mr. HUTCHINSON) has said that the bill has not been through committee, no hearings. The author of the bill was notified in California that it was coming up, and now everybody is saying that this is a bill that they object to for many reasons. Is this some kind of a cynical political stunt that we are playing here tonight? Nobody wants the bill, but the Republicans sponsor it on a suspension on which they say there is supposed to be very little dissension about the bill. So I am in some confusion of what we are trying to do.

I plan to vote present on this measure.

Mr. HUTCHINSON. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. BARR), a member of the Committee on the Judiciary.

Mr. BARR of Georgia. Mr. Speaker, I thank the distinguished gentleman from Arkansas (Mr. HUTCHINSON) for yielding me this time.

Mr. Speaker, one of the sorriest and most shameful exhibitions of a cynical political move, to use the word of the gentleman from Michigan (Mr. CONYERS), that our Nation has ever witnessed was a couple of weeks ago at the Democrat National Convention when a member of a Boy Scout troop, at the invitation of the Democrat National Convention, appeared before that body to lead that body in the pledge of allegiance, and for that show of patriotism that Scout was booed and hissed at by the party that sits on the other side in support of this resolution.

Not being content with booing and hissing a Boy Scout, they have now moved the forum for their denigration and assault on the Boy Scouts of America to this Chamber. They truly ought to be ashamed.

What is it, I ask my colleagues on the other side, that they find so reprehensible in the Scout oath, which includes words that Scouts are physically strong? Do they object to that? That Scouts shall be mentally awake, do they object to that? That Scouts may be morally straight, apparently there is the rub, that is what they find so reprehensible about Scouts that they would boo a Scout and hiss at a Scout for standing up and leading our Nation and their party in the pledge of allegiance, and why they now come before this body, before this flag, before this speaker, before the American people, and tell us that the Boy Scouts for being morally straight are so reprehensible in their eyes that they ought not to even have the historical charter granted by this body.

Have they no shame, Mr. Speaker? Have they no shame? And now we have the gentleman on the other side saying he does not even have the courage to stand up and vote for the resolution that they support. This resolution ought to be soundly defeated.

Mr. CONYERS. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. WOOLSEY).

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

Ms. WOOLSEY. Mr. Speaker, I rise today because I support H.R. 4892, the Scouting for All Act, an act to repeal the Boy Scouts of America's congressional charter. I urge all of my colleagues to join me in sending a clear message that the civil rights movement is alive and well in the United States of America, and that this Congress does not support discrimination in any form.

Contrary to what some of my colleagues on the other side are alluding to, we are not saying that the Boy Scouts are bad. We are saying that intolerance is bad. I was a Girl Scout. One of my sons was a Boy Scout. I know the value of Scouting, and that is why I believe that Scouting should be available to all boys, not just some boys.

I am not standing here today to override the Supreme Court. The unchangeable fact is that towards the end of June the Supreme Court upheld the Boy Scouts' discriminatory policy. So I stand here not to ask if the Boy Scouts have a right to a discriminatory policy but to ask if their discriminatory policy is right.

In 1939, Marian Anderson, an African American opera singer, was invited to perform at Constitutional Hall, then operated by the Daughters of the American Revolution, another chartered organization.

The DAR said that Marian Anderson could not perform at Constitution Hall because she was black. As a result, then First Lady Eleanor Roosevelt resigned her DAR membership and coordinated a concert for Marian Anderson at the Lincoln Memorial. 75,000 people attended and ultimately the DAR changed its policy of discrimination.

Simply because an esteemed organization holds a belief does not make that belief right. It was wrong for the Daughters of the American Revolution to discriminate against African Americans then and it is wrong for the Boy Scouts of America to discriminate against gays today.

My colleagues on the other side of the aisle suggest that they speak for the average American; that the vast majority of Americans support intolerance. They are wrong.

This poster alone will show the headlines from the newspapers across this Nation that are reporting the reaction to the Boy Scouts' position of intolerance. It is clear that opposition to the Boy Scouts' intolerant policy is not a fringe movement. It is part of the mainstream belief that intolerance in any form is un-American. From Fall River, Massachusetts, to Broward County, Florida, from Chicago to San Francisco, American cities, American private corporations, nonprofit organizations, schools, churches, families are saying no to intolerance.

In the city of Chicago, the Boy Scouts can no longer use city parks, schools or public sites because their policy, the Boy Scout policy of intolerance, conflicts with the city's existing nondiscrimination policy.

In Fall River, Massachusetts, the local United Way voted overwhelmingly to withdraw support from the Boy Scouts.

Private companies are also finding that the Boy Scouts' intolerance is unacceptable. Among other corporations, Textron, Inc., Knight Ridder and others have pulled their support from the Scouts. Because when people stand up and say intolerance is wrong, they do make a difference. One of those people is Steven Cozza, a teenager from Petaluma, California, where I live.

Steven, as a 12-year-old Boy Scout, working to earn his Eagle Scout badge, became aware of the intolerance policies against gays in Scouting. And as a Scout, he decided, he was 12 years old, he decided to do something about it. That was 3½ years ago. Since then, Steven and his dad, Scott Cozza, neither one of them is gay, they have nothing to gain except they know that intolerance is wrong, they started an organization called Scouting for All. Scouting for All is a campaign, a national campaign, encouraging the Boy Scouts to change their policy.

To date, they have gotten more than 53,000 signatures to support change of the policy. Steven Cozza supports abolition of the Scouts' prohibition on gays. He knows that it is wrong. It is wrong to exclude some boys based on sexual orientation, and it is wrong to teach other boys by example to be intolerant. Perhaps some of my colleagues believe that intolerance is okay. I do not, and neither do millions of people across the Nation who live in the cities that have stood against intolerance, or worked for the companies that have withdrawn their support or made contributions to the organizations that no longer support Scouting.

My colleagues would do well to get outside the Chambers and talk with parents in Montclair, New Jersey, who are circulating a petition opposing the

Boy Scouts' policy. They should also talk with the elected officials of San Jose, California, who say that Boy Scout intolerance is incompatible with their city laws.

□ 2030

Repealing the Boy Scouts Federal charter is a sensible and reasonable way for this Congress to take a stand against intolerance and not have it look as if our Nation supported intolerance. A charter is an honorary title that Congress awards to organizations that serve a charitable, patriotic, and educational purpose. But to me, there is nothing charitable, there is nothing patriotic; and it certainly is not a value we want our children to learn.

Mr. Speaker, revoking the charter does not cut off Federal funding for the Boy Scouts. It does not change their tax status. Revoking the charter sends a clear message that Congress does not support intolerance.

Mr. Speaker, I call on my colleagues to join me in support of H.R. 4892. Together we can show the American people that like them, this Congress does not accept intolerance. As a representative of the people, let us make their message of support for tolerance heard throughout this House.

We are not saying that Boy Scouts are bad; we are saying that intolerance is bad.

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

Mr. Speaker, I thank the gentlewoman from California (Ms. WOOLSEY) for her sincere comments, and I appreciate the fact that the gentlewoman is standing strong in support of her bill that would revoke the charter of the Boy Scouts of America; and she indicates that she is not saying that the Boy Scouts are bad; but, Mr. Speaker, I believe that all of America is seeing an attack on the Boy Scouts, and I think that our efforts today in Congress is simply to defend them.

The question is about tolerance. The Attorney General of the United States issued a statement in response to requests for an opinion that said that the Boy Scout jamborees are not federally conducted education or training programs. In other words, this is a private association. The Supreme Court has said they have a right to associate and to conduct themselves freely; that is what this country is about. They have African American Scouts, Asian American Scouts; and so they have a broad range, but they have some beliefs that they stand for and do not want to be compromised. I believe that is consistent with freedom.

The gentlewoman from California (Ms. WOOLSEY) referred to Boy Scouting for all. They have the freedom of association, but so does the Boy Scouts of America.

Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. Ballenger).

Mr. BALLENGER. Mr. Speaker, I speak as one of the proud 50 percent of this body that was a member of the Boy Scouts.

Mr. Speaker, the Boy Scouts are a private organization with a long-standing reputation protected by the first amendment. Now, despite the Supreme Court endorsement of its mission, we are engaged in a politically motivated attempt to attack a great organization. The Boy Scouts bylaws state that one of the purposes of the organization is to teach morals to young men and boys and to help develop a strong group of core values.

For years, this has been a great success. Now it seems that some in Congress want to legislate what these core values should be. Obviously, core values taught in Scouting today were seen to be fit when Boy Scouts were granted their first Federal charter and have remained the same unchanged since then. So why is this an attack?

The Boy Scouts engage in hundreds of projects of good works across the country, and I think we should leave the seal of approval on this organization as American as apple pie and baseball; and I recommend a vote against this bill.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, I would like to respond to the comments of the gentleman from Arkansas (Mr. HUTCHINSON) that we are attacking the Boy Scouts. Indeed, the Boy Scouts do good work.

My point and our point is that all boys should be involved in Scouting, not just some boys; and it is perfectly all right as a private organization to do as you choose. It is not all right for the Federal Government to support intolerance.

Mr. HUTCHINSON. Mr. Speaker, I yield 1 minute to the gentleman from Utah (Mr. CANNON), who is a member of the Committee on the Judiciary.

Mr. CANNON. Mr. Speaker, I rise today in opposition to this dangerous bill that attacks a treasured American institution, the Boy Scouts of America.

A small group of extremists on the minority side is attempting to revoke the charter of an organization that has done much good. The attack today is because this private organization, the Boy Scouts, demands traditional moral rectitude from its members.

This attack on the Boy Scouts alone would be repugnant to most Americans. But today's attack goes beyond just the Boy Scouts. It is an attack upon the fundamental values of America.

Our debate on this bill is just one skirmish of a much larger cultural war for our Nation's heart and soul. The gentlewoman from California (Ms. WOOLSEY) has laid out the legal and governmental opposition to the Boy Scouts.

This war is a big deal, and it will affect us all. Mr. Speaker, perhaps no civic organization has done as much as the Boy Scouts to instill the core American values of faith, loyalty, duty, honor, patriotism, community service, and individual responsibility in the young men of this Nation.

We will prevail today in defeating this attack on the Scouts, but only because the spotlight of American's attention has been focused on our opponents. Some on this side disavowed this bill they once co-sponsored because the glare of attention has exposed the extremism of their views.

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

Mr. CONYERS. Mr. Speaker, because we have 4 minutes left and my dear friend, the gentleman from Arkansas (Mr. HUTCHINSON) has 8 minutes left, I would ask him to go forward if he would.

Mr. HUTCHINSON. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Speaker, I rise in opposition to H.R. 4892. The other side acted as if voting on bills on suspension is unusual. This week the notice says we are voting on 27 bills on suspension. We just finished voting on 5 of them.

After booing the Boy Scouts at their national convention, after the Clinton-Gore administration contemplated barring them from national park programs, now the Democrats have introduced legislation to revoke the Boy Scouts charter.

In 1916, the U.S. Congress gave the Boy Scouts of American a national charter because we believed in what they were doing. We believed in the values that the Scouts stood for: the Boy Scout oath is an oath every Member of this body would do well to be familiar with. Evidently, the Democrats no longer believe in the values embodied in this oath. Evidently, they believe the Boy Scouts are dangerous. The Democrats believe times have changed, that the old rules of right and wrong no longer apply.

Evidently, the American people are wrong, but the Boy Scouts is not a hate organization. They are the premier youth organization of America, training young people in character, volunteerism and patriotism, self-reliance to believe in God and country.

Mr. Speaker, I urge that we defeat this outrageous bill.

Mr. HUTCHINSON. Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland (Mr. BARTLETT).

(Mr. BARTLETT of Maryland asked and was given permission to revise and extend his remarks.)

Mr. BARTLETT of Maryland. Mr. Speaker, I rise in strong opposition to this bill.

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

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

Mr. HERGER. Mr. Speaker, I rise in strong opposition to this legislation.

Mr. HUTCHINSON. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. GOODE).

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

Mr. GOODE. Mr. Speaker, this bill would wreck 90 years of patronage of the Boy Scouts of America. I urge opposition.

Mr. HUTCHINSON. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. TOOMEY).

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

Mr. TOOMEY. Mr. Speaker, I rise in strong opposition to this bill, which is an insult to the millions of Americans who devote so much time and energy to the Boy Scouts of America.

Mr. HUTCHINSON. Mr. Speaker, I yield such time as he may consume to the gentleman from Alabama (Mr. RILEY).

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

Mr. RILEY. Mr. Speaker, I rise in strong opposition to this Democratic bill, which defies everything that is American.

I believe that this bill—this whole unbelievable argument—does nothing more than punish and browbeat one of the most respected organizations for young men in America today.

The name itself has become synonymous with being a good person in everyday conversation we even call trustworthy, noble hard-working people: ''Boy Scouts.''

Mr. Speaker, this bill is simply wrong.

Our government shouldn't fear the Boy Scouts.

The Boy Scouts shouldn't have to fear our government.

Mr. HUTCHINSON. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. SAM JOHNSON).

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise in strong opposition to this Democrat proposition, and I wonder why we are even doing it when America is such a great Nation.

Mr. HUTCHINSON. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin (Mr. RYAN).

(Mr. RYAN of Wisconsin asked and was given permission to revise and extend his remarks.)

Mr. RYAN of Wisconsin. Mr. Speaker, I rise to speak out in opposition to this Democratic initiative to ban the Boy Scouts from enjoying the rights that they have enjoyed since their existence.

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

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

Mr. HUNTER. Mr. Speaker,

I rise in opposition to this initiative to revoke the Federal Charter of the Boy Scouts of America.

Mr. Speaker, as a former Boy Scout who only attained the rank of second class, I nonetheless recognized early on the great contribution that this nation receives from the Boy Scouts.

We are a nation of great industrial production. No other nation manufactures the wide array of products that stream from our assembly lines.

But the greatest American product is character. It is the character of strength, compassion, integrity and courage that makes the last 100 years ''the American century.''

The Boy Scouts of America have been a primary factory of American character. Their ideals and values strengthen us. They also offer wholesome association for the boys of America, many from broken families.

In this world that has become increasingly dangerous for youngsters, the Boy Scouts is a safe haven for those who want their children to grow in an environment of traditional American values that has illuminated the world in the 20th century.

Support the Boy Scouts.

Mr. HUTCHINSON. Mr. Speaker, I yield such time as he may consume to the gentleman from Kansas (Mr. RYUN).

(Mr. RYUN of Kansas asked and was given permission to revise and extend his remarks.)

Mr. RYUN of Kansas. Mr. Speaker, I rise in strong opposition to this, and I am wondering why we are even dealing with this. I know the wonderful values that the Boy Scouts represent.

Mr. HUTCHINSON. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. JONES).

Mr. JONES of North Carolina. Mr. Speaker, I stand in strong opposition to H.R. 4892, and I wonder so many times the American people are wondering why America's in such moral decay, and then I look at this legislation, and then I ask myself how in the world can we in Congress even be debating such an outrageous bill such as H.R. 4892, because, Mr. Speaker, in the Scout oath the word ''morally straight,'' what does morally straight mean to the other side that is supporting this legislation?

I realize the President of the United States does not understand what morally straight means, but there are many people throughout the district that I represent and throughout this country that understand that we need to be morally straight. We need to look to God, we need to look to the Ten Commandments. That is what the Boy Scouts help the youth of America do.

Mr. Speaker, I want to thank the gentleman from Arkansas (Mr. HUTCHINSON) for giving me this opportunity, and I want to say to the Democrats who booed the Scouts at the Democratic convention, you should be ashamed of yourselves. There should have been one leader at the Democratic convention to stand up to chastise those who booed the Boy Scouts. God bless America. God bless the Boy Scouts.

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

Mr. HAYES. Mr. Speaker, I rise in opposition to the legislation of the gentlewoman from California (Ms. WOOLSEY) to revoke this charter. This type of Federal charter is issued to organizations with patriotic, charitable, and educational purposes.

There is no organization in this country that lives up to these principles more than the Boy Scouts. The motto of the Boy Scouts is ''God, Country, Honor, Helping Others.''

Boy Scouts confirm that character counts. These are values that are learned by young men and carried with them throughout their lives. Mr. Speaker, let us tell it like it really is. This ridiculous legislation is meant to shame an organization just because it does not conform to the extreme left wing's view of the world.

Over 3 million young men in the Boy Scouts nationwide are being taught values, values such as duty to God and country, honor, respect, honesty, community service. By revoking the charter of the Boy Scouts of America, the supporters of this legislation are saying that those values do not matter. They are saying that what is important is forcing the Boy Scouts to adopt their agenda, which is clearly wrong, counterproductive to community values and destructive to traditional families.

Mr. Speaker, I urge my fellow Members to vote against this scurrilous attack on American values.

Mr. HUTCHINSON. Mr. Speaker, I yield 1 minute to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, as an Eagle Scout, I rise in strong opposition to the so-called Scouting for All Act, because, Mr. Speaker, the so-called Scouting for All Act means constitutional rights for none. It is as if we tear freedom of association out of the document.

Another federally chartered organization, the Jewish War Veterans. We do not see the southern Baptists or the Buddhists demanding membership in the Jewish War Veterans. Jewish War Veterans as a federally chartered organization have the right of freedom of association based on their spiritual beliefs.

My suggestions to those who place such an emphasis on sexual identity is to have another freely formed association, the sexual identity seekers of America. If that predicates one's world views, that is the choice. The profound intolerance of those who claim to preach tolerance is incredible. Those who would boo the scouts, and the Vice President of the United States, the standard-bearer of his party not standing foursquare for this federally chartered organization. Shame on those who bring shame to this Nation by trying to profoundly alter the Scouts.

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Mr. CONYERS. Mr. Speaker, I yield myself 15 seconds and caution the gentleman, my friend previously in the well. I thought I saw him ripping the Constitution. If that is the case, I would urge that he not do that publicly.

Mr. Speaker, I yield 1½ minutes to the gentleman from Mississippi (Mr. TAYLOR).

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

Mr. Speaker, I also want to rise in opposition to this effort by the gentlewoman from California (Ms. WOOLSEY). She is a Member of Congress, elected by the people of her Congressional District, and has every right, as has every Member, to introduce any piece of legislation that she wants. She has every right to demand a vote on it.

My colleagues have every right to speak. I think it is a bit unfair to say ''every Democrat.'' I was not watching the convention, I was not there at the convention, I do not know what might or might not have happened. So the characterization of all Democrats as being against the Boy Scouts I do not think would hold water and is a cheap shot.

I will make this observation: I do not know how many cosponsors the gentlewoman from California (Ms. WOOLSEY) has on her bill. I do know my friend and colleague, the gentleman from Mississippi (Mr. SHOWS), has over 300 cosponsors, Republicans and Democrats, trying to restore the promise of health care for our Nation's military retirees. That bill has never had a hearing, it has never had an opportunity for one vote.

If you are going to find the time as the majority to bring a bill to the floor that will probably get less than 10 votes tomorrow, that is fine. It is great that you are giving every Member that opportunity. I would ask for that same opportunity for the 300 of us, and I bet you a bunch of people on this floor are cosponsors of the Shows bill, to demand the same opportunity and privileges as Members of the House if over 300 of us have sponsored that bill. If over 300 of us think restoring the promise of health care for our Nation's military retirees, regardless of the cost, is a priority, then over 300 of us ought to have a chance to vote on it.

Mr. HUTCHINSON. Mr. Speaker, I yield 1 minute to the gentleman from Arizona (Mr. SHADEGG).

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

Mr. Speaker, I rise in strong opposition to the Woolsey legislation. Let me first begin by simply addressing the former speaker's remarks. Let me make it clear that I have fought for health care reform on this floor vigorously and continue to fight for it. I have a bill with many cosponsors that I cannot get brought to the floor. It is a difficult process, but I would suggest that it is a fair process.

Let me talk about the Boy Scouts. I grew up in the Boy Scouts. I was an active Boy Scout and formed an Explorer post.

That organization does more to instill the proper values in young men than any organization I know of in this Nation, and what is at issue here is not sexual orientation. What is at issue here is the First Amendment to the United States Constitution, and, thankfully, the United States Supreme Court made it clear what that amendment says. What that amendment says is private organizations, even with those with a charter, and there are others with similar charters, they have the right to define and the right to decide who should associate with those organizations.

Now, here, because of that Supreme Court decision defending the First Amendment, we see legislation attacking the Boy Scouts. I think it is a tragedy that this issue should have come up. I think it is a tragedy that some want to destroy the Boy Scouts of America and want to go after them and assert upon them and enforce upon them their ''politically correct'' views.

Mr. Speaker, I urge my colleagues to vote against this legislation and defend the Boy Scouts of America.

Mr. CONYERS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, the Scoutmaster's Handbook emphasizes these points about being morally straight, and I quote from the United States Supreme Court decision. ''In any consideration of moral fitness, a key word has to be courage, a boy's courage to do what his head and his heart tell him is right, and the courage to refuse to do what his heart and his head say is wrong. Moral fitness, like emotional fitness, will clearly present opportunities for wise guidance by an alert scoutmaster.''

Then the court goes on to say, ''It is plain as the light of day that neither one of these principles, morally straight and clean, quote-unquote, says the slightest thing about homosexuality. Indeed, neither term in the Boy Scouts' law and oath expresses any position whatsoever on sexual matters.''

So the process we have been in today, the most unusual one that I can remember being party to on the floor, we have had a bill brought before us that was not considered by the Committee on the Judiciary or the Subcommittee on Immigration and Claims and the sponsor of the bill did not request the bill be placed on the floor. So we can assume only that it has been placed on the floor as a political stunt. I, for one, will not be a part of this cynical game.

Republicans, most of them have no intention of voting for this bill. They have no intention of getting it through the Senate. They have no intention of doing anything to come to the aid of children who are discriminated against because of their sexual orientation.

They, the leadership, have bottled up hate crimes legislation because they do not care enough about the lives of children who are victimized or killed because of their sexual orientation. They will not stand up to gay bashing. They want to do nothing except play these kinds of games, which, to me, does a great disrespect to our legislative process.

I do not believe that revoking the Federal charter of the Boy Scouts is the proper remedy at this time. Revoking the Federal charter would not have any effect on the Boy Scouts.

I urge that those who support me vote present on this matter.

Mr. HUTCHINSON. Mr. Speaker, I yield such time as he may consume to the gentleman from Oregon (Mr. WALDEN).

(Mr. WALDEN of Oregon asked and was given permission to revise and extend his remarks.)

Mr. WALDEN of Oregon. Mr. Speaker, I stand as an Eagle Scout in opposition to this measure.

The SPEAKER pro tempore (Mr. ISAKSON). The gentleman from Arkansas (Mr. HUTCHINSON) has 3 minutes remaining and has the right to close. All time has expired for the gentleman from Michigan (Mr. CONYERS).

Mr. HUTCHINSON. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I want to express my compliments to the gentleman from Michigan (Mr. CONYERS) for the way he has conducted this debate and the gentlewoman from California (Ms. WOOLSEY) as well. We in this body are intense, we have strong beliefs about things, but we need to be collegiate in these debates. I want to congratulate Members for the way this debate was conducted.

There was a concern raised about we are saying this is a Democratic bill. I will acknowledge there are Democrats that oppose this bill as well that will not be voting for this. This is a bill being offered certainly by your side of the aisle, and there has been expressed a great deal of concern by this administration, so I think that was the underlying reason for that reference. But certainly there will be Members from your side that oppose it.

I want Members to know that we all want to be tolerant. I believe we should practice tolerance in our lives. But, at the same time you have to balance that desire for tolerance with an understanding about freedom. Here in this case we have the Boy Scouts of America, that have served this Nation under a Federal charter for more than 80 years. I believe they have done extraordinary work.

The issue is raised about, well, there are other bills that could be considered. Maybe we would be better off bringing the bills that are offered to this floor, and this bill was offered and ''Dear Colleagues'' letters were sent out asking support for this bill. I think it was something that people in America were concerned about.

I have gotten letters and calls into my office about what they are doing,

the attacks on the Boy Scouts of America. I think America said, what is the Congress going to do? So we stand here and say we are going to defeat this bill.

I think that is a reasonable statement, a reasonable position, for this Congress to take. Yes, we are tolerant; but, yes, we also recognize the importance of freedom. I believe that is what the Supreme Court of the United States said whenever they affirmed in a 5–4 decision the actions of the Boy Scouts of America.

I believe that is what the Attorney General of the United States was saying when she rejected the request to kick the Boy Scouts of America off of the Federal land. She says it is not a Federal activity, so if it is not a Federal activity, they have a right to make decisions that govern themselves. That is the freedom in America, that is the right to association in America. And, yes, the Boy Scouts of America do good work. I believe they are under attack, and I believe it is right for this Congress to stand here today and say we are going to vote down this and make sure it is clear to everyone in America that the Federal charter is right, it should stay there, it should be sustained, it should not be revoked.

Mr. Speaker, I ask my colleagues to defeat this bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, first let me say that the Boy Scouts of America has made a valuable contribution to our society. The Boy Scouts of America have taught America's young men the values and ideals of responsibility, leadership, accountability, and civic duty. They are known for instilling high moral values in our young men, and for being inclusive. This is why many of us were shocked when the Boy Scouts refused to be inclusive of those with a different sexual orientation.

I believe that the Boy Scouts discriminatory policy against homosexuals falls far short of the ideals it has taught generations of young men. James Dale, an Eagle Scout, was kicked out of the Boy Scouts because he attended a seminar on the needs of gays and lesbian youth. He had attained the highest honor in scouting. But they kicked him out anyway. That was wrong. James Dale, and so many others are innocent young men who should not be punished due to their sexual orientation or because they are different.

Recently, the Supreme Court held that the Boy Scouts are a private organization and, therefore, have a right to free association that allows them to discriminate against whomever they choose. But just because it is allowed, does not make it right.

Nevertheless, I must oppose this bill for two reasons:

First, I must object to the process under which we are considering this bill. This bill was not considered by the Judiciary Committee or the Immigration and Claims Subcommittee. The procedure in this case was circumvented.

If this Congress is serious about dealing with confronting intolerance, then why has Hate Crimes legislation been bottled up in the House?

Second, I do not believe that revoking the federal charter of the Boy Scouts is the proper remedy at this time. A Federal Charter is conferred upon an organization to give them a imprimatur designation to say that your organization is one that has a patriotic mission and significantly contributes to the benefit of our nation, and our society. Revoking the federal charter would not have any effect on the Boy Scouts and would not help to heal the wounds of intolerance in this country. Although the revocation of a Federal Charter is merely a symbolic gesture, this certainly sets a dangerous precedent where the Congress could be in the business of revolving Federal Charters to other organizations just because we disagree with their beliefs. I certainly think this type of action should only be done if there is a full hearing.

The Congress should stand for the right of all Americans to live free from fear of harassment or violence based upon hatred of who they are. We should pass hate crimes legislation immediately.

Mr. BARR of Georgia. Mr. Speaker, I rise today in opposition to the proposed repeal of the federal charter of the Boy Scouts of America. Since its founding in 1910, the Boy Scouts of America has promoted educational programs for young men that build character, patriotism, and to develop personal fitness. Ninety million young men from every ethnic, religious, and economic background in suburbs, farms, and cities have participated in this institution, and abided by the Scout Oath and Law by staying ''physically strong, mentally awake, and morally straight.''

Many now wish to infringe upon this private, charitable organization, and force upon it views that run directly contrary to the traditional values of the Boy Scouts of America. As a private organization, the Boy Scouts dismissed adoption of such views, stating that they have a constitutional right ''to create and interpret its own moral code.'' I agree with the organization's stance, and on June 28th, of this year, so did the Supreme Court, when they ruled ''the First Amendment protects the Boy Scouts' method of expression.''

In response to this decision, many feel the Boy Scouts must now be punished for observing their First Amendment rights of free association and free speech; a repeal of their federal charter is one such punishment.

In recent years, we have seen that many American youth live in an unhappy world—violent video games have become the new outdoors; drugs, the new game on the playgrounds; and guns, the new books brought to class. Throughout this corruption of America's children, however, the Boy Scouts of America has stood steadfast—providing our youth with a foundation of character, and a sense of value for citizenship and morality through the continuance of the Scout Oath and Law.

In a time where our nation's youth is subjected to moral and character dissolution, and we on Capitol Hill search for solutions, I cannot fathom the reasoning behind why we would want to take away the imprimatur of support that a federal charter affords to an institution that provides our youth positive guidance in a misguided world.

Mr. DINGELL. Mr. Speaker, the Republican leadership of the 106th Congress has brought some asinine proposals to the floor. A trillion-dollar tax cut for the wealthiest Americans, a prescription drug proposal that subsidizes HMOs, not seniors, and a ''managed care'' bill that protects the insurance industry rather than patients.

However, today marks a new low-point, even for this Congress. Mr. Speaker, today we have a bill on the floor which would revoke the Federal Charter from the Boy Scouts of America.

Let me repeat myself. Today the Congress will vote to revoke the Boy Scouts of America's Federal Charter.

Mr. Speaker this is an outrage and it must be stopped.

The Boy Scouts are an American institution and one of America's most patriotic organizations, dedicated to serving God and country. Scouts are a shining example to the world of what is good about America.

In 1916, the United States Congress granted the Boy Scouts a Federal Charter, because it recognized the valuable contributions that Scouts make to America. The Scouts are one of the most important civic institutions we have in this great nation, devoted solely to building character in boys and young men.

The Scouts have led drives to increase blood, organ and tissue donation.

They have pioneered youth anti-drug efforts.

Scouts have fought against hunger, child abuse and illiteracy.

Scouts were there for America. Yet now, the sponsors of this legislation would turn their back on the Scouts. Mr. Speaker, that is wrong.

I am proud of my association with the Boy Scouts. The Scout Troops in Michigan's 16th District have a long and distinguished tradition of community service, from Dearborn to the fine young men in Monroe. I have joined with Scouts on many occasions during my service in Congress in community efforts, from river clean-ups to assistance for the needy and less fortunate. They represent the best of what America is and strives to be.

This effort, to revoke their Federal Charger is an insult to the Scouts. It is no small wonder that the public's confidence in this body plummets each year thanks to ridiculous, unnecessary and foolish legislative endeavors such as this, which helps no one and angers many.

The Boy Scouts develop and cultivate the best characteristics of American citizenship: self-reliance, leadership, and patriotism; love of the outdoors, pride in America, conservation and individualism; Americanism, dedication to the Constitution and to the Declaration of Independence.

These are good, meritorious ideals.

For the benefit of my colleagues supporting this legislation, let me recite the Scout Law, the principles upon which Boy Scouting is based: trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean and reverent.

These are the values that this Congress should be supporting, not discouraging.

Vote no on this preposterous idea.

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise today in strong support of H.R. 4892, the Scouting for All Act and I commend my colleague, Congresswoman LYNN WOOLSEY, for authoring this bill and taking a strong stand against intolerance.

The Boy Scouts of America have a long history of promoting social and civic responsibility among our nation's youth and I commend them for this. However, I am extremely disappointed in their decision to exclude potential members solely on the basis of their sexual orientation.

I support the right of private groups to determine their membership. However, since Congress would neither endorse nor charter any group that discriminates against Latinos, African Americans, women or people with physical challenges, just to name a few, Congress cannot in good conscience continue to tacitly endorse the Scouts' discriminatory policy. We believe discrimination against any of these groups is wrong and most of us here would stand up and demand that discriminatory policies be ended. The Boy Scouts must be held to the same standard and therefore Congress has the moral responsibility to revoke the group's Congressional charter.

We must remember, that discrimination is always wrong, whatever form it takes. Whether it's the policies of the Boy Scouts, a corporate employer or a social club, Congress must not condone discrimination. We must lead by example and we must send the message that Congress will not tolerate nor endorse such policies targeted at any group.

I support this bill, and I urge each of my colleagues to do the same. Congress must not lend its seal of approval to any organization which discriminates.

Mr. DUNCAN. Mr. Speaker, I rise in opposition to this bill and to voice the strongest possible support for the Boy Scouts of America.

The Boy Scouts have always emphasized God and Family and Country.

We need more organizations like the Boy Scouts, and we should be doing everything we can to support and encourage them.

I was a Criminal Court Judge for 7½ years before coming to Congress.

I was told on my first day as a Judge that 98 percent of the defendants in felony cases came from broken homes.

I read thousands of reports going into the backgrounds of the people before me. I read over and over things like: ''Defendant's father left home when Defendant was two and never returned.'' ''Defendant's father left home to get pack of cigarettes and never came back.''

Several years later I read in the Washington paper that two leading criminologists had studied 11,000 felony cases from around the country.

They said the biggest single factor in serious felony crimes was father absent households.

Everything else, like drugs and alcohol, was secondary to the absent father problem.

So many young boys are growing up today without good male role models.

We need the Boy Scouts today more than ever before.

This is a time when we should be doing more for the Boy Scouts, not trying to harass and intimidate them.

We definitely should not be taking the intolerant, bigoted, ''politically-correct'' position of this legislation.

If this is still a free country, then the Boy Scouts should be free to operate as it has without being discriminated against as this legislation would do.

I urge all my colleagues to oppose this bill and support the Boy Scouts.

Mr. PAUL. Mr. Speaker, today, we find ourselves debating an intolerance-laden bill advanced by those who will claim to be the ''tolerant'' ones. What the bill's proponents are really saying is that they are intolerant of an individual's freedom to associate with those whom they, as individuals, see fit. Two vital issues are raised by this bill's ascendancy to the House floor. The first is that of our constitutional right to freedom of association. The second being the notion of ''federal charters.''

On June 28, the U.S. Supreme Court ruled that the Boy Scouts of America was within its rights when the private organization expelled an adult scout leader because he was gay. In its five-to-four opinion, the court found that requiring the Boy Scouts to admit homosexuals violated the group's free association rights.

Nevertheless, this Congress has decided to bring to the floor a bill attempting to penalize this private group of citizens for exercising their first amendment ''freedom of association'' rights. This is very close to denying the very right itself. To the extent the Boy Scouts should be penalized for their exercise of free association (or exclusion in this case), that penalty should only manifest itself through other private citizens exercising their freedom not to associate with individuals or groups whose associations (or lack therof) they find offensive.

As to the ''federal charter'', where do we find authority for the federal government to charter organizations it deems ''honorable''? To the extent the ''charter'' is an honorary title awarded by Congress to organizations which is then ultimately used to threaten exercise of the right to freedom of association, I suggest we repeal not only the Boy Scout's charter but all federal charters such that they won't be used as tools of federal meddling.

While I hesitate to further propagate this system of federal charters by which the federal government manipulates private groups, I despise more so this congressional attempt to penalize the Boy Scouts for merely exercising their constitutional rights—or as syndicated columnist Charley Reese recently put it in the Orlando Sentinel:

> I think that it's time for all patriotic organizations that have these federal charters to surrender those documents. It is impossible for a dishonorable organization to honor anyone. And these charters are, practically speaking, worthless. If the federal government believes that mindless non-discrimination trumps morality, then it's time to disassociate from such bad company.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arkansas (Mr. HUTCHINSON) that the House suspend the rules and pass the bill, H.R. 4892.

The question was taken.

Mr. HUTCHINSON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

RECOGNIZING CONTRIBUTIONS OF THE BIRMINGHAM PLEDGE

Mr. BACHUS. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 102) recognizing that the Birmingham Pledge has made a significant contribution in fostering racial harmony and reconciliation in the United States and around the world, and for other purposes.

The Clerk read as follows:

H.J. RES. 102

Whereas Birmingham, Alabama, is an international symbol of the racial strife in the United States in the 1950's and 1960's;

Whereas out of the crucible of Birmingham's role in the civil rights movement of the 1950's and 1960's, a present-day grassroots movement, embodied in the Birmingham Pledge, has arisen to continue the effort to eliminate racial and ethnic divisions in the United States and around the world;

Whereas the Birmingham Pledge, authored by Birmingham attorney James E. Rotch, sponsored by the Community Affairs Committee of Operation New Birmingham, and promoted by a broad cross-section of the community, increases racial harmony by helping individuals communicate in a positive way concerning the Nation's diversity and by encouraging people to make a commitment to racial harmony;

Whereas the Birmingham Pledge, signed by individuals as evidence of their commitment to its message, reads as follows:

''I believe that every person has worth as an individual.

''I believe that every person is entitled to dignity and respect, regardless of race or color.

''I believe that every thought and every act of racial prejudice is harmful; if it is in my thought or act, then it is harmful to me as well as to others.

''Therefore, from this day forward I will strive daily to eliminate racial prejudice from my thoughts and actions.

''I will discourage racial prejudice by others at every opportunity.

''I will treat all people with dignity and respect; and I will strive to honor this pledge, knowing that the world will be a better place because of my effort.'';

Whereas more than 70,000 people have signed the Birmingham Pledge, including the President, Members of the Congress, State Governors, State legislators, mayors, county commissioners, city council members, and other people around the world;

Whereas the Birmingham Pledge has achieved national and international recognition;

Whereas efforts to obtain signatories to the Birmingham Pledge are being organized and conducted in communities around the world;

Whereas every Birmingham Pledge signed and returned to Birmingham is recorded at the Birmingham Civil Rights Institute as a permanent testament to racial reconciliation, peace, and harmony; and

Whereas the Birmingham Pledge, the motto for which is ''Sign It, Live It'', is a powerful tool to facilitate dialogue on the Nation's diversity and the need for people to take personal steps to achieve racial harmony and tolerance in communities: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That—

(1) the Congress—

(A) recognizes that the pledge popularly known as the Birmingham Pledge has made

a significant contribution in fostering racial harmony and reconciliation in the United States and around the world; and

(B) commends the people involved with the creation of the Birmingham Pledge and signatories to the pledge for the steps they are taking to make the Nation and the world a better place for all people; and

(2) it is the sense of the Congress that a National Birmingham Pledge Week should be established.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alabama (Mr. BACHUS) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes.

The Chair recognizes the gentleman from Alabama (Mr. BACHUS).

GENERAL LEAVE

Mr. BACHUS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.J. Res. 102.

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

There was no objection.

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

Mr. Speaker, this week Birmingham, Alabama, is hosting an MSNBC and Newsweek Magazine National Conference on Race Relations. One of the highlights of this conference is the Birmingham Pledge movement.

The Birmingham Pledge is a personal commitment to work to eliminate racial division in America and around the world. Those who sign the Pledge make a personal promise to treat all individuals with dignity and respect. More than 70,000 people from every inhabited continent on the globe have signed the Birmingham Pledge. Every signed Pledge is returned to Birmingham and recorded at the Civil Rights Institute as a permanent testament to racial reconciliation, peace and harmony.

Mr. Speaker, along with my colleague, the gentleman from Alabama (Mr. HILLIARD), both of us being natives of Birmingham, Alabama, we introduced this resolution on June 14, 2000. This resolution has the support of 107 cosponsors, a bipartisan group of Members of the House.

The resolution recognizes that personal efforts, the efforts of individuals, do matter, and do make a difference in addressing racial intolerance and do contribute significantly in fostering racial harmony.

□ 2100

As we speak, MSNBC is conducting a televised live town hall meeting on race relations from the historic 16th Street Baptist Church in Birmingham. Newsweek Magazine this week printed a special issue on diversity in America to coincide with the Birmingham Summit.

The resolution before us recognizes that the Birmingham Pledge is making a significant contribution in fostering racial harmony. It commends those involved with the creation of the pledge, including Jim Rotch, who authored the pledge, and those who have signed it. It expresses the sense of Congress that a National Birmingham Pledge Week should be established.

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

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

Mr. Speaker, first of all, I think it is appropriate to commend the gentleman from Alabama (Mr. HILLIARD), with whom I have worked very closely in the Congressional Black Caucus, and the gentleman from Alabama (Mr. BACHUS), with whom I have worked very closely on the House Committee on the Judiciary on a number of measures.

This is a unique, ingenious way that continues the ability of America to help recognize that racial prejudice is something that we still can deal with in many creative, small ways. So House Joint Resolution 102 recognized that this ingenious notion, the Birmingham Pledge, can make an important contribution in fostering and promoting racial equality. It is a symbol of how far we have come and how far we have to go in the struggle for civil rights equality for all Americans.

Because Birmingham, Alabama, occupies a unique and important place in the history of civil rights in America, for these two Members from the State of Alabama to come forward where we have had in the past the images of police dogs, fire hoses, racial strife, Dr. King's letter from a Birmingham jail, all makes it so important that from Alabama and now from around the Nation, signatures are pouring in. I understand that more than 60,000 have taken place already, and that President Clinton and the First Lady have all been signatories.

So, Mr. Speaker, I think it is important as I conclude that if we pledge our belief today that every thought and every act of racial prejudice is harmful, then we should let our actions speak louder than our words and pass a hate crimes legislation bill that has come from the Committee on the Judiciary.

Mr. Speaker, I reserve the balance of my time, and I ask unanimous consent that the gentleman from Alabama (Mr. HILLIARD) be the manager of this bill from this point forward.

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

There was no objection.

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

Mr. Speaker, I rise to call upon Congress to pass this resolution recognizing the Birmingham Pledge. The Birmingham Pledge is an effort of the Birmingham community to recognize the dignity and worth of every individual and to share with the world our community's commitment to eliminate racial prejudice in the lives of all people. It is a personal daily commitment to remove prejudice from our own lives as well as the lives of others and to treat all persons with respect.

The gentleman from Alabama (Mr. BACHUS) and I proposed this resolution together, bringing to this Nation the rich heritage that we represent in Birmingham, Alabama. I would say it has been in the center of the struggle for American freedom. It was here that our citizens fought nonviolently the violent, racist, hate-mongering police commissioner Eugene ''Bull'' Connor and won. The remnants of that racism has impacted our society for far too long. Now is the time to change the social condition for all citizens and bring new life to the American dream.

It was here in Birmingham, Alabama, 16 years later that Birmingham elected its first black mayor who recently retired after 20 years of leading our city from hate, racism, poverty, and unemployment into becoming one of the leading citizens in America in human relations. Birmingham has developed and sustained an economy which includes many more people than ever before. We have one of the lowest unemployment rates in the Nation. But it also has changed in terms of its human relations factors, and it is a positive one. It is one that we wish to share with all Americans.

Even with our great history, people in Birmingham forget how we got where we are today; and because of that, the loss of our understanding of this exodus is destructive. We need to find out where we have been. We need to remember in order to realize where we must go.

This pledge can renew our memories and renew our commitment to a world without the kind of hate which has, for so long, ripped out the heart of our city and our Nation. I cannot tell my colleagues how strongly I recommend this resolution to all of us to sign, and I call upon all of us to support it today, by our votes; but I also ask each one of my colleagues to seek signatures from their constituents and, most importantly, to live the pledge.

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

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

In considering this resolution, we should all keep in mind one thing: we are not born with prejudice or bigotry. These are things that are learned. In fact, psychologists call it learned behavior. By word or by action, we teach our children daily. We teach them either to be tolerant or to be intolerant, to have prejudice or bias against people because of their race, or origin, or not to be. We teach them these things many times even before they are old enough to choose for themselves. We can teach our children to love, or we can teach our children to hate. Intolerance is learned. Therefore, it can be unlearned. The pledge can be a part of that process.

This is the message we will send to Americans today about race relations. Each of us needs to take personal responsibility to conduct ourselves in a

way that will achieve greater racial harmony in our own communities. It has been said that events in Birmingham during the early 1960s, and my colleague referred to many of those, stirred the conscience of the Nation and influenced the course of civil rights around the world.

I know of no city that has worked harder to overcome its missteps and its mistakes than my native city, Birmingham. The Birmingham that has emerged is one built upon a foundation of racial sensitivity and strength and diversity. Today's Birmingham is dedicated not only to preserving the history of its struggle, but, more importantly, to ending racial intolerance, bigotry and prejudice, not only in Birmingham, but around the world.

Mr. Speaker, by passing House Resolution 102, the House will show its support for this commendable effort. In closing, I urge all of my colleagues to support this resolution.

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

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

I would like to recite the Birmingham Pledge:

I believe that every person has worth as an individual.

I believe that every person is entitled to dignity and our respect, regardless of race or color.

I believe that every thought and every act of racial prejudice is harmful; if it is my thought or act, then it is harmful to me as well as to others.

Therefore, from this day forward I will strive daily to eliminate racial prejudice from my thoughts and actions.

I will discourage racial prejudice by others at every opportunity.

I will treat all people with dignity and respect; and I will strive daily to honor this pledge, knowing that the world will be a better place because of my effort.

Mr. Speaker, this is the Birmingham Pledge. I urge my colleagues to sign it, to vote for it, and to live it.

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

Mr. BACHUS. Mr. Speaker, I join my colleague from Birmingham in inviting all Members not only to support this resolution, but to support this pledge and to live this pledge on a daily basis.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama (Mr. BACHUS) that the House suspend the rules and pass the joint resolution, H.J. Res. 102.

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

A motion to reconsider was laid on the table.

HONORING THE SERVICE AND SACRIFICE OF THE UNITED STATES MERCHANT MARINE

Mr. KUYKENDALL. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 327) honoring the service and sacrifice during periods of war by members of the United States merchant marine.

The Clerk read as follows:

H. CON. RES. 327

Whereas throughout the history of the United States, the United States merchant marine has served the Nation during periods of war;

Whereas vessels of the United States merchant marine fleet, such as the S.S. LANE VICTORY, provided critical logistical support to the Armed Forces by carrying equipment, supplies, and personnel necessary to maintain war efforts;

Whereas numerous members of the United States merchant marine have died to secure peace and freedom; and

Whereas at a time when the people of the United States are recognizing the contributions of the Armed Forces and civilian personnel to the national security, it is appropriate to recognize the service of the United States merchant marine: Now, therefore, be it

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

(1) honors the service and sacrifice during periods of war by members of the United States merchant marine;

(2) recognizes the critical role played by vessels of the United States merchant marine fleet, such as the S.S. LANE VICTORY, in transporting equipment, supplies, and personnel necessary to support war efforts; and

(3) encourages—

(A) the American people, through appropriate ceremonies and activities, to recognize and commemorate the service and sacrifices of the United States merchant marine; and

(B) all government agencies to take appropriate steps to commemorate the United States merchant marine.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. KUYKENDALL) and the gentleman from Mississippi (Mr. TAYLOR) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. KUYKENDALL).

GENERAL LEAVE

Mr. KUYKENDALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the resolution under consideration.

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

There was no objection.

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

The merchant marines have served this country since the birth of our Nation. Many people do not think of that. They are most frequently remembered as the World War II veterans because of the great significance they played in that conflict. However, beginning as early as 1775, the merchant marine was actually the first military force we used to defeat the British Navy with. During that time period, they became our first Navy: merchant vessels with guns on them. They brought critical supplies to fight for our independence.

If we go on to the next century in the 1800s, between 1812, the War of 1812, and the first World War, they participated in not only that War of 1812, but also the Civil War, the Spanish American War, and delivered doughboys to Europe and their supplies to go with them.

In 1936, the Merchant Marine Act was passed by Congress which established the United States merchant marine ''as a naval or military auxiliary in time of war or national emergency.'' From 1941 to 1946, during World War II, merchant marines took part in all invasions. Merchant marine casualties were the highest in any service: 1 in 29. One in 29 people that served became a casualty. Statistics were so important in keeping track of the losses that during World War II we kept secret merchant marine losses because in some weeks we were losing over 30 vessels a week being sunk, between ours and allied forces around the world, and we would never be able to report that and still have men sign up to be a merchant seaman. By 1946, allied leaders planning the invasions of Japan had the merchant marine assigned a critical role in order to move millions of men and their material.

Again, the merchant marine after the war, World War II, came out in the Korean War and they supported that operation. They supported the Vietnam War in 1961 to 1973; and today they serve, even today, supplying troops in Bosnia as well as our earlier conflicts in the 1990s, the Persian Gulf War.

Merchant marines provide a service which is critical to every war effort. To tell my colleagues how critical it is, in World War II, the average soldier, depending upon his job, required somewhere between seven and 15 tons of material to supply them for 1 year. One soldier for 1 year, seven to 15 tons. That does not get delivered by airplanes; it gets delivered by ships all over the world. In fact, on average, in 1945, every hour there were 17 million pounds of cargo being delivered by the merchant marine in support of our war effort.

In 1965, skipping ahead now to Vietnam, we had 300 freighters and tankers supplying the United States military efforts, and on average, on average, we had 75 ships and over 3,000 merchant mariners in Vietnamese ports at any given time. Da Nang Harbor was the home of the Marine Amphibious Force Logistic Command, and in support of 81,000 Marines in Vietnam, that command brought 96 percent of the war material needed for the Marine forces there.

□ 2115

That included everything from tanks to food.

Merchant marines have served as civilians, but routinely go in harm's way in the conduct of their service. Here I am going to quote from B.D. Hammer in an article he wrote in the New York Daily News on May 20, talking about war heroes in the merchant marines:

All volunteers, these seafarers came from every vocation, level of education, ethnicity,

and faith. Some were teens, and some were senior citizens. Many were deemed unfit for military service. Yet the merchant marine traveled across the oceans of the world, often without proper protection, to every battlefront, every invasion of a beachhead that this Nation called it to.

Again, one in 29 mariners who served aboard merchant ships in World War II died in the line of duty. Some of those casualties: There were 8,651 mariners killed in World War II, U.S. mariners. One hundred forty-two of those were cadets from the U.S. Merchant Marine Academy. They were college kids. We all nominate people to the U.S. Merchant Marine Academy, and that academy is the only service academy, of the five that we have, that is authorized to carry a battle standard. They sent cadets to go fight the war.

We had 11,000 wounded, 1,100 more died of wounds ashore, and 604 men and women were taken prisoner while serving as merchant marines. Sixty of them died in prison camp. We have about 500 more Americans who died in service while serving on allied vessels, 500 more. We had people die in the Vietnam War serving in the merchant marine, and many more injured due to actions around them.

As a nation, we must remain committed to maintaining a strong merchant marine. It is the greatest insurance we will have that we will always be able to deliver our men and materiel wherever in the world they are needed. We need a strong Merchant Marine Academy to train them, we need a strong shipbuilding industry to build their vessels, and we need to recognize the service of those who gave their lives in times of war.

The merchant marines have been part of America's history since we became a nation. They are most frequently remembered for World War II action because of the publicity of that event. Today, we have a few remaining even from that war, and we should seek even more recognition as they gradually pass on.

I urge the passage of this resolution, Mr. Speaker, and I reserve the balance of my time.

Mr. TAYLOR of Mississippi. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am a fill-in tonight for our ranking member, the gentleman from Guam (Mr. UNDERWOOD), who was called away because of a family emergency, so the words I am going to read tonight are his, not mine.

Mr. Speaker, I rise today in strong support of House Concurrent Resolution 327, a resolution which would honor and recognize our merchant marines.

I would first like to thank the gentleman from California (Mr. KUYKENDALL) for introducing this important resolution. I am a proud cosponsor of this legislation, which seeks to ensure that our merchant marines receive the recognition that they long deserve.

The merchant marines, our first Navy, were instrumental in defeating the British Navy during the Revolutionary War. Highly outnumbered, these brave seamen contributed to the very birth and founding of our Republic by preying on the vast arsenal of British enemy ships and carrying critical supplies to assist in America's battle for independence.

Since 1775, the merchant marines have served our country in all wars up to the Persian Gulf War. Whether carrying imports or exports during peacetime, or serving as naval auxiliary during wartime delivering troops and war material, the merchant marine provides an essential service to the well-being of our Nation.

Long called our Nation's fourth arm of defense, the merchant marines have always answered the call to duty. During World War II, the merchant marine was responsible for delivering not only our troops, but 95 percent of the supplies that our military forces needed to defeat our enemies in both Europe and in the Pacific. These merchant seamen were at constant risk of having their ship sunk by enemy submarines.

As a result of their bravery, the merchant marines had higher casualty percentages than any branch of the Armed Forces. During World War II, one in every 29 mariners perished. Eight thousand, six hundred 51 mariners were killed at sea, and an additional 11,000 wounded.

Due to the security and intelligence concerns surrounding our war effort, merchant marine ship casualties were constantly underestimated. Unfortunately, this resulted in inadvertently denying the American people the knowledge of the sacrifices and accomplishments of the merchant marines. Unknown to many Americans, these courageous seamen suffered incredible losses in moving heavy equipment, troops, arms, ammunition, and fuel across thousands of miles of hostile seas.

Today, House Concurrent Resolution 327 will finally honor their dedication and sacrifice by recognizing their utter devotion to duty.

Congress has acted in the past regarding the merchant marine. The Merchant Marine Act of 1936 officially established the merchant marine as a naval or military auxiliary in time of war or national security. Furthermore, in 1988, merchant marines who sailed on ocean-going vessels from December 7, 1941, through August 15 of 1945 were granted veteran status.

Today the men and women of the merchant marine continue to serve with honor. As Members of Congress, we need to continue to educate the American people about the importance and the achievements of the merchant marine. House Concurrent Resolution 327 serves this purpose.

I urge all Members to support this important legislation in an effort to ensure that our merchant marines receive the recognition and honor they deserve for sacrificing so much to our Nation.

Mr. Speaker, having read the remarks of the gentleman from Guam (Mr. UNDERWOOD), I would also say that the best way we can honor our merchant marines is to continue to have a strong American merchant marine. The way we can do that is to continue to protect the Jones Act, continue to emphasize American shipbuilding, and to continue to, when possible, give priority to American-made products that help in our national defense.

I want to thank the gentleman from California (Mr. KUYKENDALL) for doing this. Again, I want to apologize for the absence of the gentleman from Guam (Mr. UNDERWOOD), but there was a family emergency.

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

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

Mr. Speaker, we are entering an era of great peace which we have been in for the last few years, and we have a large contingent of our veterans, in this case merchant marines, who have never been properly recognized. Their job was secret, in many cases, particularly the loss of their lives and the ships they sailed in during World War II, so the important role they played was even more removed from the public.

Now, as they in great numbers begin to fade away, their importance has by no means faded. We still need that merchant fleet. We still need merchant seamen trained to run civilian ships to haul our materiel wherever it needs to be hauled in support of our Nation's activities.

Part of the greatness of a nation is how we recognize those who give of themselves in its defense and in its pursuits around the world. In this case, this group has been overlooked too long, and it should be recognized.

I urge my colleagues to vote yes to recognize the merchant marines for their actions from the inception of our Nation to today.

Mr. BUYER. Mr. Speaker, I rise today as a co-sponsor of H. Con. Res. 327 and as one who appreciates the vital contribution that merchant mariners have made to the security and well-being of our sea-faring nation.

Since 1775, the Merchant Marine has linked the United States in commerce with trading partners all over the world. In wartime, merchant seamen have served with valor and distinction. During World War II, 6,000 merchant mariners, including 142 Kings Point cadets, made the ultimate sacrifice. Despite this terrible cost, the Merchant Marine never faltered in its mission.

Today's merchant mariners continue their predecessors' legacy of dedication and patriotism. Many of these great Americans begin their careers at the U.S. Merchant Marine Academy in Kings Point, New York.

Since 1938, Kings Point has prepared cadets to serve as officers in the Merchant Marine. Recognized as leaders in the maritime industry, Kings Point graduates represent every state and territory in the union. Rear Admiral Joe Stewart and his staff are to be commended for continuing the tradition of excellence at Kings Point.

After World War II, President Franklin D. Roosevelt said, "Mariners have . . . delivered the goods when and where needed . . . across every ocean in the . . . most difficult and dangerous job ever undertaken." I urge my colleagues to honor the contribution of the Merchant Marine by voting "yes" on H. Con. Res. 327.

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

The SPEAKER pro tempore (Mr. PEASE). The question is on the motion offered by the gentleman from California (Mr. KUYKENDALL) that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 327.

The question was taken.

Mr. KUYKENDALL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

LITERACY INVOLVES FAMILIES TOGETHER ACT

Mr. GOODLING. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3222) to amend the Elementary and Secondary Education Act of 1965 to improve literacy through family literacy projects, as amended.

The Clerk read as follows:

H.R. 3222

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 ''Literacy Involves Families Together Act''.

TITLE I—FAMILY LITERACY

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Section 1002(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6302(b)) is amended by striking ''$118,000,000 for fiscal year 1995 and such sums as may be necessary for each of the four succeeding fiscal years.'' and inserting ''$250,000,000 for fiscal year 2001.''.

SEC. 102. IMPROVING BASIC PROGRAMS OPERATED BY LOCAL EDUCATIONAL AGENCIES.

Section 1111(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(c)) is amended—

(1) in paragraph (5), by striking ''and'' at the end;

(2) in paragraph (6), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(7) the State educational agency will encourage local educational agencies and individual schools participating in a program assisted under this part to offer family literacy services (using funds under this part), if the agency or school determines that a substantial number of students served under this part by the agency or school have parents who do not have a high school diploma or its recognized equivalent or who have low levels of literacy.''.

SEC. 103. EVEN START FAMILY LITERACY PROGRAMS.

(a) PART HEADING.—The part heading for part B of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6361 et seq.) is amended to read as follows:

''PART B—WILLIAM F. GOODLING EVEN START FAMILY LITERACY PROGRAMS''.

(b) STATEMENT OF PURPOSE.—Section 1201 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6361) is amended—

(1) in paragraph (1), by inserting ''high quality'' after ''build on''; and

(2) by amending paragraph (2) to read as follows:

''(2) promote the academic achievement of children and adults;'';

(3) by striking the period at the end of paragraph (3) and inserting ''; and''; and

(4) by adding at the end the following:

''(4) use instructional programs based on scientifically based reading research (as defined in section 2252) and the prevention of reading difficulties for children and, to the extent such research is available, scientifically based reading research (as so defined) for adults.''.

(c) PROGRAM AUTHORIZED.—

(1) RESERVATION FOR MIGRANT PROGRAMS, OUTLYING AREAS, AND INDIAN TRIBES.—Section 1202(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6362(a)) is amended—

(A) in paragraph (1), in the matter preceding subparagraph (A), by inserting ''(or, if such appropriated amount exceeds $200,000,000, 6 percent of such amount)'' after ''1002(b)'';

(B) in paragraph (2), by striking ''If the amount of funds made available under this subsection exceeds $4,600,000,'' and inserting ''After the date of the enactment of the Literacy Involves Families Together Act,''; and

(C) by adding at the end the following:

''(3) COORDINATION OF PROGRAMS FOR AMERICAN INDIANS.—The Secretary shall ensure that programs under paragraph (1)(C) are coordinated with family literacy programs operated by the Bureau of Indian Affairs in order to avoid duplication and to encourage the dissemination of information on high quality family literacy programs serving American Indians.''.

(2) RESERVATION FOR FEDERAL ACTIVITIES.—Section 1202(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6362(b)) is amended to read as follows:

''(b) RESERVATION FOR FEDERAL ACTIVITIES.—

''(1) EVALUATION, TECHNICAL ASSISTANCE, PROGRAM IMPROVEMENT, AND REPLICATION ACTIVITIES.—From amounts appropriated under section 1002(b), the Secretary may reserve not more than 3 percent of such amounts for purposes of—

''(A) carrying out the evaluation required by section 1209; and

''(B) providing, through grants or contracts with eligible organizations, technical assistance, program improvement, and replication activities.

''(2) RESEARCH.—In the case of fiscal years 2001 through 2004, if the amounts appropriated under section 1002(b) for any of such years exceed such amounts appropriated for the preceding fiscal year, the Secretary shall reserve from such excess amount $2,000,000 or 50 percent, whichever is less, to carry out section 1211(b).''.

(d) RESERVATION FOR GRANTS.—Section 1202(c)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6362(c)(1)) is amended—

(1) by striking ''From funds reserved under section 2260(b)(3), the Secretary shall award grants,'' and inserting ''For any fiscal year for which at least one State applies and qualifies and for which the amount appropriated under section 1002(b) exceeds the amount appropriated under such section for the preceding fiscal year, the Secretary shall reserve, from the amount of such excess remaining after the application of subsection (b)(2), the amount of such remainder or $1,000,000, whichever is less, to award grants,''; and

(2) by adding at the end ''No State may receive more than one grant under this subsection.''.

(e) ALLOCATIONS.—Section 1202(d)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6362(d)(2)) is amended by striking ''that section'' and inserting ''that part''.

(f) DEFINITIONS.—Section 1202(e) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6362(e)) is amended—

(1) in paragraph (1)(B), by striking ''or'' after ''higher education,'' and inserting ''a religious organization, or''; and

(2) in paragraph (2), by striking ''nonprofit organization'' and inserting ''nonprofit organization, including a religious organization,''.

(g) SUBGRANTS FOR LOCAL PROGRAMS.—Section 1203(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6363(b)(2)) is amended to read as follows:

''(2) MINIMUM SUBGRANT AMOUNTS.—

''(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), no State shall award a subgrant under paragraph (1) in an amount less than $75,000.

''(B) SUBGRANTEES IN NINTH AND SUCCEEDING YEARS.—No State shall award a subgrant under paragraph (1) in an amount less than $52,500 to an eligible entity for a fiscal year to carry out an Even Start program that is receiving assistance under this part or its predecessor authority for the ninth (or any subsequent) fiscal year.

''(C) EXCEPTION FOR SINGLE SUBGRANT.—A State may award one subgrant in each fiscal year of sufficient size, scope, and quality to be effective in an amount less than $75,000 if, after awarding subgrants under paragraph (1) for such fiscal year in accordance with subparagraphs (A) and (B), less than $75,000 is available to the State to award such subgrants.''.

(h) USES OF FUNDS.—Section 1204 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6364) is amended—

(1) in subsection (a), by striking ''family-centered education programs'' and inserting ''family literacy services''; and

(2) by adding at the end the following:

''(c) USE OF FUNDS FOR FAMILY LITERACY SERVICES.—

''(1) IN GENERAL.—States may use a portion of funds received under this part to assist eligible entities receiving a subgrant under section 1203(b) in improving the quality of family literacy services provided under Even Start programs under this part, except that in no case may a State's use of funds for this purpose for a fiscal year result in a decrease from the level of activities and services provided to program participants in the preceding year.

''(2) PRIORITY.—In carrying out paragraph (1), a State shall give priority to programs that were of low quality, as evaluated based on the indicators of program quality developed by the State under section 1210.

''(3) TECHNICAL ASSISTANCE TO HELP LOCAL PROGRAMS RAISE ADDITIONAL FUNDS.—In carrying out paragraph (1), a State may use the funds referred to in such paragraph to provide technical assistance to help local programs of demonstrated effectiveness to access and leverage additional funds for the purpose of expanding services and reducing waiting lists.

''(4) TECHNICAL ASSISTANCE AND TRAINING.—Assistance under paragraph (1) shall be in the form of technical assistance and training, provided by a State through a grant, contract, or cooperative agreement with an entity that has experience in offering high quality training and technical assistance to family literacy providers.''.

(i) PROGRAM ELEMENTS.—Section 1205 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6365) is amended—

(1) by redesignating paragraphs (9) and (10) as paragraphs (13) and (14), respectively;

(2) by redesignating paragraphs (5) through (8) as paragraphs (6) through (9), respectively;

(3) by inserting after paragraph (4) the following:

''(5) with respect to the qualifications of staff the cost of whose salaries are paid, in whole or in part, with Federal funds provided under this part, ensure that—

''(A) not later than 4 years after the date of the enactment of the Literacy Involves Families Together Act—

''(i) a majority of the individuals providing academic instruction—

''(I) shall have obtained an associate's, bachelor's, or graduate degree in a field related to early childhood education, elementary school education, or adult education; or

''(II) shall meet qualifications established by the State for early childhood education, elementary school education, or adult education provided as part of an Even Start program or another family literacy program;

''(ii) the individual responsible for administration of family literacy services under this part has received training in the operation of a family literacy program; and

''(iii) paraprofessionals who provide support for academic instruction have a high school diploma or its recognized equivalent; and

''(B) beginning on the date of the enactment of the Literacy Involves Families Together Act, all new personnel hired to provide academic instruction—

''(i) have obtained an associate's, bachelor's, or graduate degree in a field related to early childhood education, elementary school education, or adult education; or

''(ii) meet qualifications established by the State for early childhood education, elementary school education, or adult education provided as part of an Even Start program or another family literacy program;'';

(4) by inserting after paragraph (9) (as so redesignated by paragraph (2)) the following:

''(10) use instructional programs based on scientifically based reading research (as defined in section 2252) for children and, to the extent such research is available, for adults;

''(11) encourage participating families to attend regularly and to remain in the program a sufficient time to meet their program goals;

''(12) include reading readiness activities for preschool children based on scientifically based reading research (as defined in section 2252) to ensure children enter school ready to learn to read;''; and

(5) in paragraph (14) (as so redesignated), by striking ''program.'' and inserting ''program to be used for program improvement.''.

(j) ELIGIBLE PARTICIPANTS.—Section 1206 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6366) is amended—

(1) in subsection (a)(1)(B) by striking ''part;'' and inserting ''part, or who are attending secondary school;''; and

(2) in subsection (b), by adding at the end the following:

''(3) CHILDREN 8 YEARS OF AGE OR OLDER.—If an Even Start program assisted under this part collaborates with a program under part A, and funds received under such part A program contribute to paying the cost of providing programs under this part to children 8 years of age or older, the Even Start program, notwithstanding subsection (a)(2), may permit the participation of children 8 years of age or older.''.

(k) PLAN.—Section 1207(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6367(c)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by inserting ''and continuous improvement'' after ''plan of operation'';

(B) in subparagraph (A), by striking ''goals;'' and inserting ''objectives, strategies to meet such objectives, and how they are consistent with the program indicators established by the State;'';

(C) in subparagraph (E), by striking ''and'' at the end;

(D) in subparagraph (F)—

(i) by striking ''Act, the Goals 2000: Educate America Act,'' and inserting ''Act''; and

(ii) by striking the period at the end and inserting ''; and''; and

(E) by adding at the end the following:

''(G) a description of how the plan provides for rigorous and objective evaluation of progress toward the program objectives described in subparagraph (A) and for continuing use of evaluation data for program improvement.''; and

(2) in paragraph (2), in the matter preceding subparagraph (A), by striking ''(1)(A)'' and inserting ''(1)''.

(l) AWARD OF SUBGRANTS.—Section 1208 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6368) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(B)—

(i) by striking ''including a high'' and inserting ''such as a high''; and

(ii) by striking ''part A;'' and inserting ''part A, a high number or percentage of parents who have been victims of domestic violence, or a high number or percentage of parents who are receiving assistance under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.);'';

(B) in paragraph (1)(F), by striking ''Federal'' and inserting ''non-Federal'';

(C) in paragraph (1)(H), by inserting ''family literacy projects and other'' before ''local educational agencies''; and

(D) in paragraph (3), in the matter preceding subparagraph (A), by striking ''one or more of the following individuals:'' and inserting ''one individual with expertise in family literacy programs, and may include other individuals, such as one or more of the following:''; and

(2) in subsection (b)—

(A) by striking paragraph (3) and inserting the following:

''(3) CONTINUING ELIGIBILITY.—In awarding subgrant funds to continue a program under this part after the first year, the State educational agency shall review the progress of each eligible entity in meeting the objectives of the program referred to in section 1207(c)(1)(A) and shall evaluate the program based on the indicators of program quality developed by the State under section 1210.''; and

(B) by amending paragraph (5)(B) to read as follows:

''(B) The Federal share of any subgrant renewed under subparagraph (A) shall be limited in accordance with section 1204(b).''.

(m) RESEARCH.—Section 1211 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6369b) is amended—

(1) in subsection (b), by striking ''subsection (a)'' and inserting ''subsections (a) and (b)'';

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

''(b) SCIENTIFICALLY BASED RESEARCH ON FAMILY LITERACY.—

''(1) IN GENERAL.—From amounts reserved under section 1202(b)(2), the National Institute for Literacy shall carry out research that—

''(A) is scientifically based reading research (as defined in section 2252); and

''(B) determines—

''(i) the most effective ways of improving the literacy skills of adults with reading difficulties; and

''(ii) how family literacy services can best provide parents with the knowledge and skills they need to support their children's literacy development.

''(2) USE OF EXPERT ENTITY.—The National Institute for Literacy shall carry out the research under paragraph (1) through an entity, including a Federal agency, that has expertise in carrying out longitudinal studies of the development of literacy skills in children and has developed effective interventions to help children with reading difficulties.''.

(n) TREATMENT OF RELIGIOUS ORGANIZATIONS.—Part B of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6361 et seq.) is amended by adding at the end the following:

''SEC. 1213. RELIGIOUS ORGANIZATIONS.

''(a) RELIGIOUS ORGANIZATIONS INCLUDED AS PARTNERSHIP PARTICIPANTS.—In carrying out this part, the Secretary, and any grantee or subgrantee receiving assistance under this part, shall treat religious organizations the same as other nongovernmental organizations, so long as this part is implemented in a manner consistent with the Establishment Clause and the Free Exercise Clause of the first amendment to the Constitution. The Secretary, and any grantee or subgrantee receiving assistance under this part, shall not discriminate against an organization that participates in a partnership that is an eligible entity receiving assistance under this part, or an organization that participates in a partnership that is applying to receive such assistance, on the basis that the organization has a religious character.

''(b) RELIGIOUS CHARACTER AND INDEPENDENCE.—

''(1) IN GENERAL.—A religious organization that participates in a partnership that is an eligible entity receiving assistance under this part, or that participates in a partnership that is applying to receive such assistance, shall retain its religious character and control over the definition, development, practice, and expression of its religious beliefs.

''(2) ADDITIONAL SAFEGUARDS.—Neither the Federal Government nor a State or local government shall require a religious organization—

''(A) to alter its form of internal governance; or

''(B) to remove religious art, icons, scripture, or other symbols;

in order to be eligible to participate in a partnership that is an eligible entity receiving assistance under this part or to participate in a partnership that is applying to receive such assistance.

''(3) EMPLOYMENT PRACTICES.—A religious organization's exemption provided under section 702 of the Civil Rights Act of 1964 (42 U.S.C. 2000e–1) regarding employment practices shall not be affected by its participation in, or receipt of funds from, a program under this part.

''(c) LIMITATIONS ON USE OF FUNDS FOR CERTAIN PURPOSES.—No funds provided to a religious organization under this part or section 1002(b) shall be expended for sectarian worship or instruction or proselytization.

''(d) PROHIBITION ON SERVING AS FISCAL AGENT.—A religious organization may not serve as a fiscal agent for a partnership that is an eligible entity receiving a subgrant under this part.

''(e) NONDISCRIMINATION AGAINST BENEFICIARIES.—A religious organization shall not

discriminate against an individual, in regard to rendering services under this part, on the basis of religion, a religious belief, or refusal actively to participate in a religious practice.

''(f) FEDERAL FINANCIAL ASSISTANCE.—For purposes of any Federal, State, or local law, receipt of financial assistance under this part or section 1002(b) shall constitute receipt of Federal financial assistance or aid.

''(g) FISCAL ACCOUNTABILITY.—

''(1) IN GENERAL.—Except as provided in paragraph (2), any religious organization providing services under this part shall be subject to the same regulations as other entities providing services under this part to account in accord with generally accepted auditing principles.

''(2) LIMITED AUDIT.—If such organization segregates Federal funds provided under this part into a separate account or accounts, then only the Federal funds used to provide services shall be subject to audit.

''(h) TREATMENT OF PROGRAM PARTICIPANTS.—

''(1) IN GENERAL.—An eligible entity may not subject a participant in an Even Start program assisted under this part, during such program, to sectarian worship or instruction or proselytization.

''(2) CONSTRUCTION.—Paragraph (1) shall not be construed to affect any program that is not an Even Start program (regardless of whether it is carried out before, after, or at the same time as an Even Start program).

''SEC. 1214. PROHIBITION ON VOUCHERS OR CERTIFICATES.

''Notwithstanding any other provision of this Act, no services under this part may be provided through voucher or certificate.''.

SEC. 104. EDUCATION OF MIGRATORY CHILDREN.

Section 1304(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6394(b)) is amended—

(1) in paragraph (5), by striking ''and'' at the end;

(2) in paragraph (6), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(7) a description of how the State will encourage programs and projects assisted under this part to offer family literacy services if the program or project serves a substantial number of migratory children who have parents who do not have a high school diploma or its recognized equivalent or who have low levels of literacy.''.

SEC. 105. DEFINITIONS.

(a) IN GENERAL.—Section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801) is amended—

(1) by redesignating paragraphs (15) through (29) as paragraphs (16) through (30), respectively; and

(2) by inserting after paragraph (14) the following:

''(15) FAMILY LITERACY SERVICES.—The term 'family literacy services' means services provided to participants on a voluntary basis that are of sufficient intensity in terms of hours, and of sufficient duration, to make sustainable changes in a family, and that integrate all of the following activities:

''(A) Interactive literacy activities between parents and their children.

''(B) Training for parents regarding how to be the primary teacher for their children and full partners in the education of their children.

''(C) Parent literacy training that leads to economic self-sufficiency.

''(D) An age-appropriate education to prepare children for success in school and life experiences.''.

(b) CONFORMING AMENDMENTS.—

(1) EVEN START FAMILY LITERACY PROGRAMS.—Section 1202(e) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6362(e)) is amended—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

(2) READING AND LITERACY GRANTS.—Section 2252 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6661a) is amended—

(A) by striking paragraph (2); and

(B) by redesignating paragraphs (3) through (5) as paragraphs (2) through (4), respectively.

SEC. 106. INDIAN EDUCATION.

(a) EARLY CHILDHOOD DEVELOPMENT PROGRAM.—Section 1143 of the Education Amendments of 1978 (25 U.S.C. 2023) is amended—

(1) in subsection (b)(1), in the matter preceding subparagraph (A)—

(A) by striking ''(f)'' and inserting ''(g)''; and

(B) by striking ''(e))'' and inserting ''(f))'';

(2) in subsection (d)(1)—

(A) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(B) by inserting after subparagraph (C) the following:

''(D) family literacy services,'';

(3) in subsection (e), by striking ''(f),'' and inserting ''(g),'';

(4) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively; and

(5) by inserting after subsection (d) the following:

''(e) Family literacy programs operated under this section, and other family literacy programs operated by the Bureau of Indian Affairs, shall be coordinated with family literacy programs for American Indian children under part B of title I of the Elementary and Secondary Education Act of 1965 in order to avoid duplication and to encourage the dissemination of information on quality family literacy programs serving American Indians.''.

(b) DEFINITIONS.—Section 1146 of the Education Amendments of 1978 (25 U.S.C. 2026) is amended—

(1) by redesignating paragraphs (7) through (14) as paragraphs (8) through (15), respectively; and

(2) by inserting after paragraph (6) the following:

''(7) the term 'family literacy services' has the meaning given such term in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801);''.

TITLE II—INEXPENSIVE BOOK DISTRIBUTION PROGRAM

SEC. 201. INEXPENSIVE BOOK DISTRIBUTION PROGRAM FOR READING MOTIVATION.

(a) AUTHORIZATION.—Section 10501(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8131(a)) is amended by striking ''books to students, that motivate children to read.'' and inserting ''books to young and school-aged children that motivate them to read.''.

(b) REQUIREMENTS OF CONTRACT.—Section 10501(b)(4) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8131(b)(4)) is amended by inserting ''training and'' before ''technical assistance''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 10501(e) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8131(e)) is amended—

(1) by striking ''$10,300,000 for fiscal year 1995'' and inserting ''$20,000,000 for fiscal year 2000''; and

(2) by striking ''four'' and inserting ''five''.

(d) STATEMENT OF PURPOSE.—Section 10501 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8131) is amended—

(1) by redesignating subsections (d) and (e) as subsections (g) and (h), respectively;

(2) by redesignating subsections (a) through (c) as subsections (b) through (d), respectively; and

(3) by inserting after the section heading the following:

''(a) PURPOSE.—The purpose of this program is to establish and implement a model partnership between a governmental entity and a private entity, to help prepare young children for reading, and motivate older children to read, through the distribution of inexpensive books. Local reading motivation programs assisted under this section shall use such assistance to provide books, training for volunteers, motivational activities, and other essential literacy resources, and shall assign the highest priority to serving the youngest and neediest children in the United States.''.

(e) NEW PROVISIONS.—Section 10501 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8131) is amended by inserting before subsection (g) (as so redesignated by subsection (d)) the following:

''(e) SPECIAL RULES FOR CERTAIN SUBCONTRACTORS.—

''(1) FUNDS FROM OTHER FEDERAL SOURCES.—Subcontractors operating programs under this section in low-income communities with a substantial number or percentage of children with special needs, as described in subsection (c)(3), may use funds from other Federal sources to pay the non-Federal share of the cost of the program, if those funds do not comprise more than 50 percent of the non-Federal share of the funds used for the cost of acquiring and distributing books.

''(2) WAIVER AUTHORITY.—Notwithstanding subsection (c), the contractor may waive, in whole or in part, the requirement in subsection (c)(1) for a subcontractor, if the subcontractor demonstrates that it would otherwise not be able to participate in the program, and enters into an agreement with the contractor with respect to the amount of the non-Federal share to which the waiver will apply. In a case in which such a waiver is granted, the requirement in subsection (c)(2) shall not apply.

''(f) MULTI-YEAR CONTRACTS.—The contractor may enter into a multi-year subcontract under this section, if—

''(1) the contractor believes that such subcontract will provide the subcontractor with additional leverage in seeking local commitments; and

''(2) the subcontract does not undermine the finances of the national program.''.

SEC. 202. EFFECTIVE DATE.

The amendments made by section 201 shall take effect on October 1, 2000.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. KUYKENDALL) and the gentlewoman from New York (Mrs. MCCARTHY) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. GOODLING).

GENERAL LEAVE

Mr. GOODLING. 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. 3222.

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

There was no objection.

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

Mr. Speaker, the greatest problem facing the Nation, in my estimation and that of many, is the fact that we have close to 100 million people in the United States at the present time who are functioning on either Level I or Level II literacy skills. Level I literacy skill will ensure that they will never receive a piece of the American dream. With Level II, it will be very, very difficult in the 21st century, in the high-tech century, to ever be able to compete.

That is a real tragedy. That is a tragedy that in my estimation will destroy this Nation. All nations generally fall from within. There are many reasons why this one could fall from within, but none, in my estimation, more likely to cause that downfall than the fact that we do have close to 100 million people who are having a very difficult time surviving in this 21st century.

At the same time, of course, we are being asked to bring in hundreds of thousands of people from other countries in order to fill our $40,000, $50,000, and $60,000 jobs, and all of those we have, of course, cannot rise to any level where they would begin to think about $40,000, $50,000, $60,000 jobs.

So we have had Even Start working for quite a few years. It has been working well. The reason we are here tonight is because I do not want to wait, as we did with Head Start. In Head Start I tried to say for 10 or 12 years that the program, so well-intended, was not working, and all the studies would show that it was not working. It was not working because no one was paying any attention to whether there were quality programs or not, so it became a poverty jobs program, it became a baby-sitting program, but it was supposed to be a reading readiness program for preschoolers. It was supposed to be a program to make sure children were ready to learn by the time they came to first grade.

The reason we are here tonight is to make sure we do not fall into that trap, but that as a matter of fact we improve a piece of legislation that has been doing well.

These are just some of the results that we have from programs and evaluations, which are meaningful evaluations because they were done as technical evaluations by those who are qualified to do such.

A high percentage of adults get their GED or their high school certification. Sixty-two percent of those seeking certification from the program have received those certifications. A significant percentage obtain and keep employment, a 50 percent increase. Parents continue to seek employment and enroll in education and training programs. Families reduce their reliance on public assistance, and 45 percent reduced it dramatically or are completely off.

Even Start helps children. Eighty percent are rated at class average or above after they leave an Even Start program and go on to kindergarten. Children continue to perform average or better in their classes, as judged by their teachers. In third grade, 75 percent of children perform well on formal assessments, 60 percent at average or better in reading, 80 percent in language, and 73 percent in math.

What we have done in the Even Start program is something that we should have done years and years ago. If we are going to break the cycle of illiteracy, we do not just deal with children or adults, we have to deal with the family.

Of course, this was not a new idea of mine when I arrived here and introduced it. We began it in Spring Grove School District when I was superintendent there, when I asked our early childhood specialists, what is it we can do to break the cycle? We know every parent that did not graduate from high school that now has children in the school. We know every older brother and sister that did not graduate. Is there not some way to break the cycle?

She said, yes, we will go out into the homes with 3- and 4-year-olds and we will work with the parents and the 3- and 4-year-olds. We will show the parents what it is we can do to help children to become reading-ready and school ready. We will improve the literacy skills of the parent so they can become the child's first and most important teacher.

□ 2130

We will help prepare those 3- and 4-year olds so they do not have a failing experience when they arrive in first grade.

It has been a successful program but we want to make sure it is even more successful. So we strengthen the accountability in this reauthorization. States will review the progress of local programs to make sure that they are meeting the goals of helping parents to read, helping children to learn, and training parents on how to be good teachers for their children.

We have quality improvement so that the States use a portion of their Federal money to provide training and Federal assistance to Even Start instructors to make sure they are at the highest level. We have the scientific research standards, additional money in there, because we have a lot of research on how children learn to read. We have very little research on how adults learn to read.

We have family literacy in Title I and the migrant programs where it is most needed. And then we have qualifications for instructional personnel so that, as a matter of fact, they are of the highest caliber.

These are just some of the things that we have done. We have also included the Inexpensive Book Distribution Program, the RIF program, and we add a new title extending and amending the reauthorization for this program.

These are some of the things that we are trying to do to make sure that, as a matter of fact, we do not fail from within simply because we have a growing number of people who cannot compete in a 21st century high-tech society.

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

Mrs. MCCARTHY of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to begin by first thanking the gentleman from Pennsylvania (Chairman GOODLING) for his wisdom and guidance as the chairman of the Committee on Education and the Workforce. It has been a pleasure working with the gentleman from Pennsylvania. I know that I speak for the entire House of Representatives when I wish him all the happiness and health in his retirement. I use that word loosely because we have already had some conversation, so I do not really think he will be retiring, he will just be starting on a new journey. But he will be missed here in the House.

In addition, Mr. Speaker, I rise today in support of H.R. 3222 to express my support for the Literacy Involves Families Together Act. This bill strengthens Even Start in the focus of family literacy in Title I and our Native American Education Programs.

This legislation will also define staff qualifications, which we know is so important for programs using Federal funds to support instructional staff. The bill will require that academic instructors have a post-secondary degree or meet State qualifications. By requiring a higher level of qualifications, we are ensuring the highest returns for our Even Start children and families.

Mr. Speaker, this bill levels the playing field for our neediest families who often need special services to provide basic education to their children. Finally, this bill will strengthen the accountability of Even Start programs by ensuring that program performance is measured by local goals tied to State performance indicators.

While I do support this program, Mr. Speaker, I do have some concerns about two changes that have been made to this bill. Both the amount of money that we are authorizing and the length of time we are authorizing this program have been reduced significantly.

Mr. Speaker, just last year in Nassau County, part of my district, BOCES, which is as an educational school, served over 100 families. Can my colleagues imagine how many more families we could serve with the full reauthorization of this bill? I find in my district alone that more and more families are looking for services like this.

As the gentleman from Pennsylvania (Chairman GOODLING) has said, if we help educate the parent, certainly the children are only going to do better.

It is my sincere hope that we can work out these issues in conference. Until then, I urge all of my colleagues to support this important legislation.

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

Mr. GOODLING. Mr. Speaker, I yield 4 minutes to the gentleman from South Carolina (Mr. GRAHAM), a member of the Committee on Education and the Workforce.

Mr. GRAHAM. Mr. Speaker, I will try to do this in 2 minutes, but I do not know if I will make it. We are here to talk about something that is probably worth more than 2 minutes to spend on, and that is the gentleman from Pennsylvania (Mr. GOODLING), the chairman himself.

Mr. Speaker, I rise in support of H.R. 3222, the Literacy Involves Families Together Act. This important legislation extends and improves the Even Start Family Literacy Program and the Inexpensive Book Distribution Program, better known as Reading is Fundamental.

Mr. Speaker, there is no one that deserves more credit for bringing the attention to the problem of illiteracy in this country than the gentleman from Pennsylvania (Mr. GOODLING), the chairman of the Committee on Education and the Workforce and author of the Even Start Family Literacy Program.

Since his election to the House of Representatives almost 26 years ago, and, yes, it has been that long, the gentleman from Pennsylvania (Mr. GOODLING) has fought to ensure that every child and adult has the literacy skills they need to succeed in school and the workplace and in their local communities.

The gentleman from Pennsylvania (Chairman GOODLING) has worked diligently to improve the quality of adult education programs. Through his efforts, those with the lowest levels of literacy have been able to overcome obstacles, obtain gainful employment, and share in the opportunities of this great Nation.

In 1991, the gentleman from Pennsylvania (Mr. GOODLING) was the driving force behind the enactment of the National Literacy Act which established the National Institute for Literacy. The Institute coordinates literacy efforts among the Departments of Education, Health and Human Services and Labor. In addition, the National Institute for Literacy works with States as well as local providers to provide them with the latest information on quality adult education and family literacy programs.

The gentleman from Pennsylvania (Mr. GOODLING) has also pioneered legislation to change the way children are taught to read. Through the development and enactment of the Reading Excellence Act of 1988, the gentleman from Pennsylvania helped ensure that teachers are taught to teach reading using instructional programs based on scientifically based reading research. This has marked a major change in the way reading is taught in schools. Instead of fly-by-night fad programs, this legislation helps ensure our Nation's children are receiving the best possible reading instruction.

However, the greatest contribution to combatting illiteracy of the gentleman from Pennsylvania (Chairman GOODLING) was the enactment of the Even Start Family Literacy Program. Back in 1988, at a time when Republicans were the minority party in the House, the gentleman from Pennsylvania (Mr. GOODLING) successfully pursued the enactment of this legislation.

Based on his experiences as an educator, he strongly believed that illiteracy can most successfully be eliminated by working with families. He knew that, unless we first empowered parents with poor reading skills to be their child's first and most important teacher, that their ability to help their children succeed in school would be greatly diminished.

Mr. Speaker, family illiteracy programs such as Even Start are one of the most effective methods of breaking the cycle of illiteracy in families, and we have the gentleman from Pennsylvania (Mr. GOODLING) to thank. I am, therefore, immensely pleased that the committee has included in H.R. 3222 my amendment to renaming the program the ''William F. Goodling Even Start Family Literacy Program.''

I am sure families and family literacy providers throughout the United States join me in thanking the gentleman from Pennsylvania (Mr. GOODLING) for all of his contributions to combatting illiteracy in this country. I encourage my colleagues to join me in commending the gentleman from Pennsylvania (Chairman GOODLING) for all of his contributions to creating a literate society. I also urge support of H.R. 3222, the Literacy Involves Families Together Act.

Mrs. MCCARTHY of New York. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Speaker, I thank the gentlewoman from New York for yielding me this time.

Mr. Speaker, today's floor action represents another portion of the work of the Committee on Education and the Workforce on the reauthorization of the Elementary and Secondary Education Act.

Even Start has been, as we all know here, the result of the love and the hard work of the gentleman from Pennsylvania (Mr. GOODLING), my chairman and my friend.

I have had the privilege of serving with my colleague for 24 years on the Committee on Education and the Workforce. He was here before I got here. He has been here 26 years, I believe, Mr. Speaker.

The work of the gentleman from Pennsylvania (Mr. GOODLING) has touched the lives of so many children during his career, providing many of them with the means to better themselves.

Indeed, I find myself a better person because of the gentleman from Pennsylvania (Mr. GOODLING). He is a great friend and a very, very helpful mentor. His retirement at the end of this Congress is a great loss to this institution and the children of our country.

He has always been dedicated to quality and results for our Nation's children and our families. That is one thing he has taught me over and over again, we have to look at results.

This reauthorization of Even Start very much reflects these principles, his principles. It is extremely fitting that we honor the gentleman from Pennsylvania (Chairman GOODLING) by renaming Even Start after him through this legislation.

The bill before us today strengthens Even Start in the focus of family literacy in Title I and Indian Education Programs. In addition, this substitute would increase the set-aside for migrant and Indian Even Start programs from 5 to 6 percent when the total appropriation reaches $200 million. I believe this provision is especially important in increasing funding to Native Americans, a population that can greatly benefit from family literacy services.

In closing, I want to thank the gentleman from Pennsylvania (Chairman GOODLING) for successfully getting this legislation to the floor despite the many roadblocks placed in his way. He was very, very persistent; and we owe him a deep debt of gratitude for that. His hard work on this program deserves the admiration of every Member of this House and the people of this country.

Mr. GOODLING. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. BALLENGER), a member of the Committee on Education and the Workforce.

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

Mr. Speaker, I rise in strong support of H.R. 3222, the Literacy Involves Families Together Act. However, I would like to first say a couple things about the gentleman from Pennsylvania (Chairman GOODLING). In all my years in Congress, I sincerely believe that the gentleman from Pennsylvania (Mr. GOODLING) is the most knowledgeable person on the issue of education. Before coming to Congress, the gentleman from Pennsylvania was a teacher, a principal, and superintendent. The gentleman from Pennsylvania (Mr. GOODLING) knows education. We in Congress have been fortunate to have him.

It is safe to say that we will miss the leadership of the gentleman from Pennsylvania (Chairman GOODLING), his bipartisan spirit, and his passion for better education of all Americans. I think the respect for his leadership is shown by the number of the committee members that are here tonight at this late hour.

Back in 1988, when we served together on the Committee on Education and the Workforce as minority Members, the gentleman from Pennsylvania (Mr. GOODLING) worked tirelessly to enact the Even Start Family Literacy

Program. Even Start is based on his experience as an educator and his belief that illiteracy can most successfully be eliminated by working with families.

Even Start works with the adults without a GED and high school diploma and their children to break the cycles of illiteracy. This program has been successful in motivating and providing parents with the skills they need to play an active role in their children's education.

Today we have an opportunity to enhance this act and substantially increase the funding authorization to $250 million for fiscal year 2001. This is a program that works. Not only does it increase literacy and active participation by parents in their children's education, but it provides enhanced opportunities for parents as well.

The bill epitomizes everything that the gentleman from Pennsylvania (Chairman GOODLING) has represented during his tenure in Congress. It increases charitable choice, strengthens accountability, ensures instruction is based on scientifically based research, it prevents waste, and actively increases parental involvement in education. This is a program that helps everyone who is involved.

I ask my colleagues to support H.R. 3222 and the gentleman from Pennsylvania (Chairman GOODLING) in his efforts on behalf of American families.

Mrs. MCCARTHY of New York. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia (Mr. SCOTT), also from the Committee on Education and the Workforce.

Mr. SCOTT. Mr. Speaker, I rise in reluctant opposition to H.R. 3222, the Literacy Involves Families Together Act.

Before I go into the purpose of my opposition, I would like to take a moment to thank and honor the gentleman from Pennsylvania (Chairman GOODLING) for his service to the Committee on Education and the Workforce.

The gentleman from Pennsylvania (Chairman GOODLING) cares about education passionately, and many would say that he is an educator before he is a legislator. Today it is fitting that we honor the Even Start program, a program that he authored, with his name.

Mr. Speaker, I rise, however, in reluctant opposition to the bill because it contains a provision known as charitable choice. Charitable choice permits religious organizations to participate in various grant programs but allows them to discriminate on the basis of religion in their hiring with public funds.

□ 2145

Even Start is an excellent program that attacks education problems at the most fundamental level: The family. Family literacy programs such as Even Start are particularly important for my own congressional district because adults in the Third Congressional District of Virginia have the lowest level of literacy skills in the State, but I will not support a program that turns the clock back on civil rights laws by allowing publicly funded employment discrimination as charitable choice does in this bill, and several other bills.

The majority accommodated several of my concerns about the original charitable choice provisions in order to provide better protection for beneficiaries and to ensure that no proselytization would occur during the federally funded program. However, the bill still affords religious organizations participating in the Even Start program the right to discriminate in their hiring with public funds.

Now let me make it clear that I am not suggesting that we take away a religious organization's ability to discriminate in their hiring with their private funds, as protected under Title VII of the Civil Rights Act and as protected by the First Amendment. Here we are talking about discriminating and hiring on the basis of religion when using public funds. That is wrong.

It is important to note that this marks the first time the charitable choice has been added to an elementary and secondary education program.

Mr. Speaker, public education programs ought to be the last place that we should tolerate religious discrimination. Even the original author of the charitable choice in his legislative proposals to expand charitable choice provisions to other programs specifically carved out education programs.

Mr. Speaker, a number of organizations have expressed opposition to discrimination based on religion with Federal funds, and I would like to read part of a letter which states the charitable choice provision also allows the government to give taxpayer money to religious institutions and then allows those religious institutions to refuse to hire certain taxpayers for taxpayer-funded positions because they are not of the right religion. While allowing religious institutions to discriminate on the basis of religion in their privately funded activities is quite appropriate, tax-funded employment discrimination is not.

Mr. Speaker, that letter is signed by the American Association of University Women; the American Federation of Teachers; the American Jewish Committee; the American Jewish Congress; the Americans United for Separation of Church and State; the Anti-Defamation League; the Baptist Joint Committee on Public Affairs; the Central Conference of American Rabbis; the Council of Chief State School Officers; Friends Committee of National Legislation; Hadassah, the Women's Zionist Organization of America; the National Alliance of Black School Educators; the National Council of Jewish Women; the National Education Association; the National Gay and Lesbian Task Force; the National PTA; the National School Boards Association; People for the American Way; School Social Work Association of America; the Service Employees International Union, AFL-CIO; the Union of American Hebrew Congresses; and the Women of Reform Judaism.

Mr. Speaker, I submit the complete text of the letter into the RECORD.

AMERICANS UNITED FOR
SEPARATION OF CHURCH AND STATE,
Washington, DC.

DEAR REPRESENTATIVE: We, the undersigned religious, civil rights, civil liberties, and education organizations, are writing to urge you to oppose the ''charitable choice'' section of H.R. 3222, the Literacy Involves Families Together, or ''Even Start'' bill. We urge you to oppose this section because charitable choice is a frontal assault on the First Amendments guarantee of the separation of church and state.

Attaching ''charitable choice'' to Even Start represents the first time this controversial proposal has been included in education legislation. Although ''charitable choice'' was never envisioned to govern education programs, Even Start opens the door to tax funding of religious schools in all education programs in the future.

The charitable choice provision also allows the government to give taxpayer money to religious institutions and then allows those religious institutions to refuse to hire certain taxpayers for tax-funded positions because they are not of the ''right'' religion. While allowing religious institutions to discriminate on the basis of religion in their privately funded activities is quite appropriate, tax-funded employment discrimination is not.

The charitable choice provision further threatens to excessively entangle the institutions of church and state. Despite the provisions in charitable choice that purport to protect the religious autonomy of institutions that receive tax money, the government will regulate what it funds. This will result in government oversight, accounting and monitoring of houses of worship and other religious institutions.

For these reasons, we strongly urge you to oppose the ''charitable choice'' section of the ''Even Start'' bill.

Sincerely,

American Association of University Women
American Federation of Teachers
American Jewish Committee
American Jewish Congress
Americans United for the Separation of Church and State
Anti-Defamation League
Baptist Joint Committee on Public Affairs
Central Conference of American Rabbis
Council of Chief State School Officers
Friends Committee on National Legislation
Hadassah, the Women's Zionist Organization of America
National Alliance of Black School Educators
National Council of Jewish Women
National Education Association
National Gay and Lesbian Taskforce
National PTA
National School Boards Association
People For the American Way
School Social Work Association of America
Service Employees International Union (SEIU), AFL–CIO
Union of American Hebrew Congregations
Women of Reform Judaism
Rachel Joseph, Legislative Associate

Mr. Speaker, family literacy programs are extremely important; and we should not be required to tolerate religious discrimination as a condition for

the passage of this bill. Therefore, Mr. Speaker, I regret that I cannot support the bill and support the gentleman from Pennsylvania (Mr. GOODLING) in this worthwhile endeavor, although I appreciate his hard work and dedication to education.

Mr. GOODLING. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. MCKEON), another subcommittee chair.

Mr. MCKEON. Mr. Speaker, I thank the chairman, the gentleman from Pennsylvania (Mr. GOODLING) for yielding me this time.

Mr. Speaker, I rise today in strong support of the Literacy Involves Families Together bill. This legislation builds on a strong legacy of support for literacy programs by this Congress and in particular our Committee on Education and the Workforce chairman, the gentleman from Pennsylvania (Mr. GOODLING). We believe that if children learn to read early their chance for success in school is much greater. At the same time, if the entire family is part of the learning process, all members of the family have the opportunity to reach their full potential.

I have heard it said that the family that prays together stays together, and the family that plays together stays together. I would like to add that the family that reads together progresses together.

With this bill, we will help break the cycle of poverty, unemployment and welfare that is often a result of illiteracy. This legislation accomplishes these goals through strengthened services under the Even Start literacy program. Specifically, H.R. 3222 provides more resources to train Even Start instructors. The need for more training is acute. For example, last year during a hearing on teacher preparation, we heard from a young African American teacher who was given a third grade class and told to teach them how to read. He had never had any training on teaching how to read.

He was simply told, you know how to read; teach them how to read.

He was frustrated. His students were not learning; and he was ready to quit. It was not until he received some additional training that he was able to really connect with and teach the children in his class and reach his full potential as a teacher.

Passage of this bill will give reading instructors the additional help they need.

Finally, I would like to take this opportunity to share my gratitude, along with my other colleagues, for the work of the gentleman from Pennsylvania (Mr. GOODLING) on this important bill. As the author of several important literacy initiatives, including the Reading Excellence Act, the gentleman from Pennsylvania (Mr. GOODLING) recognized long ago the need for quality reading programs for the entire family. I have had the privilege of serving with the gentleman from Pennsylvania (Mr. GOODLING) on the Committee on Education and the Workforce since coming to Congress in 1993, and I have learned a lot from him on this and other education issues.

This legislation culminates the outstanding work that the chairman has done on literacy and will be a highlight of his legacy when he retires at the end of the 106th Congress. His dedication to the young people of this Nation is extraordinary and should be emulated by all Members of this body. I am sorry to see him go but wish him well in all that he does.

I urge all of my colleagues to support H.R. 3222.

Mrs. MCCARTHY of New York. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, a little over 24 hours ago, as a father, I was reading at home in Waco, Texas, my home, to our 3-year-old and 4-year-old sons. As a father who cares deeply about encouraging my children to learn how to read and to enjoy reading and learning, I appreciate deeply the chairman's leadership in literacy programs before this and previous Congresses, but I rise tonight to express the same reservation mentioned by my colleague from Virginia (Mr. SCOTT).

It seems to me to continue on a great program, and the program, the Even Start program is a great program, it is not necessary to use Federal tax dollars to allow organizations to discriminate against American citizens based simply on their own religious faith. It is not necessary to not only allow but to actually subsidize with Federal tax dollars religious discrimination in order to give children an even start in life.

Mr. Speaker, I would like to ask, perhaps with the agreement of the gentleman from Pennsylvania (Mr. GOODLING), if I could ask the chairman perhaps a question. With the chairman's indulgence, if I could just clarify a point by asking him a question, if I could, on page 20 of the bill it talks about treatment of program participants. In fact, if we go back to page 17 it talks about, under section 1213, religious organizations included and partnership participants.

Could I ask the gentleman from Pennsylvania (Mr. GOODLING), so we can be clear on the definition, when the term religious organizations is mentioned in this language does the chairman intend that that includes directly churches, synagogues and houses of worship or separate entities, perhaps secular separate entities set up by those churches, synagogues and houses of worship?

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

Mr. EDWARDS. I yield to the gentleman from Pennsylvania.

Mr. GOODLING. Mr. Speaker, it could be either, because we do not express in the legislation one or the other.

Mr. EDWARDS. For clarification purposes, it would allow dollars to go either directly from the Secretary or from one of the partners directly not to Catholic charities but to St. Mary's Catholic Church and communities somewhere in our country. I appreciate that.

One of the concerns that I have had about charitable choice in so many other bills is that what that then does is either require the Federal Government to not be accountable for how those dollars are spent or to actually have the Federal Government go in and audit the books of churches and synagogues and houses of worship.

I see in the gentleman's bill actually language in there saying that if the church actually or house of worship separates the funds, then the Federal Government can only audit that particular account. Does that then mean if a church that gets this money directly under this program does not separate that, then the Federal Government will have to come in and perhaps audit all of the books of that church?

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

Mr. EDWARDS. I yield to the gentleman from Pennsylvania.

Mr. GOODLING. I would like to respond to the gentleman's inquiry. First of all, the church cannot be a fiscal agent. They cannot, in our legislation, be a fiscal agent.

Mr. EDWARDS. They can receive the funds from the fiscal agent?

Mr. GOODLING. Right. Secondly, only the partnership gets the money. The church itself cannot get the money. The partnership that the church is working with gets the money, not the church itself.

Mr. EDWARDS. The church decides who to hire; the church does not get the money directly?

Mr. GOODLING. They cannot get the money directly.

Mr. EDWARDS. In this bill, okay. But I guess the point I would raise is that if the church is involved in hiring people and being responsible for expenditures of Federal tax dollars, it opens up the possibility that in some way or another a church or a house of worship is going to have to be audited in order to ensure the taxpayers that their monies are being spent for the purpose for which this bill intended.

Mr. Speaker, clearly my greatest objection is not that this is good legislation. It has worked well and could continue to work well, but it is wrong even in the best of legislation to take our Federal tax dollars and give to any organization and say they can take those Federal tax dollars and put out a sign that says, such as a Bob Jones' related church they could say, no Catholic need apply here for a federally funded job.

I understand why the Civil Rights Act says the Methodist church can hire a Methodist pastor, a Jewish synagogue can hire a Jewish rabbi. That is why there was an exception in the Civil Rights Act for that kind of quote/unquote discrimination, but the Civil

Rights Act passed in the 1960s never envisioned Federal dollars going directly to pervasively sectarian organizations.

In fact, I found it interesting in this bill it says it has to be consistent with the establishment/separation clause of the First Amendment of the Bill of Rights. The 1988 Kendrick case, Bowen versus Kendrick, basically said clearly one cannot send direct tax dollars to pervasively sectarian organizations.

Mr. GOODLING. Mr. Speaker, I yield myself 30 seconds just to indicate that, of course, as I have indicated on Ms. JOHNSON's bill, these organizations who should really be participating when one is dealing with families and are trying to improve family life, would not participate, of course, if they have to give up their Title VII protection. The President, the Vice President, have both indicated very clearly, the President said common sense says that faith and faith-based organizations from all religious backgrounds can play an important role in helping children to reach their fullest potential. I agree with that, and I believe that we have protected everybody in this legislation.

Mrs. McCARTHY of New York. Mr. Speaker, I reserve the balance of my time.

Mr. GOODLING. Mr. Speaker, I ask unanimous consent to extend the time by 10 minutes, to be divided and controlled between the gentlewoman from New York (Mrs. MCCARTHY) and myself.

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

There was no objection.

Mr. GOODLING. Mr. Speaker, I yield 2½ minutes to the gentleman from Delaware (Mr. CASTLE), our subcommittee chair.

Mr. CASTLE. Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. GOODLING) for yielding.

Mr. Speaker, I rise in strong support of H.R. 3222, the Literacy Involves Families Together Act, legislation to ensure that every child and every adult has literacy skills they need to succeed. I also want to take a moment to commend the bill's sponsor, the gentleman from Pennsylvania (Mr. GOODLING).

As some of us may know, the gentleman from Pennsylvania (Mr. GOODLING) was the driving force behind the National Literacy Act and he changed the way children learn to read with the enactment of the Reading Excellence Act.

□ 2200

Mr. Speaker, once again the gentleman from Pennsylvania (Mr. GOODLING) is leading the charge to create a more literate society with the reauthorization of the Even Start Family Illiteracy Program, a bill he helped offer nearly 12 years ago.

Like the gentleman from Pennsylvania (Mr. GOODLING), I believe that the literacy skills of America's adults are simply not adequate to encourage individual opportunity, increase worker productivity, or strengthen our country's competitiveness around the world.

According to the National Center for Educational Statistics, approximately 21 percent of the adult population, more than 40 million Americans over the age of 16, has only rudimentary reading and writing skills. An additional 8 million adults were unable to perform the most basic literacy test and a smaller percentage had such limited skills that they were unable to even respond to the survey.

Sadly, studies show that illiteracy is an intergenerational problem, one that follows a parent-child pattern. Students who have not been exposed to reading before they enter school are at a significant disadvantage when compared with students whose parents read to them. In addition, students with illiterate parents are more likely to perform poorly in school, and they are more likely to drop out before graduation.

The bill before us today, the Literacy Involves Family Together Act seeks to remedy these problems by improving the quality of services provided under the Even Start Family Literacy Program.

Specifically, LIFT would require Even Start programs to base reading instruction on scientifically based research. As part of the National Reading Panel, the National Institute for Child Health and Human Development has conducted extensive research on the best way to teach children to read, and I believe it is of utmost importance for our literacy centers to make use of this data.

LIFT would also fund a research project to find the most effective way to improve literacy among parents and reading difficulties and to help parents use their new skills to support their children's redevelopment.

Finally, the LIFT act raises the quality of family literacy programs to allow States to use a portion of their Even Start dollars to provide expert training and technical assistance to Even Start providers and family literacy instructors.

We live in a Nation where both the volume and variety of written information are growing and where increasing numbers of citizens are expected to be able to read, understand, and use these materials.

Mr. Speaker, I commend the gentleman from Pennsylvania (Chairman GOODLING) for his leadership and wish him a long and enjoyable retirement.

Mrs. MCCARTHY of New York. Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. PAYNE).

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

Mr. PAYNE. Mr. Speaker, let me commend the gentlewoman from New York (Mrs. MCCARTHY) for managing this bill and for the hard work that the gentlewoman has done on this legislation that is so important to us, in particular, gun violence. And I would like to say that I associate myself with her fight to control that.

As it relates to this bill, I would also like to pay my respects to the gentleman from Pennsylvania (Mr. GOODLING), a gentleman that I have had the opportunity for the past 12 years to work with on the committee that has changed its name several times, the former Education and Labor Committee, now Committee on Education and the Workforce, and I would like to wish him a healthy and a useful retirement.

Mr. Speaker, as a matter of fact, I had the privilege to chat with him on the elevator today and asked what is the gentleman going to do with all of his time. We know it is going to be used in a very positive way. And so I feel privileged to have served on the committee with the gentleman.

I do, as many may know, for a number of years from around 1990 until about 1995, I introduced a National Literacy Day bill, which at that time under the other rules of the House if we had 218 Members to sign the resolution, it would come to the floor, and for a number of years, we moved the National Literacy Day.

I do recall working very closely with the gentleman when we had White House conferences dealing with the question of literacy when the National Literacy headquarters was conceived and State literacy councils were formed.

Mr. Speaker, I feel very close to this question of literacy, and Literacy Involves Families Together Act is certainly in the right direction. As I have indicated, this has been really one of my pet projects that I have worked with in many years. However, as the gentleman from Virginia (Mr. SCOTT), as he raised in a bill last week, which was also a very good bill dealing with welfare reform, but also in that piece of legislation, there was this question about Charitable Choice.

It seems like every piece of legislation that we will see from now on will have this question about Charitable Choice. As we know, Charitable Choice provision allows the government to give taxpayer money to religious institutions and then allows those religious institutions to refuse to hire certain taxpayers for tax-funded positions, because they are not of the right religion. While allowing religious institutions to discriminate on the basis of religion in their privately funded activities is quite appropriate and no one opposes that, tax-funded employment discrimination is wrong.

And as we know, it permits religious institutions that receive Federal funds to discriminate in their employment based on religious. It opens the door to tax funding of religious schools in all educational programs in the future. It harms religion by transforming religious ministries into administrative

agencies of government benefits and services requiring them to terminate certain benefits, report on individuals, and otherwise police the system. It undermines the traditional role of religion. For that purpose, too, a bill which I commend, a bill that I feel embodied in what it stands for, because of this provision, which I see raising its ugly head continuously and continuously and continuously, for that purpose, I must oppose the bill.

Mr. Speaker, I once again wish the gentleman from Pennsylvania (Mr. GOODLING), who has done an outstanding work, a good retirement and good health.

Mr. GOODLING. Mr. Speaker, I yield 1½ minutes to the gentleman from Georgia (Mr. ISAKSON), an important member of the Committee on Education and the Workforce.

Mr. ISAKSON. Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. GOODLING) for yielding the time to me, and I associate myself with all the positive remarks that have been made about his service.

I would observe that in most cases in the twilight of a politician's career, they search desperately for a legacy that is a testimony to that which they have done. Some find it in an edifice or a building, some find it in a last minute grant.

But today we memorialize a legacy that walks all over America and is a tribute to the gentleman from Pennsylvania. It is young adults and children since 1988 who have learned together the fundamental key to success in life, which is the ability to read. This program supplies materials, sound fundamentals, and breaks the cycle and the stigma that is the biggest problem in adult literacy.

We have learned in education that an adult who otherwise would be stigmatized and not go to learn will relish the opportunity to learn with their child. That is the legacy of the gentleman from Pennsylvania (Mr. GOODLING) and today's increase in that legacy is a testimony to what he has done.

There are schools all over this country, but there is one in my State called Pitts Elementary, Mr. Chairman, 100 percent poverty, 100 percent free and reduced lunch in the middle of a public housing project. Because of Even Start and the materials, the techniques and using the resources of a community, in Pitts Elementary children without hope and hopeless parents learn to read.

The generational cycle of literacy can only be broken when the child and the parent learn together, thanks to the gentleman from Pennsylvania (Mr. GOODLING).

Mrs. MCCARTHY on New York. Mr. Speaker, I have no additional speakers, and I reserve the balance of my time.

Mr. GOODLING. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. BILBRAY). He can tell us just how important the program is, as well as the organization that helps support the program.

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

Mr. BILBRAY. Mr. Speaker, I rise in support of the bill, and I would like to rise in respect to the chairman, the gentleman from Pennsylvania (Mr. GOODLING), for all the hard work he has done with this issue.

Mr. Speaker, I have had the privilege of cofounding the Literacy Council of San Diego County that serves over 3 million people in Southern California. And I must say sincerely that as we discussed opportunities and access for our citizens, there was an interesting term brought up called Charitable Choice. I would just ask all of us to remember what kind of choice this country is giving to the 20 percent of English-speaking learners who do not have a choice of being able to do what we ran into in San Diego County while I was chairman. They could not fill out an application for a job. They could not even find applications to be able to get government services to get training for the job.

A lot of people may think this is an issue of just a child learning to read or an adult learning to read, and that is somebody else's problem, because my family knows how to read. My children are going to good schools. My parents know how to read. My brothers and sisters are literate.

But let me tell my colleagues as someone who operated a system of criminal justice and social welfare that is larger than 32 States of the Union, that I found that 20 percent to 40 percent of the people that were in welfare and were in our criminal justice system were functionally illiterate. In fact, Mr. Speaker, I would just say if we want to fight crime, if we want to fight unemployment, we need to support bills like the gentleman's, and I thank him very much for his proactive stance on this project.

Mr. GOODLING. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. GOODLING) for yielding to me.

Mr. Speaker, I congratulate him not only on the bill but for his leadership on education issues over many years, both as Member of the minority and then as chairman of the Committee on Education and the Workforce. I also congratulate him on not only having passed the Even Start bill in 1988, but having overseen what has happened under that legislation and bringing us tonight this legislation that improves the effectiveness of the Even Start program and improves the quality of the teaching that will go on under Even Start.

Particularly, I want to commend the gentleman because he has never forgotten that children are the children of parents; that children grow up in families, and if children are not doing well, we need to look at both what the child needs and what their families need.

The holistic approach to learning to read embodied in this bill is the right answer, not just for children, but for families. Research has shown for decades that children do better in school if their parents are interested in their progress in school. Yet, if parents themselves have not felt the power of education in their lives, they cannot transmit to their children a love of learning, a respect for learning, or the excitement that is necessary to motivate children to learn when they are young and accomplish the goals so important in elementary school.

Mr. Speaker, I commend the gentleman for his leadership and thank him for his work over all of these decades here in the Congress.

Mr. GOODLING. Mr. Speaker, I yield 1½ minutes to the gentleman from Michigan (Mr. EHLERS), a very important member of the Committee on Education and the Workforce.

Mr. EHLERS. Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. GOODLING) for yielding time to me.

Mr. Speaker, in the Congress all of us depend on each other in dealing with a multitude of issues that are before us. But without doubt, the gentleman from Pennsylvania (Chairman GOODLING) has been Mr. Education to this Congress for many years. All of us have upon one occasion or another gone to him for advice on how to deal with issues regarding education. And I appreciate his efforts here.

In regard to the bill, there are several points I wanted to mention that I think are outstanding. First of all, accountability. We have passed many, many different pieces of legislation dealing with education. Most of them have had very little accountability, most of them have not accomplished anything near what their potential was, and building accountability into this bill I think is essential.

The gentleman's step toward helping parents and children learn together is a stroke of genius, something we need very badly. But, again, it has to be accountable to make sure that it happens; but it can be a wonderful experience for both parents and child. The emphasis on research standards is important. Much of the research done in education today is superb; much of it, unfortunately, is not very good.

□ 2215

Particularly in the difficulties of reading, the study of dyslexia, there is a great deal of work that needs to be done. Many people, including one of my dear grandsons, suffer from that disease, and it is incredibly difficult.

The final point I would make is that science also can be important in teaching reading, and I have introduced a bill that the committee will shortly consider on that.

The SPEAKER pro tempore (Mr. PEASE). The gentlewoman from New York (Mrs. MCCARTHY) has 6 minutes remaining, and the gentleman from Pennsylvania (Mr. GOODLING) has 1½ minutes remaining.

Mrs. McCARTHY of New York. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. GOODLING) and ask unanimous consent that he be allowed to control said time.

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

There was no objection.

Mr. GOODLING. Mr. Speaker, I yield 1½ minutes to the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Speaker, I thank the chairman, and also want to commend his leadership on the education issue. As I was a staffer here for 10 years, 6 on the House side and 4 on the Senate, I watched as he moved Even Start through. I watched as he has tried to change Head Start back into a literacy program, to try to reach out to those who are hurting and those who are behind and actually get them up to the academic level with which to compete and to advance in school so that they have the opportunities that the rest of America has.

I simply do not understand, in bill after bill after bill, why some Members on the minority side object to having an opportunity in this mix for faith-based organizations. The faith-based organizations that we are talking about are so narrowly defined by court decisions, they cannot spend taxpayers' dollars for any type of proselytization.

In this bill, because it goes through education, they have to be cleared through the education institutions. We agreed that they have to have a separation of anything else they do, including child care, from this program.

But many of the most innovative leaders in America, particularly in the black and Hispanic and other immigrant communities, are faith based. When they first come to America, in Fort Wayne, Indiana, not a hotbed of immigration, but we do have the largest Burmese immigration in the United States. We have, like many areas, a huge Hispanic immigration. We see areas of Fort Wayne, where the black churches have worked together and are now the agent for the Federal Government in housing partnerships, and as they try to redevelop the Hannah Creighton and work with Head Start and other programs, why if the school system decides they are not the best to do Even Start, what is this opposition so much to faith-based organizations?

It is a shame for the minority leadership in this country, because they need back up at the grassroots level.

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

Mrs. McCARTHY. Of New York. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. GOODLING).

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized for 4 minutes.

Mr. GOODLING. Mr. Speaker, I would like to thank all of those who, of course, paid tribute to me, but I must say that we have had a wonderful working relationship in areas of education on both sides of the aisle, and could have accomplished very little even as chairman of the committee without that kind of cooperation. The gentlewoman from New York has been a joy to work with.

My friend from Michigan and I have been battling for, he said 24 years. I have been battling for 26, and he has been battling with me for 24. Not battling for ourselves, as none of the committee has been doing that, but what we are trying to do is make sure that every child in this country has an equal opportunity to get a piece of the American dream.

As I indicated when we started, there is no way that can happen if they and their parents are illiterate, or even functionally illiterate in this 21st century. There was a time a parent could get a job, rear a family, and, of course, not let anyone know that he or she could not read, but that time has gone, and is gone forever.

I would hope as we continue, as I have told the committee many times, and as someone mentioned from the other side, I hope my portrait in the room, the lips will move every time they are deliberating, and the lips will say, We want to make sure that we have results, not process; we want to make sure that it is quality, not quantity, because that is the only way, in my estimation, we can be successful in preventing the fall of this great Nation, which I truly believe will happen if we cannot successfully deal with the literacy issue.

I want to thank the staffs. I have told the staffs over and over again what I will miss most of all when I leave this institution are the wonderful staffers that I have worked with for a long, long time.

Sitting next to me, I want to truly pay tribute to Lynn Selmser. She has had to put up with me for 19 years. I do not know of anybody that has probably put up with a Member of Congress for 19 years and survived. But when there were literacy issues, she was there; if there were nutrition issues, she was there; if there were Impact Aid issues, she was there helping.

So it has been a wonderful experience in the Congress of the United States. I am not going to say that I am going to miss the rigors of the job. I am surely not missing the campaign that all of you are involved in. In fact, I sit back and smile and say, go to it; I do not have to do that any longer.

But I will miss our efforts that we jointly embarked upon to try to make sure that we do have a literate workforce, that our workforce can perform, that we do not have to rely on other countries to supply our people to do the $40,000, $50,000 and $60,000 jobs.

We have lost a lot of time, because our whole effort from the very beginning was to try to make sure that we close that achievement gap, and we must close it, and I would hope that this legislation will go a long way to do that.

I just hope that, as I leave, I watch the committee still making sure that every parent and every child becomes literate, so that no child goes to the first grade without the ability to learn and without the ability to read, because they will fail, and that will be one more tragedy.

So, again I thank all the members of the committee, and thank all of the staff for the wonderful work that they have done over the years.

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

The SPEAKER pro tempore. The gentlewoman from New York has 1 minute remaining.

Mrs. McCARTHY of New York. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I would like to close again saying there are many of us that support this amendment. I will also say that I have only been on the committee chaired by the gentleman from Pennsylvania (Chairman GOODLING) for 4 years.

Mr. Speaker, I have a great deal of respect for him, for the work he has done, and I know he has always put the children first. I support what he is trying to do with this amendment. The gentleman and I agree 100 percent that if our children and parents cannot read, then we cannot lift up everyone.

Again, it has been a pleasure working with the gentleman from Pennsylvania (Mr. GOODLING). I am sure when I first got there he had no idea what kind of person I was going to be, but he found out I was actually the strong, quiet type, and only spoke when I found it was extremely important. He appreciated that, because I saved him time. We will miss you, Chairman GOODLING, and it has been a pleasure being with you and learning from you over these 4 years.

Mr. PAUL. Mr. Speaker, I appreciate the opportunity to explain why Congress should reject the Literacy Involves Families Together (LIFT) Act (House Resolution 3222), which aims to increase ''family literacy'' by directing money from the American taxpayer to Washington and funneling a small percentage of it back to the states and localities to spend on education programs that meet the specifications of DC-based bureaucrats. While all support the goal of promoting adult literacy, especially among parents with young children, Congress should not endorse supporting the unconstitutional and ineffective means included in this bill. If Congress were serious about meaningful education reform, we would not even be debating bills like H.R. 3222. Rather, we would be discussing the best way to return control over the education dollar to the people so they can develop the education programs that best suit their needs.

Several of my colleagues on the Education and Workforce Committee have expressed opposition to the LIFT Act's dramatic increase in authorized expenditures for the Even Start family literacy programs. Of course, I share their opposition to the increased expenditure, however, my opposition to this bill is based not as much on the authorized amount but on the bill's underlaying premise: that the American people either cannot or will not provide

educational services to those who need them unless they are forced to do so by the federal government.

In contrast to the drafters of the LIFT bill, I do not trust the Congress to develop an education program that can match the needs of every community in the United States. Instead, I trust the American people to provide the type of education system that best suits their needs, and the needs of their fellow citizens, provided Congress gives them back control over the education dollar.

The drafters of the United States Constitution understood that the federal government was incapable of effectively providing services such as education. This is why they carefully limited the federal government's powers to a few narrowly defined areas. This understanding of the proper role of the federal government was reinforced by the tenth amendment which forbids the Federal Government from controlling education, instead leaving authority over education in the hands of states, local communities and parents.

Reinforcing that the scariest words in the English language are ''I'm from the federal government and I am here to help you,'' the American education system has deteriorated in the years since Congress disregarded the constitutional limitations on centralizing education in order to ''improve the schools.'' One could argue that if the federally-controlled schools did a better job of educating children to read, perhaps there would not be a great demand for ''adult literacy programs!''

Of course, family literacy programs do serve a vital purpose in society, but I would suggest that not only would family literacy programs exist, they would better serve those families in need of assistance if they were not controlled by the federal government. Because of the generosity of the American people, the issue is not whether family literacy programs will be funded but who should control the education dollars; the American people or the federal government?

Mr. Speaker, rather than give more control over education to the people, H.R. 3222 actually further centralizes education by attaching new requirements to those communities receiving taxpayer dollars for adult literacy programs. For example, under this bill, federally-funded Even Start programs must use instruction methods based on ''scientific research.'' While none question the value of research into various educational methodologies, it is doubtful that the best way to teach reading can be totally determined through laboratory experiments. Learning to read is a complex process, involving many variables, not the least of which are the skills and abilities of the individual.

Many effective techniques may not be readily supported by ''scientific research.'' Therefore, this program may end up preventing the use of many effective means of reading instruction. The requirement that recipients of federal funds use only those reading techniques based on ''scientific research,'' (which in practice means those methods approved by the federally-funded ''experts'') ensures that a limited number of reading methodologies will, in essence, be ''stamped with federal approval.''

In addition to violating the United States Constitution, the LIFT bill raises some serious questions regarding the relationship between the state and the family. Promoting family literacy is a noble goal but programs such as these may promote undue governmental interference in family life. Many people around the country have expressed concern that ''parenting improvement'' programs have become excuses for the government bureaucrats to intimidate parents into ceding effective control over child-rearing to the government. While none of these complaints are directly related to the Even Start program Even Start does rest on the premise that it is legitimate for the federal government to interfere with the parent-child relationship to ''improve'' parenting. Once one accepts that premise, it is a short jump to interfering in all aspects of family life in order to promote the federal government's vision of ''quality parenting.''

In order to give control over education back to the American people, I have introduced several pieces of legislation that improve education by giving the American people control over their education dollar. For instance my Family Education Freedom Act (H.R. 935), provides parents with a $3,000 per child tax credit for K–12 education expenses incurred in sending their children to public, private, or home school. I have also introduced the Education Improvement Tax Cut Act (H.R. 936), which provides a tax donation of up to $3,000 for cash or in-kind donations to public or private schools as well as for donations to elementary and secondary scholarships. I am also cosponsoring legislation (H.R. 969) to increase the tax donations for charitable contributions, as well as several bills to provide tax credits for adult job training and education.

Unleashing the charitable impulses of the American people is the most effective means of ensuring that all Americans have access to the quality education programs they need, and to make sure that those programs are tailored to meet the particular needs of the local communities and the individuals they serve.

In conclusion, Mr. Speaker, I call on my colleagues to reject the LIFT Act and instead embrace a program of education and charitable tax credits that will give the American people the ability to provide for the education needs of their children and families in the way that best suits the unique circumstances of their own communities.

Mr. CUNNINGHAM. Mr. Speaker, as the former Chairman of the Elementary, Secondary, and Vocational Education Subcommittee, I was one of the original supporters of the Even Start program at its inception. I rise in strong support of H.R. 3222 The Literacy Involves Families Together Act, and commend the gentleman from Pennsylvania for his hard work and dedication to our children and their literacy. It is because of his efforts that we have been able to reduce the number of illiterate individuals in our communities, and I find it a fitting tribute that this program will be named after him.

We all realize that to succeed in today's society every person must be able to read and write. It is unacceptable that in a country as advanced as ours that we have millions of people who cannot read or write. H.R. 3222 helps to address this issue in several ways.

First, it would improve the quality of Even start and other family literacy programs in several areas. It would provide training and technical assistance to local providers while at the same time assuring that the level of assistance does not decrease. It also requires that instructional programs are based on scientifically researched methods of teaching reading, and provides funding for research on teaching of reading to adults in family literacy programs. Finally, it establishes qualifications for instructional staff in Even Start programs whose salaries are paid with Even Start dollars.

Additionally, H.R. 3222 provides for charitable choice by allowing government to consider religious organizations, as part of eligible partnerships on the same basis as other groups receiving funding. Our churches, Synagogues, Mosques, and other religious organizations have a long tradition of helping those in need in our country including helping those who cannot read. This legislation helps them to carry on with that tradition in ensuring every American can read.

Finally, this legislation will help communities implement the inexpensive book distribution program which helps local communities provide books for disadvantaged children.

Once again I urge passage of H.R. 3222, and yield back the balance of my time.

Mr. HORN. Mr. Speaker, I rise in support of a very important piece of legislation, H.R. 3222, The Literacy Involves Families Together Act.

Even Start, and other family literacy programs, serve the most vulnerable families in our Nation.

According to the Department of Education, twenty-three percent of American adults were functionally illiterate in 1993.

We cannot expect these adults, and their families to become self-sufficient without literacy skills.

By helping them to break the cycle of illiteracy, family literacy programs help families lift themselves out of poverty and dependency on government programs.

H.R. 3222 ensures that Even Start, and other literacy programs are administered in the most effective way.

This legislation provides technical assistance to local providers, establishes qualifications for teaching staff, and requires that instruction be based on scientifically proven methods.

At the same time, it empowers parents to become involved in their children's education.

As we all know, this is critical to a child's educational success.

Additionally, children whose parents read to them are much better prepared to start school. They perform significantly better than those who have not been exposed to reading at home.

Passing this legislation is the first step in opening up a world of opportunities, not only for children, but their families as well.

Mr. Speaker, I am proud to support this legislation.

I am encouraged by the bipartisan support for this bill, and I am hopeful that both sides of the aisle can work together for the sake of all of America's families.

Mrs. MCCARTHY of New York. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. GOODLING) that the House suspend the rules and pass the bill, H.R. 3222, 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.

The title of the bill was amended so as to read: ''A bill to amend the Elementary and Secondary Education Act of 1965 to improve literacy through family literacy projects and to reauthorize the inexpensive book distribution program.''

A motion to reconsider was laid on the table.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 4205, FLOYD D. SPENCE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

Mr. GRAHAM. Mr. Speaker, pursuant to clause 7(c) of rule XXII, I announce my intention to offer a motion to instruct conferees on H.R. 4205.

The motion is as follows: I move that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4205 be instructed to agree to the provisions contained in section 1068 of the Senate amendment.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 4205, FLOYD D. SPENCE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

Mr. GRAHAM. Mr. Speaker, pursuant to clause 7(c) of rule XXII, I announce my intention to offer a motion to instruct conferees on H.R. 4205.

The form of the motion is as follows: Mr. GRAHAM moves to instruct conferees on the part of the House that the conferees on the part of the House on the disagreeing votes of the two Houses on the bill H.R. 4205 be instructed not to agree to revisions which, (1) fail to recognize that the 14th Amendment to the Constitution guarantees all persons equal protection under the law; and, (2) deny equal protection under the law by conditioning prosecution of certain offenses on the basis of race, color, religion, national origin, gender, sexual orientation, or disability of the victim; and (3) preclude a person convicted of murder from being sentenced to death.

TIJUANA RIVER VALLEY ESTUARY AND BEACH SEWAGE CLEANUP ACT OF 2000

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3378) to authorize certain actions to address the comprehensive treatment of sewage emanating from the Tijuana River in order to substantially reduce river and ocean pollution in the San Diego border region, as amended.

The Clerk read as follows:

H.R. 3378

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 ''Tijuana River Valley Estuary and Beach Sewage Cleanup Act of 2000''.

SEC. 2. PURPOSE.

The purpose of this Act is to authorize the United States to take actions to address comprehensively the treatment of sewage emanating from the Tijuana River area, Mexico, that flows untreated or partially treated into the United States causing significant adverse public health and environmental impacts.

SEC. 3. DEFINITIONS.

In this Act, the following definitions apply:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) COMMISSION.—The term ''Commission'' means the United States section of the International Boundary and Water Commission, United States and Mexico.

(3) IWTP.—The term ''IWTP'' means the South Bay International Wastewater Treatment Plant constructed under the provisions of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), section 510 of the Water Quality Act of 1987 (101 Stat. 80–82), and Treaty Minutes to the Treaty for the Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande, dated February 3, 1944.

(4) SECONDARY TREATMENT.—The term ''secondary treatment'' has the meaning such term has under the Federal Water Pollution Control Act and its implementing regulations.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of State.

(6) MEXICAN FACILITY.—The term ''Mexican facility'' means a proposed public-private wastewater treatment facility to be constructed and operated under this Act within Mexico for the purpose of treating sewage flows generated within Mexico, which flows impact the surface waters, health, and safety of the United States and Mexico.

(7) MGD.—The term ''mgd'' means million gallons per day.

SEC. 4. ACTIONS TO BE TAKEN BY THE COMMISSION AND THE ADMINISTRATOR.

(a) SECONDARY TREATMENT.—

(1) IN GENERAL.—Subject to the negotiation and conclusion of a new Treaty Minute or the amendment of Treaty Minute 283 under section 5, and notwithstanding section 510(b)(2) of the Water Quality Act of 1987 (101 Stat. 81), the Commission is authorized and directed to provide for the secondary treatment of a total of not more than 50 mgd in Mexico—

(A) of effluent from the IWTP if such treatment is not provided for at a facility in the United States; and

(B) of additional sewage emanating from the Tijuana River area, Mexico.

(2) ADDITIONAL AUTHORITY.—Subject to the results of the comprehensive plan developed under subsection (b) revealing a need for additional secondary treatment capacity in the San Diego-Tijuana border region and recommending the provision of such capacity in Mexico, the Commission may provide not more than an additional 25 mgd of secondary treatment capacity in Mexico for treatment described in paragraph (1).

(b) COMPREHENSIVE PLAN.—Not later than 24 months after the date of enactment of this Act, the Administrator shall develop a comprehensive plan with stakeholder involvement to address the transborder sanitation problems in the San Diego-Tijuana border region. The plan shall include, at a minimum—

(1) an analysis of the long-term secondary treatment needs of the region;

(2) an analysis of upgrades in the sewage collection system serving the Tijuana area, Mexico; and

(3) an identification of options, and recommendations for preferred options, for additional sewage treatment capacity for future flows emanating from the Tijuana River area, Mexico.

(c) CONTRACT.—

(1) IN GENERAL.—Subject to the availability of appropriations to carry out this subsection and notwithstanding any provision of Federal procurement law, upon conclusion of a new Treaty Minute or the amendment of Treaty Minute 283 under section 5, the Commission may enter into a fee-for-services contract with the owner of a Mexican facility in order to carry out the secondary treatment requirements of subsection (a) and make payments under such contract.

(2) TERMS.—Any contract under this subsection shall provide, at a minimum, for the following:

(A) Transportation of the advanced primary effluent from the IWTP to the Mexican facility for secondary treatment.

(B) Treatment of the advanced primary effluent from the IWTP to the secondary treatment level in compliance with water quality laws of the United States, California, and Mexico.

(C) Return conveyance from the Mexican facility of any such treated effluent that cannot be reused in either Mexico or the United States to the South Bay Ocean Outfall for discharge into the Pacific Ocean in compliance with water quality laws of the United States and California.

(D) Subject to the requirements of subsection (a), additional sewage treatment capacity that provides for advanced primary and secondary treatment of sewage described in subsection (a)(1)(B) in addition to the capacity required to treat the advanced primary effluent from the IWTP.

(E) A contract term of 30 years.

(F) Arrangements for monitoring, verification, and enforcement of compliance with United States, California, and Mexican water quality standards.

(G) Arrangements for the disposal and use of sludge, produced from the IWTP and the Mexican facility, at a location or locations in Mexico.

(H) Payment of fees by the Commission to the owner of the Mexican facility for sewage treatment services with the annual amount payable to reflect all agreed upon costs associated with the development, financing, construction, operation, and maintenance of the Mexican facility.

(I) Provision for the transfer of ownership of the Mexican facility to the United States, and provision for a cancellation fee by the United States to the owner of the Mexican facility, if the Commission fails to perform its obligations under the contract. The cancellation fee shall be in amounts declining over the term of the contract anticipated to be sufficient to repay construction debt and other amounts due to the owner that remain unamortized due to early termination of the contract.

(J) Provision for the transfer of ownership of the Mexican facility to the United States, without a cancellation fee, if the owner of the Mexican facility fails to perform the obligations of the owner under the contract.

(K) To the extent practicable, the use of competitive procedures by the owner of the Mexican facility in the procurement of property or services for the engineering, construction, and operation and maintenance of the Mexican facility.

(L) An opportunity for the Commission to review and approve the selection of contractors providing engineering, construction, and operation and maintenance for the Mexican facility.

(M) The maintenance by the owner of the Mexican facility of all records (including books, documents, papers, reports, and other materials) necessary to demonstrate compliance with the terms of this Act and the contract.

(N) Access by the Inspector General of the Department of State or the designee of the Inspector General for audit and examination of all records maintained pursuant to subparagraph (M) to facilitate the monitoring and evaluation required under subsection (d).

(3) LIMITATION.—The Contract Disputes Act of 1978 (41 U.S.C. 601–613) shall not apply to a contract executed under this section.

(d) IMPLEMENTATION.—

(1) IN GENERAL.—The Inspector General of the Department of State shall monitor the implementation of any contract entered into under this section and evaluate the extent to which the owner of the Mexican facility has met the terms of this section and fulfilled the terms of the contract.

(2) REPORT.—The Inspector General shall transmit to Congress a report containing the evaluation under paragraph (1) not later than 2 years after the execution of any contract with the owner of the Mexican facility under this section, 3 years thereafter, and periodically after the second report under this paragraph.

SEC. 5. NEGOTIATION OF NEW TREATY MINUTE.

(a) CONGRESSIONAL STATEMENT.—In light of the existing threat to the environment and to public health and safety within the United States as a result of the river and ocean pollution in the San Diego-Tijuana border region, the Secretary is requested to give the highest priority to the negotiation and execution of a new Treaty Minute, or a modification of Treaty Minute 283, consistent with the provisions of this Act, in order that the other provisions of this Act to address such pollution may be implemented as soon as possible.

(b) NEGOTIATION.—

(1) INITIATION.—The Secretary is requested to initiate negotiations with Mexico, within 60 days after the date of enactment of this Act, for a new Treaty Minute or a modification of Treaty Minute 283 consistent with the provisions of this Act.

(2) IMPLEMENTATION.—Implementation of a new Treaty Minute or of a modification of Treaty Minute 283 under this Act shall be subject to the provisions of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(3) MATTERS TO BE ADDRESSED.—A new Treaty Minute or a modification of Treaty Minute 283 under paragraph (1) should address, at a minimum, the following:

(A) The siting of treatment facilities in Mexico and in the United States.

(B) Provision for the secondary treatment of effluent from the IWTP at a Mexican facility if such treatment is not provided for at a facility in the United States.

(C) Provision for additional capacity for advanced primary and secondary treatment of additional sewage emanating from the Tijuana River area, Mexico, in addition to the treatment capacity for the advanced primary effluent from the IWTP at the Mexican facility.

(D) Provision for any and all approvals from Mexican authorities necessary to facilitate water quality verification and enforcement at the Mexican facility.

(E) Any terms and conditions considered necessary to allow for use in the United States of treated effluent from the Mexican facility, if there is reclaimed water which is surplus to the needs of users in Mexico and such use is consistent with applicable United States and California law.

(F) Any other terms and conditions considered necessary by the Secretary in order to implement the provisions of this Act.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

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

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Mississippi (Mr. TAYLOR) each will control 20 minutes.

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

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

Mr. Speaker, H.R. 3378, the Tijuana River Valley Estuary and Beach Sewage Cleanup Act of 2000 will help solve sanitation problems in the San Diego and Tijuana border region.

San Diego is in a state of emergency. Raw or partially treated sewage flows from Mexico into the United States, creating significant health and safety risks. To comprehensively address the problem, H.R. 3378 encourages the United States to negotiate new international agreements with Mexico and provides the U.S. authority to enter into a public-private partnership with a private corporation to help meet the rapidly growing wastewater treatment needs in the area.

I encourage the United States to continue the current proposal involving a public-private partnership to address the treatment problems along the border as quickly as possible.

I want to commend two of our colleagues, Mr. Speaker, the gentleman from California (Mr. BILBRAY) and the gentleman from California (Mr. FILNER), who have been like bulldogs on this issue, and have consistently brought it before the committee and now the full House again for their leadership in helping to resolve this significant international health and environmental issue.

I urge my colleagues to support this bill as amended.

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

Mr. TAYLOR of Mississippi. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the legislation under consideration today is an attempt to stem the ongoing flows of untreated and partially treated sewage that have impacted the communities and beaches of Southern California for almost 70 years.

The U.S.-Mexican border region has experienced rapid growth over the past few decades. The cities of San Diego and Tijuana, Mexico, though on opposite sides of the border, have grown closer together, both physically and economically, the fates of the two cities. What happens in one city has had an impact on the other. This is especially true in the case of sewage treatment needs in the border region.

Unfortunately, the wastewater treatment systems of the City of Tijuana, Mexico, have not kept pace with the city's growing population. Untreated sewage flowing from Mexico through the Tijuana River and into the Pacific Ocean has adversely impacted the South Bay communities of San Diego County, the river valley and estuary, and the coastal waters of the United States. These flows continue to pose serious threat to public health, economy and environment in the region.

For decades, the U.S. and Mexican governments have been working to develop a solution to the San Diego-Mexican sewage problem. Numerous alternatives have been considered and an international wastewater treatment plant located in the United States was selected as the best alternative. As a result the U.S. and Mexican governments formally agreed, in Treaty Minute 283, to construct the South Bay International Wastewater Treatment Plant, located in San Diego, to treat and dispose of the sewage flows.

In order to comply with international obligations and to achieve some level of treatment as quickly as possible, the South Bay treatment facility was constructed in stages. The first stage, which included the advanced primary treatment of sewage flows, became operational in 1998.

However, over the past few years, numerous significant circumstances have presented themselves, including predictions of future population growth in the region justifying a review of the best means of permanently addressing the sewage treatment needs in the border region.

In response to these needs, the gentleman from San Diego, California (Mr. FILNER), and the gentleman from San Diego, California (Mr. BILBRAY), introduced H.R. 3378, to expeditiously resolve the problem of migrating sewage. I commend these gentleman for their hard work and diligence to resolve this problem that has affected the health and safety of their constituents for decades.

H.R. 3378 would direct the Secretary of State to give the highest priority to initiate negotiations on a new or revised treaty with Mexico for the secondary treatment of sewage generated in the Tijuana River Valley region.

Subject to the negotiation and execution of a new treaty, and the availability of adequate appropriations, this legislation would authorize the United States, acting through the U.S. section of the International Boundary and Water Commission, to enter into a long-term contract with a private company for the construction and operation of a secondary treatment facility in Mexico.

The bill would authorize the construction of a facility with the capacity of treating 50 million gallons of sewage per day to secondary levels, with the possibility of expanding the facility by an additional 25 million gallons should such levels be found necessary for the long-term treatment needs of the region.

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In addition, to address the contracting concerns that have been raised with this bill, the legislation includes provisions requiring, to the extent practicable, the use of competitive procedures by the owner of the Mexican facility in the procurement of property or services for the engineering, construction and operation and maintenance of the facility, as well as the commission's review and approval of contractors selected to carry out these functions.

Also, the bill requires the Inspector General of the Department of State to monitor the implementation of the legislation, to evaluate the extent to which the owner has met the terms called for in the bill, and to report to Congress on its findings.

Mr. Speaker, another benefit of this legislation is that it provides for the reuse of treated waters in Mexico and, if available, in the United States. By authorizing the construction of facilities capable of treating waste waters to potable water, we will help alleviate some of the pressure in finding new sources of drinkable waters at a time when the communities in Mexico and Southwestern United States are facing serious water shortages.

Again, I commend the gentlemen from California (Mr. FILNER) and (Mr. BILBRAY) for their work on this bill. It is a good bill, and I urge my colleagues to support it.

Mr. LATOURETTE. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. BILBRAY), one of the authors of the bill and the gentleman who advises me he has been working on this problem for his constituents for a quarter of a century.

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

Mr. BILBRAY. Mr. Speaker, I want to thank the chairman of the Committee on Transportation and Infrastructure (Mr. SHUSTER) and the gentleman from Minnesota (Mr. OBERSTAR), the ranking member, who I learned very early when I got to this floor is very concerned about the quality of the waters of this Nation and the surrounding area, someone who has spent a lot of time working on this issue and is very concerned about it.

I would also like to thank the gentleman from New York (Mr. GILMAN) and the ranking member of the Committee on International Relations. I would just like to say sincerely, I want to thank the gentleman from Waveland, Mississippi, home of Little Jays, for being able to give such a great background for this bill, articulating this piece of legislation. I appreciate the fact that he got into the details so that the rest of us do not have to restate them. I think that we can talk about the general issue.

The general issue, Mr. Speaker, is the fact that as we have set a policy in this country nationally, that the waters of the United States are, and should, remain clean, pure, and safe. Sadly, over the last 25, 30, 40 years, we have had places where there were major breakdowns. Frankly, they are not always places where we can blame our own industrial commercial or economic or political or public irresponsibility.

The Tijuana River happens to flow through a community of over 1 million people in the Republic of Mexico; and it flows north like the Nile, not south like the Mississippi. And, it flows towards the United States into an estuarian preserve that has been set aside as a critical habitat preservation by the United States, and then flows into the oceans of the United States and flows north through the communities of Imperial Beach and Coronado.

I, for one, happen to be an individual who was raised as a child in Imperial Beach and grew up with the hideous problem of pollution in our waters that did not come from our neighborhood, but came from our neighbors. I would just ask everyone to be very sensitive of the fact that when a young person is raised, it is bad enough for that person to go to their beaches and find out that they cannot go into the water, it is unsafe, it is polluted, it is a danger to their life and to the wildlife around them, but to then also be told in less than tactful ways that it is somebody else that did this to you, that a foreign government or foreign people imposed this on your life and your little part of paradise.

I think for too long we have allowed that to occur. As the Federal Government over the last 30 years has demanded and required local communities to come up and participate in the cleansing and the cleaning of the waters of the United States, sadly, the United States for too long has found reasons not to go to our neighbors to the north or the south and say look, neighbor, good neighbors do not pollute each other's backyard. Do not threaten the children of the person on the other side of the fence. Sadly, that has happened for all too long.

Mr. Speaker, today we are asking for support of a bill that will work with Mexico in addressing a Mexican problem that is being inflicted on American citizens. Today, we are asking for support of a bill that says, Mexico recognizes that it has created an environmental problem and is willing to work with us at treating their sewage in Mexico, not in the United States.

Now, my colleague, the gentleman from California (Mr. FILNER), joined with me and the gentleman from California (Mr. CUNNINGHAM) and with the gentleman from California (Mr. HUNTER) and with the gentleman from California (Mr. PACKARD). Every member of the delegation of San Diego County that represents over 3 million people finds that it is time that the Federal Government try to think outside the box, try to encourage innovative approaches without compromising environmental options.

Mr. Speaker, I am very proud to say as somebody who has worked on this issue for over a quarter of a century, that I really think that we have fallen on an idea that may set an example not just for our current relationships with Tijuana and Mexico. It may be something that our committees of international relations may want to look at, and work with committees like the Committee on Transportation and Infrastructure on an international-national policy, that we pay for outcome and treatment, not for projects that may, or hopefully will treat; that we pay for the actual protection of the environment rather than the promise of the protection of the environment.

Now, this bill does not get the job done all by itself, but it opens the door that allows us as a region and as a Nation to start cooperating with Mexico in a way that we will ask Mexico to meet us halfway, that we will participate in the creation of service and infrastructure capabilities to avoid the environmental damage that has happened in the past; to clean up a problem that has been ignored for all too long and to address the fact that Mexico not only has a challenge that we are willing to work with them on, but has an opportunity to take this problem and create it into an asset: reusable water.

Mr. Speaker, I think that we have to recognize that H.R. 3378 provides the means to implement a plan that the City of San Diego, the mayor of Tijuana, the Surfrider Foundation consistently has found is not only the right answer here, but may be the answer to many other places where we have problems like this. The citizens of the City of Imperial Beach and Coronado and San Diego have waited far too long for the United States Government to protect them in their environment, to hold our neighbors to the same standards that we require of our own citizens, and to do it in a manner that does not cause conflict, but creates consensus and cooperation.

This bill should be used as a blueprint as how we can work with foreign governments to be able to have an outcome-based environmental strategy. This bill will enable us to be able to show how governments and peoples can work together for not just the good of the environment, but for the community at large that shares the environment.

Mr. Speaker, I ask my colleagues who strongly express their care and need and their desire to protect the environment to support this bill, and support the concept that if we really care about the environment, then we will care about it in every square inch of this Nation, and we will do what we can, when we can, where we can.

The Tijuana sewage problem has gone on for too long. My children, Mr. Speaker, are second-generation sewage kids. They have grown up under the cloud that their beaches may be polluted at any moment. I want to make

sure that my grandchildren do not have to be threatened with their beaches being closed, their environment being polluted.

I want to thank the ranking member who is here today for his very, very committed involvement in this, and I want to say clearly that I know the gentleman from California (Mr. FILNER); I have worked with him a long time. Bob would like to be here; we have very critical work he is doing in San Diego, and the gentleman from California (Mr. HUNTER) and the gentleman from California (Mr. CUNNINGHAM) and the gentleman from California (Mr. PACKARD) all join us in saying please join us in protecting our part of the United States, to treat our citizens with the equity that every other American has been guaranteed, and let us do it while we are working with a bright, new, cooperative future with the Republic of Mexico.

Mr. Speaker, I rise in strong support of H.R. 3378, and urge my colleagues to again cast the votes on behalf of the environment and public health of the San Diego-Tijuana border region.

Just over a year ago, Mr. Speaker, the House voted 427–0 in support of a Sense of Congress brought by myself and my colleague Mr. FILNER; this resolution expressed the Sense of Congress that the governments of the U.S. and Mexico should enter into negotiations of a new Treaty Minute, to allow for the siting of secondary sewage treatment infrastructure in Mexico, and the development of a privately funded Mexican facility to provide for the treatment to secondary levels of raw sewage originating in Mexico, which continues to present a public health threat to citizens and their environment on both sides of the border.

My colleagues, by supporting this amendment last July, you were recognizing the need to ''think outside the box'' in order to provide a comprehensive solution for one of the most vexing international environmental and public health challenges we face today. The overwhelming support for that resolution has paved the way for the bill we are considering today—H.R. 3378, the Tijuana River Valley Estuary and Beach Sewage Cleanup Act of 2000. My colleague Mr. FILNER and I introduced this bipartisan bill to fulfill the intent of that Sense of Congress, and after its consideration and approval by the Transportation and Infrastructure Committee, and the International Relations Committee, we stand here today at a historic point in U.S.-Mexico environmental cooperation, poised to move forward in a mutually beneficial manner.

Before proceeding any further, Mr. Speaker, I want to specifically thank Transportation Committee Chairman SHUSTER and International Relations Committee Chairman GILMAN, and their respective ranking members, Mr. OBERSTAR and Mr. GEJDENSON, for all their hard work in helping to bring this bill to the floor. It is a credit to the vision of these gentlemen that the San Diego-Tijuana border region now stands to benefit from the comprehensive solution that H.R. 3378 will provide, and I thank them for their ability to see what can be accomplished here, and their willingness to work with me and my colleagues in a bipartisan manner to do so.

Many of you are well aware of the ongoing health and environmental threats which have existed along this border region for decades, as a result of renegade flows of untreated sewage from Mexico. We have reached a critical point in the rapid growth of the San Diego-Tijuana border region; already, we are experiencing peak sewage flows into the U.S. from Mexico in excess of 75 million gallons per day (mgd), and it is essential that any treatment works that are built are able to respond to and address these ever-increasing flows. We are here today in support of a proposal which will help to meet and address this threat in a substantive manner. The facilities which would be constructed in Mexico under H.R. 3378 would allow for development of 50 mgd of treatment initially, with the ability to expand its capacity as needed to deal with future flows. Other alternatives would be inadequate to meet the region's needs, lack the ability to be expanded to treat increasing future flows, and provide no long term solution for the region.

An added and significant benefit of the facilities which will be developed in Mexico under this bill is their ability to reclaim and reuse treated wastewater (which would belong to Mexico) and make it available to the rapidly expanding business and industrial sectors of Tijuana. In this growing and arid border region, water is a particularly scare and valuable commodity, and water which can be reclaimed and reused from these treatment facilities can reduce the high demand for precious potable water supplies for drinking and other uses in Mexican households.

In addition to the strong bipartisan support which Congress has already demonstrated for this approach, there is significant support in the border region as well, ranging from the City of San Diego, Mayor of Tijuana, and the Surfrider Foundation, a conservation organization which is committed to healthy oceans. I have a brief statement from the Surfrider Foundation which I would ask to be entered into the record at this point, along with a letter of support from the Mayor of Tijuana, which I would also ask to be included. I would like to add, Mr. Speaker, that I am extremely encouraged by the responses to this proposal from both the Mayor of Tijuana, and from representatives of the incoming President of Mexico, Vicente Fox. Let me quote two excerpts from the Mayor's letter to me:

. . . Bajagua represents the kind of entrepreneurial solution that will not only help comprehensively meet both of our constituents' sewage treatment needs, it will also provide a much needed source of water for the citizens and businesses of Tijuana.

As you know, I am a member of the PAN. As such, I feel comfortable stating that the Bajagua project is representative of the type of private sector solution that President-elect Fox would like to use and extol as a model in Mexico during his administration.

Mr. Speaker, we ought not to underestimate the historic and precedent-setting potential of our vote here today. In addition to providing a comprehensive means by which to address this border sewage problem, we have the opportunity to establish a new relationship and way of doing business with our neighbor to the south. With this successful blueprint, going ''outside the box'' to develop solutions to long-standing problems will hopefully become the rule, rather than the exception. It is exciting to see the binational eagerness to move forward with this project, and that enthusiasm can be sustained and directed at other challenges as well.

Mr. Speaker, throughout my career in public service, I have wholeheartedly supported and fought for the appropriate treatment of these renegade flows in order to protect our beaches, estuaries, and the United States citizens who have had to live with this problem for far too long. I am more than willing to spend whatever time and money may be needed in order to deal with this problem comprehensively and conclusively, but both time and available dollars are extremely precious commodities, particularly when the public health continues to be at risk. Fortunately for these citizens and their impacted communities, such as my hometown of Imperial Beach, this opportunity has emerged to ''think outside the box'' and implement a progressive and comprehensive strategy that will benefit the entire region well into the future. There is tremendous and achievable potential in this approach which, once implemented, can provide a long-term and comprehensive solution to a chronic environmental program. It would be my hope that the success of this project will influence policy-makers in both Mexico and the United States, who will recognize the wisdom of moving away from the old method of doing business and in this new and innovative direction in order to better and more effectively address other environmental challenges faced by both nations.

If we are successful in implementing this process, the children of families in both San Diego and Tijuana will be able to go to their beaches, play in the estuaries, fish and swim in the oceans, and live their lives in their communities without the chronic stigma and health threat of the sewage pollution which has been an unfortunate fact of life in this region.

I want to again thank my colleagues for the support they've demonstrated for these goals, and again urge their support for H.R. 3378.

TIJUANA, BAJA CALIFORNIA,
September 6, 2000.

Hon. Brian Bilbray,
House of Representatives, Longworth House Office Building, Washington, DC.

DEAR CONGRESSMAN BILBRAY: On behalf of the City of Tijuana, I would like to extend and invitation on your next visit to the region to visit with me in Tijuana and discuss the issue of cross-border sewage flows. Specifically I would to discuss our support and encouragement for the Bajagua proposal, which I understand is currently undergoing review in the United States Congress.

Our reasons for support are various and we can discuss them in more detail at our meeting, but in short, Bajagua represents the kind of entrepreneurial solution that will not only help comprehensively meet both of our constituent's sewage treatment needs, it will also provide a much needed source of water for the citizens and businesses in Tijuana.

As you know, I am a member of the PAN, As such, I feel comfortable stating that Bajagua project is representative of the type of private sector solution that President-elect Fox would like to use and extol as a model in Mexico during his administration.

Please let me know of your availability to meet and discuss this and other issues of mutual concern, I look very much to your visit.

Sincerely,

FRANCISCO DE LAMADRID,
Mayor, City of Tijuana.

SURFRIDER FOUNDATION POLICY REGARDING DELAYS IN ACHIEVING SECONDARY TREATMENT AT THE U.S. MEXICAN BORDER

JULY 9, 1999

Currently, more than 50 million gallons per day (mgd) of raw, untreated sewage enters the Tijuana River and the Tijuana Municipal Wastewater System. Less than half of this, approximately 25 mgd, is treated to advanced primary standards at the International Wastewater Treatment Plant (ITPO and discharged into the ocean via the South Bay ocean outfall. A portion of the remaining untreated sewage, up to 71 mgd, receives some indeterminate level of treatment at the San Antonio de Los Buenos Treatment Plant in Mexico. The remainder of untreated sewage is discharged directly into the nearshore marine environment at the mount of the Tijuana river and at Punta Banderas, 5 miles south of the Border. Together with numerous other groups, the San Diego County Chapter of the Surfrider Foundation is concerned about the environmental impacts and human health risks of discharging any raw sewage into the ocean, as well as effluent that receives anything less than secondary treatment.

The Environmental Protection Agency (EPA) and International Boundary and Water Commission (IBWC) are required to achieve secondary standards of treatment for all sewage discharged from the ITP by December 2000. Several options for an appropriate treatment plant have been considered by EPA and the IBWC, however, no final preferred option has been chosen. The frontrunner to date is a 25 mgd secondary treatment plant using ''Completely Mixed Aerated'' pond technology at the ''Hofer'' site adjacent to the ITP. Because the deadline to begin construction of a secondary treatment plant which would be operational by the December date has passed, the agencies have sought more time to select a preferred alternative. Additionally, this added time has been sought to fully consider options not previously considered, which would provide for a comprehensive solution to the known and future anticipated volume of sewage.

The Surfrider Foundation agrees with many others that secondary treatment must be achieved as quickly as possible. The harmful effects to the deep ocean environment, the public, as well as to the beaches and beach communities of southern San Diego County must not continue. However, recognizing that a partial solution is not solution, the Surfrider Foundation is strongly in favor of a comprehensive solution, fully aware of the risk of slight delay. A comprehensive solution will offer the benefits of timeliness as well as the consideration of other priority issues such as the ability to treat all present and future flows, impact of the plant location upon the immediate environment and population, plant expansion capability, feasibility of beneficial water reuse, proper sludge handling, and the relationship and compatibility of the proposal within the existing system of wastewater treatment on both the U.S. and Mexico.

Therefore, the Surfrider Foundation will support the EPA and the IBWC in their efforts to provide comprehensive secondary treatment of all sewage flowing from the Tijuana River as quickly as possible.

Mr. TAYLOR of Mississippi. Mr. Speaker, I thank the ranking member for mentioning one of the many great restaurants in my district, but before the people of Bay St. Louis take offense, I better claim that as my hometown, although Waveland has always been very good to me.

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

Mr. TAYLOR of Mississippi. I yield to the gentleman from California.

Mr. BILBRAY. Mr. Speaker, I know the gentleman is from the great community of Bay St. Louis. It is just that I always remember that one of the great landmarks of Bay St. Louis has to be in Waveland; and the gentleman's office, at least your campaign office, is obviously the greatest location for crawfish anywhere in the United States, and that is Little Jays.

Mr. TAYLOR of Mississippi. Mr. Speaker, I am sure every member of the Kidd family thanks the gentleman from California for that great commercial.

Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota (Mr. OBERSTAR), the ranking member of the full Committee on Transportation and Infrastructure.

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

Mr. Speaker, I want to express my great appreciation to the gentleman from Pennsylvania (Mr. SHUSTER) for moving this legislation in such an expeditious fashion in bringing it to the House floor in order to address and, in the process of addressing, resolve a long-standing problem. I want to express my great appreciation and admiration to and for the gentleman from California (Mr. FILNER), who has been dogged and persistent in his determination to address this issue. To the gentleman from California (Mr. BILBRAY) who recently spoke, I would like to express my appreciation for his kind words, but also for his persistence, practically from the first day he arrived in this body, in literally descending upon me and other members of our committee in appealing for legislative action to address the problem of clean water, the quality of water of the beaches along San Diego, the use of which he is so well known, and for his partnership with the gentleman from California (Mr. FILNER) and the rest of the San Diego area delegation.

I would just like to address a couple of issues here that I think are very critical. The question has been raised, why should the United States be providing financial support for, in this case, in effect guaranteeing the financing of a project built in Mexico? Well, the first very simple fact is, as the gentleman from California (Mr. BILBRAY) well expressed, the Tijuana River flows into the United States, part of its course, and then out into the waters that both the United States and Mexico share. Furthermore, while there are 1 million-plus people in Tijuana and about 3 million in the U.S. San Diego side, this is 4 million headed for 6 million in a very few years. The growth is absolutely explosive, both population growth and economic growth in this very dynamic region of the North American continent. If we do not act now, the waters into which the Tijuana flows will be destroyed, perhaps for decades to come. Now is the time to act.

Secondly, this is not an issue without precedent. We have in the past provided authorization for and financing of works constructed in another country that benefit the United States. Specifically, Canada. The Red River on which Minnesota and North Dakota border flows north into Canada. The way weather works, it is a little bit warmer in Minnesota and North Dakota a little bit earlier than it is in Canada, so that by the time the ice breakup reaches Canada, it is still frozen in Canada, the water backs up and floods Minnesota and North Dakota.

So our Committee on Transportation and Infrastructure, then the Committee on Public Works, 4 decades ago authorized the construction by the Corps of Engineers, in cooperation with the Canadian authorities, of works in Canada to free up ice so the Red River of the north could flow freely without backing up and causing flooding in the United States, a benefit to U.S. citizens from work constructed in another country and paid for by the United States.

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The same principle applies here. That is what is at stake. It is important that we undertake this work and that it go forward. Of course, it will require a further international agreement between the United States and Mexico, which I am confident will be forthcoming.

Again, in conclusion, I commend the gentlemen from California, Mr. FILNER and Mr. BILBRAY, for their farsightedness in addressing this issue and bringing this legislation to the floor, and I urge its overwhelming passage.

Mr. FILNER. Mr. Speaker I rise in support of H.R. 3378, a bill providing the best chance for a comprehensive solution to the problem of Mexican sewage flowing in to the U.S. and our waters.

I introduced H.R. 3378, the Tijuana River Valley Estuary and Beach Sewage Cleanup Act, along with my colleague, Mr. BILBRAY, to end a problem that has plagued the San Diego area for decades. No other district has endured raw sewage from Mexico flowing unabated in their riverbeds and beaches.

By treating Mexican sewage in Mexico, this bill advances a common-sense solution to the problem of international sewage along the border between the United States. This is a win-win solution for both countries. The growing amount of sewage currently left untreated by Mexico and flowing into the U.S. would be treated—a win for both countries. And the treated sewage—which belongs to Mexico to begin with—could be reused in Mexican industrial and agricultural endeavors.

Current plans—those short-sighted plans supported by both the EPA and International Boundary Water Commission (IBWC)—call for treating less than half of the sewage that fouls our beaches and estuaries. It has taken these bureaucracies 10 years to prepare to build a secondary treatment arm of the International Wastewater Treatment (the IWTP). In that time, the sewage flows have more than doubled, yet they continue to fight for a plan that

will not solve the problem. The problem in beach pollution now is not the quality of the outfall coming from the International Wastewater Treatment Plant, but a growing quantity of sewage that Tijuana can't handle.

The plan that Mr. Bilbray and I are advancing in H.R. 3378 would take care of the growing quantity of sewage as well as the sewage now being treated at the IWTP. Instead of spending money on an impartial solution, it would quickly provide a comprehensive solution to the problem.

This is an acute problem. An official of the Surfrider foundation said, ''I'm surfing in sewage.'' He put it a little less delicately—and it is not a very genteel situation in my District when sewage washes up on the beach, flows down our rivers and canyons and fouls the water where our children should be able to swim worry-free.

A solution to not surfing in sewage? Build enough sewage treatment to handle the problem. That's what our bill would do. It says we will pursue a plan that can easily treat 50 million gallons of sewage each day—and perhaps even more.

The plan makes even more sense when you know that the Mexican sewage will be reclaimed and reused by industrial and agricultural users in Mexico to help cover the cost. That way, all the hazardous and unhealthy sewage that now flows into our ocean without proper treatment will be cleaned—and much of it reused so that it never gets to the ocean.

We may owe that to our surfers—but we definitely owe that to our children. I ask you to support this bill so that this innovative plan to protect the health and safety of San Diegans can move forward.

Mr. BOEHLERT. Mr. Speaker, I thank the chairman and ranking member of the Transportation and Infrastructure Committee for helping to bring H.R. 3378, the Tijuana River Valley Estuary and Beach Sewage Cleanup Act, to the House floor for action.

I also commend Representatives BILBRAY and FILNER of California, who introduced H.R. 3378, for their dedicated bi-partisan leadership in getting us to where we are today.

Their bill would authorize the United States to take actions to comprehensively address the treatment of sewage generated in the area of Tijuana, Mexico that flows untreated or partially treated into the San Diego, California area.

Thie pollution, occurring because the region's wastewater treatment capacity can not keep pace with its rapid growth, has created serious sanitation issues for decades in the U.S. In fact, the city of San Diego has declared a continued state of emergency since 1993 due to the threats to public health and the environment resulting from increasing sewage flows into the area.

To provide sufficient wastewater treatment capacity in the area, H.R. 3378 encourages the U.S. to negotiate new international agreements with Mexico. It also authorizes the United States to enter into an innovative public-private partnership to construct and operate a new wastewater treatment facility in Mexico.

It's time to resolve this serious sanitation issue that has plagued the San Diego border area for decades. I support passage of H.R. 3378, as amended, and urge my colleagues to do the same.

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

Mr. LATOURETTE. Mr. Speaker, I urge passage of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PEASE). The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and pass the bill, H.R. 3378, 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.

ESTUARY RESTORATION ACT OF 2000

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1775) to catalyze restoration of estuary habitat through more efficient financing of projects and enhanced coordination of Federal and non-Federal restoration programs, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1775

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 ''Estuary Restoration Act of 2000''.

SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to promote the restoration of estuary habitat;

(2) to develop a national estuary habitat restoration strategy for creating and maintaining effective estuary habitat restoration partnerships among public agencies at all levels of government and to establish new partnerships between the public and private sectors;

(3) to provide Federal assistance for estuary habitat restoration projects and to promote efficient financing of such projects; and

(4) to develop and enhance monitoring and research capabilities to ensure that estuary habitat restoration efforts are based on sound scientific understanding and to create a national database of estuary habitat restoration information.

SEC. 3. DEFINITIONS.

In this Act, the following definitions apply:

(1) COUNCIL.—The term ''Council'' means the Estuary Habitat Restoration Council established by section 5.

(2) ESTUARY.—The term ''estuary'' means a part of a river or stream or other body of water that has an unimpaired connection with the open sea and where the sea water is measurably diluted with fresh water derived from land drainage. The term also includes near coastal waters and wetlands of the Great Lakes that are similar in form and function to estuaries.

(3) ESTUARY HABITAT.—The term ''estuary habitat'' means the physical, biological, and chemical elements associated with an estuary, including the complex of physical and hydrologic features and living organisms within the estuary and associated ecosystems.

(4) ESTUARY HABITAT RESTORATION ACTIVITY.—

(A) IN GENERAL.—The term ''estuary habitat restoration activity'' means an activity that results in improving degraded estuaries or estuary habitat or creating estuary habitat (including both physical and functional restoration), with the goal of attaining a self-sustaining system integrated into the surrounding landscape.

(B) INCLUDED ACTIVITIES.—The term ''estuary habitat restoration activity'' includes—

(i) the reestablishment of chemical, physical, hydrologic, and biological features and components associated with an estuary;

(ii) except as provided in subparagraph (C), the cleanup of pollution for the benefit of estuary habitat;

(iii) the control of nonnative and invasive species in the estuary;

(iv) the reintroduction of species native to the estuary, including through such means as planting or promoting natural succession;

(v) the construction of reefs to promote fish and shellfish production and to provide estuary habitat for living resources; and

(vi) other activities that improve estuary habitat.

(C) EXCLUDED ACTIVITIES.—The term ''estuary habitat restoration activity'' does not include an activity that—

(i) constitutes mitigation required under any Federal or State law for the adverse effects of an activity regulated or otherwise governed by Federal or State law; or

(ii) constitutes restoration for natural resource damages required under any Federal or State law.

(5) ESTUARY HABITAT RESTORATION PROJECT.—The term ''estuary habitat restoration project'' means a project to carry out an estuary habitat restoration activity.

(6) ESTUARY HABITAT RESTORATION PLAN.—

(A) IN GENERAL.—The term ''estuary habitat restoration plan'' means any Federal or State plan for restoration of degraded estuary habitat that was developed with the substantial participation of appropriate public and private stakeholders.

(B) INCLUDED PLANS AND PROGRAMS.—The term ''estuary habitat restoration plan'' includes estuary habitat restoration components of—

(i) a comprehensive conservation and management plan approved under section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330);

(ii) a lakewide management plan or remedial action plan developed under section 118 of the Federal Water Pollution Control Act (33 U.S.C. 1268);

(iii) a management plan approved under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.); and

(iv) the interstate management plan developed pursuant to the Chesapeake Bay program under section 117 of the Federal Water Pollution Control Act (33 U.S.C. 1267).

(8) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given such term by section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(9) NON-FEDERAL INTEREST.—The term ''non-federal interest'' means a State, a political subdivision of a State, an Indian tribe, a regional or interstate agency, or, as provided in section 4(g)(2), a nongovernmental organization.

(10) SECRETARY.—The term ''Secretary'' means the Secretary of the Army.

(11) STATE.—The term ''State'' means the States of Alabama, Alaska, California, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, Texas, Virginia, Washington, and Wisconsin, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands,

the United States Virgin Islands, American Samoa, and Guam.

SEC. 4. ESTUARY HABITAT RESTORATION PROGRAM.

(a) ESTABLISHMENT.—There is established an estuary habitat restoration program under which the Secretary may carry out estuary habitat restoration projects and provide technical assistance in accordance with the requirements of this Act.

(b) ORIGIN OF PROJECTS.—A proposed estuary habitat restoration project shall originate from a non-Federal interest consistent with State or local laws.

(c) REQUIRED ELEMENTS OF PROJECT PROPOSALS.—To be eligible for the estuary habitat restoration program established under this Act, each proposed estuary habitat restoration project must—

(1) address restoration needs identified in an estuary habitat restoration plan;

(2) be consistent with the estuary habitat restoration strategy developed under section 7;

(3) be technically feasible;

(4) include a monitoring plan that is consistent with standards for monitoring developed under section 8 to ensure that short-term and long-term restoration goals are achieved; and

(5) include satisfactory assurance from the non-Federal interests proposing the project that the non-Federal interests will have adequate personnel, funding, and authority to carry out and properly maintain the project.

(d) SELECTION OF PROJECTS.—

(1) IN GENERAL.—The Secretary, after considering the advice and recommendations of the Council, shall select estuary habitat restoration projects taking into account the following factors:

(A) The scientific merit of the project.

(B) Whether the project will encourage increased coordination and cooperation among Federal, State, and local government agencies.

(C) Whether the project fosters public-private partnerships and uses Federal resources to encourage increased private sector involvement, including consideration of the amount of private funds or in-kind contributions for an estuary habitat restoration activity.

(D) Whether the project is cost-effective.

(E) Whether the State in which the non-Federal interest is proposing the project has a dedicated source of funding to acquire or restore estuary habitat, natural areas, and open spaces for the benefit of estuary habitat restoration or protection.

(F) Other factors that the Secretary determines to be reasonable and necessary for consideration.

(2) PRIORITY.—In selecting estuary habitat restoration projects to be carried out under this Act, the Secretary shall give priority consideration to a project if, in addition to meriting selection based on the factors under paragraph (1)—

(A) the project occurs within a watershed in which there is a program being carried out that addresses sources of pollution and other activities that otherwise would re-impair the restored habitat; or

(B) the project includes pilot testing or a demonstration of an innovative technology having the potential for improved cost-effectiveness in estuary habitat restoration.

(e) COST SHARING.—

(1) FEDERAL SHARE.—The Federal share of the cost of an estuary habitat restoration project carried out under this Act shall not exceed 65 percent of such cost.

(2) NON-FEDERAL SHARE.—The non-Federal share of the cost of an estuary habitat restoration project carried out under this Act shall include lands, easements, rights-of-way, and relocations and may include services, or any other form of in-kind contribution determined by the Secretary to be an appropriate contribution equivalent to the monetary amount required for the non-Federal share of the activity.

(f) INTERIM ACTIONS.—

(1) IN GENERAL.—Pending completion of the estuary habitat restoration strategy to be developed under section 7, the Secretary may take interim actions to carry out an estuary habitat restoration activity.

(2) FEDERAL SHARE.—The Federal share of the cost of an estuary habitat restoration activity before the completion of the estuary habitat restoration strategy shall not exceed 25 percent of such cost.

(g) COOPERATION OF NON-FEDERAL INTERESTS.—

(1) IN GENERAL.—The Secretary shall not select an estuary habitat restoration project until a non-Federal interest has entered into a written agreement with the Secretary in which the non-Federal interest agrees to—

(A) provide all lands, easements, rights-of-way, and relocations and any other elements the Secretary determines appropriate under subsection (e)(2); and

(B) provide for maintenance and monitoring of the project to the extent the Secretary determines necessary.

(2) NONGOVERNMENTAL ORGANIZATIONS.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)), for any project undertaken under this Act, the Secretary, upon the recommendation of the Governor of the State in which the project is located and in consultation with appropriate officials of political subdivisions of such State, may allow a nongovernmental organization to serve as the non-Federal interest.

(h) DELEGATION OF PROJECT IMPLEMENTATION.—In carrying out this Act, the Secretary may delegate project implementation to another Federal department or agency on a reimbursable basis if the Secretary, after considering the advice and recommendations of the Council, determines such delegation is appropriate.

SEC. 5. ESTABLISHMENT OF ESTUARY HABITAT RESTORATION COUNCIL.

(a) COUNCIL.—There is established a council to be known as the ''Estuary Habitat Restoration Council''.

(b) DUTIES.—The Council shall be responsible for—

(1) soliciting, reviewing, and evaluating project proposals and making recommendations concerning such proposals based on the factors specified in section 4(d)(1), including recommendations as to a priority order for carrying out such projects and as to whether a project should be carried out by the Secretary or by another Federal department or agency under section 4(h);

(2) developing and transmitting to Congress a national strategy for restoration of estuary habitat;

(3) periodically reviewing the effectiveness of the national strategy in meeting the purposes of this Act and, as necessary, updating the national strategy; and

(4) providing advice on the development of the database, monitoring standards, and report required under sections 8 and 9.

(c) MEMBERSHIP.—The Council shall be composed of the following members:

(1) The Secretary (or the Secretary's designee).

(2) The Under Secretary for Oceans and Atmosphere of the Department of Commerce (or the Under Secretary's designee).

(3) The Administrator of the Environmental Protection Agency (or the Administrator's designee).

(4) The Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service (or such Secretary's designee).

(5) The Secretary of Agriculture (or such Secretary's designee).

(6) The head of any other Federal agency designated by the President to serve as an ex officio member of the Council.

(d) PROHIBITION OF COMPENSATION.—Members of the Council may not receive compensation for their service as members of the Council.

(e) CHAIRPERSON.—The chairperson shall be elected by the Council from among its members for a 3-year term, except that the first elected chairperson may serve a term of fewer than 3 years.

(f) CONVENING OF COUNCIL.—

(1) FIRST MEETING.—The Secretary shall convene the first meeting of the Council not later than 60 days after the date of enactment of this Act for the purpose of electing a chairperson.

(2) ADDITIONAL MEETINGS.—The chairperson shall convene additional meetings of the Council as often as appropriate to ensure that this Act is fully carried out, but not less often than annually.

(g) COUNCIL PROCEDURES.—The Council shall establish procedures for voting, the conduct of meetings, and other matters, as necessary.

(h) PUBLIC PARTICIPATION.—Meetings of the Council shall be open to the public. The Council shall provide notice to the public of such meetings.

SEC. 6. ADVISORY BOARD.

(a) IN GENERAL.—The Council shall establish an advisory board (in this subsection referred to as the ''board'').

(b) DUTIES.—The board shall provide advice and recommendations to the Council—

(1) on the strategy developed pursuant to section 7; and

(2) on the Council's consideration of proposed estuary habitat restoration projects and the Council's recommendations to the Secretary pursuant to section 5(b)(1), including advice on the scientific merit, technical merit, and feasibility of a project.

(c) MEMBERS.—The Council shall appoint members of the board representing diverse public and private interests. Members of the board shall be selected such that the board consists of—

(1) 3 members with recognized academic scientific expertise in estuary or estuary habitat restoration;

(2) 3 members representing State agencies with expertise in estuary or estuary habitat restoration;

(3) 2 members representing local or regional government agencies with expertise in estuary or estuary habitat restoration;

(4) 2 members representing nongovernmental organizations with expertise in estuary or estuary habitat restoration;

(5) 2 members representing fishing interests;

(6) 2 members representing estuary users other than fishing interests;

(7) 2 members representing agricultural interests; and

(8) 2 members representing Indian tribes.

(d) TERMS.—

(1) IN GENERAL.—Except as provided by subparagraph (B), members of the board shall be appointed for a term of 3 years.

(2) INITIAL MEMBERS.—As designated by the chairperson of the Council at the time of appointment, of the members first appointed—

(A) 9 shall be appointed for a term of 1 year; and

(B) 9 shall be appointed for a term of 2 years.

(e) VACANCIES.—Whenever a vacancy occurs among members of the board, the Council shall appoint an appropriate individual to fill that vacancy for the remainder of the applicable term.

(f) BOARD LEADERSHIP.—The board shall elect from among its members a chairperson of the board to represent the board in matters related to its duties under this Act.

(g) COMPENSATION.—Members of the board shall not be considered to be employees of the United States and may not receive compensation for their service as members of the board, except that while engaged in the performance of their duties while away from their homes or regular place of business, members of the board may be allowed necessary travel expenses as authorized by section 5703 of title 5, United States Code.

(h) TECHNICAL SUPPORT.—Technical support may be provided to the board by regional and field staff of the Corps of Engineers, the Environmental Protection Agency, the National Oceanic and Atmospheric Administration, the United States Fish and Wildlife Service, and the Department of Agriculture. The Secretary shall coordinate the provision of such assistance.

(i) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the board, the Secretary may provide to the board the administrative support services necessary for the board to carry out its responsibilities under this Act.

(j) FUNDING.—From amounts appropriated for that purpose under section 10, the Secretary shall provide funding for the board to carry out its duties under this Act.

SEC. 7. ESTUARY HABITAT RESTORATION STRATEGY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Council, in consultation with the advisory board established under section 6, shall develop an estuary habitat restoration strategy designed to ensure a comprehensive approach to maximize benefits derived from estuary habitat restoration projects and to foster the coordination of Federal and non-Federal activities related to restoration of estuary habitat.

(b) GOAL.—The goal of the strategy shall be the restoration of 1,000,000 acres of estuary habitat by the year 2010.

(c) INTEGRATION OF ESTUARY HABITAT RESTORATION PLANS, PROGRAMS, AND PARTNERSHIPS.—In developing the estuary habitat restoration strategy, the Council shall—

(1) conduct a review of estuary management or habitat restoration plans and Federal programs established under other laws that authorize funding for estuary habitat restoration activities; and

(2) ensure that the estuary habitat restoration strategy is developed in a manner that is consistent with the estuary management or habitat restoration plans.

(d) ELEMENTS OF THE STRATEGY.—The estuary habitat restoration strategy shall include proposals, methods, and guidance on—

(1) maximizing the incentives for the creation of new public-private partnerships to carry out estuary habitat restoration projects and the use Federal resources to encourage increased private sector involvement in estuary habitat restoration activities;

(2) ensuring that the estuary habitat restoration strategy will be implemented in a manner that is consistent with the estuary management or habitat restoration plans;

(3) promoting estuary habitat restoration projects to—

(A) provide healthy ecosystems in order to support—

(i) wildlife, including endangered and threatened species, migratory birds, and resident species of an estuary watershed; and

(ii) fish and shellfish, including commercial and recreational fisheries;

(B) improve surface and ground water quality and quantity, and flood control;

(C) provide outdoor recreation and other direct and indirect values; and

(D) address other areas of concern that the Council determines to be appropriate for consideration;

(4) addressing the estimated historic losses, estimated current rate of loss, and extent of the threat of future loss or degradation of each type of estuary habitat;

(5) measuring the rate of change for each type of estuary habitat;

(6) selecting a balance of smaller and larger estuary habitat restoration projects; and

(7) ensuring equitable geographic distribution of projects funded under this Act.

(e) PUBLIC REVIEW AND COMMENT.—Before the Council adopts a final or revised estuary habitat restoration strategy, the Secretary shall publish in the Federal Register a draft of the estuary habitat restoration strategy and provide an opportunity for public review and comment.

(f) PERIODIC REVISION.—Using data and information developed through project monitoring and management, and other relevant information, the Council may periodically review and update, as necessary, the estuary habitat restoration strategy.

SEC. 8. MONITORING OF ESTUARY HABITAT RESTORATION PROJECTS.

(a) UNDER SECRETARY.—In this section, the term ''Under Secretary'' means the Under Secretary for Oceans and Atmosphere of the Department of Commerce.

(b) DATABASE OF RESTORATION PROJECT INFORMATION.—The Under Secretary, in consultation with the Council, shall develop and maintain an appropriate database of information concerning estuary habitat restoration projects carried out under this Act, including information on project techniques, project completion, monitoring data, and other relevant information.

(c) MONITORING DATA STANDARDS.—The Under Secretary, in consultation with the Council, shall develop standard data formats for monitoring projects, along with requirements for types of data collected and frequency of monitoring.

(d) COORDINATION OF DATA.—The Under Secretary shall compile information that pertains to estuary habitat restoration projects from other Federal, State, and local sources and that meets the quality control requirements and data standards established under this section.

(e) USE OF EXISTING PROGRAMS.—The Under Secretary shall use existing programs within the National Oceanic and Atmospheric Administration to create and maintain the database required under this section.

(f) PUBLIC AVAILABILITY.—The Under Secretary shall make the information collected and maintained under this section available to the public.

SEC. 9. REPORTING.

(a) IN GENERAL.—At the end of the third and fifth fiscal years following the date of enactment of this Act, the Secretary, after considering the advice and recommendations of the Council, shall transmit to Congress a report on the results of activities carried out under this Act.

(b) CONTENTS OF REPORT.—A report under subsection (a) shall include—

(1) data on the number of acres of estuary habitat restored under this Act, including descriptions of, and partners involved with, projects selected, in progress, and completed under this Act that comprise those acres;

(2) information from the database established under section 8(b) related to ongoing monitoring of projects to ensure that short-term and long-term restoration goals are achieved;

(3) an estimate of the long-term success of varying restoration techniques used in carrying out estuary habitat restoration projects;

(4) a review of how the information described in paragraphs (1) through (3) has been incorporated in the selection and implementation of estuary habitat restoration projects;

(5) a review of efforts made to maintain an appropriate database of restoration projects carried out under this Act; and

(6) a review of the measures taken to provide the information described in paragraphs (1) through (3) to persons with responsibility for assisting in the restoration of estuary habitat.

SEC. 10. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) ESTUARY HABITAT RESTORATION PROJECTS.—There is authorized to be appropriated to the Secretary for carrying out and providing technical assistance for estuary habitat restoration projects—

(A) $30,000,000 for fiscal year 2001;

(B) $35,000,000 for fiscal year 2002; and

(C) $45,000,000 for each of fiscal years 2003 through 2005.

Such amounts shall remain available until expended.

(2) MONITORING.—There is authorized to be appropriated to the Under Secretary for Oceans and Atmosphere of the Department of Commerce for the acquisition, maintenance, and management of monitoring data on restoration projects carried out under this Act, $1,500,000 for each of fiscal years 2001 through 2005. Such amounts shall remain available until expended.

(b) SET-ASIDE FOR ADMINISTRATIVE EXPENSES OF THE COUNCIL AND ADVISORY BOARD.—Not to exceed 3 percent of the amounts appropriated for a fiscal year under subsection (a)(1) or $1,500,000, whichever is greater, may be used by the Secretary for administration and operation of the Council and the advisory board established under section 6.

SEC. 11. GENERAL PROVISIONS.

(a) AGENCY CONSULTATION AND COORDINATION.—In carrying out this Act, the Secretary shall, as necessary, consult with, cooperate with, and coordinate its activities with the activities of other Federal departments and agencies.

(b) COOPERATIVE AGREEMENTS; MEMORANDA OF UNDERSTANDING.—In carrying out this Act, the Secretary may—

(1) enter into cooperative agreements with Federal, State, and local government agencies and other entities; and

(2) execute such memoranda of understanding as are necessary to reflect the agreements.

(c) FEDERAL AGENCY FACILITIES AND PERSONNEL.—Federal agencies may cooperate in carrying out scientific and other programs necessary to carry out this Act, and may provide facilities and personnel, for the purpose of assisting the Council in carrying out its duties under this Act.

(d) IDENTIFICATION AND MAPPING OF DREDGED MATERIAL DISPOSAL SITES.—In consultation with appropriate Federal and non-Federal public entities, the Secretary shall undertake, and update as warranted by changed conditions, surveys to identify and map sites appropriate for beneficial uses of dredged material for the protection, restoration, and creation of aquatic and ecologically related habitats, including wetlands, in order to further the purposes of this Act.

(e) STUDY OF BIOREMEDIATION TECHNOLOGY.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency, with the full participation of the estuarine scientific community, shall begin a 2-year study on the efficacy of bioremediation products.

(2) REQUIREMENTS.—The study shall—

(A) evaluate and assess bioremediation technology—

(i) on low-level petroleum hydrocarbon contamination from recreational boat bilges;

(ii) on low-level petroleum hydrocarbon contamination from stormwater discharges;

(iii) on nonpoint petroleum hydrocarbon discharges; and

(iv) as a first response tool for petroleum hydrocarbon spills; and

(B) recommend management actions to optimize the return of a healthy and balanced ecosystem and make improvements in the quality and character of estuarine waters.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Mississippi (Mr. TAYLOR) each will control 20 minutes.

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

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

H.R. 1775, the Estuary Restoration Act of 2000, authorizes estuary restoration projects and requires the development of a comprehensive strategy for estuary protection and restoration.

This bill, which was introduced by our colleague on the committee, the outstanding gentleman from Maryland (Mr. GILCHREST), will establish the public-private partnerships we need to help preserve and restore water quality, water supply, habitat, commercial fisheries, and many recreational opportunities in our Nation's estuaries.

The bill we bring to the floor today represents the combined efforts of the Committee on Transportation and Infrastructure and the Committee on Resources.

I want to extend my thanks to the chairman of the Committee on Resources, the gentleman from Alaska (Mr. YOUNG), and also the ranking member of that committee, the gentleman from California (Mr. GEORGE MILLER), for their cooperation.

In particular, I also want to give thanks to the chairman of our full committee, the gentleman from Pennsylvania (Mr. SHUSTER), and also to the ranking member of the full committee, the gentleman from Minnesota (Mr. OBERSTAR), the subcommittee chairman, the gentleman from New York (Mr. BOEHLERT), and the ranking member, the gentleman from Pennsylvania (Mr. BORSKI), on our committee.

I want to assure our colleagues that this bill does not create any new regulatory authorities, and that the restoration strategy is subject to adequate opportunities for public review and comment.

I also support the intent of the bill to ensure that projects and activities are based upon sound scientific understanding. I strongly support passage of H.R. 1775, and urge our colleagues to do the same.

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

Mr. TAYLOR of Mississippi. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 1775, the Estuary Restoration Act of 2000. Estuaries and coastal environments are precious natural resources that need to be restored and protected. They provide important habitat for numerous fish and wildlife, as well as recreational areas, transportation linkages, and sources of residential and industrial water supplies.

It has been estimated that coastal and estuarine waters are worth billions of dollars to this country. Yet, despite the inherent value of these areas, for too long we have viewed our Nation's oceans, bays, and rivers as convenient dumping grounds for waste associated with human life and development.

However, as we have fortunately learned, these earlier practices were a mistake, a mistake which we will correct. H.R. 1775 will further assist in this effort, providing assistance to restore habitat and biological health to the Nation's estuaries.

I want to commend the gentleman from Maryland (Mr. GILCHREST), from my family's ancestral home, for his efforts in sponsoring this legislation. I support its passage.

Mr. LATOURETTE. Mr. Speaker, it is my pleasure to yield such time as he may consume to the gentleman from Maryland (Mr. GILCHREST), an outstanding representative and the author of the legislation.

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

I would like to invite the gentleman from Mississippi (Mr. TAYLOR), as this bill passes and the restoration projects begin, to take a canoe trip down one of the more beautiful tidal estuaries of the Chesapeake Bay, the Pocomoke River, the ancestral homeland of the gentleman from Mississippi, in a canoe, and we will see what progress is being made.

I want to thank the staff on the Committee on Transportation and Infrastructure and the Committee on Resources for working together to blend our concepts and ideas in a unique fashion so that this bill can be signed into law and be successful.

We now have the capacity, I think, as human beings to begin the process of understanding the complexities of the dynamics of the mechanics of natural processes. The web of life that sustains all of us is now in the process by us at the beginning early stages of understanding.

An Indian philosopher said, I think his name was Chief Seattle, ''Touch a flower, trouble a star.'' When human activity interferes in a dull way, not a natural, dynamic way, with the environment, it has a negative, degrading effect. Our estuaries have been degraded over the last especially 100 years.

The process of this bill is to make the correction so that we work with the natural processes by understanding their mechanics as to working against them. Habitats in many of America's estuaries have been degraded or destroyed over the last 100 years. Their many economic values and their quality have been either ignored or unknown.

Population growth in coastal watersheds, dredging, draining, bulldozing, paving, pollution, dams, sewage discharges, et cetera, et cetera, et cetera, have had their impacts. From these human activities, the loss that we now have seen of these estuary habitats is evident.

For example, in our coastal States alone, more than 55 million acres of wetlands have been destroyed in the last 100 years. In the Chesapeake Bay, 90 percent of the sea grasses that we know are homes to many of the marine ecosystem life is gone. Only 2 percent of the oyster harvest of 100 years ago is left. Thirty years ago we harvested 30 million pounds of oysters. Now it is less than 1 million.

In San Francisco Bay, 95 percent of its original wetlands have been destroyed, and only 300 of the original 6,000 miles of stream habitat in the Central Valley support spawning salmon.

Seventy percent of salt marshes along Narragansett Bay are being cut off from full tidal flow, and 50 percent, 50 percent have been filled and are virtually gone forever.

Louisiana estuaries continue to lose 25,000 acres annually of coastal marshes. An area roughly the size of Washington, D.C. is lost due to neglect or ignorance or some other human activity. For the most part, the loss of each estuary is an accumulation, a small accumulation of small development projects, almost unseen to the residents' naked eyes.

Other impacts have destroyed in a very small way one acre at a time, and this destruction alone cannot be blamed for the loss of our estuaries and their habitats and wetlands, but the cumulative effects of the destruction are surprising in their extent and severity. Those tiny little developments, another shopping plaza, another road, another acre filled in, another housing development, another building, another boat, the extent and severity has amounted to tens of millions of acres.

We can, I think, coordinate Federal, State and local management efforts to protect our estuaries. We must also provide sufficient resources for estuary restoration, without which all of our planning and coordination efforts are useless. Our estuaries are sick and dying, and planning without implementation is like a diagnosis without any follow-up treatment. If we want to bring estuaries back to health, we need to commit the time, money, and creativity necessary to restore the vital organs that make estuaries live and breathe. We know how to do it. Now let us roll up our sleeves, put on our boots, and get to work.

The last comment on this bill, H.R. 1775, the National Estuary Habitat Restoration Partnership Act, is going to

try to restore 1 million acres over 10 years. One national park in Alaska, one national park in Alaska, is 13 million acres, so it is a very humble beginning.

It is not about a new layer of Federal bureaucracy, however. It is about coordination of existing estuary restoration efforts. This bill will complement the efforts of programs like the National Estuary Program and the Coastal Wetlands Conservation Grants by providing direction to Federal agencies to work together with the States, with other governments, with the National Estuary Program, conservation groups, to get together to address the critical needs.

That means someone from the Corps of Engineers, someone from the Department of Agriculture, someone from a State agency, and someone from a nonprofit agency will all stand in the stream together, forget what their titles are, but they will roll up their sleeves with their boots, put the mud in the right place, and get the catfish back in the streams. We can do it.

I want to thank the gentleman from Minnesota (Mr. OBERSTAR) for all his work on this effort. Not only are the estuaries and coastal areas going to be included in this legislation, but also the Great Lakes, and they are great lakes.

Mr. TAYLOR of Mississippi. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I commend my colleague, the gentleman from Maryland, for articulating so perfectly what needs to be done. I want to commend him for his efforts.

Mr. Speaker, I yield the remainder of my time to the gentleman from Minnesota (Mr. OBERSTAR), the ranking member of the Committee on Transportation and Infrastructure.

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman for yielding time to me. I want to compliment the gentleman on a very comprehensive statement of the issue at hand, and also express my appreciation to the chairman of the full committee, the gentleman from Pennsylvania (Mr. SHUSTER), the gentleman from Ohio (Mr. LATOURETTE), the gentleman from New York (Mr. BOEHLERT), and the gentleman from Maryland (Mr. GILCHREST), for their continuing surveillance and attention to detail and hard work on this critically important aspect of our environment.

Mr. Speaker, the gentleman from Maryland has been dogged in his persistence in his pursuit of protective legislation which he has so eloquently, very touchingly described tonight.

The disappearance of the Nation's wetlands is one of the greatest losses of this country. In the Central Mississippi Flyway, we have lost well over 50 percent of the wetlands that existed at the time of the formation of this Union. That is an irretrievable loss. No matter what we do, we cannot recreate those wetlands that have been lost.

What we can do, at least what this legislation gives us the opportunity to do, is to protect those wetlands and those estuaries that remain.

The great salt water estuaries of this world, of which the Chesapeake Bay is uncontestably the greatest, are the meeting places of salt and fresh water where new life forms take place, the creation of new life from the mixing of fresh and salt water. It is recognized as one of the extraordinary reserves of nature.

We must understand these estuaries better. We must work to protect their integrity.

As the gentleman from Maryland has so well said, while we have addressed the problems of point source discharge that have served to vastly clean up our lakes and rivers, we have not yet adequately, not in the least, adequately addressed the matter of nonpoint source runoff.

□ 2300

If we fail on the one hand to protect wetlands and fail on the other hand to prevent senseless runoff from open lands, whether urban and suburban, residential and shopping center construction, or agricultural land that is inadequately able to protect runoff, if we fail to protect the wetlands on the other hand that serve as a great filtering place, then we will destroy the estuaries of this country and the rest of the world.

This legislation moves us in the right direction. It does not deal with the fundamental problem of nonpoint source cleanup, which I hope we will be able to address in the forthcoming sessions of Congress.

As reported out of the Committee on Transportation and Infrastructure, this legislation would have prevented nonprofit entities to serve as local sponsor of estuary habitat restoration projects in coordination with the State and local appropriate officials.

However, during negotiations with the Committee on Resources, this provision was amended to require that nonprofit organizations obtain the recommendation of the governor before, before they, the nonprofits, would be eligible to serve as local sponsors.

I felt that this would be a very substantial burden for nonprofit in light of the fact that the legislation creates a multilayer competitive review process to ensure funding of only the most worthy restoration projects and requires local sponsors to provide 35 percent of the costs. I do not think we should be providing or saddling another restriction on who is eligible to be a local sponsor.

I have raised this with the gentleman from Pennsylvania (Mr. SHUSTER), the chairman of the full committee. He has given me his personal assurance that we will review this matter in further detail as the bill moves forward through this body and into conference with the Senate. I thank him for his commitment to work with me on this matter.

I also appreciate the remarks the gentleman from Maryland (Mr. GILCHREST) made about the Great Lakes being included in the auspices of this legislation. The Great Lakes represent one-fifth of all the fresh water on the face of the Earth. That resource, too, is vital as we consider this estuary legislation. We consider the unique resources. While the rivers that discharge into the Great Lakes are not the meeting of salt and fresh water, they are the meeting place of different aquatic species that, again, result in the creation of new life. It is important that these areas, these Great Lakes estuaries be considered in the ambit of this legislation.

I appreciate the gentleman's cooperation, his work with me to come to this legislation. I urge the passage of this legislation.

Mr. BOEHLERT. Mr. Speaker, I rise in strong support of H.R. 1775, the Estuary Restoration Act of 2000.

First, Let me thank Chairman BUD SHUSTER and Representatives JIM OBERSTAR and BOB BORSKI of the Transportation and Infrastructure Committee, as well as thank the chairman and ranking member of the Resources Committee, for their leadership and cooperation in moving this important legislation forward.

I also want to recognize the leadership of the bill's sponsor, Representative WAYNE GILCHREST.

Estuaries are places where fresh water meets the open sea, creating some of the most diverse and productive habitat in the country.

For example, 75 percent of the commercial fish and shellfish catch in the United States comes from estuaries. Without clean water, these fisheries can collapse, creating economic havoc and destroying a way of life. The recent crisis for lobstermen in Long Island Sound is vivid reminder of what can happen.

More than 70 percent of Americans visit coastal areas every year—including estuaries like the Chesapeake Bay that is so dear to Congressman GILCHREST. Fishing, boating, and tourism in these areas all depend on clean water.

More than 110 million people currently live in coastal regions. Estuaries provide critical water supply for these people.

Even Americans who never travel to coastal areas rely on clean estuary habitat. Migratory birds and anadromous fish spend part of their lives in estuaries and part of their lives inland. So duck hunters and fisherman in upstate New York need clean estuaries as much as duck hunters and fisherman in the Chesapeake Bay.

Given their important role, it is essential we increase our efforts to restore and protect our estuaries, which are at risk in many areas. Population growth, increased development, and other pressures have caused significant damage to, and loss of, our estuaries.

H.R. 1775 strengthens efforts across the United States, at the Federal, State and local levels, to restore our valuable estuary habitat:

H.R. 1775 authorizes $200 million for the Secretary of the Army to carry out estuary habitat restoration projects.

The Secretary will select these projects in consultation with a National Estuary Habitat Council that develops a long-term national estuary restoration strategy.

The bill also establishes an advisory board of experts to provide scientific and technical expertise to the National Council and the Secretary.

Finally, under H.R. 1775, restoration projects will be monitored and evaluated to help ensure their long-term success.

I urge all Members to support this bill, which takes an important step forward to comprehensively address restoration of our estuaries.

Mr. BENTSEN. Mr. Speaker, I rise in support of H.R. 1775, the Estuary Restoration Act of 2000. As an original cosponsor, I believe this bill will be tremendously instrumental for the restoration of our nation's major estuaries, including Galveston Bay which borders my district in Texas.

Estuaries act as nurseries for much of our marine life. These complex and productive areas urgently need recognition if estuaries are to continue supporting over 70 million jobs and countless millions of hours of recreation. Due to lack of recognition of their value, millions of acres of estuaries have been lost over the decades, losses which persist today. In my district, Galveston Bay is part of the national estuary program and has suffered troubling habitat loss. It would benefit tremendously under this bill.

Galveston Bay's watershed encompasses one of the most heavily industrialized and most heavily populated regions in the United States. Since the 1950's, 30,000 acres of wetlands have been lost in the estuary. Wastewater discharges from communities and industries into Galveston Bay account for half of Texas' total wastewater discharges every year. Like many of America's beloved bays and estuaries under these circumstances, the productivity of Galveston Bay has declined. In addition to the ecological loss, declining productivity is an alarming economic trend, because Galveston Bay produces two-thirds of Texas oyster harvest, one-third of Texas' bay shrimp catch, and one-quarter of Texas' blue crab catch. Declining productivity also means reduced recreation for a Bay that currently supports the third largest recreational boating fleet in the United States. In response, the local community has reacted, but recognition and support have been limited.

This act's defining principle is grassroots action. The bill authorizes $315 million over 5 years for matching grant funds to be used by nonprofit groups, State and local governments, neighborhood associations, schools, and concerned citizen organizations like the Galveston Bay Foundation. The goal of this $315 million is the restoration of 1 million acres of estuary over the next 10 years, so that our estuaries can continue producing food, flood mitigation, water quality employment, and recreational benefits along American coastlines. This bill provides a $315 million investment to ensure the sustainability of activities that contribute well over $100 billion to the U.S. economy. The matching grants will rehabilitate our Nation's estuaries by allowing local volunteer restoration activities to continue, strengthen, and take-off. Priority will be given to projects which build partnerships between public and private groups, relationships which can continue long after the period of this act. We in the Federal Government should make the prudent decision to invest in America's quality of life, environment, and economy by passing H.R. 1775.

As proof of the ability of local communities to take on estuary restoration, the Galveston Bay Foundation is exemplary of the type of organization that the Estuary Restoration Act will facilitate. The Galveston Bay Foundation began by restoring small areas measured in square feet, and now is pursuing the ambitious goal of restoring 24,000 of the 30,000 estuary acres lost in Galveston Bay. Assisted by the National Estuary Program, the Galveston Bay Foundation also monitors water quality by recruiting and training volunteers and by obtaining and distributing monitoring equipment. With the passage of the Estuary Restoration Act of 2000, organizations across the country including the Galveston Bay Foundation can leverage the investment efficiently and effectively on the local level.

I believe that H.R. 1775 is essential to implement longterm, local estuary conservation and management plans. Estuaries are integral parts of any nearby community and effect absolutely every community. I urge my colleagues to pass the Estuary Restoration Act and invest in the ecological and economic future of America's coastal areas by providing assistance to those who use it best—local communities.

Mr. SAXTON. Mr. Speaker, I strongly support H.R. 1775 and would like to thank the gentleman from Maryland for his tireless work on this legislation.

H.R. 1775 addresses the serious problem of declining estuary and coastal wetland habitat throughout the United States. Despite our best efforts, we are continuing to lose valuable coastal and estuary acreage to erosion, subsidence, water quality degradation, invasive species, contaminated sediments, and other impacts. These areas are biologically important for many commercial and recreational fish species, shellfish, migratory birds, and other wildlife. These areas are also among this nation's busiest ports, playing an important role in the national economy.

This legislation would provide much-needed assistance to halt the degradation of these areas while allowing continued economic uses. Restoration projects are expensive, and H.R. 1775 creates new Federal, State, and local partnerships to undertake these projects.

H.R. 1775 builds upon the existing authorities and expertise of the Army Corps of Engineers, with the help of Federal partners such as NOAA and the U.S. Fish and Wildlife Service. This bill requires that restoration projects include a monitoring component to ensure that we learn from these restoration projects and continue to find innovative solutions.

Mr. Speaker, H.R. 1775 represents the hard work of both the Transportation and Resources Committees, and it is an innovative approach to on-the ground projects. I urge an "aye" vote on this legislation.

Mr. LATOURETTE. Mr. Speaker, we have no additional requests for time. We will be prepared to yield back when the gentleman from Mississippi (Mr. TAYLOR) does the same.

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

Mr. LATOURETTE. Mr. Speaker, I urge passage of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PEASE). The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and pass the bill, H.R. 1775, 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.

MISSISSIPPI SOUND RESTORATION ACT OF 2000

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4104) to amend the Federal Water Pollution Control Act to authorize funding to carry out certain water quality and barrier island restoration projects for the Mississippi Sound, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4104

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 ''Mississippi Sound Restoration Act of 2000''.

SEC. 2. NATIONAL ESTUARY PROGRAM.

(a) FINDING.—Congress finds that the Mississippi Sound is an estuary of national significance.

(b) ADDITION TO NATIONAL ESTUARY PROGRAM.—Section 320(a)(2)(B) of the Federal Water Pollution Control Act (33 U.S.C. 1330(a)(2)(B)) is amended by inserting ''Mississippi Sound, Mississippi;'' before ''and Peconic Bay, New York.''.

SEC. 3. MISSISSIPPI SOUND.

Title I of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) is amended by adding at the end the following:

''SEC. 121. MISSISSIPPI SOUND.

''(a) ESTABLISHMENT OF RESTORATION PROGRAM.—The Administrator shall establish within the Environmental Protection Agency the Mississippi Sound Restoration Program.

''(b) PURPOSE.—The purpose of the program shall be to restore the ecological health of the Sound, including barrier islands, coastal wetlands, keys, and reefs, by developing and funding restoration projects and related scientific and public education projects and by coordinating efforts among Federal, State, and local governmental agencies and nonregulatory organizations.

''(c) DUTIES.—In carrying out the program, the Administrator shall—

''(1) provide administrative and technical assistance to a management conference convened for the Sound under section 320;

''(2) assist and support the activities of the management conference, including the implementation of recommendations of the management conference;

''(3) support environmental monitoring of the Sound and research to provide necessary technical and scientific information;

''(4) develop a comprehensive research plan to address the technical needs of the program;

''(5) coordinate the grant, research, and planning programs authorized under this section; and

''(6) collect and make available to the public publications, and other forms of information the management conference determines to be appropriate, relating to the environmental quality of the Sound.

''(d) GRANTS.—The Administrator may make grants—

''(1) for restoration projects and studies recommended by a management conference convened for the Sound under section 320; and

''(2) for public education projects recommended by the management conference.

''(e) DEFINITIONS.—In this section, the following definitions apply:

''(1) SOUND.—The term 'Sound' means the Mississippi Sound located on the Gulf Coast of the State of Mississippi.

''(2) PROGRAM.—The term 'program' means the Mississippi Sound Restoration Program established under subsection (a).

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $10,000,000 to carry out this section. Such sums shall remain available until expended.''.

SEC. 4. SENSE OF THE CONGRESS.

It is the sense of the Congress that all recipients of grants under this Act (including amendments made by this Act) shall abide by the Buy American Act. The Administrator of the Environmental Protection Agency shall give notice of the Buy American Act requirements to grant applicants under this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Mississippi (Mr. TAYLOR) each will control 20 minutes.

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

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

Mr. Speaker, the purpose of H.R. 4104, introduced by the gentleman from Mississippi (Mr. TAYLOR) is to authorize financial and technical assistance for water quality restoration activities in the Mississippi Sound.

H.R. 4104 provides a framework for voluntary and cooperative efforts to restore the Mississippi Sound by identifying the Mississippi Sound as an estuary of national significance recommended for inclusion in the National Estuary Program, and also creating a Mississippi Sound program within EPA to coordinate and provide assistance to State and local efforts, to reduce pollution and restore the ecological health of the Sound.

I want to commend the gentleman from Mississippi (Mr. TAYLOR) for moving this legislation to the floor so expeditiously, and I support the legislation, and I urge an aye vote.

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

Mr. TAYLOR of Mississippi. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from Ohio (Mr. LATOURETTE) for his remarks.

Mr. Speaker, one of the best-kept secrets in America is no longer a well-kept secret. The Mississippi coast, with the advent of legalized gaming, has gone from a relatively quiet backwater community to one of the most popular destination resorts in the United States of America. The Gulfport airport that traditionally handled over 200,000 people will board over a million people this year.

All that being said, there are a heck of a lot more people using the Mississippi Sound than ever before, a heck of a lot more people living in the vicinity of it.

In all of the estuarine area in the Mississippi gulf coast, which is so similar to the Chesapeake Bay in characteristics with the bays and coastal marshes, is facing the same sort of stress that the Chesapeake Bay and other estuarine areas around the country have faced.

Although we still have record oyster harvest, we are having a phenomenal shrimp season this year, the bottom line is that, much as the gentleman from Maryland (Mr. GILCHREST) mentioned, our losses of coastal marshes are not taking place in hundreds of acres or thousands of acres, but truly an acre at a time, just as he mentioned it.

Although 1,200 acres were permitted to be filled by the Corps of Engineers last year, this is not a police state. I think it is fair to say, if 1,200 acres were permitted, probably 5,000 acres were truly lost.

What we are trying to do is restore some of the mistakes that man has made along the Mississippi Gulf Coast using the resources available.

We would like to be a pilot project in the United States of America for the beneficial use of dredge material when the Federal Government dredges and maintains its channels. Rather than taking that offshore and dumping it, we want to use that material to rebuild and restore our coastal marshes, to rebuild our barrier islands. We want to take the riprap that is created from Federal projects and start rebuilding some of the reefs that were unnecessarily destroyed in the 1950s and 1960s to provide aggregate material for building roads.

We have a lot of opportunities. What we need more than anything else is a game plan entailing the entire three coastal counties and our partners in Louisiana, since we were part of the Lake Pontchartrain Basin as well, to work together to take this jewel that God created and make it as pristine as possible.

I know the hour is late. I do not think it needs any further explanation. I want to thank the gentleman from Ohio (Mr. LATOURETTE) for his help. I want to thank the gentleman from Minnesota (Mr. OBERSTAR), the ranking member of the Committee on Transportation and Infrastructure, for his great assistance in getting this on the calendar tonight.

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

Mr. LATOURETTE. Mr. Speaker, we have no requests for time. I also urge passage of the bill.

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

Mr. TAYLOR of Mississippi. Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota (Mr. OBERSTAR), ranking member, one of the gentlemen who was so helpful in bringing this to the floor tonight.

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman for yielding me this time. I want to, again, express my appreciation to the gentleman from Pennsylvania (Chairman SHUSTER) for bringing this legislation to the committee and to the floor so expeditiously, and to compliment the gentleman from Mississippi (Mr. TAYLOR) for his dogged pursuit of this legislation. He has been a relentless advocate for action on the Mississippi Sound. The restoration act that he brings to the floor tonight is one that he has championed for many years and advocated vigorously within the committee and is one that will stand as a crown jewel in his legislative achievement.

Much progress has been made under the Clean Water Act since 1972, but many bodies of water still require additional attention and resources to achieve the clean water goals that we set forth 28 years ago.

The unique ecosystem in southern Mississippi that covers 2,400 square miles with a drainage basin, as the gentleman from Mississippi (Mr. TAYLOR) said, that extends from Mississippi into Louisiana, is one of the great jewels of our natural resources in the United States. But much of the problem that this legislation will address bears a made-in-other-States label.

The runoff from 10 States all along the Mississippi drainage basin all the way to Canada wind up in this ecosystem. All the rest of us have a responsibility to help Mississippi and Louisiana and the Mississippi Sound area protect this diverse environment, this essential habitat for an extraordinary variety of species of fish, birds, mammals, and plants.

□ 2310

The legislation the gentleman has so thoughtfully crafted will move us along in that direction, and I greatly appreciate his leadership, that of our committee, the subcommittee chairman, the gentleman from New York (Mr. BOEHLERT); the gentleman tonight who presents the bill, the gentleman from Ohio (Mr. LATOURETTE), who has been such a strong voice for protection of the Great Lakes and the nonindigenous invasive species legislation that he championed and I have cosponsored with him.

His understanding there brings to bear a new dimension, an important dimension on this legislation being considered tonight. I urge its enactment.

Mr. BOEHLERT. Mr. Speaker, H.R. 4104, the Mississippi Sound Restoration Act of 2000, amends the Clean Water Act to require EPA to establish a Mississippi Sound Restoration Program, and to carry out water quality and environmental restoration projects for the Sound.

I commend Representative GENE TAYLOR for introducing H.R. 4104, a bill that will help restore and protect one more of our national treasures.

I also thank the chairman and ranking member of the Transportation and Infrastructure Committee for helping to bring this bill to the House floor for action.

I support passage of H.R. 4104, and urge my colleagues to do the same.

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

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

The SPEAKER pro tempore (Mr. PEASE). The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and pass the bill, H.R. 4104, 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.

The title of the bill was amended so as to read:

''A bill to amend the Federal Water Pollution Control Act to authorize funding to carry out certain water quality and environmental restoration projects for the Mississippi Sound, Mississippi, and for other purposes.''.

A motion to reconsider was laid on the table.

CLEAN WATERS AND BAYS ACT OF 2000

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 835) to encourage the restoration of estuary habitat through more efficient project financing and enhanced coordination of Federal and non-Federal restoration programs, and for other purposes, as amended.

The Clerk read as follows:

S. 835

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Clean Waters and Bays Act of 2000''.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.

TITLE I—ESTUARY RESTORATION

Sec. 101. Short title.
Sec. 102. Purposes.
Sec. 103. Definitions.
Sec. 104. Estuary habitat restoration program.
Sec. 105. Establishment of Estuary Habitat Restoration Council.
Sec. 106. Advisory board.
Sec. 107. Estuary habitat restoration strategy.
Sec. 108. Monitoring of estuary habitat restoration projects.
Sec. 109. Reporting.
Sec. 110. Funding.
Sec. 111. General provisions.

TITLE II—CHESAPEAKE BAY RESTORATION

Sec. 201. Short title.
Sec. 202. Findings and purposes.
Sec. 203. Chesapeake Bay.
Sec. 204. Sense of Congress; requirement regarding notice.

TITLE III—NATIONAL ESTUARY PROGRAM

Sec. 301. Additions to national estuary program.
Sec. 302. Grants.
Sec. 303. Authorization of appropriations.

TITLE IV—FLORIDA KEYS WATER QUALITY

Sec. 401. Short title.
Sec. 402. Florida Keys water quality improvements.
Sec. 403. Sense of Congress; requirement regarding notice.

TITLE V—LONG ISLAND SOUND RESTORATION

Sec. 501. Short title.
Sec. 502. Nitrogen credit trading system and other measures.
Sec. 503. Assistance for distressed communities.
Sec. 504. Reauthorization of appropriations.

TITLE VI—LAKE PONTCHARTRAIN BASIN RESTORATION

Sec. 601. Short title.
Sec. 602. National estuary program.
Sec. 603. Lake Pontchartrain Basin.
Sec. 604. Sense of Congress.

TITLE VII—ALTERNATIVE WATER SOURCES

Sec. 701. Short title.
Sec. 702. Grants for alternative water source projects.
Sec. 703. Sense of Congress; requirement regarding notice.

TITLE VIII—CLEAN LAKES

Sec. 801. Grants to States.
Sec. 802. Demonstration program.
Sec. 803. Sense of Congress; requirement regarding notice.

TITLE IX—MISSISSIPPI SOUND RESTORATION

Sec. 901. Short title.
Sec. 902. National estuary program.
Sec. 903. Mississippi Sound.
Sec. 904. Sense of Congress.

TITLE X—TIJUANA RIVER VALLEY ESTUARY AND BEACH CLEANUP

Sec. 1001. Short title.
Sec. 1002. Purpose.
Sec. 1003. Definitions.
Sec. 1004. Actions to be taken by the Commission and the Administrator.
Sec. 1005. Negotiation of new treaty minute.
Sec. 1006. Authorization of appropriations.

TITLE I—ESTUARY RESTORATION

SEC. 101. SHORT TITLE.

This title may be cited as the ''Estuary Restoration Act of 2000''.

SEC. 102. PURPOSES.

The purposes of this title are—

(1) to promote the restoration of estuary habitat;

(2) to develop a national estuary habitat restoration strategy for creating and maintaining effective estuary habitat restoration partnerships among public agencies at all levels of government and to establish new partnerships between the public and private sectors;

(3) to provide Federal assistance for estuary habitat restoration projects and to promote efficient financing of such projects; and

(4) to develop and enhance monitoring and research capabilities to ensure that estuary habitat restoration efforts are based on sound scientific understanding and to create a national database of estuary habitat restoration information.

SEC. 103. DEFINITIONS.

In this title, the following definitions apply:

(1) COUNCIL.—The term ''Council'' means the Estuary Habitat Restoration Council established by section 105.

(2) ESTUARY.—The term ''estuary'' means a part of a river or stream or other body of water that has an unimpaired connection with the open sea and where the sea water is measurably diluted with fresh water derived from land drainage. The term also includes near coastal waters and wetlands of the Great Lakes that are similar in form and function to estuaries.

(3) ESTUARY HABITAT.—The term ''estuary habitat'' means the physical, biological, and chemical elements associated with an estuary, including the complex of physical and hydrologic features and living organisms within the estuary and associated ecosystems.

(4) ESTUARY HABITAT RESTORATION ACTIVITY.—

(A) IN GENERAL.—The term ''estuary habitat restoration activity'' means an activity that results in improving degraded estuaries or estuary habitat or creating estuary habitat (including both physical and functional restoration), with the goal of attaining a self-sustaining system integrated into the surrounding landscape.

(B) INCLUDED ACTIVITIES.—The term ''estuary habitat restoration activity'' includes—

(i) the reestablishment of chemical, physical, hydrologic, and biological features and components associated with an estuary;

(ii) except as provided in subparagraph (C), the cleanup of pollution for the benefit of estuary habitat;

(iii) the control of nonnative and invasive species in the estuary;

(iv) the reintroduction of species native to the estuary, including through such means as planting or promoting natural succession;

(v) the construction of reefs to promote fish and shellfish production and to provide estuary habitat for living resources; and

(vi) other activities that improve estuary habitat.

(C) EXCLUDED ACTIVITIES.—The term ''estuary habitat restoration activity'' does not include an activity that—

(i) constitutes mitigation required under any Federal or State law for the adverse effects of an activity regulated or otherwise governed by Federal or State law; or

(ii) constitutes restoration for natural resource damages required under any Federal or State law.

(5) ESTUARY HABITAT RESTORATION PROJECT.—The term ''estuary habitat restoration project'' means a project to carry out an estuary habitat restoration activity.

(6) ESTUARY HABITAT RESTORATION PLAN.—

(A) IN GENERAL.—The term ''estuary habitat restoration plan'' means any Federal or State plan for restoration of degraded estuary habitat that was developed with the substantial participation of appropriate public and private stakeholders.

(B) INCLUDED PLANS AND PROGRAMS.—The term ''estuary habitat restoration plan'' includes estuary habitat restoration components of—

(i) a comprehensive conservation and management plan approved under section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330);

(ii) a lakewide management plan or remedial action plan developed under section 118 of the Federal Water Pollution Control Act (33 U.S.C. 1268);

(iii) a management plan approved under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.); and

(iv) the interstate management plan developed pursuant to the Chesapeake Bay program under section 117 of the Federal Water Pollution Control Act (33 U.S.C. 1267).

(8) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given such term by section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(9) NON-FEDERAL INTEREST.—The term ''non-federal interest'' means a State, a political subdivision of a State, an Indian tribe, a regional or interstate agency, or, as provided in section 104(g)(2), a nongovernmental organization.

(10) SECRETARY.—The term ''Secretary'' means the Secretary of the Army.

(11) STATE.—The term ''State'' means the States of Alabama, Alaska, California, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, South

Carolina, Texas, Virginia, Washington, and Wisconsin, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, American Samoa, and Guam.

SEC. 104. ESTUARY HABITAT RESTORATION PROGRAM.

(a) ESTABLISHMENT.—There is established an estuary habitat restoration program under which the Secretary may carry out estuary habitat restoration projects and provide technical assistance in accordance with the requirements of this title.

(b) ORIGIN OF PROJECTS.—A proposed estuary habitat restoration project shall originate from a non-Federal interest consistent with State or local laws.

(c) REQUIRED ELEMENTS OF PROJECT PROPOSALS.—To be eligible for the estuary habitat restoration program established under this title, each proposed estuary habitat restoration project must—

(1) address restoration needs identified in an estuary habitat restoration plan;

(2) be consistent with the estuary habitat restoration strategy developed under section 107;

(3) be technically feasible;

(4) include a monitoring plan that is consistent with standards for monitoring developed under section 108 to ensure that short-term and long-term restoration goals are achieved; and

(5) include satisfactory assurance from the non-Federal interests proposing the project that the non-Federal interests will have adequate personnel, funding, and authority to carry out and properly maintain the project.

(d) SELECTION OF PROJECTS.—

(1) IN GENERAL.—The Secretary, after considering the advice and recommendations of the Council, shall select estuary habitat restoration projects taking into account the following factors:

(A) The scientific merit of the project.

(B) Whether the project will encourage increased coordination and cooperation among Federal, State, and local government agencies.

(C) Whether the project fosters public-private partnerships and uses Federal resources to encourage increased private sector involvement, including consideration of the amount of private funds or in-kind contributions for an estuary habitat restoration activity.

(D) Whether the project is cost-effective.

(E) Whether the State in which the non-Federal interest is proposing the project has a dedicated source of funding to acquire or restore estuary habitat, natural areas, and open spaces for the benefit of estuary habitat restoration or protection.

(F) Other factors that the Secretary determines to be reasonable and necessary for consideration.

(2) PRIORITY.—In selecting estuary habitat restoration projects to be carried out under this title, the Secretary shall give priority consideration to a project if, in addition to meriting selection based on the factors under paragraph (1)—

(A) the project occurs within a watershed in which there is a program being carried out that addresses sources of pollution and other activities that otherwise would re-impair the restored habitat; or

(B) the project includes pilot testing or a demonstration of an innovative technology having the potential for improved cost-effectiveness in estuary habitat restoration.

(e) COST SHARING.—

(1) FEDERAL SHARE.—The Federal share of the cost of an estuary habitat restoration project carried out under this title shall not exceed 65 percent of such cost.

(2) NON-FEDERAL SHARE.—The non-Federal share of the cost of an estuary habitat restoration project carried out under this title shall include lands, easements, rights-of-way, and relocations and may include services, or any other form of in-kind contribution determined by the Secretary to be an appropriate contribution equivalent to the monetary amount required for the non-Federal share of the activity.

(f) INTERIM ACTIONS.—

(1) IN GENERAL.—Pending completion of the estuary habitat restoration strategy to be developed under section 107, the Secretary may take interim actions to carry out an estuary habitat restoration activity.

(2) FEDERAL SHARE.—The Federal share of the cost of an estuary habitat restoration activity before the completion of the estuary habitat restoration strategy shall not exceed 25 percent of such cost.

(g) COOPERATION OF NON-FEDERAL INTERESTS.—

(1) IN GENERAL.—The Secretary shall not select an estuary habitat restoration project until a non-Federal interest has entered into a written agreement with the Secretary in which the non-Federal interest agrees to—

(A) provide all lands, easements, rights-of-way, and relocations and any other elements the Secretary determines appropriate under subsection (e)(2); and

(B) provide for maintenance and monitoring of the project to the extent the Secretary determines necessary.

(2) NONGOVERNMENTAL ORGANIZATIONS.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)), for any project undertaken under this title, the Secretary, upon the recommendation of the Governor of the State in which the project is located and in consultation with appropriate officials of political subdivisions of such State, may allow a nongovernmental organization to serve as the non-Federal interest.

(h) DELEGATION OF PROJECT IMPLEMENTATION.—In carrying out this title, the Secretary may delegate project implementation to another Federal department or agency on a reimbursable basis if the Secretary, after considering the advice and recommendations of the Council, determines such delegation is appropriate.

SEC. 105. ESTABLISHMENT OF ESTUARY HABITAT RESTORATION COUNCIL.

(a) COUNCIL.—There is established a council to be known as the ''Estuary Habitat Restoration Council''.

(b) DUTIES.—The Council shall be responsible for—

(1) soliciting, reviewing, and evaluating project proposals and making recommendations concerning such proposals based on the factors specified in section 104(d)(1), including recommendations as to a priority order for carrying out such projects and as to whether a project should be carried out by the Secretary or by another Federal department or agency under section 104(h);

(2) developing and transmitting to Congress a national strategy for restoration of estuary habitat;

(3) periodically reviewing the effectiveness of the national strategy in meeting the purposes of this title and, as necessary, updating the national strategy; and

(4) providing advice on the development of the database, monitoring standards, and report required under sections 108 and 109.

(c) MEMBERSHIP.—The Council shall be composed of the following members:

(1) The Secretary (or the Secretary's designee).

(2) The Under Secretary for Oceans and Atmosphere of the Department of Commerce (or the Under Secretary's designee).

(3) The Administrator of the Environmental Protection Agency (or the Administrator's designee).

(4) The Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service (or such Secretary's designee).

(5) The Secretary of Agriculture (or such Secretary's designee).

(6) The head of any other Federal agency designated by the President to serve as an ex officio member of the Council.

(d) PROHIBITION OF COMPENSATION.—Members of the Council may not receive compensation for their service as members of the Council.

(e) CHAIRPERSON.—The chairperson shall be elected by the Council from among its members for a 3-year term, except that the first elected chairperson may serve a term of fewer than 3 years.

(f) CONVENING OF COUNCIL.—

(1) FIRST MEETING.—The Secretary shall convene the first meeting of the Council not later than 60 days after the date of enactment of this Act for the purpose of electing a chairperson.

(2) ADDITIONAL MEETINGS.—The chairperson shall convene additional meetings of the Council as often as appropriate to ensure that this title is fully carried out, but not less often than annually.

(g) COUNCIL PROCEDURES.—The Council shall establish procedures for voting, the conduct of meetings, and other matters, as necessary.

(h) PUBLIC PARTICIPATION.—Meetings of the Council shall be open to the public. The Council shall provide notice to the public of such meetings.

SEC. 106. ADVISORY BOARD.

(a) IN GENERAL.—The Council shall establish an advisory board (in this section referred to as the ''board'').

(b) DUTIES.—The board shall provide advice and recommendations to the Council—

(1) on the strategy developed pursuant to section 107; and

(2) on the Council's consideration of proposed estuary habitat restoration projects and the Council's recommendations to the Secretary pursuant to section 105(b)(1), including advice on the scientific merit, technical merit, and feasibility of a project.

(c) MEMBERS.—The Council shall appoint members of the board representing diverse public and private interests. Members of the board shall be selected such that the board consists of—

(1) 3 members with recognized academic scientific expertise in estuary or estuary habitat restoration;

(2) 3 members representing State agencies with expertise in estuary or estuary habitat restoration;

(3) 2 members representing local or regional government agencies with expertise in estuary or estuary habitat restoration;

(4) 2 members representing nongovernmental organizations with expertise in estuary or estuary habitat restoration;

(5) 2 members representing fishing interests;

(6) 2 members representing estuary users other than fishing interests;

(7) 2 members representing agricultural interests; and

(8) 2 members representing Indian tribes.

(d) TERMS.—

(1) IN GENERAL.—Except as provided by subparagraph (B), members of the board shall be appointed for a term of 3 years.

(2) INITIAL MEMBERS.—As designated by the chairperson of the Council at the time of appointment, of the members first appointed—

(A) 9 shall be appointed for a term of 1 year; and

(B) 9 shall be appointed for a term of 2 years.

(e) VACANCIES.—Whenever a vacancy occurs among members of the board, the Council shall appoint an appropriate individual to fill that vacancy for the remainder of the applicable term.

(f) BOARD LEADERSHIP.—The board shall elect from among its members a chairperson of the board to represent the board in matters related to its duties under this title.

(g) COMPENSATION.—Members of the board shall not be considered to be employees of the United States and may not receive compensation for their service as members of the board, except that while engaged in the performance of their duties while away from their homes or regular place of business, members of the board may be allowed necessary travel expenses as authorized by section 5703 of title 5, United States Code.

(h) TECHNICAL SUPPORT.—Technical support may be provided to the board by regional and field staff of the Corps of Engineers, the Environmental Protection Agency, the National Oceanic and Atmospheric Administration, the United States Fish and Wildlife Service, and the Department of Agriculture. The Secretary shall coordinate the provision of such assistance.

(i) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the board, the Secretary may provide to the board the administrative support services necessary for the board to carry out its responsibilities under this title.

(j) FUNDING.—From amounts appropriated for that purpose under section 110, the Secretary shall provide funding for the board to carry out its duties under this title.

SEC. 107. ESTUARY HABITAT RESTORATION STRATEGY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Council, in consultation with the advisory board established under section 106, shall develop an estuary habitat restoration strategy designed to ensure a comprehensive approach to maximize benefits derived from estuary habitat restoration projects and to foster the coordination of Federal and non-Federal activities related to restoration of estuary habitat.

(b) GOAL.—The goal of the strategy shall be the restoration of 1,000,000 acres of estuary habitat by the year 2010.

(c) INTEGRATION OF ESTUARY HABITAT RESTORATION PLANS, PROGRAMS, AND PARTNERSHIPS.—In developing the estuary habitat restoration strategy, the Council shall—

(1) conduct a review of estuary management or habitat restoration plans and Federal programs established under other laws that authorize funding for estuary habitat restoration activities; and

(2) ensure that the estuary habitat restoration strategy is developed in a manner that is consistent with the estuary management or habitat restoration plans.

(d) ELEMENTS OF THE STRATEGY.—The estuary habitat restoration strategy shall include proposals, methods, and guidance on—

(1) maximizing the incentives for the creation of new public-private partnerships to carry out estuary habitat restoration projects and the use of Federal resources to encourage increased private sector involvement in estuary habitat restoration activities;

(2) ensuring that the estuary habitat restoration strategy will be implemented in a manner that is consistent with the estuary management or habitat restoration plans;

(3) promoting estuary habitat restoration projects to—

(A) provide healthy ecosystems in order to support—

(i) wildlife, including endangered and threatened species, migratory birds, and resident species of an estuary watershed; and

(ii) fish and shellfish, including commercial and recreational fisheries;

(B) improve surface and ground water quality and quantity, and flood control;

(C) provide outdoor recreation and other direct and indirect values; and

(D) address other areas of concern that the Council determines to be appropriate for consideration;

(4) addressing the estimated historic losses, estimated current rate of loss, and extent of the threat of future loss or degradation of each type of estuary habitat;

(5) measuring the rate of change for each type of estuary habitat;

(6) selecting a balance of smaller and larger estuary habitat restoration projects; and

(7) ensuring equitable geographic distribution of projects funded under this title.

(e) PUBLIC REVIEW AND COMMENT.—Before the Council adopts a final or revised estuary habitat restoration strategy, the Secretary shall publish in the Federal Register a draft of the estuary habitat restoration strategy and provide an opportunity for public review and comment.

(f) PERIODIC REVISION.—Using data and information developed through project monitoring and management, and other relevant information, the Council may periodically review and update, as necessary, the estuary habitat restoration strategy.

SEC. 108. MONITORING OF ESTUARY HABITAT RESTORATION PROJECTS.

(a) UNDER SECRETARY.—In this section, the term ''Under Secretary'' means the Under Secretary for Oceans and Atmosphere of the Department of Commerce.

(b) DATABASE OF RESTORATION PROJECT INFORMATION.—The Under Secretary, in consultation with the Council, shall develop and maintain an appropriate database of information concerning estuary habitat restoration projects carried out under this title, including information on project techniques, project completion, monitoring data, and other relevant information.

(c) MONITORING DATA STANDARDS.—The Under Secretary, in consultation with the Council, shall develop standard data formats for monitoring projects, along with requirements for types of data collected and frequency of monitoring.

(d) COORDINATION OF DATA.—The Under Secretary shall compile information that pertains to estuary habitat restoration projects from other Federal, State, and local sources and that meets the quality control requirements and data standards established under this section.

(e) USE OF EXISTING PROGRAMS.—The Under Secretary shall use existing programs within the National Oceanic and Atmospheric Administration to create and maintain the database required under this section.

(f) PUBLIC AVAILABILITY.—The Under Secretary shall make the information collected and maintained under this section available to the public.

SEC. 109. REPORTING.

(a) IN GENERAL.—At the end of the third and fifth fiscal years following the date of enactment of this Act, the Secretary, after considering the advice and recommendations of the Council, shall transmit to Congress a report on the results of activities carried out under this title.

(b) CONTENTS OF REPORT.—A report under subsection (a) shall include—

(1) data on the number of acres of estuary habitat restored under this title, including descriptions of, and partners involved with, projects selected, in progress, and completed under this title that comprise those acres;

(2) information from the database established under section 108(b) related to ongoing monitoring of projects to ensure that short-term and long-term restoration goals are achieved;

(3) an estimate of the long-term success of varying restoration techniques used in carrying out estuary habitat restoration projects;

(4) a review of how the information described in paragraphs (1) through (3) has been incorporated in the selection and implementation of estuary habitat restoration projects;

(5) a review of efforts made to maintain an appropriate database of restoration projects carried out under this title; and

(6) a review of the measures taken to provide the information described in paragraphs (1) through (3) to persons with responsibility for assisting in the restoration of estuary habitat.

SEC. 110. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) ESTUARY HABITAT RESTORATION PROJECTS.—There is authorized to be appropriated to the Secretary for carrying out and providing technical assistance for estuary habitat restoration projects—

(A) $30,000,000 for fiscal year 2001;

(B) $35,000,000 for fiscal year 2002; and

(C) $45,000,000 for each of fiscal years 2003 through 2005.

Such amounts shall remain available until expended.

(2) MONITORING.—There is authorized to be appropriated to the Under Secretary for Oceans and Atmosphere of the Department of Commerce for the acquisition, maintenance, and management of monitoring data on restoration projects carried out under this title, $1,500,000 for each of fiscal years 2001 through 2005. Such amounts shall remain available until expended.

(b) SET-ASIDE FOR ADMINISTRATIVE EXPENSES OF THE COUNCIL AND ADVISORY BOARD.—Not to exceed 3 percent of the amounts appropriated for a fiscal year under subsection (a)(1) or $1,500,000, whichever is greater, may be used by the Secretary for administration and operation of the Council and the advisory board established under section 106.

SEC. 111. GENERAL PROVISIONS.

(a) AGENCY CONSULTATION AND COORDINATION.—In carrying out this title, the Secretary shall, as necessary, consult with, cooperate with, and coordinate its activities with the activities of other Federal departments and agencies.

(b) COOPERATIVE AGREEMENTS; MEMORANDA OF UNDERSTANDING.—In carrying out this title, the Secretary may—

(1) enter into cooperative agreements with Federal, State, and local government agencies and other entities; and

(2) execute such memoranda of understanding as are necessary to reflect the agreements.

(c) FEDERAL AGENCY FACILITIES AND PERSONNEL.—Federal agencies may cooperate in carrying out scientific and other programs necessary to carry out this title, and may provide facilities and personnel, for the purpose of assisting the Council in carrying out its duties under this title.

(d) IDENTIFICATION AND MAPPING OF DREDGED MATERIAL DISPOSAL SITES.—In consultation with appropriate Federal and non-Federal public entities, the Secretary shall undertake, and update as warranted by changed conditions, surveys to identify and map sites appropriate for beneficial uses of dredged material for the protection, restoration, and creation of aquatic and ecologically related habitats, including wetlands, in order to further the purposes of this title.

(e) STUDY OF BIOREMEDIATION TECHNOLOGY.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency, with the participation of the estuarine scientific community, shall begin a 2-year study on the efficacy of bioremediation products.

(2) REQUIREMENTS.—The study shall—

(A) evaluate and assess bioremediation technology—

(i) on low-level petroleum hydrocarbon contamination from recreational boat bilges;

(ii) on low-level petroleum hydrocarbon contamination from stormwater discharges;

(iii) on nonpoint petroleum hydrocarbon discharges; and

(iv) as a first response tool for petroleum hydrocarbon spills; and

(B) recommend management actions to optimize the return of a healthy and balanced ecosystem and make improvements in the quality and character of estuarine waters.

TITLE II—CHESAPEAKE BAY RESTORATION

SEC. 201. SHORT TITLE.

This title may be cited as the ''Chesapeake Bay Restoration Act of 2000''.

SEC. 202. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the Chesapeake Bay is a national treasure and a resource of worldwide significance;

(2) over many years, the productivity and water quality of the Chesapeake Bay and its watershed were diminished by pollution, excessive sedimentation, shoreline erosion, the impacts of population growth and development in the Chesapeake Bay watershed, and other factors;

(3) the Federal Government (acting through the Administrator of the Environmental Protection Agency), the Governor of the State of Maryland, the Governor of the Commonwealth of Virginia, the Governor of the Commonwealth of Pennsylvania, the Chairperson of the Chesapeake Bay Commission, and the Mayor of the District of Columbia, as Chesapeake Bay Agreement signatories, have committed to a comprehensive cooperative program to achieve improved water quality and improvements in the productivity of living resources of the Bay;

(4) the cooperative program described in paragraph (3) serves as a national and international model for the management of estuaries; and

(5) there is a need to expand Federal support for monitoring, management, and restoration activities in the Chesapeake Bay and the tributaries of the Bay in order to meet and further the original and subsequent goals and commitments of the Chesapeake Bay Program.

(b) PURPOSES.—The purposes of this title are—

(1) to expand and strengthen cooperative efforts to restore and protect the Chesapeake Bay; and

(2) to achieve the goals established in the Chesapeake Bay Agreement.

SEC. 203. CHESAPEAKE BAY.

Section 117 of the Federal Water Pollution Control Act (33 U.S.C. 1267) is amended to read as follows:

''SEC. 117. CHESAPEAKE BAY.

''(a) DEFINITIONS.—In this section, the following definitions apply:

''(1) ADMINISTRATIVE COST.—The term 'administrative cost' means the cost of salaries and fringe benefits incurred in administering a grant under this section.

''(2) CHESAPEAKE BAY AGREEMENT.—The term 'Chesapeake Bay Agreement' means the formal, voluntary agreements executed to achieve the goal of restoring and protecting the Chesapeake Bay ecosystem and the living resources of the Chesapeake Bay ecosystem and signed by the Chesapeake Executive Council.

''(3) CHESAPEAKE BAY ECOSYSTEM.—The term 'Chesapeake Bay ecosystem' means the ecosystem of the Chesapeake Bay and its watershed.

''(4) CHESAPEAKE BAY PROGRAM.—The term 'Chesapeake Bay Program' means the program directed by the Chesapeake Executive Council in accordance with the Chesapeake Bay Agreement.

''(5) CHESAPEAKE EXECUTIVE COUNCIL.—The term 'Chesapeake Executive Council' means the signatories to the Chesapeake Bay Agreement.

''(6) SIGNATORY JURISDICTION.—The term 'signatory jurisdiction' means a jurisdiction of a signatory to the Chesapeake Bay Agreement.

''(b) CONTINUATION OF CHESAPEAKE BAY PROGRAM.—

''(1) IN GENERAL.—In cooperation with the Chesapeake Executive Council (and as a member of the Council), the Administrator shall continue the Chesapeake Bay Program.

''(2) PROGRAM OFFICE.—

''(A) IN GENERAL.—The Administrator shall maintain in the Environmental Protection Agency a Chesapeake Bay Program Office.

''(B) FUNCTION.—The Chesapeake Bay Program Office shall provide support to the Chesapeake Executive Council by—

''(i) implementing and coordinating science, research, modeling, support services, monitoring, data collection, and other activities that support the Chesapeake Bay Program;

''(ii) developing and making available, through publications, technical assistance, and other appropriate means, information pertaining to the environmental quality and living resources of the Chesapeake Bay ecosystem;

''(iii) in cooperation with appropriate Federal, State, and local authorities, assisting the signatories to the Chesapeake Bay Agreement in developing and implementing specific action plans to carry out the responsibilities of the signatories to the Chesapeake Bay Agreement;

''(iv) coordinating the actions of the Environmental Protection Agency with the actions of the appropriate officials of other Federal agencies and State and local authorities in developing strategies to—

''(I) improve the water quality and living resources in the Chesapeake Bay ecosystem; and

''(II) obtain the support of the appropriate officials of the agencies and authorities in achieving the objectives of the Chesapeake Bay Agreement; and

''(v) implementing outreach programs for public information, education, and participation to foster stewardship of the resources of the Chesapeake Bay.

''(c) INTERAGENCY AGREEMENTS.—The Administrator may enter into an interagency agreement with a Federal agency to carry out this section.

''(d) TECHNICAL ASSISTANCE AND ASSISTANCE GRANTS.—

''(1) IN GENERAL.—In cooperation with the Chesapeake Executive Council, the Administrator may provide technical assistance, and assistance grants, to nonprofit organizations, State and local governments, colleges, universities, and interstate agencies to achieve the goals and requirements contained in subsection (g)(1), subject to such terms and conditions as the Administrator considers appropriate.

''(2) FEDERAL SHARE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Federal share of an assistance grant provided under paragraph (1) shall be determined by the Administrator in accordance with guidance issued by the Administrator.

''(B) SMALL WATERSHED GRANTS PROGRAM.—The Federal share of an assistance grant provided under paragraph (1) to carry out an implementing activity under subsection (g)(2) shall not exceed 75 percent of eligible project costs, as determined by the Administrator.

''(3) NON-FEDERAL SHARE.—An assistance grant under paragraph (1) shall be provided on the condition that non-Federal sources provide the remainder of eligible project costs, as determined by the Administrator.

''(4) ADMINISTRATIVE COSTS.—Administrative costs shall not exceed 10 percent of the annual grant award.

''(e) IMPLEMENTATION AND MONITORING GRANTS.—

''(1) IN GENERAL.—If a signatory jurisdiction has approved and committed to implement all or substantially all aspects of the Chesapeake Bay Agreement, on the request of the chief executive of the jurisdiction, the Administrator—

''(A) shall make a grant to the jurisdiction for the purpose of implementing the management mechanisms established under the Chesapeake Bay Agreement, subject to such terms and conditions as the Administrator considers appropriate; and

''(B) may make a grant to a signatory jurisdiction for the purpose of monitoring the Chesapeake Bay ecosystem.

''(2) PROPOSALS.—

''(A) IN GENERAL.—A signatory jurisdiction described in paragraph (1) may apply for a grant under this subsection for a fiscal year by submitting to the Administrator a comprehensive proposal to implement management mechanisms established under the Chesapeake Bay Agreement.

''(B) CONTENTS.—A proposal under subparagraph (A) shall include—

''(i) a description of proposed management mechanisms that the jurisdiction commits to take within a specified time period, such as reducing or preventing pollution in the Chesapeake Bay and its watershed or meeting applicable water quality standards or established goals and objectives under the Chesapeake Bay Agreement; and

''(ii) the estimated cost of the actions proposed to be taken during the fiscal year.

''(3) APPROVAL.—If the Administrator finds that the proposal is consistent with the Chesapeake Bay Agreement and the national goals established under section 101(a), the Administrator may approve the proposal for an award.

''(4) FEDERAL SHARE.—The Federal share of an implementation grant under this subsection shall not exceed 50 percent of the cost of implementing the management mechanisms during the fiscal year.

''(5) NON-FEDERAL SHARE.—An implementation grant under this subsection shall be made on the condition that non-Federal sources provide the remainder of the costs of implementing the management mechanisms during the fiscal year.

''(6) ADMINISTRATIVE COSTS.—Administrative costs shall not exceed 10 percent of the annual grant award.

''(7) REPORTING.—On or before October 1 of each fiscal year, the Administrator shall make available to the public a document that lists and describes, in the greatest practicable degree of detail—

''(A) all projects and activities funded for the fiscal year;

''(B) the goals and objectives of projects funded for the previous fiscal year; and

''(C) the net benefits of projects funded for previous fiscal years.

''(f) FEDERAL FACILITIES AND BUDGET COORDINATION.—

''(1) SUBWATERSHED PLANNING AND RESTORATION.—A Federal agency that owns or

operates a facility (as defined by the Administrator) within the Chesapeake Bay watershed shall participate in regional and subwatershed planning and restoration programs.

''(2) COMPLIANCE WITH AGREEMENT.—The head of each Federal agency that owns or occupies real property in the Chesapeake Bay watershed shall ensure that the property, and actions taken by the agency with respect to the property, comply with the Chesapeake Bay Agreement, the Federal Agencies Chesapeake Ecosystem Unified Plan, and any subsequent agreements and plans.

''(3) BUDGET COORDINATION.—

''(A) IN GENERAL.—As part of the annual budget submission of each Federal agency with projects or grants related to restoration, planning, monitoring, or scientific investigation of the Chesapeake Bay ecosystem, the head of the agency shall submit to the President a report that describes plans for the expenditure of the funds under this section.

''(B) DISCLOSURE TO THE COUNCIL.—The head of each agency referred to in subparagraph (A) shall disclose the report under that subparagraph with the Chesapeake Executive Council as appropriate.

''(g) CHESAPEAKE BAY PROGRAM.—

''(1) MANAGEMENT STRATEGIES.—The Administrator, in coordination with other members of the Chesapeake Executive Council, shall ensure that management plans are developed and implementation is begun by signatories to the Chesapeake Bay Agreement to achieve—

''(A) the nutrient goals of the Chesapeake Bay Agreement for the quantity of nitrogen and phosphorus entering the Chesapeake Bay and its watershed;

''(B) the water quality requirements necessary to restore living resources in the Chesapeake Bay ecosystem;

''(C) the Chesapeake Bay Basinwide Toxins Reduction and Prevention Strategy goal of reducing or eliminating the input of chemical contaminants from all controllable sources to levels that result in no toxic or bioaccumulative impact on the living resources of the Chesapeake Bay ecosystem or on human health;

''(D) habitat restoration, protection, creation, and enhancement goals established by Chesapeake Bay Agreement signatories for wetlands, riparian forests, and other types of habitat associated with the Chesapeake Bay ecosystem; and

''(E) the restoration, protection, creation, and enhancement goals established by the Chesapeake Bay Agreement signatories for living resources associated with the Chesapeake Bay ecosystem.

''(2) SMALL WATERSHED GRANTS PROGRAM.—The Administrator, in cooperation with the Chesapeake Executive Council, shall—

''(A) establish a small watershed grants program as part of the Chesapeake Bay Program; and

''(B) offer technical assistance and assistance grants under subsection (d) to local governments and nonprofit organizations and individuals in the Chesapeake Bay region to implement—

''(i) cooperative tributary basin strategies that address the water quality and living resource needs in the Chesapeake Bay ecosystem; and

''(ii) locally based protection and restoration programs or projects within a watershed that complement the tributary basin strategies, including the creation, restoration, protection, or enhancement of habitat associated with the Chesapeake Bay ecosystem.

''(h) STUDY OF CHESAPEAKE BAY PROGRAM.—

''(1) IN GENERAL.—Not later than April 22, 2000, and every 5 years thereafter, the Administrator, in coordination with the Chesapeake Executive Council, shall complete a study and submit to Congress a comprehensive report on the results of the study.

''(2) REQUIREMENTS.—The study and report shall—

''(A) assess the state of the Chesapeake Bay ecosystem;

''(B) compare the current state of the Chesapeake Bay ecosystem with its state in 1975, 1985, and 1995;

''(C) assess the effectiveness of management strategies being implemented on the date of enactment of this section and the extent to which the priority needs are being met;

''(D) make recommendations for the improved management of the Chesapeake Bay Program either by strengthening strategies being implemented on the date of enactment of this section or by adopting new strategies; and

''(E) be presented in such a format as to be readily transferable to and usable by other watershed restoration programs.

''(i) SPECIAL STUDY OF LIVING RESOURCE RESPONSE.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Administrator shall commence a 5-year special study with full participation of the scientific community of the Chesapeake Bay to establish and expand understanding of the response of the living resources of the Chesapeake Bay ecosystem to improvements in water quality that have resulted from investments made through the Chesapeake Bay Program.

''(2) REQUIREMENTS.—The study shall—

''(A) determine the current status and trends of living resources, including grasses, benthos, phytoplankton, zooplankton, fish, and shellfish;

''(B) establish to the extent practicable the rates of recovery of the living resources in response to improved water quality condition;

''(C) evaluate and assess interactions of species, with particular attention to the impact of changes within and among trophic levels; and

''(D) recommend management actions to optimize the return of a healthy and balanced ecosystem in response to improvements in the quality and character of the waters of the Chesapeake Bay.

''(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $30,000,000 for each of fiscal years 2000 through 2005.''.

SEC. 204. SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.

(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under section 117 of the Federal Water Pollution Control Act (33 U.S.C. 1267), it is the sense of Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under section 117 of the Federal Water Pollution Control Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by Congress.

(c) NOTICE OF REPORT.—Any entity which receives funds under section 117 of the Federal Water Pollution Control Act shall report any expenditures on foreign-made items to Congress within 180 days of the expenditure.

TITLE III—NATIONAL ESTUARY PROGRAM

SEC. 301. ADDITIONS TO NATIONAL ESTUARY PROGRAM.

Section 320(a)(2)(B) of the Federal Water Pollution Control Act (33 U.S.C. 1330(a)(2)(B)) is amended by inserting ''Lake Ponchartrain Basin, Louisiana and Mississippi; Mississippi Sound, Mississippi;'' before ''and Peconic Bay, New York.''.

SEC. 302. GRANTS.

Section 320(g) of the Federal Water Pollution Control Act (33 U.S.C. 1330(g)) is amended by striking paragraphs (2) and (3) and inserting the following:

''(2) PURPOSES.—Grants under this subsection shall be made to pay for activities necessary for the development and implementation of a comprehensive conservation and management plan under this section.

''(3) FEDERAL SHARE.—The Federal share of a grant to any person (including a State, interstate, or regional agency or entity) under this subsection for a fiscal year—

''(A) shall not exceed—

''(i) 75 percent of the annual aggregate costs of the development of a comprehensive conservation and management plan; and

''(ii) 50 percent of the annual aggregate costs of the implementation of the plan; and

''(B) shall be made on condition that the non-Federal share of the costs are provided from non-Federal sources.''.

SEC. 303. AUTHORIZATION OF APPROPRIATIONS.

Section 320(i) of the Federal Water Pollution Control Act (33 U.S.C. 1330(i)) is amended by striking ''$12,000,000 per fiscal year for each of fiscal years 1987, 1988, 1989, 1990, and 1991'' and inserting ''$50,000,000 for each of fiscal years 2000 through 2004''.

TITLE IV—FLORIDA KEYS WATER QUALITY

SEC. 401. SHORT TITLE.

This title may be cited as the ''Florida Keys Water Quality Improvements Act of 2000''.

SEC. 402. FLORIDA KEYS WATER QUALITY IMPROVEMENTS.

Title I of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) is amended by adding at the end the following:

''SEC. 121. FLORIDA KEYS.

''(a) IN GENERAL.—Subject to the requirements of this section, the Administrator may make grants to the Florida Keys Aqueduct Authority, appropriate agencies of municipalities of Monroe County, Florida, and other appropriate public agencies of the State of Florida or Monroe County for the planning and construction of treatment works to improve water quality in the Florida Keys National Marine Sanctuary.

''(b) CRITERIA FOR PROJECTS.—In applying for a grant for a project under subsection (a), an applicant shall demonstrate that—

''(1) the applicant has completed adequate planning and design activities for the project;

''(2) the applicant has completed a financial plan identifying sources of non-Federal funding for the project;

''(3) the project complies with—

''(A) applicable growth management ordinances of Monroe County, Florida;

''(B) applicable agreements between Monroe County, Florida, and the State of Florida to manage growth in Monroe County, Florida; and

''(C) applicable water quality standards; and

''(4) the project is consistent with the master wastewater and stormwater plans for Monroe County, Florida.

''(c) CONSIDERATION.—In selecting projects to receive grants under subsection (a), the Administrator shall consider whether a project will have substantial water quality

benefits relative to other projects under consideration.

''(d) CONSULTATION.—In carrying out this section, the Administrator shall consult with—

''(1) the Water Quality Steering Committee established under section 8(d)(2)(A) of the Florida Keys National Marine Sanctuary and Protection Act (106 Stat. 5054);

''(2) the South Florida Ecosystem Restoration Task Force established by section 528(f) of the Water Resources Development Act of 1996 (110 Stat. 3771–3773);

''(3) the Commission on the Everglades established by executive order of the Governor of the State of Florida; and

''(4) other appropriate State and local government officials.

''(e) NON-FEDERAL SHARE.—The non-Federal share of the cost of a project carried out using amounts from grants made under subsection (a) shall not be less than 25 percent.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this section—

''(1) $32,000,000 for fiscal year 2001;

''(2) $31,000,000 for fiscal year 2002; and

''(3) $50,000,000 for each of fiscal years 2003 through 2005.

Such sums shall remain available until expended.''.

SEC. 403. SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.

(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this title (including any amendment made by this title), it is the sense of Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this title (including any amendment made by this title), the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by Congress.

(c) NOTICE OF REPORT.—Any entity which receives funds under this title shall report any expenditures on foreign-made items to Congress within 180 days of the expenditure.

TITLE V—LONG ISLAND SOUND RESTORATION

SEC. 501. SHORT TITLE.

This title may be cited as the ''Long Island Sound Restoration Act''.

SEC. 502. NITROGEN CREDIT TRADING SYSTEM AND OTHER MEASURES.

Section 119(c)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1269(c)(1)) is amended by inserting '', including efforts to establish, within the process for granting watershed general permits, a system for trading nitrogen credits and any other measures that are cost-effective and consistent with the goals of the Plan'' before the semicolon at the end.

SEC. 503. ASSISTANCE FOR DISTRESSED COMMUNITIES.

Section 119 of the Federal Water Pollution Control Act (33 U.S.C. 1269) is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following:

''(e) ASSISTANCE TO DISTRESSED COMMUNITIES.—

''(1) ELIGIBLE COMMUNITIES.—

''(A) STATES TO DETERMINE CRITERIA.—For the purposes of this subsection, a distressed community is any community that meets affordability criteria established by the State in which the community is located, if such criteria are developed after public review and comment.

''(B) CONSIDERATION OF IMPACT ON WATER AND SEWER RATES.—In determining if a community is a distressed community for the purposes of this subsection, the State shall consider the extent to which the rate of growth of a community's tax base has been historically slow such that implementing the plan described in subsection (c)(1) would result in a significant increase in any water or sewer rate charged by the community's publicly-owned wastewater treatment facility.

''(C) INFORMATION TO ASSIST STATES.—The Administrator may publish information to assist States in establishing affordability criteria under subparagraph (A).

''(2) REVOLVING LOAN FUNDS.—

''(A) LOAN SUBSIDIES.—Subject to subparagraph (B), any State making a loan to a distressed community from a revolving fund under title VI for the purpose of assisting the implementation of the plan described in subsection (c)(1) may provide additional subsidization (including forgiveness of principal).

''(B) TOTAL AMOUNT OF SUBSIDIES.—For each fiscal year, the total amount of loan subsidies made by a State under subparagraph (A) may not exceed 30 percent of the amount of the capitalization grant received by the State for the year.

''(3) PRIORITY.—In making assistance available under this section for the upgrading of wastewater treatment facilities, a State may give priority to a distressed community.''.

SEC. 504. REAUTHORIZATION OF APPROPRIATIONS.

Section 119(f) of the Federal Water Pollution Control Act (as redesignated by section 503 of this Act) is amended—

(1) in paragraph (1) by striking ''1991 through 2001'' and inserting ''2000 through 2003''; and

(2) in paragraph (2) by striking ''not to exceed $3,000,000 for each of the fiscal years 1991 through 2001'' and inserting ''not to exceed $80,000,000 for each of fiscal years 2000 through 2003''.

TITLE VI—LAKE PONTCHARTRAIN BASIN RESTORATION

SEC. 601. SHORT TITLE.

This title may be cited as the ''Lake Pontchartrain Basin Restoration Act of 2000''.

SEC. 602. NATIONAL ESTUARY PROGRAM.

(a) FINDING.—Congress finds that the Lake Ponchartrain Basin is an estuary of national significance.

(b) ADDITION TO NATIONAL ESTUARY PROGRAM.—Section 320(a)(2)(B) of the Federal Water Pollution Control Act (33 U.S.C. 1330(a)(2)(B)) is further amended by inserting ''Lake Ponchartrain Basin, Louisiana and Mississippi;'' before ''and Peconic Bay, New York.''.

SEC. 603. LAKE PONTCHARTRAIN BASIN.

Title I of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) is further amended by adding at the end the following:

''SEC. 122. LAKE PONTCHARTRAIN BASIN.

''(a) ESTABLISHMENT OF RESTORATION PROGRAM.—The Administrator shall establish within the Environmental Protection Agency the Lake Pontchartrain Basin Restoration Program.

''(b) PURPOSE.—The purpose of the program shall be to restore the ecological health of the Basin by developing and funding restoration projects and related scientific and public education projects.

''(c) DUTIES.—In carrying out the program, the Administrator shall—

''(1) provide administrative and technical assistance to a management conference convened for the Basin under section 320;

''(2) assist and support the activities of the management conference, including the implementation of recommendations of the management conference;

''(3) support environmental monitoring of the Basin and research to provide necessary technical and scientific information;

''(4) develop a comprehensive research plan to address the technical needs of the program;

''(5) coordinate the grant, research, and planning programs authorized under this section; and

''(6) collect and make available to the public publications, and other forms of information the management conference determines to be appropriate, relating to the environmental quality of the Basin.

''(d) GRANTS.—The Administrator may make grants—

''(1) for restoration projects and studies recommended by a management conference convened for the Basin under section 320;

''(2) for public education projects recommended by the management conference; and

''(3) for the inflow and infiltration project sponsored by the New Orleans Sewerage and Water Board and Jefferson Parish, Louisiana.

''(e) DEFINITIONS.—In this section, the following definitions apply:

''(1) BASIN.—The term 'Basin' means the Lake Pontchartrain Basin, a 5,000 square mile watershed encompassing 16 parishes in the State of Louisiana and 4 counties in the State of Mississippi.

''(2) PROGRAM.—The term 'program' means the Lake Pontchartrain Basin Restoration Program established under subsection (a).

''(f) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated—

''(A) $100,000,000 for the inflow and infiltration project sponsored by the New Orleans Sewerage and Water Board and Jefferson Parish, Louisiana; and

''(B) $5,000,000 for each of fiscal years 2001 through 2005 to carry out this section.

Such sums shall remain available until expended.

''(2) PUBLIC EDUCATION PROJECTS.—Not more that 15 percent of the amount appropriated pursuant to paragraph (1)(B) in a fiscal year may be expended on grants for public education projects under subsection (d)(2).''.

SEC. 604. SENSE OF CONGRESS.

It is the sense of Congress that all recipients of grants pursuant to this title shall abide by the Buy American Act. The Administrator of the Environmental Protection Agency shall give notice of the Buy American Act requirements to grant applicants.

TITLE VII—ALTERNATIVE WATER SOURCES

SEC. 701. SHORT TITLE.

This title may be cited as the ''Alternative Water Sources Act of 2000''.

SEC. 702. GRANTS FOR ALTERNATIVE WATER SOURCE PROJECTS.

Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) is amended by adding at the end the following:

''SEC. 220. GRANTS FOR ALTERNATIVE WATER SOURCE PROJECTS.

''(a) IN GENERAL.—The Administrator may make grants to State, interstate, and intrastate water resource development agencies (including water management districts and water supply authorities), local government agencies, private utilities, and nonprofit entities for alternative water source projects to meet critical water supply needs.

''(b) ELIGIBLE ENTITY.—The Administrator may make grants under this section to an entity only if the entity has authority under State law to develop or provide water for

municipal, industrial, and agricultural uses in an area of the State that is experiencing critical water supply needs.

''(c) SELECTION OF PROJECTS.—

''(1) LIMITATION.—A project that has received funds under the reclamation and reuse program conducted under the Reclamation Projects Authorization and Adjustment Act of 1992 (43 U.S.C. 390h et seq.) shall not be eligible for grant assistance under this section.

''(2) ADDITIONAL CONSIDERATION.—In making grants under this section, the Administrator shall consider whether the project is located within the boundaries of a State or area referred to in section 1 of the Reclamation Act of June 17, 1902 (32 Stat. 385), and within the geographic scope of the reclamation and reuse program conducted under the Reclamation Projects Authorization and Adjustment Act of 1992 (43 U.S.C. 390h et seq.).

''(d) COMMITTEE RESOLUTION PROCEDURE.—

''(1) IN GENERAL.—No appropriation shall be made for any alternative water source project under this section, the total Federal cost of which exceeds $3,000,000, if such project has not been approved by a resolution adopted by the Committee on Transportation and Infrastructure of the House of Representatives or the Committee on Environment and Public Works of the Senate.

''(2) REQUIREMENTS FOR SECURING CONSIDERATION.—For purposes of securing consideration of approval under paragraph (1), the Administrator shall provide to a committee referred to in paragraph (1) such information as the committee requests and the non-Federal sponsor shall provide to the committee information on the costs and relative needs for the alternative water source project.

''(e) USES OF GRANTS.—Amounts from grants received under this section may be used for engineering, design, construction, and final testing of alternative water source projects designed to meet critical water supply needs. Such amounts may not be used for planning, feasibility studies or for operation, maintenance, replacement, repair, or rehabilitation.

''(f) COST SHARING.—The Federal share of the eligible costs of an alternative water source project carried out using assistance made available under this section shall not exceed 50 percent.

''(g) REPORTS.—

''(1) REPORTS TO ADMINISTRATOR.—Each recipient of a grant under this section shall submit to the Administrator, not later than 18 months after the date of receipt of the grant and biennially thereafter until completion of the alternative water source project funded by the grant, a report on eligible activities carried out by the grant recipient using amounts from the grant.

''(2) REPORT TO CONGRESS.—On or before September 30, 2005, the Administrator shall transmit to Congress a report on the progress made toward meeting the critical water supply needs of the grant recipients under this section.

''(h) DEFINITIONS.—In this section, the following definitions apply:

''(1) ALTERNATIVE WATER SOURCE PROJECT.—The term 'alternative water source project' means a project designed to provide municipal, industrial, and agricultural water supplies in an environmentally sustainable manner by conserving, managing, reclaiming, or reusing water or wastewater or by treating wastewater.

''(2) CRITICAL WATER SUPPLY NEEDS.—The term 'critical water supply needs' means existing or reasonably anticipated future water supply needs that cannot be met by existing water supplies, as identified in a comprehensive statewide or regional water supply plan or assessment projected over a planning period of at least 20 years.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $75,000,000 for each of fiscal years 2000 through 2004. Such sums shall remain available until expended.''.

SEC. 703. SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.

(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this title (including any amendment made by this title), it is the sense of Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this title (including any amendment made by this title), the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by Congress.

(c) NOTICE OF REPORT.—Any entity which receives funds under this title shall report any expenditures on foreign-made items to Congress within 180 days of the expenditure.

TITLE VIII—CLEAN LAKES

SEC. 801. GRANTS TO STATES.

Section 314(c)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1324(c)(2)) is amended by striking ''$50,000,000'' the first place it appears and all that follows through ''1990'' and inserting ''$50,000,000 for each of fiscal years 2001 through 2005''.

SEC. 802. DEMONSTRATION PROGRAM.

Section 314(d) of the Federal Water Pollution Control Act (33 U.S.C. 1324(d)) is amended—

(1) in paragraph (2) by inserting ''Otsego Lake, New York; Oneida Lake, New York; Raystown Lake, Pennsylvania; Swan Lake, Itasca County, Minnesota;'' after ''Sauk Lake, Minnesota;'';

(2) in paragraph (3) by striking ''By'' and inserting ''Notwithstanding section 3003 of the Federal Reports Elimination and Sunset Act of 1995 (31 U.S.C. 1113 note; 109 Stat. 734–736), by''; and

(3) in paragraph (4)(B)(i) by striking ''$15,000,000'' and inserting ''$25,000,000''.

SEC. 803. SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.

(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this title (including any amendment made by this title), it is the sense of Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this title (including any amendment made by this title), the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by Congress.

(c) NOTICE OF REPORT.—Any entity which receives funds under this title shall report any expenditures on foreign-made items to Congress within 180 days of expenditure.

TITLE IX—MISSISSIPPI SOUND RESTORATION

SEC. 901. SHORT TITLE.

This title may be cited as the ''Mississippi Sound Restoration Act of 2000''.

SEC. 902. NATIONAL ESTUARY PROGRAM.

(a) FINDING.—Congress finds that the Mississippi Sound is an estuary of national significance.

(b) ADDITION TO NATIONAL ESTUARY PROGRAM.—Section 320(a)(2)(B) of the Federal Water Pollution Control Act (33 U.S.C. 1330(a)(2)(B)) is further amended by inserting ''Mississippi Sound, Mississippi;'' before ''and Peconic Bay, New York.''.

SEC. 903. MISSISSIPPI SOUND.

Title I of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) is further amended by adding at the end the following:

''SEC. 123. MISSISSIPPI SOUND.

''(a) ESTABLISHMENT OF RESTORATION PROGRAM.—The Administrator shall establish within the Environmental Protection Agency the Mississippi Sound Restoration Program.

''(b) PURPOSE.—The purpose of the program shall be to restore the ecological health of the Sound, including barrier islands, coastal wetlands, keys, and reefs, by developing and funding restoration projects and related scientific and public education projects and by coordinating efforts among Federal, State, and local governmental agencies and nonregulatory organizations.

''(c) DUTIES.—In carrying out the program, the Administrator shall—

''(1) provide administrative and technical assistance to a management conference convened for the Sound under section 320;

''(2) assist and support the activities of the management conference, including the implementation of recommendations of the management conference;

''(3) support environmental monitoring of the Sound and research to provide necessary technical and scientific information;

''(4) develop a comprehensive research plan to address the technical needs of the program;

''(5) coordinate the grant, research, and planning programs authorized under this section; and

''(6) collect and make available to the public publications, and other forms of information the management conference determines to be appropriate, relating to the environmental quality of the Sound.

''(d) GRANTS.—The Administrator may make grants—

''(1) for restoration projects and studies recommended by a management conference convened for the Sound under section 320; and

''(2) for public education projects recommended by the management conference.

''(e) DEFINITIONS.—In this section, the following definitions apply:

''(1) SOUND.—The term 'Sound' means the Mississippi Sound located on the Gulf Coast of the State of Mississippi.

''(2) PROGRAM.—The term 'program' means the Mississippi Sound Restoration Program established under subsection (a).

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $10,000,000 to carry out this section. Such sums shall remain available until expended.''.

SEC. 904. SENSE OF CONGRESS.

It is the sense of Congress that all recipients of grants under this title (including amendments made by this title) shall abide by the Buy American Act. The Administrator of the Environmental Protection Agency shall give notice of the Buy American Act requirements to grant applicants under this title.

TITLE X—TIJUANA RIVER VALLEY ESTUARY AND BEACH CLEANUP

SEC. 1001. SHORT TITLE.

This title may be cited as the ''Tijuana River Valley Estuary and Beach Sewage Cleanup Act of 2000''.

SEC. 1002. PURPOSE.

The purpose of this title is to authorize the United States to take actions to address comprehensively the treatment of sewage emanating from the Tijuana River area, Mexico, that flows untreated or partially

treated into the United States causing significant adverse public health and environmental impacts.

SEC. 1003. DEFINITIONS.

In this title, the following definitions apply:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) COMMISSION.—The term ''Commission'' means the United States section of the International Boundary and Water Commission, United States and Mexico.

(3) IWTP.—The term ''IWTP'' means the South Bay International Wastewater Treatment Plant constructed under the provisions of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), section 510 of the Water Quality Act of 1987 (101 Stat. 80–82), and Treaty Minutes to the Treaty for the Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande, dated February 3, 1944.

(4) SECONDARY TREATMENT.—The term ''secondary treatment'' has the meaning such term has under the Federal Water Pollution Control Act and its implementing regulations.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of State.

(6) MEXICAN FACILITY.—The term ''Mexican facility'' means a proposed public-private wastewater treatment facility to be constructed and operated under this title within Mexico for the purpose of treating sewage flows generated within Mexico, which flows impact the surface waters, health, and safety of the United States and Mexico.

(7) MGD.—The term ''mgd'' means million gallons per day.

SEC. 1004. ACTIONS TO BE TAKEN BY THE COMMISSION AND THE ADMINISTRATOR.

(a) SECONDARY TREATMENT.—

(1) IN GENERAL.—Subject to the negotiation and conclusion of a new Treaty Minute or the amendment of Treaty Minute 283 under section 1005 of this Act, and notwithstanding section 510(b)(2) of the Water Quality Act of 1987 (101 Stat. 81), the Commission is authorized and directed to provide for the secondary treatment of a total of not more than 50 mgd in Mexico—

(A) of effluent from the IWTP if such treatment is not provided for at a facility in the United States; and

(B) of additional sewage emanating from the Tijuana River area, Mexico.

(2) ADDITIONAL AUTHORITY.—Subject to the results of the comprehensive plan developed under subsection (b) revealing a need for additional secondary treatment capacity in the San Diego-Tijuana border region and recommending the provision of such capacity in Mexico, the Commission may provide not more than an additional 25 mgd of secondary treatment capacity in Mexico for treatment described in paragraph (1).

(b) COMPREHENSIVE PLAN.—Not later than 24 months after the date of enactment of this Act, the Administrator shall develop a comprehensive plan with stakeholder involvement to address the transborder sanitation problems in the San Diego-Tijuana border region. The plan shall include, at a minimum—

(1) an analysis of the long-term secondary treatment needs of the region;

(2) an analysis of upgrades in the sewage collection system serving the Tijuana area, Mexico; and

(3) an identification of options, and recommendations for preferred options, for additional sewage treatment capacity for future flows emanating from the Tijuana River area, Mexico.

(c) CONTRACT.—

(1) IN GENERAL.—Subject to the availability of appropriations to carry out this subsection and notwithstanding any provision of Federal procurement law, upon conclusion of a new Treaty Minute or the amendment of Treaty Minute 283 under section 5, the Commission may enter into a fee-for-services contract with the owner of a Mexican facility in order to carry out the secondary treatment requirements of subsection (a) and make payments under such contract.

(2) TERMS.—Any contract under this subsection shall provide, at a minimum, for the following:

(A) Transportation of the advanced primary effluent from the IWTP to the Mexican facility for secondary treatment.

(B) Treatment of the advanced primary effluent from the IWTP to the secondary treatment level in compliance with water quality laws of the United States, California, and Mexico.

(C) Return conveyance from the Mexican facility of any such treated effluent that cannot be reused in either Mexico or the United States to the South Bay Ocean Outfall for discharge into the Pacific Ocean in compliance with water quality laws of the United States and California.

(D) Subject to the requirements of subsection (a), additional sewage treatment capacity that provides for advanced primary and secondary treatment of sewage described in subsection (a)(1)(B) in addition to the capacity required to treat the advanced primary effluent from the IWTP.

(E) A contract term of 30 years.

(F) Arrangements for monitoring, verification, and enforcement of compliance with United States, California, and Mexican water quality standards.

(G) Arrangements for the disposal and use of sludge, produced from the IWTP and the Mexican facility, at a location or locations in Mexico.

(H) Payment of fees by the Commission to the owner of the Mexican facility for sewage treatment services with the annual amount payable to reflect all agreed upon costs associated with the development, financing, construction, operation, and maintenance of the Mexican facility.

(I) Provision for the transfer of ownership of the Mexican facility to the United States, and provision for a cancellation fee by the United States to the owner of the Mexican facility, if the Commission fails to perform its obligations under the contract. The cancellation fee shall be in amounts declining over the term of the contract anticipated to be sufficient to repay construction debt and other amounts due to the owner that remain unamortized due to early termination of the contract.

(J) Provision for the transfer of ownership of the Mexican facility to the United States, without a cancellation fee, if the owner of the Mexican facility fails to perform the obligations of the owner under the contract.

(K) To the extent practicable, the use of competitive procedures by the owner of the Mexican facility in the procurement of property or services for the engineering, construction, and operation and maintenance of the Mexican facility.

(L) An opportunity for the Commission to review and approve the selection of contractors providing engineering, construction, and operation and maintenance for the Mexican facility.

(M) The maintenance by the owner of the Mexican facility of all records (including books, documents, papers, reports, and other materials) necessary to demonstrate compliance with the terms of this Act and the contract.

(N) Access by the Inspector General of the Department of State or the designee of the Inspector General for audit and examination of all records maintained pursuant to subparagraph (M) to facilitate the monitoring and evaluation required under subsection (d).

(3) LIMITATION.—The Contract Disputes Act of 1978 (41 U.S.C. 601–613) shall not apply to a contract executed under this section.

(d) IMPLEMENTATION.—

(1) IN GENERAL.—The Inspector General of the Department of State shall monitor the implementation of any contract entered into under this section and evaluate the extent to which the owner of the Mexican facility has met the terms of this section and fulfilled the terms of the contract.

(2) REPORT.—The Inspector General shall transmit to Congress a report containing the evaluation under paragraph (1) not later than 2 years after the execution of any contract with the owner of the Mexican facility under this section, 3 years thereafter, and periodically after the second report under this paragraph.

SEC. 1005. NEGOTIATION OF NEW TREATY MINUTE.

(a) CONGRESSIONAL STATEMENT.—In light of the existing threat to the environment and to public health and safety within the United States as a result of the river and ocean pollution in the San Diego-Tijuana border region, the Secretary is requested to give the highest priority to the negotiation and execution of a new Treaty Minute, or a modification of Treaty Minute 283, consistent with the provisions of this title, in order that the other provisions of this title to address such pollution may be implemented as soon as possible.

(b) NEGOTIATION.—

(1) INITIATION.—The Secretary is requested to initiate negotiations with Mexico, within 60 days after the date of enactment of this Act, for a new Treaty Minute or a modification of Treaty Minute 283 consistent with the provisions of this title.

(2) IMPLEMENTATION.—Implementation of a new Treaty Minute or of a modification of Treaty Minute 283 under this title shall be subject to the provisions of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(3) MATTERS TO BE ADDRESSED.—A new Treaty Minute or a modification of Treaty Minute 283 under paragraph (1) should address, at a minimum, the following:

(A) The siting of treatment facilities in Mexico and in the United States.

(B) Provision for the secondary treatment of effluent from the IWTP at a Mexican facility if such treatment is not provided for at a facility in the United States.

(C) Provision for additional capacity for advanced primary and secondary treatment of additional sewage emanating from the Tijuana River area, Mexico, in addition to the treatment capacity for the advanced primary effluent from the IWTP at the Mexican facility.

(D) Provision for any and all approvals from Mexican authorities necessary to facilitate water quality verification and enforcement at the Mexican facility.

(E) Any terms and conditions considered necessary to allow for use in the United States of treated effluent from the Mexican facility, if there is reclaimed water which is surplus to the needs of users in Mexico and such use is consistent with applicable United States and California law.

(F) Any other terms and conditions considered necessary by the Secretary in order to implement the provisions of this title.

SEC. 1006. AUTHORIZATION OF APPROPRIATIONS.

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

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Ohio (Mr. LATOURETTE) and the gentleman from Mississippi (Mr. TAYLOR) each will control 20 minutes.

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

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

Mr. Speaker, S. 835 as amended is a package of 10 House-passed water quality bills. H.R. 3313 is the bill of the gentlewoman from Connecticut (Mrs. JOHNSON), the Long Island Sound Restoration Act which the House passed on May 9 of this year by a vote of 391-to-29. H.R. 3039 is a bill that was authored by our late colleague who was so well memorialized today, the gentleman from Virginia (Mr. BATEMAN), the Chesapeake Bay Restoration Act which passed the House on April 12 of this year by a vote of 418-to-7; H.R. 1775, offered by the gentleman from Maryland (Mr. GILCHREST), Estuary Restoration Act of 2000, which just passed the House by voice vote; H.R. 1237, the bill of the gentleman from New Jersey (Mr. SAXTON) to reauthorize the national estuary program which the House passed on May 8 by voice vote; H.R. 673, offered by the gentleman from Florida (Mr. DEUTSCH), Florida Keys Water Quality Improvement Act, which passed the House on May 3 of this year by a vote of 411-to-7; H.R. 2957, offered by the gentleman from Louisiana (Mr. VITTER), the Lake Pontchartrain Basin Restoration Act of 2000, which passed the House on May 3, 2000 by a vote of 418-to-6; H.R. 1106, offered by the gentlewoman from Florida (Mrs. THURMAN), Alternative Water Sources Act of 2000 which passed the House on May 3 by a vote of 416-to-5; H.R. 2328, offered by the gentleman from New York (Mr. SWEENEY), a bill to reauthorize the Clean Lakes program which passed the House on April 12, by a vote of 420-to-5; H.R. 4104, offered by the gentleman from Mississippi (Mr. TAYLOR), the Sound Restoration Act which just passed the House by voice vote; H.R. 3378, offered by the gentleman from California (Mr. BILBRAY), the Tijuana River Valley Estuary and Beach Sewage Clean Up Act of 2000 which just passed the House about half an hour ago.

This legislation addresses identified needs and will provide significant improvements to the quality of our Nation's waters. I want to thank all of the bill sponsors and all of the members of the Committee on Transportation and Infrastructure, in particular our chairman, the gentleman from Pennsylvania (Mr. SHUSTER), the outstanding representative, the gentleman from Minnesota (Mr. OBERSTAR), the chairman of our subcommittee, the gentleman from New York (Mr. BOEHLERT) and the ranking member, the gentleman from Pennsylvania (Mr. BORSKI) for their hard work in bringing this legislation to the floor.

I think that S. 835, which we now consider, again demonstrates the quality and quantity of work that is done in a bipartisan fashion by the Committee on Transportation and Infrastructure. The fact that there are 10 bills rolled into one Senate bill is a tribute to the outstanding leadership that we have on the committee from our chairman and also the ranking member and confirms, I think, the suspicion that in a time of partisanship these two outstanding bipartisan gentlemen are joined at the hip and they are more interested in getting things done to build America than they are in scoring political points.

The House has already expressed its overwhelming support for these individual bills. I urge all Members to support this omnibus legislation. We hope to work with the Senate expeditiously to send this legislation to the President's desk.

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

Mr. TAYLOR of Mississippi. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of the substitute amendment offered to S. 835. The Estuary Habitat and Chesapeake Bay Restoration Act amendment substitutes the text of S. 835, the Estuary Habitat and Chesapeake Bay Restoration Act that was approved by unanimous consent in the Senate in March with the text of the recently-passed estuary restoration program sponsored by our colleague, the gentleman from Maryland (Mr. GILCHREST). In addition, the substitute amendment includes a collection of other Clean Water Act related bills that have been approved by the House during the 106th Congress. These are H.R. 3039, the Chesapeake Bay Restoration Act, sponsored by our late colleague, the gentleman from Virginia (Mr. BATEMAN), and I thank the gentleman from Ohio (Mr. LATOURETTE) very much for mentioning the gentleman from Virginia (Mr. BATEMAN).

H.R. 1237, a bill to reauthorize the EPA's national estuary program sponsored by the gentleman from New Jersey (Mr. SAXTON); H.R. 673, the Florida Keys Water Quality Improvements Act sponsored by the gentleman from Florida (Mr. DEUTSCH); H.R. 3313, the Long Island Sound Restoration Act sponsored by the gentlewoman from Connecticut (Mrs. JOHNSON); H.R. 2957, the Lake Pontchartrain Basin Restoration Act sponsored by my neighbor and colleague, the gentleman from Louisiana (Mr. VITTER); H.R. 1106, the Alternative Sources Water Act, sponsored by the gentlewoman from Florida (Mrs. THURMAN); H.R. 2328, a bill to reauthorize EPA's Clean Lakes program; H.R. 4104 and H.R. 3378 which we just recently approved.

I support the substitute amendment and urge my colleagues to vote in favor of its passage.

Mr. Speaker, I yield the remainder of my time to the gentleman from Minnesota (Mr. OBERSTAR), the ranking member of the full Committee on Transportation and Infrastructure.

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman from Mississippi (Mr. TAYLOR) for yielding me this time, and I support the somewhat unusual process that we are using here to expedite the action of this body on very important legislation that our committee has already considered. I particularly appreciate that one of the bills included here is that authored by our late colleague on the committee and colleague in the House the gentleman from Virginia (Mr. BATEMAN).

I missed the opportunity earlier in the day to participate in the eulogies because I was committed to a number of meetings in my office with constituents, but I just want to say that we have lost one of the truly amiable, decent, distinguished, caring people ever to serve in this body. The gentleman from Virginia (Mr. BATEMAN) was one of the most gentle, thoughtful, considerate people I have ever known, and as a colleague one of the most thoughtful and sensitive people.

His legislative work was truly significant. He was an advocate for our Nation's defense establishment. He was, I think as one of his colleagues in the Virginia delegation said so well, the gentleman from Virginia (Mr. SISISKY), he knew about readiness. He knew there was a readiness problem in the military before the military knew it. That was the way of gentleman from Virginia (Mr. BATEMAN).

I greatly appreciated the companionship that with shared and the cooperation on a number of issues in our committee, and in his committee of previous service, the Committee on Armed Services on which he jointly served throughout this last term.

I extend to Laura, his dear, wonderful wife, very beautiful and treasured person, my deepest sympathies and those of my wife. I know this is a great loss. Herb was looking forward to retirement. One could just see the twinkle in his eye of the enjoyment that he was looking forward to, spending time with his family and time for himself to travel and to see more of America and to see more of the beloved area of Virginia that he served so well. My prayers are with the gentleman from Virginia (Mr. BATEMAN) and with his family in their hour of need.

Mr. BOEHLERT. Mr. Speaker, I am proud to be a strong supporter of the House Amendment to S. 835, the Clean Waters and Bays Act of 2000.

S. 835 was introduced by the late Senator John Chafee in April 1999 and passed the Senate by unanimous consent on March 30, 2000. Senator Chafee was a champion for the environment and S. 835 reflects his dedication to ensuring that all Americans have safe and clean water.

As passed by the Senate, S. 835 is a clean water omnibus bill that encourages estuary restoration through partnerships with the Corps of Engineers, and Reauthorizes the Clean Water Act's Chesapeake Bay Program, Long Island Sound Office, and National Estuary Program.

The House Amendment to S. 835 replaces the Senate text with the text from House-passed bills on estuary restoration, the Chesapeake Bay Program, the Long Island Sound, and the National Estuary Program. In addition, the House amendment adds House-passed bills to reauthorize the Clean Lakes Program, as well as bills to address other water infrastructure needs at both the national and regional levels.

Each bill in this package is non-controversial and has already passed the House with overwhelming support. The purpose of this omnibus package is to have a vehicle that we can work out with the Senate and send to the President's desk.

S. 835 will go a long way toward addressing the specific water quality needs that my subcommittee on water resources and environment identified through extensive hearings.

The solutions put forth by this bill are solutions that every Member of Congress should be proud to embrace. This legislation does not impose any new mandates. Instead, this legislation encourages cooperative efforts at the local, state and federal levels and fosters public-private partnerships to identify and address water quality problems.

I urge all Members to Support S. 835, as amended.

Mr. TAYLOR of Mississippi. Mr. Speaker, we have no additional requests for time, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and pass the Senate bill, S. 835, as amended.

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

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES

Mr. LATOURETTE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 835) to encourage the restoration of estuary habitat through more efficient project financing and enhanced coordination of Federal and non-Federal restoration programs, and for other purposes, with a House amendment thereto, insist on the House amendment, and request a conference with the Senate thereon.

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

There was no objection.

□ 2320

GENERAL LEAVE

Mr. LATOURETTE. 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. 3378, H.R. 1775, H.R. 4104 and S. 835.

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

There was no objection.

SENSE OF HOUSE REGARDING UNITED STATES-INDIA RELATIONS

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 572) expressing the sense of the House of Representatives that it is in the interest of both the United States and the Republic of India to expand and strengthen United States-India relations, intensify bilateral cooperation in the fight against terrorism, and broaden the ongoing dialogue between the United States and India, of which the upcoming visit to the United States of the Prime Minister of India, Atal Bihari Vajpayee, is a significant step.

The Clerk read as follows:

H. RES. 572

Whereas the United States and the Republic of India are two of the world's largest democracies that together represent one-fifth of the world's population and more than one-fourth of the world's economy;

Whereas the United States and India share common ideals and a vision for the 21st century, where freedom and democracy are the strongest foundations for peace and prosperity;

Whereas in keeping with this vision India has given refuge to His Holiness the Dalai Lama, Burmese refugees fleeing repression in Burma, and is a refuge for people in the region struggling for their basic human rights;

Whereas the United States and India are partners in peace with common interests in and complementary responsibility for ensuring international security and regional peace and stability;

Whereas the United States and India are allies in the cause of democracy, sharing our experience in nurturing and strengthening democratic institutions throughout the world and fighting the challenge to democratic order from forces such as terrorism;

Whereas the growing partnership between the United States and India is reinforced by the ties of scholarship, commerce, and increasingly of kinship among our people;

Whereas the industry, enterprise, and cultural contributions of Americans of Indian heritage have enriched and enlivened the societies of both the United States and India; and

Whereas the bonds of friendship between the United States and India can be deepened and strengthened through cooperative programs in areas such as education, science and technology, information technology, finance and investment, trade, agriculture, energy, the fight against poverty, improving the environment, infrastructure development, and the eradication of human suffering, disease, and poverty: Now, therefore, be it

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

(1) the United States and the Republic of India should continue to expand and strengthen bilateral security, economic, and political ties for the mutual benefit of both countries, and for the maintenance of peace, stability, and prosperity in South Asia;

(2) the United States should consider removing existing unilateral legislative and administrative measures imposed against India, which prevent the normalization of United States-India bilateral economic and trade relations;

(3) established institutional and collaborative mechanisms between the United States and India should be maintained and enhanced to further a robust partnership between the two countries;

(4) it is vitally important that the United State and India continue to share information and intensify their cooperation in combating terrorism; and

(5) the upcoming visit of the Prime Minister of India, Atal Bihari Vajpayee, to the United States is a significant step toward broadening and deepening the friendship and cooperation between United States and India.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from Connecticut (Mr. GEJDENSON) each will control 20 minutes.

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

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. Res. 572.

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

There was no objection.

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

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

Mr. GILMAN. Mr. Speaker, today I introduced H. Res. 572, along with the gentleman from Connecticut (Mr. GEJDENSON), a resolution expressing the sense of the House of Representatives that it is in the interest of both our Nation and India to expand and strengthen U.S.- India relations. To intensify bilateral cooperation in our fight against terrorism and to broaden the ongoing dialogue between the United States and India, of which the upcoming visit to the United States of the Prime Minister of India Atal Bihari Vajpayee, is a significant step.

This coming Thursday, Indian Prime Minister Atal Vajpayee will address a joint session of the Congress. His historic visit comes at a precious moment in U.S.-Indian relations. The world's two largest and most vibrant democracies are in the process of creating a relationship that truly reflects our mutual interests.

Both of our governments are dedicated to the protection of the rule of law, to democracy, and to freedom of religion. Our citizens share a fervent faith in these core values. It is also why India and the United States see eye to eye on so many regional concerns.

China's hegemony, the spread of Islamic terrorism spilling out of Afghanistan and Pakistan, the narco-dictatorship in Burma, China's illegal occupation of Tibet, are serious concerns to both of our nations.

During this past summer, the world was horror stricken when Islamic terrorists gunned down some 101 Hindu pilgrims in Kashmir. The massacre came only 2 weeks after the largest militant Kashmiri group Hezb-ul Mujahadeen called for a cease-fire. The killings apparently were intended to sabotage any attempt to peacefully broker a settlement to the Kashmir crisis.

All of us were outraged by the brutal barbaric killings of innocent civilians. Such malicious extraordinary violence reinforces my conviction that India and the United States must develop a much closer military and intelligence relationship. A special relationship is needed so that we can share our knowledge and skills in order to successfully confront our mutual enemies who wish to destroy the basic principles of our societies.

Regrettably, the State Department has confused our friends and allies in Asia by promoting a strategic partnership with China and by ignoring the fact that Beijing, in violation of the Nuclear Nonproliferation Treaty, transfers and sells nuclear and ballistic weapons technology to Pakistan, a nation that has been spreading terrorism throughout South Asia by supporting the Taliban and other repressive forces.

China has also sold billions of dollars of arms to the narco-dictatorship in Burma that borders on India. We need to lift the remaining economic sanctions that were imposed on India for testing nuclear weapons. As long as the State Department permits China to go unchecked and it continues to stoke the fires in South Asia, India will need to be able to defend itself.

India's Prime Minister's address to Congress this week will afford all of us, all Members of the House and Senate, the opportunity to hear about the issues of importance and the U.S.-India bilateral relationship, including trade, energy, investment, science, information technology, as well as our cooperative efforts to combat terrorism and to achieve regional peace and security in South Asia, a region of prime importance to our national interests.

As the current Indian government works to ensure that India remains secure, our democracy should be marching shoulder to shoulder with her during this new century. So I look forward to meeting with the prime minister and working closely with him and his government on initiatives that bring peace and prosperity to India and to Asia and even stronger bonds of friendship between our two nations. Accordingly, I urge all of our colleagues to support this resolution.

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

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

Mr. Speaker, while it is just morning in India, it is rather late in the evening here, so I will be brief. A few folks watching at home include my son, Ari, who stayed up to hear this debate. And I am sorry to see the chairman engage in some gratuitous assaults on the administration, because, indeed, it is President Clinton who lead the recent trip to India and really welding together these two great democracies.

And while Congress and many of the people in government, executive and legislative, had not recognized for a long time the important bond between India and the United States and Connecticut with the leadership of Chet Bowles, twice ambassador to India, the Congressman from my district, when I was a young man and a governor of the State of Connecticut, he understood even then how important this relationship between the United States and India was.

The present ambassador at work for Chester Bowles is doing a fine job there, as the gentleman from New York (Mr. GILMAN) pointed out. This Thursday we will have an address by the Prime Minister of India, an address that will be greeted in this House by near bipartisan support and approval.

As we have ended the confrontation with the old Soviet Union, the natural bonds between our two democracies continue to build a stronger and stronger relationship. The United States is India's largest trading partner. The Americans in this country and Indians from abroad who have come here have built a stronger and stronger relationship, and as Indian-Americans have felt more a part of our society, they have helped build that bridge between the United States and India.

This visit by the Prime Minister is a visit that will take us to the next level, bringing America's attention squarely focused on India and the shared values we have in democracy fighting terrorism, confronting infectious diseases, and helping develop democracy around the globe. India truly is a marvelous example of people. Consider about a billion people, half of them very poor, still they sustain a civil society that most countries in the world have not yet attained.

Mr. Speaker, I join with the gentleman's statements, at least part of the gentleman's statement, and that is commending the President for having gone to India, commending the Prime Minister for coming here. And I can assure him and the Indian people that there will be no head of state that gets a warmer and friendlier greeting from the American people and from this Congress than the Prime Minister of India will get.

Mr. Speaker, I urge passage of this legislation.

Mr. Speaker, I rise in strong support of this resolution, and yield myself as much time as I may consume.

On Thursday, September 14th, the United States Congress will meet in a rare joint session to hear from the prime Minister of India. It is appropriate that Prime Minister Vajpayee should be accorded this honor.

After all, world's largest democracy and the world's oldest have much in common. India is one of our most important and strategic relationships.

The visit of Indian Prime Minister Atal Bihari Vajpayee to the U.S. provides an opportunity for a further broadening and deepening of the bilateral relationship.

With the end of the Cold War and the subsequent liberalization of the Indian economy, U.S.-India relations have steadily improved. President Clinton was enthusiastically received when he visited India in March, 2000. During that visit, the two leaders set forth the framework for a new partnership between our two countries in the Joint Vision Statement.

The Prime Minister's visit provides us with an important opportunity to further the goals of the Vision Statement.

The U.S. is India's largest trading partner and largest investor. Home to one-fifth of the world's population, India continues to reduce and eliminate barriers to trade, and U.S. investment has grown from $500 million per year in 1991 to over $15 billion in 1999.

The Asian Development Bank has forecast a 7 percent growth in GDP for India over the next two years in light of India's stable government, proposed structural reforms and proven ability to capitalize on the global technology revolution.

The Clinton administration has identified India as one of the world's 10 major emerging markets. The waiver of economic sanctions by the U.S. and the opening up of the insurance sector in India are likely to further increase foreign direct investment in India.

India is a vital U.S. ally in the fight against global terrorism. Because there are significant links between terrorists groups operating in India and those targeting the U.S., the U.S.-India Joint Working Group on Counter-Terrorism was recently founded to coordinate antiterrorism efforts and share intelligence information. In the same manner that the United States and India have forged strong economic and commercial links, so too must we strengthen our partnership for peace and build a comprehensive regime to counter terrorism.

The million-strong Indian-American community in the U.S. provides a strong bond between India and the U.S. Indian-Americans have made immeasurable contributions to our country and are a vital part of communities from San Francisco to Miami and every where in between—even, I am proud to note, in my home state of Connecticut.

Indian Americans, who have organized themselves into a large number of associations and organizations, are playing an important role in deepening and strengthening cooperation between India and the United States.

As the President stated in his March 22 address to the Parliament of India, ''India and America are natural allies, two nations conceived in liberty, each finding strength in its diversity, each seeing in the other a reflection of its own aspiration for a more humane and just world.''

It is essential for the United States and India—the world's two largest democracies—to strengthen our growing bonds of friendship.

I urge my colleagues to support the House Resolution to welcome Prime Minister Vajpayee to the United States and encourage a robust U.S.-India partnership.

Mr. ROYCE. Mr. Speaker, I rise in support of H.Res. 572, of which I am a cosponsor. Indian Prime Minister Vajpayee's state visit this

week caps off a special year in U.S.-India relations that began with President Clinton's March visit to India. The Prime Minister's visit provides another excellent opportunity for the U.S. and India to advance further our rapidly improving and mutually beneficial relationship.

I want to commend Speaker HASTERT for inviting the Prime Minister to share his vision of India's relationship with the U.S. with members of the House and Senate. Thursday's speech will be the first congressional address by a foreign leader in over two years. This address will be an especially significant moment for the over 100 members of the Congressional Caucus on India and Indian Americans, who have worked hard on legislation affecting India.

I had the privilege of traveling to India with the President, and saw firsthand the country's vitality and the desire by the Indian people to develop a closer relationship with America. In New Delhi, President Clinton and Prime Minister Vajpayee signed a joint statement on ''India-U.S. Relations: A Vision for the 21st Century.'' This is an important statement, coming after years of American indifference toward India. It is important that we treat this statement as a living document, working to ensure that its vision becomes reality.

The joint statement includes a pledge ''to reduce impediments to bilateral trade and investment and to expand commerce'' between our two countries. The U.S. is now not only the largest investor in India, it is also India's largest trading partner, with trade between the two countries totaling nearly $13 billion.

The Prime Minister's state visit will also be a larger opportunity to highlight the great economic and cultural contributions of all Indo-Americans, who act as a valuable bridge between our two countries. I join my colleagues in welcoming the Prime Minister and look forward to his speech before members of the House and the Senate.

Ms. SCHAKOWSKY. Mr. Speaker, I am so proud to join my colleagues, the Distinguished Chairman and the ranking Democratic member of the International Relations Committee in welcoming to the United States the Honorable Prime Minister of India, Atal Behari Vajpayee.

On behalf of Illinois' Indian American community and the people of Illinois in the 9th Congressional District, I want to express a most sincere welcome and best wishes for an enjoyable and meaningful visit to Prime Minister Vajpayee.

As my colleagues and the Prime Minister are aware, the Chicago Metropolitan area boasts one of our country's most diverse populations, including a thriving Indian-American community of over 100,000 that is growing every year. As a member of Congress who values the relationship between our two nations and recognizes the significance of Prime Minister Vajpayee's visit, I believe this is an opportunity to strengthen relations between India and our country even further. The Prime Minister's visit also gives the Indian American community a chance to showcase its contributions to American society and to the U.S.-India dialogue.

I was fortunate to be one of eight members of Congress privileged to join President Clinton on his historic trip to India earlier this year. That was such an incredible and valuable experience for me, one which I learned from and which has helped me to understand the rich history and cultural traditions of a great number of my constituents who are of Indian descent.

I was so touched and honored by the warm reception the President's delegation received. I know that we will all do our best to reciprocate so that Prime Minister Vajpayee's visit is greeted with the honor and respect it deserves.

On Thursday, Prime Minister Vajpayee will address a joint session of Congress. This will be the first address to a joint session of Congress by an Indian Prime Minister in six years and the only address by a world leader to the 106th Congress.

It is important that on this historic occasion, Congress sends a strong message on the importance of our relationship with India in such critical areas as trade, national security, health, science and technology and education. The friendship between our people has never been stronger and the relationship between our governments has reached a new height of cooperation. That is why I am a proud original cosponsor of H. Res. 572. The resolution expresses the Sense of the Congress that the United States and India should continue to work together.

I urge all members to vote in support of it, and on behalf of myself, my family and my constituents, I offer a wholehearted and gracious welcome to Prime Minister Vajpayee.

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

Mr. GILMAN. Mr. 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 York (Mr. GILMAN) that the House suspend the rules and agree to the resolution, House Resolution 572.

The question was taken.

Mr. GILMAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

□ 2330

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. PEASE). Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Hawaii (Mrs. MINK) is recognized for 5 minutes.

(Mrs. MINK of Hawaii addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. WOLF) is recognized for 5 minutes.

(Mr. WOLF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GREEN) is recognized for 5 minutes.

(Mr. GREEN of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

(Mr. PAUL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) is recognized for 5 minutes.

(Mrs. CHRISTENSEN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. PITTS) is recognized for 5 minutes.

(Mr. PITTS. addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. RAMSTAD) is recognized for 5 minutes.

(Mr. RAMSTAD addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

REMEMBERING THE SINKING OF THE HMT ROHNA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. METCALF) is recognized for 5 minutes.

Mr. METCALF. Mr. Speaker, the greatest naval disaster in the United States during World War II was the sinking of the USS *Arizona*. 1,177 were killed. The *Arizona* has been memorialized in the national consciousness.

On November 26, 1943, however, a loss of American military personnel of almost identical magnitude occurred when the British troop transport ship, the HMT *Rohna*, was sunk by a radio-controlled rocket-boosted bomb launched from a German bomber off the coast of North Africa. By the next day, 1,015 American troops and more than 100 British and Allied officers and crewmen had perished.

The U.S. troops aboard the *Rohna* have been largely forgotten by their country. I only learned of this disaster because a neighbor of mine on Whidbey Island had a brother who was lost when the *Rohna* was sunk. He made me aware of the issue and the book about the sinking of the *Rohna*.

It is a grim story. Hundreds died when the German missile struck. The majority, however, died from exposure

and drowning when darkness and rough seas limited the rescue efforts. Less than half, over 900, survived, which was less than half.

American, British and French rescue workers worked valiantly to save those *Rohna* passengers and crew who made it off the ship and into the ocean. The USS *Pioneer* picked up two-thirds of all those that were saved, 606 GIs. Many of those in the water had to endure hours of chilling temperatures before being picked up. As the evening moved into the middle of the night and the early morning hours, some men were speechless with the cold. Many died deaths of unbelievable agony.

The United States Government had not properly acknowledged this event. Because inadequate records were kept, some survivors had to fight for years to prove that the *Rohna* even existed, let alone that survivors might be due some recognition.

Finally, at a 1996 memorial dedication honoring the Americans who died on the *Rohna*, survivor John Fievet spoke the following words:

I dedicate this memorial to the memory of those who fell in the service of our country. I dedicate it in the names of those who offered their lives that justice, freedom and democracy might survive to be the victorious ideals of the world. The lives of those who made the supreme sacrifice are glorious before us. Their deeds are an inspiration. As they served America in the time of war, yielding their last full measure of devotion, may we serve America in time of peace. I dedicate this monument to them, and with it, I dedicate this society to the faithful service of our country and the preservation of the memory of those who died, that liberty might live.

The men who gave their lives for their country on board this ship were heroes who deserve to be recognized and not forgotten. Parents of virtually all of them died without learning how their sons had died, because this was something that was not made public. Their brothers and sisters, wives and children need to hear their story. All Americans need to learn of their bravery and sacrifice. Not only do the victims of the tragic sinking need to be honored, but also their comrades, who survived, to be sent on to the Burma-India-China theater of the war and there to serve valiantly.

On November 11, 1993, Charles Osgood featured the *Rohna* story on his widespread radio program. For the first time, in 1993, a broad cross-section of America got to hear the story of some of its unknown warriors. Osgood revisited the subject two weeks later. According to Osgood, ''It is not that we forgot, it is just that we never knew.''

Americans need to know about the *Rohna*. They need to know about the men who died on board, sacrificing their lives in the fight against tyranny. Americans need to know, and certainly must never forget.

REVISIONS OF APPROPRIATE LEVELS OF DEBT IN THE CONGRESSIONAL BUDGET RESOLUTION

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, section 213(1) of the conference report on the Concurrent Resolution on the Budget for Fiscal Year 2001 (H. Con. Res. 290) permits certain adjustments if the Congressional Budget Office (CBO) increases its estimate of the surplus. CBO recently increased its estimate of the on-budget surplus for the current fiscal year by $57.2 billion. I submit for printing in the Congressional Record revisions to the levels of the public debt and the debt held by the public for fiscal years 2000–2005 based on that increase in the surplus.

REVISED APPROPRIATE LEVELS OF DEBT IN THE CONGRESSIONAL BUDGET RESOLUTION

(End of year in billions of dollars)

Fiscal year	Public debt	Debt held by the public
2000	5,583.0	3,413.0
2001	5,666.6	3,256.0
2002	5,757.5	3,077.9
2003	5,857.2	2,891.2
2004	5,951.6	2,689.8
2005	6,040.9	2,467.0

Questoins may be directed to Dan Kowalski at 67270.

STATUS REPORT ON CURRENT SPENDING LEVELS OF ON-BUDGET SPENDING AND REVENUES FOR FY 2000 AND THE 5-YEAR PERIOD FY 2000 THROUGH FY 2004

Mr. KASICH. Mr. Speaker, to facilitate application of sections 302 and 311 of the Congressional Budget Act, I am transmitting a status report on the current levels of on-budget spending and revenues for fiscal year 2000 and for the 5-year period of fiscal year 2000 through fiscal year 2004. This status report is current through September 6, 2000.

The term ''current level'' refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted or awaiting the President's signature.

The first table in the report compares the current level of total budget authority, outlays, and revenues with the aggregate levels set by H. Con. Res. 290. This comparison is needed to implement section 311(a) of the Budget Act, which creates a point of order against measures that would breach the budget resolution's aggregate levels. The table does not show budget authority and outlays for years after fiscal year 2000.

The second table compares the current levels of budget authority and outlays of each authorizing committee with jurisdiction over direct spending programs with the ''section 302(a)'' allocations for discretionary action made under H. Con. Res. 290 for fiscal year 2000 and fiscal years 2000 through 2004. ''Discretionary action'' refers to legislation enacted after adoption of the budget resolution. This comparison is needed to enforce section 302(f) of the Budget Act, which creates a point of order against measures that would breach the section 302(a) discretionary action allocation of new budget authority for the committee that reported the measure. It is also needed to enforce section 311(b), which exempts committees that comply with their allocations from the point of order under section 311(a).

The third table compares the current levels of discretionary appropriations for fiscal year 2000 with the revised ''section 302(b)'' sub-allocations of discretionary budget authority and outlays among Appropriations subcommittees. This comparison is also needed to implement section 302(f) of the budget Act because the point of order under that section also applies to measures that would breach the applicable section 302(b) sub-allocation.

The fourth table compares discretionary appropriations to the levels provided by section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985. Section 251 requires that, if at the end of a session discretionary spending in any category exceeds the limits set forth in section 251(c) (as adjusted pursuant to provisions of section 251(b)), there shall be a sequestration of funds within that category to bring spending within the established limits. As determination of the need for a sequestration is based on the report of the President required by section 254, this table is provided for information purposes only.

REPORT TO THE SPEAKER FROM THE COMMITTEE ON THE BUDGET; STATUS OF THE FISCAL YEAR 2000 CONGRESSIONAL BUDGET ADOPTED IN H. CON. RES. 290

Reflecting Action Completed as of September 6, 2000 (On-budget amounts, in millions of dollars)

	Fiscal year 2000	Fiscal year 2000–2004
Appropriate Level (as amended):		
Budget authority [1]	1,484,852	NA
Outlays [2]	1,455,479	NA
Revenues [3]	1,465,500	7,768,100
Current Level:		
Budget authority	1,482,479	NA
Outlays	1,458,357	NA
Revenues	1,465,492	7,871,246
Current Level over (+)/under (−) Appropriate Level:		
Budget authority	−2,373	NA
Outlays	2,878	NA
Revenues	−8	103,146

NA—Not applicable because annual appropriations Acts for Fiscal Years 2002 through 2004 will not be considered until future sessions of Congress.

[1] Budget Authority—Enactment of any measure providing new budget authority in excess of $2,373,000,000 for FY 2000 (if not already included in the current level estimate) would cause FY 2000 budget authority to exceed the appropriate level set by H. Con. Res. 290.

[2] Outlays—Enactment of any measure providing new outlays for FY 2000 (if not already included in the current level estimate) would cause FY 2000 outlays to further exceed the appropriate level set by H. Con. Res. 290.

[3] Revenues—Enactment of any measure that would result in any revenue loss for FY 2000 (if not already included in the current level estimate) would cause revenues to fall further below the appropriate level set by H. Con. Res. 290. Enactment of any measure resulting in any revenue loss for FY 2000 through 2004 in excess of $103,146,000,000 (if not already included in the current level estimate) would cause revenues to fall below the appropriate levels set by H. Con. Res. 290.

DIRECT SPENDING LEGISLATION—COMPARISON OF CURRENT LEVEL WITH COMMITTEE ALLOCATIONS PURSUANT TO BUDGET ACT SECTION 302(A) REFLECTING ACTION COMPLETED AS OF SEPT. 6, 2000

(Fiscal years in million of dollars)

	2000		2000–2004	
	BA	Outlays	BA	Outlays
HOUSE COMMITTEE				
Agriculture:				
Allocation	5,500	5,500	13,489	12,533
Current Level	5,500	5,500	13,485	12,562
Difference	.....	.....	(4)	29
Armed Services:				
Allocation	.....	.....	.....	.....
Current Level	.....	.....	.....	.....
Difference	.....	.....	.....	.....
Banking and Financial Services:				
Allocation	.....	.....	.....	(968)
Current Level	.....	.....	.....	.....
Difference	.....	.....	.....	968
Commerce:				
Allocation	.....	.....	.....	.....
Current Level	.....	.....	10	10
Difference	.....	.....	10	10
Education & the Workforce:				
Allocatin	.....	.....	.....	.....
Current Level	.....	.....	.....	.....
Difference	.....	.....	.....	.....

DIRECT SPENDING LEGISLATION—COMPARISON OF CURRENT LEVEL WITH COMMITTEE ALLOCATIONS PURSUANT TO BUDGET ACT SECTION 302(A) REFLECTING ACTION COMPLETED AS OF SEPT. 6, 2000—Continued

(Fiscal years in million of dollars)

	2000		2000–2004	
	BA	Outlays	BA	Outlays
HOUSE COMMITTEE				
Government Reform & Oversight:				
Allocation	.....	.....	.....	.....
Current Level	.....	.....	14	14
Difference	.....	.....	14	14
House Administratin:				
Allocation	.....	.....	.....	.....
Current Level	.....	.....	.....	.....
Difference	.....	.....	.....	.....
International Relations:				
Allocation	.....	.....	.....	.....
Current Level	.....	.....	.....	.....
Difference	.....	.....	.....	.....
Judiciary:				
Allocation	.....	.....	.....	.....
Current Level	.....	.....	(456)	(410)
Difference	.....	.....	(456)	(410)

DIRECT SPENDING LEGISLATION—COMPARISON OF CURRENT LEVEL WITH COMMITTEE ALLOCATIONS PURSUANT TO BUDGET ACT SECTION 302(A) REFLECTING ACTION COMPLETED AS OF SEPT. 6, 2000—Continued

(Fiscal years in million of dollars)

	2000		2000–2004	
	BA	Outlays	BA	Outlays
HOUSE COMMITTEE				
Resources:				
Allocation	.....	.....	121	6
Current Level	7	3	(65)	(65)
Difference	7	3	(186	(71)
Science:				
Allocation	.....	.....	.....	.....
Current Level	.....	.....	.....	.....
Difference	.....	.....	.....	.....
Select Committee on Intelligence:				
Allocation	.....	.....	.....	.....
Current	.....	.....	.....	.....
Difference	.....	.....	.....	.....
Small Business:				
Allocation	.....	.....	.....	.....
Current Level	.....	.....	.....	.....
Difference	.....	.....	.....	.....

DIRECT SPENDING LEGISLATION—COMPARISON OF CURRENT LEVEL WITH COMMITTEE ALLOCATIONS PURSUANT TO BUDGET ACT SECTION 302(A) REFLECTING ACTION COMPLETED AS OF SEPT. 6, 2000—Continued

(Fiscal years in million of dollars)

	2000		2000–2004	
	BA	Outlays	BA	Outlays
HOUSE COMMITTEE				
Transportation & Infrastructure:				
Allocation	.....	.....	.....	.....
Current Level	.....	.....	.....	.....
Difference	.....	.....	.....	.....
Veterans' Affairs:				
Allocation	.....	.....	4,666	4,492
Current Level	.....	.....	.....	.....
Difference	.....	.....	(4,666)	(4,492)
Ways and Means:				
Allocation	(50)	.....	3,012	3,064
Current Level	53	52	21	20
Difference	103	52	(2,991)	(3,044)
Total Authorized:				
Allocation	5,450	5,500	21,288	19,127
Current Level	5,560	5,555	13,009	12,131
Difference	110	55	(8,279)	(6,996)

COMPARISON OF CURRENT LEVEL TO DISCRETIONARY SPENDING LEVELS SET FORTH IN SEC. 251(c) OF THE BALANCED BUDGET & EMERGENCY DEFICIT CONTROL ACT OF 1985

(Dollars in millions)

	Defense [1]		Nondefense [1]		General purpose		Violent crime trust fund		Highway category		Mass transit category	
	BA	O	BA	O	BA	O	BA	O	BA	O	BA	O
Statutory Caps [2]	NA	NA	NA	NA	580,289	569,224	4,500	6,344	NA	24,574	NA	4,117
Current Level [3]	298,744	289,521	282,210	291,370	580,954	580,891	4,486	6,999	NA	24,393	NA	4,569
Difference (Current level—Caps)	NA	NA	NA	NA	665	11,667	−14	655	NA	−181	NA	452

[1] Defense and nondefense categories are advisory rather than statutory.
[2] Established by OMB Sequestration Update Report for Fiscal Year 2001.
[3] Consistent with H. Con. Res. 290.

DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2000—COMPARISON OF CURRENT LEVEL WITH SUBALLOCATIONS PURSUANT TO BUDGET ACT SECTION 302(b)

(In millions of dollars)

	302(b) suballocations last updated on October 12, 1999 [1]		Current level reflecting action completed as of September 6, 2000		Difference	
	BA	O	BA	O	BA	O
Agriculture, Rural Development	13,882	14,346	14,825	14,994	943	648
Commerce, Justice, State	35,774	34,907	38,461	38,429	2,687	3,522
National Defense	267,692	259,130	277,137	267,864	9,445	8,734
District of Columbia	453	448	434	505	(19)	57
Energy & Water Development	20,190	20,140	21,295	21,343	1,105	1,203
Foreign Operations	12,625	13,168	16,400	14,136	3,775	968
Interior	13,888	14,354	15,142	15,029	1,254	675
Labor, HHS & Education	75,763	77,063	89,504	90,539	13,741	13,476
Legislative Branch	2,478	2,484	2,466	2,450	(12)	(34)
Military Construction	8,374	8,775	8,489	8,598	115	(177)
Transportation [2]	12,400	43,445	13,256	43,739	856	294
Treasury-Postal Service	13,706	14,115	13,807	14,232	101	117
VA–HUD–Independent Agencies	68,633	82,045	74,502	85,267	5,869	3,222
Reserve/Offsets	0	0	0	0	0	0
Unassigned [3]	42,395	29,609	(278)	(273)	(42,673)	(29,882)
Grand total	588,253	614,029	585,440	616,852	(2,813)	2,823

[1] The Appropriations Committee did not revise the fiscal year 2000 302(b) suballocations after the passage of H. Con. Res. 290.
[2] Transportation does not include mass transit BA.
[3] Unassigned includes the allocation adjustments provided under Section 314, but not yet allocated under Section 302(b), and amounts included in H. Con. Res. 290 not allocated by the Appropriations Committee.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 8, 2000.

Hon. JOHN R. KASICH,
Chairman, Committee on the Budget,
U.S. House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN, the enclosed report shows the effects of Congressional action on the fiscal year 2000 budget and is current through September 6, 2000. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of H. Con. Res. 290, the Concurrent Resolution and the Budget for Fiscal Year 2001, which replace H. Con. Res. 68, the Concurrent Resolution on the Budget for Fiscal Year 2000.

Since my last letter, dated June 19, 2000, the Congress has cleared and the President has signed the Military Construction Appropriations Act, 2001 (Public Law 106–246) and the Department of Defense Appropriations Act, 2001 (Public Law 106–259). Those actions changed budget authority and outlays.

Sincerely,

Barry B. Anderson.
(for Dan L. Crippen).

Enclosure.

FISCAL YEAR 2000 HOUSE CURRENT LEVEL REPORT AS OF SEPT. 7, 2000

(In millions of dollars)

	Budget authority	Outlays	Revenues
Enacted in previous sessions:			
Revenues	0	0	1,465,500
Permanents and other spending legislation	876,422	836,631	0
Appropriation legislation [1]	869,318	889,756	0
Offseting receipts	−284,184	−284,184	0
Total, previously enacted	1,461,556	1,442,203	1,465,500
Enacted this session:			
Omnibus Parks Technical Corrections Act of 1999 (P.L. 106–176)	7	3	0

FISCAL YEAR 2000 HOUSE CURRENT LEVEL REPORT AS OF SEPT. 7, 2000—Continued

(In millions of dollars)

	Budget authority	Outlays	Revenues
Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (P.L. 106–181)	2,805	0	0
Trade and Development Act of 2000 (P.L. 106–200)	53	52	−8
Agricultural Risk Protection Act of 2000 (P.L. 106–224)	5,500	5,500	0
Military Construction Appropriations Act, 2001 (P.L. 106–246)	15,173	13,799	0
Department of Defense Appropriations Act, 2001 (P.L. 106–259)	1,779	0	0
Total, enacted this session	25,317	19,354	−8
Entitlements and Mandatories:			
Adjustment to baseline estimates for payments to states for foster care and adoption assistance	−35	0	0

FISCAL YEAR 2000 HOUSE CURRENT LEVEL REPORT AS OF SEPT. 7, 2000—Continued

(In millions of dollars)

	Budget authority	Outlays	Revenues
Less: Items Excluded for Comparability with Budget Resolution [1]	−4,359	−3,200	0
Total Current Level [1]	1,482,479	1,458,357	1,465,492
Total Budget Resolution [2]	1,484,852	1,455,479	1,465,500
Current Level Over Budget Resolution	0	2,878	0
Current Level Under Budget Resolution	−2,373	0	−8
Memorandum: Revenues, 2000–2004:			
House Current Level	0	0	7,871,246
House Budget Resolution	0	0	7,768,100
Amount Current Level Over Resolution	0	0	103,146

Source: Congressional Budget Office.

Note.—P.L. = Public Law.

[1] For purposes of enforcing section 311 of the Congressional Budget Act in the House, the budget resolution does not include budget authority or outlays for Social Security administrative expenses. As a result, current level excludes these items. In addition, for comparability purposes, current level budget authority excludes $1,159 million that was appropriated for mass transit.

[2] Section 314 of the Congressional Budget Act, as amended, requires that the House Budget Committee revise the budget resolution to reflect funding provided in bills reported by the House for emergency requirements, disability reviews, the Earned Income Tax Credit, and adoption assistance. Of these revisions, $510 million in budget authority and $301 million in outlays are included in the budget resolution but are not yet included in the current level.

STATUS REPORT ON CURRENT SPENDING LEVELS OF ON-BUDGET SPENDING AND REVENUES FOR FY 2001 AND THE 5-YEAR PERIOD FY 2001 THROUGH FY 2005

Mr. KASICH. Mr. Speaker, to facilitate the application of sections 302 and 311 of the Congressional Budget Act and sections 202 and 203 of the conference report accompanying H. Con. Res. 290, I am transmitting a status report on the current levels of on-budget spending and revenues for fiscal year 2001 and for the 5-year period of fiscal years 2001 through fiscal year 2005. This status report is current through September 6, 2000.

The term ''current level'' refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted or awaiting the President's signature.

The first table in the report compares the current levels of total budget authority, outlays, revenues, the surplus and advance appropriations with the aggregate levels set forth by H. Con. Res. 290. This comparison is needed to implement section 311(a) of the Budget Act and sections 202 and 203(b) of H. Con. Res. 290, which create points of order against measures that would breach the budget resolution's aggregate levels. The table does not show budget authority and outlays for years after fiscal year 2001 because appropriations for those years have not yet been considered.

The second table compares the current levels of budget authority and outlays of each authorizing committee with jurisdiction over direct spending programs with the ''section 302(a)'' allocations for discretionary action made under H. Con. Res. 290 for fiscal year 2001 and fiscal years 2001 through 2005. ''Discretionary action'' refers to legislation enacted after the adoption of the budget resolution. This comparison is needed to enforce section 302(f) of the Budget Act, which creates a point of order against measures that would breach the section 302(a) discretionary action allocation of new budget authority for the committee that reported the measure. It is also needed to enforce section 311(b), which exempts committees that comply with their allocations from the point of order under section 311(a).

The third table compares the current levels of discretionary appropriations for fiscal year 2001 with the revised ''section 302(b)'' sub-allocations of discretionary budget authority and outlays among Appropriations subcommittees. This comparison is also needed to implement section 302(f) of the Budget Act because the point of order under that section also applies to measures that would breach the applicable section 302(b) sub-allocation.

The fourth table compares discretionary appropriations to the levels provided by section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985. Section 251 requires that, if at the end of a session discretionary spending in any category exceeds the limits set forth in section 251(c) (as adjusted pursuant to section 251(b)), there shall be a sequestration of amounts within that category to bring spending within the established limits. As the determination of the need for a sequestration is based on the report of the President required by section 254, this table is provided for informational purposes only.

REPORT TO THE SPEAKER FROM THE COMMITTEE ON THE BUDGET

STATUS OF THE FISCAL YEAR 2001 CONGRESSIONAL BUDGET ADOPTED IN H. CON. RES. 290 REFLECTING ACTION COMPLETED AS OF SEPT. 6, 2000

[On-budget amounts, in millions of dollars]

	Fiscal Year	
	2001	2001–2005
Approriate Level (as amended):		
Budget Authority	1,529,558	NA
Outlays	1,501,656	NA
Revenues	1,503,200	8,022,400
Surplus	1,544	NA
Advance Appropriations	23,500	NA
Current Level:		
Budget Authority	1,245,386	NA
Outlays	1,334,025	NA
Revenues	1,514,241	8,169,171
Surplus	180,216	NA
Advance Appropriations	0	NA
Current Level over (+)/under(−) Appropriate Level:		
Budget Authority	−284,172	NA
Outlays	−167,631	NA
Revenues	11,041	146,771
Surplus	178,672	NA
Advance Appropriations	−23,500	NA

NA—Not applicable because annual appropriations Acts for Fiscal Years 2002 through 2005 will not be considered until future sessions of Congress.

BUDGET AUTHORITY

Enactment of any measure providing new budget authority for FY 2001 (if not already included in the current level estimate) in excess of $284,172,000,000 would cause FY 2001 budget authority to exceed the appropriate level set by H. Con. Res. 290.

OUTLAYS

Enactment of any measure providing new outlays for FY 2001 in excess of $167,631,000,000 (if not already included in the current level estimate) would cause FY 2001 outlays to exceed the appropriate level set by H. Con. Res. 290.

REVENUES

Enactment of any measure that would result in any revenue loss for FY 2001 in excess of $11,041,000,000 (if not already included in the current level estimate) would cause revenues to fall below the appropriate level set by H. Con. Res. 290.

Enactment of any measure resulting in any revenue loss for FY 2001 through 2005 in excess of $146,771,000,000 (if not already included in the current level) would cause revenues to fall below the appropriate levels set by H. Con. Res. 290.

SURPLUS

Enactment of any measure that reduces the surplus for FY 2001 by more than $178,672,000,000 (if not already included in the current level estimate) would cause FY 2001 surplus to fall below the appropriate level set by section 202 of H. Con. Res. 290.

ADVANCE APPROPRIATIONS

Enactment of any measure that would result in FY 2001 advance appropriations in excess of $23,500,000,000 (if not already included in the current level estimate) would cause the FY 2001 advance appropriations to exceed the appropriate level set by Section 203(b) of H. Con. Res. 290.

DIRECT SPENDING LEGISLATION: COMPARISON OF CURRENT LEVEL WITH COMMITTEE ALLOCATIONS PURSUANT TO BUDGET ACT SECTION 302(a) REFLECTING ACTION COMPLETED AS OF SEPT. 6, 2000

[Fiscal years, in millions of dollars]

House committee	2001		2001–2005	Outlays
	BA	Outlays	BA	
Agriculture:				
Allocation	3,062	2,295	9,837	8,824
Current Level	3,061	2,166	9,787	8,837
Difference	(1)	(129)	(50)	13
Armed Services:				
Allocation	.....	.....	.....	.....
Current Level	.....	.....	.....	.....
Difference	.....	.....	.....	.....
Banking and Financial Services:				
Allocation	.....	(107)	.....	(1,329)
Current Level	.....	.....	.....	.....
Difference	.....	107	.....	1,329
Commerce:				
Allocation	.....	.....	.....	.....
Current Level	.....	.....	15	15
Difference	.....	.....	15	15
Education & the Workforce:				
Allocation	.....	.....	.....	.....
Current Level	.....	.....	.....	.....
Difference	.....	.....	.....	.....
Government Reform & Oversight:				
Allocation	.....	.....	.....	.....
Current Level	1	1	20	20
Difference	1	1	20	20
House Administration:				
Allocation	.....	.....	.....	.....
Current Level	.....	.....	.....	.....
Difference	.....	.....	.....	.....
International Relations:				
Allocation	.....	.....	.....	.....
Current Level	.....	.....	.....	.....
Difference	.....	.....	.....	.....
Judiciary:				
Allocation	.....	.....	.....	.....
Current Level	(114)	(75)	(570)	(524)
Difference	(114)	(75)	(570)	(524)
Resources:				
Allocation	.....	.....	162	44
Current Level	(96)	(98)	(62)	(58)
Difference	(96)	(98)	(224)	(102)
Science:				
Allocation	.....	.....	.....	.....
Current Level	.....	.....	.....	.....
Difference	.....	.....	.....	.....
Select Committee on Intelligence:				
Allocation	.....	.....	.....	.....
Current Level	.....	.....	.....	.....
Difference	.....	.....	.....	.....
Small Business:				
Allocation	.....	.....	.....	.....
Current Level	.....	.....	.....	.....
Difference	.....	.....	.....	.....
Transportation & Infrastructure:				
Allocation	.....	.....	.....	.....
Current Level	.....	.....	.....	.....
Difference	.....	.....	.....	.....
Veterans' Affairs:				
Allocation	510	479	7,280	7,037
Current Level	.....	.....	.....	.....
Difference	(510)	(479)	(7,280)	(7,037)
Ways and Means:				
Allocation	55	25	3,035	3,038
Current Level	(47)	(47)	(29)	(28)
Difference	(102)	(72)	(3,064)	(3,066)
Total Authorized:				
Allocation	3,627	2,692	20,314	17,614
Current Level	2,805	1,947	9,161	8,262
Difference	(822)	(745)	(11,153)	(9,352)

DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2001: COMPARISON OF CURRENT LEVEL WITH SUBALLOCATIONS PURSUANT TO BUDGET ACT SECTION 302(b)

[In millions of dollars]

	Revised 302(b) suballocations as of July 19, 2000 (H. Rpt. 106–761)		Current level reflecting action completed as of Sept. 6, 2000		Difference	
	BA	O	BA	O	BA	O
Agriculture, Rural Development	14,548	14,972	42	3,882	(14,506)	(11,090)
Commerce, Justice, State	34,904	35,778	283	12,279	(34,621)	(23,499)
National Defense	288,297	279,618	287,590	277,807	(707)	(1,811)
District of Columbia	414	414	0	36	(414)	(378)
Energy and Water Development	21,743	21,950	0	7,908	(21,743)	(14,042)
Foreign Operations	13,281	14,974	0	9,859	(13,281)	(5,115)
Interior	14,723	15,224	36	5,399	(14,687)	(9,825)
Labor, HHS and Education	99,547	95,075	18,954	64,188	(80,593)	(30,887)
Legislative Branch	2,468	2,480	0	352	(2,468)	(2,128)
Military Construction	4,932	2,119	4,932	2,119	(0)	(0)
Transportation [1]	13,735	48,255	20	28,651	(13,715)	(19,604)
Treasury-Postal Service	14,402	14,751	62	3,202	(14,340)	(11,549)
VA-HUD-Independent Agencies	78,317	85,840	3,561	47,808	(74,756)	(38,032)
Unassigned	42	985	0	768	(42)	(217)
Grand Total	601,353	632,435	315,480	464,258	(285,873)	(168,177)

[1] Transportation does not include mass transit BA.

COMPARISON OF CURRENT LEVEL TO DISCRETIONARY SPENDING LEVELS SET FORTH IN SEC. 251(c) OF THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985

[Dollars in millions]

	Defense [1]		Nondefense [1]		General purpose		Highway category		Mass transit category	
	BA	O	BA	O	BA	O	BA	O	BA	O
Statutory Caps [2]	NA	NA	NA	NA	541,095	554,133	0	26,920	NA	4,639
Current Level	296,407	289,819	19,073	150,928	315,480	440,747	0	18,968	0	4,543
Difference (Current Level—Caps)	NA	NA	NA	NA	−225,615	−113,386	NA	−7,952	NA	−96

[1] Defense and nondefense categories are advisory rather than statutory.
[2] Established by OMB Sequestration Update Report for Fiscal Year 2001.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 8, 2000.

Hon. JOHN R. KASICH,
Chairman, Committee on the Budget,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2001 budget and is current through September 6, 2000. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of H. Con. Res. 290, the Concurrent Resolution on the Budget for Fiscal Year 2001. The budget resolution figures incorporate revisions submitted to the House by the Committee on the Budget to reflect funding for emergency requirements, disability reviews, and adoption assistance. Those revisions are required by section 314 of the Congressional Budget Act, as amended.

Since my last letter dated June 19, 2000, the Congress has cleared and the President has signed the Military Construction Appropriations Act, 2001 (Public Law 106–246), the Valles Caldera Preservation Act (Public Law 106–248), the Griffith Project Prepayment and Conveyance Act (Public Law 106–249), the Semipostal Authorization Act (Public Law 106–253), and the Department of Defense Appropriations Act, 2001 (Public Law 106–259). In addition, the Congress cleared for the President's signature the Long-Term Care Security Act (H.R. 4040). Those actions changed budget authority and outlays.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

FISCAL YEAR 2001 HOUSE CURRENT LEVEL REPORT AS OF SEPT. 7, 2000

[In millions of dollars]

	Budget Authority	Outlays	Revenues	Surplus
Enacted in previous sessions:				
Revenues	0	0	1,514,800	.....
Permanents and other spending legislation	961,064	916,715	0	.....
Appropriation legislation [1]	0	266,010	0	.....
Offsetting receipts	−297,807	−297,807	0	.....
Total, previously enacted	663,257	884,918	1,514,800	n/a
Enacted this session:				
The Electronic Benefit Transfer Interoperability and Portability Act of 1999 (P.L. 106–171)	1	1	0	.....
Omnibus Parks Technical Corrections Act of 1999 (P.L. 106–176)	8	6	0	.....
Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (P.L. 106–181)	3,200	0	−2	.....
Civil Asset Forfeiture Reform Act of 2000 (P.L. 106–185)	−114	−75	−115	.....
Trade and Development Act of 2000 (P.L. 106–200)	−47	−47	−442	.....
Agricultural Risk Protection Act of 2000 (P.L. 106–224)	3,060	2,165	0	.....
Military Construction Appropriations Act, 2001 (P.L. 106–246)	4,932	−3,982	0	.....
Valles Caldera Preservation Act (P.L. 106–248)	−1	−1	0	.....
Griffith Project Prepayment and Conveyance Act (P.L. 106–249)	−103	−103	0	.....
Semipostal Authorization Act (P.L. 106–253)	−2	−2	0	.....
Department of Defense Appropriations Act, 2001 (P.L. 106–259)	287,806	188,945	0	.....
Total, enacted this session	298,740	186,907	−559	n/a
Cleared pending signature:				
Long-Term Care Security Act (H.R. 4040)	3	3	0	n/a
Entitlements and Mandatories:				
Budget resolution baseline estimates of appropriated entitlements and other mandatory programs not yet enacted	283,386	262,562	0	n/a
Less: Items Excluded for Comparability with Budget Resolution [1]	0	−365	0	n/a
Total Current Level [1]	1,245,386	1,334,025	1,514,241	180,216
Total Budget Resolution [2]	1,529,558	1,501,656	1,503,200	1,544
Current Level Over Budget Resolution	0	0	11,041	178,672
Current Level Under Budget Resolution	−284,172	−167,631	0	0
Memorandum:				
Revenues, 2001–2005:				
House Current Level	0	0	8,169,171	n/a
House Budget Resolution	0	0	8,022,400	n/a
Current Level Over Budget Resolution	0	0	146,771	n/a
2001 Advances:				
FY 2002 House Current Level	0	0	0	n/a
FY 2001 House Budget Resolution	0	0	23,500	n/a

FISCAL YEAR 2001 HOUSE CURRENT LEVEL REPORT AS OF SEPT. 7, 2000—Continued

[In millions of dollars]

	Budget Authority	Outlays	Revenues	Surplus
Current Level Under Budget Resolution	0	0	−23,500	n/a

[1] For purposes of enforcing section 311 of the Congressional Budget Act in the House, the budget resolution does not include budget authority or outlays for Social Security administrative expenses. As a result, current level excludes these items.

[2] Section 314 of the Congressional Budget Act, as amended, requires that the House Budget Committee revise the budget resolution to reflect funding provided in bills reported by the House for emergency requirements, disability reviews, the Earned Income Tax Credit, and adoption assistance. Of these revisions, $1,030 million in budget authority and $829 million in outlays are included in the budget resolution but are not yet included in the current level.

Source: Congressional Budget office.

Notes: P.L. = Public Law; n.a. = not applicable.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. EDDIE BERNICE JOHNSON of Texas (at the request of Mr. GEPHARDT) for today on account of official business.

Mr. BECERRA (at the request of Mr. GEPHARDT) for today on account of business in the district.

Mr. BONILLA (at the request of Mr. ARMEY) for today on account of travel delays.

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. GEJDENSON) to revise and extend their remarks and include extraneous material:)

Mrs. MINK of Hawaii, for 5 minutes, today.

Mr. GREEN of Texas, for 5 minutes, today.

Mrs. CHRISTENSEN, for 5 minutes, today.

(The following Members (at the request of Mr. METCALF) to revise and extend their remarks and include extraneous material:)

Mr. PAUL, for 5 minutes, today and September 18.

Mr. PITTS, for 5 minutes, today and September 18.

Mr. RAMSTAD, for 5 minutes, today.

Mr. BARTLETT of Maryland, for 5 minutes, September 18.

Mr. METCALF, for 5 minutes, today.

Mr. KASICH, for 5 minutes, today.

SENATE BILL REFERRED

A bill of the senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2386. an act to authorize the United States Postal Service to issue semipostals, and for other purposes; to the Committee on Government Reform, in addition to the Committee on Rules for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

HOUSE BILLS AND JOINT RESOLUTIONS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills and joint resolutions of the following titles:

February 18, 2000:

H.R. 2130. An act to amend the Controlled Substances Act to direct the emergency scheduling of gamma hydroxybutyric acid, to provide for a national awareness campaign, and for other purposes.

February 25, 2000:

H.R. 1451. An act to establish the Abraham Lincoln Bicentennial Commission.

March 5, 2000:

H.R. 3557. An act to authorize the President to award a gold medal on behalf of the Congress to John Cardinal O'Connor, Archbishop of New York, in recognition of his accomplishments as a priest, a chaplain, and a humanitarian.

March 10, 2000:

H.R. 149. A act to make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996 and to other laws related to parks and public lands.

H.R. 764. An act to reduce the incidence of child abuse and neglect, and for other purposes.

March 14, 2000:

H.R. 1883. An act to provide for the application of measures to foreign persons who transfer to Iran certain goods, services, or technology, and for other purposes.

April 5, 2000:

H.R. 1000. An act to amend title 49, United States Code, to reauthorize programs of the Federal Aviation Administration, and for other purposes.

April 7, 2000:

H.R. 5. An act to amend title II of the Social Security Act to eliminate the earnings test for individuals who have attained retirement age.

April 13, 2000:

H.R. 1374. An act to designate the United States Post Office building located at 680 U.S. Highway 130 in Hamilton, New Jersey, as the ''John K. Rafferty Hamilton Post Office Building.''

April 14, 2000:

H.R. 3189. An act to designate the United States post office located at 14071 Peyton Drive in Chino Hills, California, as the ''Joseph Ileto Post Office.''

April 25, 2000:

H.R. 1658. An act to provide a more just and uniform procedure for Federal civil forfeitures, and for other purposes.

April 28, 2000:

H.R. 1231. An act to direct the Secretary of Agriculture to convey certain National Forest lands to Elko County, Nevada, for continued use as a cemetery.

H.R. 2368. An act to assist in the resettlement and relocation of the people of Bikini Atoll by amending the terms of the trust fund established during the United States Administration of the Trust Territory of the Pacific Islands.

H.R. 2862. An act to direct the Secretary of the Interior to release reversionary interests held by the United States in certain parcels of land in Washington County, Utah, to facilitate an anticipated land exchange.

H.R. 2863. An act to clarify the legal effect on the United States of the acquisition of a parcel of land in the Red Cliffs Desert Reserve in the State of Utah.

H.R. 3063. An act to amend the Mineral Leasing Act to increase the maximum acreage of Federal leases for sodium that may be held by an entity in any one state, and for other purposes.

May 2, 2000:

H.J. Res. 86. Joint resolution recognizing the 50th anniversary of the Korean War and the service by members of the Armed Force during such war, and for other purposes.

H.R. 1615. An act to amend the Wild and Scenic Rivers Act to extend the designation of a portion of the Lamprey River in New Hampshire as a recreational river to include an additional river segment.

H.R. 1753. An act to promote the research, identification, assessment, exploration, and development of gas hydrate resources, and for other purposes.

H.R. 3090. An act to amend the Alaska Native Claims Settlement Act to restore certain lands to the Elim Native Corporation, and for other purposes.

May 18, 2000:

H.R. 434. An act to authorize a new trade and investment policy for sub-Saharan Africa, expand trade benefits to the countries in the Caribbean Basin, renew the generalized system of preferences, and reauthorize the trade adjustment assistance programs.

May 22, 2000:

H.R. 2412. An act to designate the Federal building and United States courthouse located at 1300 South Harrison Street in Fort Wayne, Indiana, as the ''E. Ross Adair Federal Building and United States Courthouse.''

May 25, 2000:

H.R. 154. An act to allow the Secretary of the Interior and the Secretary of Agriculture to establish a fee system for commercial filming activities on Federal land, and for other purposes.

H.R. 371. An act to facilitate the naturalization of aliens who served with special guerrilla units or irregular forces in Laos.

H.R. 834. An act to extend the authorization for the Historic Preservation Fund and the Advisory Council on Historic Preservation, and for other purposes.

H.R. 1377. An act to designate the facility of the United States Postal Service located at 9308 South Chicago Avenue, Chicago, Illinois, as the ''John J. Buchanan Post Office Building.''

H.R. 1832. An act to reform unfair and anticompetitive practices in the professional boxing industry.

H.R. 3629. An act to amend the Higher Education Act of 1965 to improve the program for American Indian Tribal Colleges and Universities under part A of title III.

H.R. 3707. An act to authorize funds for the construction of a facility in Taipei, Taiwan suitable for the mission of the American Institute in Taiwan.

June 15, 2000:

H.R. 3293. An act to amend the law that authorized the Vietnam Veterans Memorial to authorize the placement within the site of the memorial of a plaque to honor those Vietnam veterans who died after their service in the Vietnam war, but as a direct result of that service.

H.R. 4489. An act to amend section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, and for other purposes.

June 20, 2000:

H.R. 1953. An act to authorize leases for terms not exceed 99 years on land held in trust for the Torres Martinex Desert Cahuilla Indians and the Guidiville Band of Pomo Indians of the Guidiville Indian Rancheria.

H.R. 2484. An act to provide that land which is owned by the Lower Sioux Indian Community in the State of Minnesota but which is not held in trust by the United States for the Community may be leased or transferred by the Community without further approval by the United States.

H.R. 2559. An act to amend the Federal Crop Insurance Act to strengthen the safety net for agricultural producers by providing greater access to more affordable risk management tools and improved protection from production and income loss, to improve the efficiency and integrity of the Federal crop insurance program.

H.R. 3639. An act to designate the Federal building located at 2201 C Street, Northwest, in the District of Columbia, currently headquarters for the Department of State, as the ''Harry S Truman Federal Building.''

H.R. 3642. An act to authorize the President to award posthumously a gold medal on behalf of the Congress to Charles M. Schulz in recognition of his lasting artistic contribution to the Nation and the world, and for other purposes.

H.R. 4542. An act to designate the Washington Opera in Washington, D.C., as the National Opera.

June 27, 2000:

H.R. 4387. An act 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.

June 28, 2000:

H.J. Res. 101. Joint resolution recognizing the 225th birthday of the United States Army.

July 1, 2000:

H.R. 4762. An act to amend the Internal Revenue Code of 1986 to require 527 organizations to disclose their political activities.

July 6, 2000:

H.R. 642. An act to redesignate the Federal building located at 701 South Santa Fe Avenue in Compton, California, and known as the Compton Main Post Office, as the ''Mervyn Malcolm Dymally Post Office Building.''

H.R. 643. An act to redesignate the Federal building located at 10301 South Compton Avenue, in Los Angeles, California, and know as the Watts Finance Office, as the ''Augustus F. Hawkins Post Office Building.''

H.R. 1666. An act to designate the facility of the United States Postal Service at 200 East Pinckney Street in Madison, Florida, as the ''Captain Colin P. Kelly, Jr. Post Office.''

H.R. 2307. An act to designate the building of the United States Postal Services located at 5 Cedar Street in Hopkinton, Massachusetts, as the ''Thomas J. Brown Post Office Building.''

H.R. 2357. An act to designate the United States Post Office located at 3675 Warrensville Center Road in Shaker Heights, Ohio, as the ''Louise Stokes Post Office.''

H.R. 2460. An act to designate the United States Post Office located at 125 Border Avenue West in Wiggins, Mississippi, as the ''Jay Hanna 'Dizzy' Dean Post Office.''

H.R. 2591. An act to designate the United States Post Office located at 713 Elm Street in Wakefield, Kansas, as the ''William H. Avery Post Office.''

H.R. 2952. An act to redesignate the facility of the United States Postal Service located at 100 Orchard Park Drive in Greenville, South Carolina, as the ''Keith D. Oglesby Station.''

H.R. 3018. An act to designate certain facilities of the United States Postal Service in South Carolina.

H.R. 3699. An act to designate the facility of the United States Postal Service located at 8409 Lee Highway in Merrifield, Virginia, as the ''Joel T. Broyhill Postal Building.''

H.R. 3701. An act to designate the facility of the United States Postal Service located at 3118 Washington Boulevard in Arlington, Virginia, as the ''Joseph L. Fisher Post Office Building.''

H.R. 3903. An act to deem the vessel M/V MIST COVE to be less than 100 gross tons, as measured under chapter 145 of title 46, United States Code.

H.R. 4241. An act to designate the facility of the United States Postal Service located at 1818 Milton Avenue in Janesville, Wisconsin, as the ''Les Aspin Post Office Building.''

July 10, 2000:

H.R. 3051. An act to direct the Secretary of the Interior, the Bureau of Reclamation, to conduct a feasibility study on the Jicarilla Apache Reservation in the State of New Mexico, and for other purposes.

July 13, 2000:

H.R. 4425. An act making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

July 27, 2000:

H.R. 3544. An act to authorize a gold medal to be presented on behalf of the Congress to Pope John Paul II in recognition of his many and enduring contributions to peace and religious understanding, and for other purposes.

H.R. 3591. An act to provide for the award of a gold medal on behalf of the Congress to former President Ronald Reagan and his wife Nancy Reagan in recognition of their service to the Nation.

July 28, 2000:

H.R. 4391. An act to amend title 4 of the United States Code to establish sourcing requirements for State and local taxation of mobile telecommunication services.

H.R. 4437. An act to grant to the United States Postal Service the authority to issue semipostals, and for other purposes.

August 2, 2000:

H.R. 1791. An act to amend title 18, United States Code, to provide penalties for harming animals used in Federal Law enforcement.

H.R. 4249. An act to foster cross-border cooperation and environmental cleanup in Northern Europe.

August 9, 2000:

H.R. 4576. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

August 18, 2000:

H.R. 1167. An act to amend the Indian Self-Determination and Education Assistance Act to provide for further self-governance by Indian tribes, and for other purposes.

H.R. 1749. An act to designate Wilson Creek in Avery and Caldwell Counties, North Carolina, as a component of the National Wild and Scenic Rivers System.

H.R. 1982. An act to name the Department of Veterans Affairs outpatient clinic in Rome, New York, as the ''Donald J. Mitchell Department of Veterans Affairs Outpatient Clinic.''

H.R. 3291. An act to provide for the settlement of the water rights claims of the Shivwits Band of the Paiute Indian Tribal of Utah, and for other purposes.

August 19, 2000:

H.R. 3519. An act to provide for negotiations for the creation of a trust fund to be administered by the International Bank for Reconstruction and Development or the International Development Association to combat the AIDS epidemic.

SENATE BILLS AND JOINT RESOLUTIONS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills and joint resolutions of the Senate of the following titles:

February 11, 2000:

S. 1733. An act to amend the Food Stamp Act of 1977 to provide for a national standard of interoperability and portability applicable to electronic food stamp benefit transactions.

February 25, 2000:

S. 632. An act to provide assistance for poison prevention and to stabilize the funding of regional poison control centers.

March 14, 2000:

S. 613. An act to encourage Indian economic development, to provide for the disclosure of Indian tribal sovereign immunity in contracts involving Indian tribes, and for other purposes.

March 17, 2000:

S. 376. An act to amend the Communications Satellite Act of 1962 to promote competition and privatization in satellite communications, and for other purposes.

April 25, 2000:

S.J. Res. 43. Joint resolution expressing the sense of Congress that the President of the United States should encourage free and fair elections and respect for democracy in Peru.

May 2, 2000:

S. 1567. An act to designate the United States courthouse located at 223 Broad Avenue in Albany, Georgia, as the ''C.B. King United States Courthouse.''

S. 1769. An act to exempt certain reports from automatic elimination and sunset pursuant to the Federal Reports Elimination and Sunset Act of 1995, and for other purposes.

May 5, 2000:

S.J. Res. 40. Providing for the appointment of Alan G. Spoon as a citizen regent of the Board of Regents of the Smithsonian Institution.

S.J. Res. 42. Providing for the reappointment of Manuel L. Ibanez as a citizen regent of the Board of Regents of the Smithsonian Institution.

May 15, 2000:

S. 452. An act for the relief of Belinda McGregor.

May 18, 2000:

S. 1744. An Act to amend the Endangered Species Act of 1973 to provide that certain species conservation reports shall continue to be required to be submitted.

S. 2323. An act to amend the Fair Labor Standards Act of 1938 to clarify the treatment of stock options under the Act.

May 23, 2000:

S. 2370. An act to designate the Federal building located at 500 Pearl Street in New York City, New York, as the ''Daniel Patrick Moynihan United States Courthouse.''

May 25, 2000:

S. 1836. An act to extend the deadline for commencement of construction of a hydroelectric project in the State of Alabama.

May 26, 2000:

S.J. Res. 44. Joint resolution supporting the Day of Honor 2000 to honor and recognize the service of minority veterans in the United States Armed Forces during World War II.

June 20, 2000:

S. 291. An act to convey certain real property within the Carlsbad Project in New Mexico to the Carlsbad Irrigation District.

S. 356. An act to authorize the Secretary of the Interior to convey certain works, facilities, and titles of the Gila Project, and designated lands within or adjacent to the Gila Project, to the Wellton-Mohawk Irrigation and Drainage District, and for other purposes.

S. 777. An act to require the Secretary of Agriculture to establish an electronic filing and retrieval system to enable farmers and other persons to file paperwork electronically with selected agencies of the Department of Agriculture and to access public information regarding the programs administered by these agencies.

S. 2722. An act to authorize the award of the Medal of Honor to Ed W. Freeman, James K. Okubo, and Andrew J. Smith.

June 29, 2000:

S. 1967. An act 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.

June 30, 2000:

S. 761. An act to facilitate the use of electronic records and signatures in interstate or foreign commerce.

July 10, 2000:

S. 1309. An act to amend title I of the Employee Retirement Income Security Act of 1974 to provide for the preemption of State law in certain cases relating to certain church plans.

S. 1515. An act to amend the Radiation Exposure Compensation Act, and for other purposes.

July 20, 2000:

S. 148. An act to require the Secretary of the Interior to establish a program to provide assistance in the conservation of neotropical migratory birds.

July 25, 2000:

S. 1892. An act to authorize the acquisition of the Valles Caldera, to provide for an effective land and wildlife management program for the resource within the Department of Agriculture, and for other purposes.

July 26, 2000:

S. 986. An act to direct the Secretary of the Interior to convey the Griffith Project to the Southern Nevada Water Authority.

August 7, 2000:

S. 2327. An act to establish a Commission on Ocean Policy, and for other purposes.

August 8, 2000:

S. 1629. An act to provide for the exchange of certain land in the State of Oregon.

S. 1910. An act to amend the Act establishing Women's Rights National Historical Park to permit the Secretary of the Interior to acquire title in fee simple to the Hunt House located in Waterloo, New York.

ADJOURNMENT

Mr. METCALF. Mr. Speaker, pursuant to House Resolution 573, I move that the House do now adjourn in the memory of the late Honorable Herbert H. Bateman.

The motion was agreed to; accordingly (at 11 o'clock and 37 minutes p.m.) pursuant to House Resolution 573, the House adjourned until tomorrow, Wednesday, September 13, 2000, at 10 a.m. in memory of the late Honorable Herbert H. Bateman of Virginia.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

9961. A letter from the Under Secretary, Food Nutrition, and Consumer Services, Department of Agriculture, transmitting the Department's final rule —Special Supplemental Nutrition Program for Women, Infants and Children (WIC): Requirements for and Evaluation of WIC Program Bid Solicitations for Infant Formula Rebate Contracts (RIN: 0584–AB52) received September 1, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

9962. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Credit by Brokers and Dealers; List of Foreign Market Stocks [Regulation T] received August 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9963. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Substances Approved for Use in the Preparation of Meat and Poultry Products [Docket No. 95N–0220] (RIN: 0910–AA58) received September 1, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9964. A letter from the Chief, Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting the Commission's final rule—Establishment of an Improved Model for Predicting the Broadcast Television Field Strength received at Individual Locations [ET Docket No. 00–11] received August 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9965. A letter from the Chief, Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting the Commission's final rule—Amendments of Part 2 and 95 of the Commission's Rules to Create a Wireless Medical Telemetry Service [ET Docket No. 99–255; PR Docket No. 92–235] received August 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9966. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Las Vegas and Pecos, New Mexico) [MM Docket No. 00–5; RM–9752] received August 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9967. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations (Wamsutter and Bairoil, Wyoming) [MM Docket No. 98–86; RM–9284; RM–9671] received August 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9968. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Alva, Oklahoma) [MM Docket No. 00–7; RM–9799] received August 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9969. A letter from the Assoc. Bureau Chief/Wireless Telecommunications, Federal Communications Commission, transmitting the Commission's final rule—Amendment to the Commission's Rules to Permit Flexible Service Offerings in the Commercial Mobile Radio Services [WT Docket No. 96–6] received September 1, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9970. A letter from the Director, Office of Congressional Affairs, Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission, transmitting the Commission's final rule—Clarification and Addition of Flexibility (RIN: 3150–AG15) received August 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9971. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting the listing of all outstanding Letters of Offer to sell any major defense equipment for $1 million or more; the listing of all Letters of Offer that were accepted, as of June 30, 2000, pursuant to 22 U.S.C. 2776(a); to the Committee on International Relations.

9972. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13–435, ''Approval of the Application for Transfer of Control District Cablevision Limited Partnership from Tele-Communications, Inc., to AT&T Corp. Act of 2000'' received September 12, 2000, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

9973. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13–434, ''Uniform Commercial Code Secured Transactions Revision Act of 2000'' received September 12, 2000, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

9974. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13–398, ''Sacred Heart Way, N.W., Designation Act of 2000'' received September 12, 2000, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

9975. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13–436, ''Securities Act of 2000'' received September 12, 2000, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

9976. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Procurement List: Additions—received September 1, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

9977. 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; Determination of Threatened Status for one Steelhead Evolutionary Unit (ESU) in California (RIN: 1018–AN58) received September 1, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9978. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Fire Protection Measures for Towing Vessels [USCG 1998–4445] (RIN: 2115–AF66) received August 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9979. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Lake Erie, Maumee River, Ohio [CGD09–00–080] (RIN: 2115–AA97) received August 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9980. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Lake Erie, Maumee River, Ohio [CGD09–00–079] (RIN: 2115–AA97) received August 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9981. A letter from the Acting Chief, Office of Regulations and Administrative Law,

USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Fireworks Display, Rockway Beach, NY [CGD01–00–206] (RIN: 2115–AA97) received August 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9982. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone Regulation for San Juan Harbor, Puerto Rico [COTP San Juan 00–065] (RIN: 2115–AA97) received August 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9983. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Sharpstown Outboard Regatta, Nanticoke River, Sharpstown, Maryland [CGD05–00–03] (RIN: 2115–AE46) received August 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9984. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulation; Upper Mississippi River [CGD 08–00–014] (RIN: 2115–AE47) received August 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9985. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Tickfaw River, LA [CGD08–00–019] (RIN: 2115–AE47) received August 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9986. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Red River, LA [CGD08–00–020] (RIN: 2115–AE47) received August 31, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9987. A letter from the Regulations Officer, Social Security Administration, transmitting the Administration's ''Major'' rule—Supplemental Security Income; Determining Disability for a Child Under Age 18 [Regulations No. 4 and 16] (RIN: 0960–AF40) received September 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Alaska: Committee on Resources. H.R. 3595. A bill to increase the authorization of appropriations for the Reclamation Safety of Dams Act of 1978, and for other purposes; with an amendment (Rept. 106–836). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 4148. A bill to make technical amendments to the provisions of the Indian Self-Determination and Education Assistance Act relating to contract support costs, and for other purposes; with an amendment (Rept. 106–837). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 4790. A bill to recognize hunting heritage and provide opportunities for continued hunting on public lands; with an amendment (Rept. 106–838). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. House Concurrent Resolution 345. Resolution expressing the sense of the Congress regarding the need for cataloging and maintaining public memorials commemorating military conflicts of the United States and the service of individuals in the Armed Forces (Rept. 106–839). Referred to the House Calendar.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 4104. A bill to amend the Federal Water Pollution Control Act to authorize funding to carry out certain water quality and barrier island restoration projects for the Mississippi Sound, and for other purposes; with amendments (Rept. 106–840). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 3661. A bill to help ensure general aviation aircraft access to Federal land and to the airspace over that land; with amendment (Rept. 106–841 Pt. 1). Ordered to be printed.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 3378. A bill to authorize certain actions to address the comprehensive treatment of sewage emanating from the Tijuana River in order to substantially reduce river and ocean pollution in the San Diego border region; with an amendment (Rept. 106–842 Pt. 1). Ordered to be printed.

Mr. SENSENBRENNER: Committee of Conference. Conference report on H.R. 1654. A bill to authorize appropriations for the National Aeronautics and Space Administration for fiscal years 2000, 2001, and 2002, and for other purposes (Rept. 106–843). Ordered to be printed.

Mr. REYNOLDS: Committee on Rules. House Resolution 574. Resolution waiving points of order against the conference report to accompany the bill (H.R. 1654) to authorize appropriations for the National Aeronautics and Space Administration for fiscal years 2000, 2001, and 2002, and for other purposes (Rept. 106–844). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X the Committee on International Relations discharged. H.R. 3378 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Pursuant to clause 5 of rule X the Committee on Agriculture and Transportation and Infrastructure discharged. H.R. 3661 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 3378. Referral to the Committee on International Relations extended for a period ending not later than September 12, 2000.

H.R. 3661. Referral to the Committees on Agriculture and Transportation and Infrastructure extended for a period ending not later than September 12, 2000.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. CHABOT (for himself, Mr. DOOLITTLE, Mr. DELAY, and Mr. ROGAN):

H.R. 5146. A bill to amend the Internal Revenue Code of 1986 to prohibit the use of amounts in the Presidential Election Campaign Fund for presidential nominating conventions of political parties; to the Committee on House Administration.

By Mr. HALL of Ohio (for himself, Mr. WOLF, and Ms. MCKINNEY):

H.R. 5147. A bill to prohibit the importation of diamonds mined in certain countries, and for other purposes; to the Committee on Ways and Means.

By Mr. ANDREWS (for himself and Mrs. MCCARTHY of New York):

H.R. 5148. A bill to provide for the establishment of a national database of ballistics information about firearms for use in fighting crime, and to require firearms manufacturers to provide ballistics information about new firearms to the national database; to the Committee on the Judiciary.

By Mr. BARTLETT of Maryland:

H.R. 5149. A bill to amend the Internal Revenue Code of 1986 to prohibit the use of public funds for political party conventions; to the Committee on House Administration.

By Mr. BLUMENAUER (for himself, Mr. DEFAZIO, Ms. HOOLEY of Oregon, and Mr. WU):

H.R. 5150. A bill to direct the Secretary of the Army to conduct studies and ecosystem restoration projects within the Lower Columbia River and Tillamook Bay Estuaries, Oregon and Washington; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS (for himself, Mr. PETERSON of Minnesota, and Mr. PETERSON of Minnesota):

H.R. 5151. A bill to amend the Social Security Act to establish an outpatient presciption drug assistance program for low-income Medicare beneficiaries and Medicare beneficiaries with high drug costs; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAMP (for himself, Mrs. THURMAN, Mr. SAM JOHNSON of Texas, Mr. LEWIS of Kentucky, Mr. UPTON, Ms. RIVERS, Mr. PAUL, Mr. GREENWOOD, Mr. HAYWORTH, Mr. MCNULTY, Mr. KLECZKA, Mr. LAFALCE, Mr. CANADY of Florida, Mr. BRYANT, Mr. DOYLE, Mr. SKELTON, and Mr. RANGEL):

H.R. 5152. A bill to amend title XVIII of the Social Security Act to update the renal dialysis composite rate; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOUGHTON (for himself, Mr. MINGE, Mr. STUPAK, and Mrs. KELLY):

H.R. 5153. A bill to amend title XVIII of the Social Security Act to ensure adequate payment rates for ambulance services, to apply a prudent layperson standard to the determination of medical necessity for emergency ambulance services, and to recognize the additional costs of providing ambulance services in rural areas; to the Committee on

Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUTCHINSON (for himself, Mr. GREEN of Texas, Mr. ROGAN, and Mr. BILBRAY):

H.R. 5154. A bill to amend title 18, United States Code, to impose criminal and civil penalties for false statements and failure to file reports concerning defects in foreign motor vehicle products, and to require the timely provision of notice of such defects, and for other purposes; to the Committee on Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KOLBE (for himself and Mr. DREIER):

H.R. 5155. A bill to provide that a certification of the cooperation of Mexico with United States counterdrug efforts not be required in fiscal year 2001 for the limitation on assistance for Mexico under section 490 of the Foreign Assistance Act of 1961 not to go into effect in that fiscal year; to the Committee on International Relations.

By Mrs. MCCARTHY of New York:

H.R. 5156. A bill to amend title XVIII of the Social Security Act to establish standards for payment under the Medicare Program for certain orthotic, prosthetic, and pedorthic devices; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MILLENDER-MCDONALD (for herself and Mr. WATTS of Oklahoma):

H.R. 5157. A bill to amend title 44, United States Code, to ensure preservation of the records of the Freedmen's Bureau; to the Committee on Government Reform.

By Ms. MILLENDER-MCDONALD:

H.R. 5158. A bill to secure the Federal voting rights of a person upon the unconditional release of that person from prison and the completion of sentence, including parole; to the Committee on the Judiciary.

By Mrs. MINK of Hawaii:

H.R. 5159. A bill to amend the Internal Revenue Code of 1986 to provide tax relief for the conversion of cooperative housing corporations into condominiums; to the Committee on Ways and Means.

By Mr. POMEROY:

H.R. 5160. A bill to provide compensation to wheat producers and elevator operators who sold wheat between May 2, 1993, and January 24, 1994, when the Federal Grain Inspection Service maintained erroneous standards for official inspections of wheat protein content; to the Committee on the Judiciary.

By Mr. TRAFICANT:

H.R. 5161. A bill to provide the appointment of an independent counsel to investigate whether officials from the People's Republic of China tried to illegally influence the 1996 Presidential Election.; to the Committee on the Judiciary.

By Mrs. MCCARTHY of New York (for herself and Mrs. MORELLA):

H.R. 5162. A bill to amend title XI of the Social Security Act to create an independent and nonpartisan commission to assess the health care needs of the uninsured and to monitor the financial stability of the Nation's health care safety net; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK (for himself and Mr. COYNE):

H.J. Res. 107. A joint resolution expressing the sense of Congress regarding the need for a White House Conference to discuss and develop national recommendations concerning quality of care in assisted living facilities in the United States; to the Committee on Commerce.

By Mr. YOUNG of Alaska:

H. Con. Res. 394. Concurrent resolution directing the Secretary of the Senate to make technical corrections in the enrollment of S. 1374; considered and agreed to

By Mr. SMITH of New Jersey (for himself, Mr. KENNEDY of Rhode Island, Mr. PORTER, Mr. MCGOVERN, Mr. WOLF, Mr. HALL of Ohio, Mr. PITTS, Mr. KUCINICH, Ms. MCKINNEY, Mrs. LOWEY, Ms. PELOSI, Mr. CROWLEY, and Mr. EVANS):

H. Con. Res. 395. Concurrent resolution expressing the sense of the Congress condemning the September 6, 2000, militia attack on United Nations refugee workers in West Timor and calling for an end to militia violence in East and West Timor; to the Committee on International Relations.

By Mr. BLILEY:

H. Con. Res. 396. Concurrent resolution celebrating the birth of James Madison and his contributions to the Nation; to the Committee on Government Reform.

By Mr. SMITH of New Jersey (for himself, Mr. BEREUTER, Mr. HOYER, and Mr. FORBES):

H. Con. Res. 397. Concurrent resolution voicing concern about serious violations of human rights and fundamental freedoms in most states of Central Asia, including substantial noncompliance with their Organization for Security and Cooperation in Europe (OSCE) commitments on democratization and the holding of free and fair elections; to the Committee on International Relations.

By Mr. GILMAN (for himself, Mr. GEJDENSON, Mr. HOLT, Mrs. MALONEY of New York, Mr. BLAGOJEVICH, Mrs. TAUSCHER, Mr. ACKERMAN, Mr. WEXLER, Mr. PALLONE, Mr. WEINER, Mr. MALONEY of Connecticut, Mr. FOLEY, Mr. TIERNEY, Mr. GEPHARDT, Mr. SHAYS, Mr. MINGE, Mr. BECERRA, Ms. SCHAKOWSKY, Mr. BROWN of Ohio, Mr. DOYLE, Mr. DEUTSCH, Mr. MCINTYRE, Mr. SAXTON, Mr. HASTINGS of Florida, Mr. MCDERMOTT, and Mr. KNOLLENBERG):

H. Res. 572. A resolution expressing the sense of the House of Representatives that it is in the interest of both the United States and the Republic of India to expand and strengthen United States-India relations, intensify bilateral cooperation in the fight against terrorism, and broaden the ongoing dialogue between the United States and India, of which the upcoming visit to the United States of the Prime Minister of India, Atal Bihari Vajpayee, is a significant step; to the Committee on International Relations.

By Mr. BLILEY:

H. Res. 573. A resolution expressing the condolences of the House of Representatives on the death of the Honorable Herbert H. Bateman, a Representative from the Commonwealth of Virginia; considered and agreed to

By Mr. GOODE (for himself and Mr. GOODLATTE):

H. Res. 575. A resolution supporting Internet safety awareness; to the Committee on Commerce.

By Ms. PRYCE of Ohio (for herself and Mr. HALL of Ohio):

H. Res. 576. A resolution supporting efforts to increase childhood cancer awareness, treatment, and research; to the Committee on Commerce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 49: Mr. HALL of Texas and Mr. FRANKS of New Jersey.

H.R. 218: Mrs. WILSON and Mr. SHIMKUS.

H.R. 220: Mr. NEY.

H.R. 284: Mr. SMITH of New Jersey, Mr. BONIOR, Mr. CRANE, Mrs. MORELLA, Mr. GILLMOR, Mr. MCINTOSH, Mr. EWING, Mr. WEYGAND, Mr. RAHALL, Mr. POMBO, Mr. MCNULTY, Mr. GREEN of Texas, and Mr. SCOTT.

H.R. 360: Mr. MCINTYRE.

H.R. 534: Mr. DIAZ-BALART, Mr. HILLEARY, Mr. MCINTYRE, Mr. CALVERT, Mr. WICKER, Mrs. MALONEY of New York, and Mr. COOKSEY.

H.R. 742: Mr. DIAZ-BALART.

H.R. 842: Mr. FARR of California, Mr. GILLMOR, and Mr. SHERWOOD.

H.R. 937: Mr. RILEY.

H.R. 979: Mr. BACA.

H.R. 1046: Mr. KLINK.

H.R. 1107: Mrs. THURMAN.

H.R. 1216: Mrs. EMERSON, Ms. MCCARTHY of Missouri, and Mrs. KELLY.

H.R. 1217: Mr. HYDE, Mr. BENTSEN, Mr. KUYKENDALL, Mr. PORTMAN, and Mr. CHABOT.

H.R. 1248: Mr. EHLERS and Mr. GREENWOOD.

H.R. 1317: Mr. MICA.

H.R. 1485: Mr. FATTAH and Mr. UDALL of Colorado.

H.R. 1512: Ms. MCKINNEY.

H.R. 1603: Mr. BALDACCI.

H.R. 1622: Mr. OBERSTAR and Mr. CARDIN.

H.R. 1671: Mr. GREEN of Wisconsin, Mr. GOODE, Mrs. KELLY, Mr. MASCARA, Mr. BALDACCI and, Mr. LANTOS.

H.R. 1689: Mr. MICA.

H.R. 1885: Mr. WAXMAN.

H.R. 1954: Mr. WICKER.

H.R. 2341: Mr. GEORGE MILLER of California, Ms. WATERS, Ms. MCCARTHY of Missouri, and Mr. RILEY.

H.R. 2544: Mr. COOK.

H.R. 2592: Mr. GILLMOR.

H.R. 2594: Mr. BERMAN.

H.R. 2620: Mr. BONIOR, Ms. STABENOW, Mr. LAFALCE, Mrs. THURMAN, Mr. ENGLISH, and Mr. SANDLIN.

H.R. 2710: Mr. ENGEL, Mr. CROWLEY, Mr. SISISKY, Mr. LATHAM, Mr. MCINNIS, Mrs. KELLY, Mr. MCINTYRE, Mr. LATOURETTE, and Mr. BLILEY.

H.R. 2720: Mr. FLETCHER, Mr. WICKER, and Mr. LEWIS of Kentucky.

H.R. 2722: Mr. UDALL of Colorado.

H.R. 2733: Mrs. WILSON.

H.R. 2788: Mr. SOUDER and Mr. HAYES.

H.R. 2789: Ms. DANNER.

H.R. 2870: Ms. MCCARTHY of Missouri.

H.R. 2883: Mr. DEAL of Georgia.

H.R. 2892: Mr. MOORE.

H.R. 2915: Mr. RODRIGUEZ.

H.R. 2953: Mr. SESSIONS.

H.R. 2969: Mr. BONIOR.

H.R. 3003: Mr. HILLIARD, Mr. HALL of Ohio, and Mr. BILBRAY.

H.R. 3082: Mr. ROYCE.

H.R. 3091: Mr. MARTINEZ, Mr. ROEMER, Mr. GILCHREST, Mr. BEREUTER, and Mr. REYES.

H.R. 3192: Mr. BAIRD, Mr. ROTHMAN, Mr. ROEMER, Mr. DOOLEY of California, Mr. HOLDEN, and Mr. BACA.

H.R. 3193: Mrs. LOWEY.

H.R. 3214: Mr. CRAMER, Mr. TIERNEY, and Mr. GREEN of Texas.

H.R. 3235: Mr. STRICKLAND.

H.R. 3308: Mr. MOORE.

H.R. 3463: Mr. FORBES and Ms. CARSON.

H.R. 3514: Mr. MCGOVERN, Mr. COX, Mr. BRADY of Pennsylvania, Mr. GONZALEZ, Mr. LEACH, Mr. KILDEE, Mr. FARR of California, and Mr. MASCARA.

H.R. 3540: Mr. CHABOT, Mr. UDALL of New Mexico, Mr. JOHN, Mr. KUCINICH, Mr. STRICKLAND, Mr. CALLAHAN, Mr. INSLEE, and Ms. BROWN of Florida.

H.R. 3575: Mr. FRELINGHUYSEN.

H.R. 3580: Mr. RYUN of Kansas, Mr. YOUNG of Florida, Mr. ROGAN, and Mr. SALMON.

H.R. 3624: Mr. KUCINICH.

H.R. 3698: Mr. SOUDER, Mr. MALONEY of Connecticut, Mr. PORTMAN, Mr. MORAN of Virginia, and Mr. TAYLOR of North Carolina.

H.R. 3812: Mr. FALEOMAVAEGA, Mrs. CLAYTON, Ms. MILLENDER-MCDONALD, Mr. CUMMINGS, and Ms. DUNN.

H.R. 3896: Mr. CLYBURN.

H.R. 3915: Mr. NORWOOD, Mr. CHABOT, Mr. ENGEL, Ms. LEE, Mr. OBERSTAR, Mr. FALEOMAVAEGA, Ms. DANNER, and Mr. MCINTYRE.

H.R. 4085: Mr. NEY.

H.R. 4094: Mr. ROGERS.

H.R. 4106: Mr. MALONEY of Connecticut, Mr. OLVER, Mr. MCHUGH, and Mr. BARCIA.

H.R. 4143: Mr. LUCAS of Kentucky.

H.R. 4219: Mr. SAXTON, Mr. SHAW, and Mr. KING.

H.R. 4250: Mr. ENGEL.

H.R. 4259: Mrs. MINK, of Hawaii Ms. MILLENDER-MCDONALD, Mr. JOHN, Ms. DANNER, Mrs. MYRICK, Mr. NEY, Mr. TURNER, Ms. PELOSI, Mr. GREENWOOD, Mr. BASS, Mr. BORSKI, Mr. SANDERS, Mr. ROMERO-BARCELO, Mrs. NAPOLITANO, Mr. HOUGHTON, Ms. KILPATRICK, Mr. LANTOS, Mr. MORAN of Virginia, Ms. HOOLEY of Oregon, Mr. SMITH of Washington, Mr. KOLBE, Mr. LAHOOD, Mr. MCINNIS, Mr. HUNTER, and Mr. GUTIERREZ.

H.R. 4271: Mr. HORN and Mr. BASS.

H.R. 4272: Mr. HORN, Mr. BASS, and Mr. UDALL of Colorado.

H.R. 4273: Mr. HORN, Mr. BASS, and Mr. UDALL of Colorado.

H.R. 4274: Mr. FILNER and Mr. HOYER.

H.R. 4321: Mr. CONYERS.

H.R. 4328: Ms. DANNER, Mr. PASTOR, Mr. MCINTYRE, and Mr. MOAKLEY.

H.R. 4380: Mr. EDWARDS.

H.R. 4395: Mr. MOAKLEY, Ms. SLAUGHTER, and Mr. NEAL of Massachusetts.

H.R. 4398: Mr. LAHOOD.

H.R. 4417: Mr. KENNEDY of Rhode Island and Ms. ESHOO.

H.R. 4471: Ms. BALDWIN.

H.R. 4481: Ms. BERKLEY, Ms. CARSON, Mr. MCNULTY, and Mr. RANGEL.

H.R. 4502: Mr. PETERSON of Pennsylvania and Mr. GARY MILLER of California.

H.R. 4571: Ms. DANNER.

H.R. 4594: Mr. BACA, Mrs. MORELLA, Mr. WAMP, and Mr. BROWN of Ohio.

H.R. 4651: Ms. LEE.

H.R. 4659: Mr. FARR of California.

H.R. 4669: Mr. SMITH of New Jersey, Mr. NETHERCUTT, Mr. GREEN of Wisconsin, Mr. DEFAZIO, and Mr. STUMP.

H.R. 4701: Mrs. JONES of Ohio and Ms. BALDWIN.

H.R. 4723: Mr. ARMEY, Mr. DELAY, Mr. WELDON of Florida, Mr. SHAYS, Mr. BALLENGER, and Mr. NETHERCUTT.

H.R. 4728: Mr. WELDON of Pennsylvania, Mr. MCDERMOTT, Mr. POMBO, Mr. DOOLEY of California, Mr. FOLEY, Mr. THORNBERRY, Mr. RADANOVICH, Mr. WATTS of Oklahoma, Mr. TERRY, Mr. FORD, Mr. RILEY, Mr. SAXTON, Mr. DREIER, and Mr. DOOLITTLE.

H.R. 4735: Mr. MATSUI.

H.R. 4740: Mr. DAVIS of Florida, Mr. COYNE, Mr. NADLER, and Mr. MINGE.

H.R. 4760: Ms. LEE and Mr. PASCRELL.

H.R. 4770: Mr. GEJDENSON.

H.R. 4792: Mrs. MALONEY of New York.

H.R. 4799: Mr. RILEY.

H.R. 4800: Mr. GIBBONS.

H.R. 4825: Mrs. WILSON, Mr. POMEROY, Mr. DEAL of Georgia, Mr. STARK, Mr. WHITFIELD, Mr. NADLER, Mr. CLYBURN, Mr. LEACH, and Mr. PORTMAN.

H.R. 4838: Ms. LOFGREN.

H.R. 4841: Mr. HILLEARY and Ms. DANNER.

H.R. 4857: Mr. GEORGE MILLER of California, Mr. LARSON, Mr. KUCINICH, Mr. MCDERMOTT, Mr. HOLT, Mr. DEFAZIO, and Mr. KOLBE.

H.R. 4858: Mr. MCGOVERN and Mr. HINCHEY.

H.R. 4894: Mr. HILL of Indiana, Mr. BUYER, and Mr. HILLIARD.

H.R. 4921: Mr. FALEOMAVAEGA.

H.R. 4935: Mr. GUTIERREZ and Mr. BONIOR.

H.R. 4950: Mr. GILCHREST and Mr. LANTOS.

H.R. 4951: Mr. KOLBE.

H.R. 4954: Mr. RANGEL and Mrs. MYRICK.

H.R. 4964: Mr. RAHALL and Mr. HINCHEY.

H.R. 4966: Ms. CARSON and Mr. UDALL of Colorado.

H.R. 4971: Mr. ISAKSON, Mr. SHIMKUS, Mr. TERRY, and Mr. SMITH of Texas.

H.R. 4976: Mr. GREENWOOD, Mr. BLUMENAUER, Mr. COBLE, Mr. SIMPSON, Mr. ANDREWS, Mr. MALONEY of Connecticut, Mr. BAIRD, Mr. CARDIN, Mr. GEJDENSON, Mrs. THURMAN, Mr. ROGAN, Mr. BONILLA, Mr. SESSIONS, Mr. SHADEGG, and Mr. STUMP.

H.R. 4992: Ms. CARSON.

H.R. 5054: Mr. BLUMENAUER.

H.R. 5062: Mr. KENNEDY of Rhode Island and Mr. ANDREWS.

H.R. 5070: Mr. HOLDEN and Mr. BLUMENAUER.

H.R. 5089: Mrs. JOHNSON of Connecticut.

H.R. 5091: Ms. RIVERS and Mr. FILNER.

H.R. 5107: Mr. NADLER, Mr. ROHRABACHER, Mr. JENKINS, and Mr. GOODLATTE.

H.R. 5109: Mr. LATOURETTE, Mr. SNYDER, Mr. JENKINS, Mrs. CAPPS, Mr. WELDON of Florida, Mr. RUSH, Ms. CARSON, Mrs. EMERSON, Mr. SIMPSON, Mr. HANSEN, Mr. PETERSON of Minnesota, Mr. GIBBONS, Ms. BERKLEY, Mrs. JONES of Ohio, Ms. HOOLEY of Oregon, Mr. WHITFIELD, Mr. BILIRAKIS, Mr. COOKSEY, Mr. BUYER, Mr. HINOJOSA, and Mr. TIAHRT.

H.R. 5117: Mr. GREEN of Wisconsin, Mr. SHIMKUS, and Mr. GORDON.

H.R. 5123: Mr. KUYKENDALL.

H.R. 5143: Mr. FLETCHER, Mr. LEWIS of Kentucky, and Mr. ROGERS.

H.R. 5144: Mr. FLETCHER, Mr. LEWIS of Kentucky, and Mr. ROGERS.

H. Con. Res. 62: Mr. KLINK.

H. Con. Res. 209: Ms. MCCARTHY of Missouri, Mr. HALL of Texas, Mrs. CAPPS, Mr. MORAN of Virginia, and Mr. UDALL OF COLORADO.

H. Con. Res. 258: Mrs. BIGGERT.

H. Con. Res. 259: Mr. SMITH of Washington, Mr. CAPUANO, Mr. SABO, and Mr. DEUTSCH.

H. Con. Res. 273: Mr. FORBES and Mr. MEEHAN.

H. Con. Res. 308: Mr. MCINTOSH.

H. Con. Res. 327: Mr. MALONEY of Connecticut.

H. Con. Res. 328: Mr. GILLMOR.

H. Con. Res. 341: Mr. BILIRAKIS and Mr. HALL of Texas.

H. Con. Res. 363: Mr. EVANS.

H. Con. Res. 384: Mr. MCINTOSH, Mr. SHADEGG, Mr. JENKINS, Mr. HANSEN, Mr. ROHRABACHER, Mr. PITTS, Mr. GARY MILLER of California, Mr. ARCHER, Mr. OXLEY, Mr. TIAHRT, Mr. LIPINSKI, Mr. NORWOOD, Mr. DICKEY, Mr. MCINTYRE, Mr. SCHAFFER, Mr. BLILEY, Mr. MANZULLO, Mrs. MYRICK, Mr. DEAL of Georgia, Mr. COMBEST, Mr. SMITH of Texas, Mr. RILEY, Mr. WALDEN of Oregon, Mr. GOODE, Mr. BRADY of Texas, Mr. WAMP, Mr. POMBO, Mr. WELDON of Pennsylvania, Mr. LEWIS of Kentucky, Mrs. WILSON, Mr. WOLF, Mr. SOUDER, Mr. GILLMOR, Mr. GOODLATTE, Mr. EVERETT, and Mr. DOOLITTLE.

H. Con. Res. 390: Mr. POMBO, Mr. DELAY, Mr. BUYER, Mr. EHRLICH, and Mr. DOYLE.

H. Res. 347: Ms. PELOSI, Ms. JACKSON-LEE of Texas, Mr. FORBES, Mr. MCNULTY, Mr. FATTAH, Mr. CASTLE, and Mr. MOAKLEY.

H. Res. 547: Mr. LUCAS of Kentucky and Mr. MEEHAN.